

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stewart Gray and Mr Gary Ticehurst at the ABC Studios in Sydney, on Saturday, the 3rd of April, 1999. Also present and seated directly opposite me is Senior Constable David Upston from the New South Wales Water Police. The time is now 10.58am. As I've already explained to you, Gary, Senior Constable Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race and we've been tasked to speak to a number of people who were involved in that race and today we're going to speak to you in relation to the role that you played as the helicopter pilot with the ABC. So if I could just, for the record, just get you to place on your full name?

A Gary Edwin Ticehurst.

Q2 Your address?

A 31 Barellan Avenue, Carlingford, 2118.

Q3 And your date of birth?

A 10/10/50.

Q4 And you're currently employed as -?

A Currently employed as a chief pilot for my company G and A Helicopters Proprietary Limited.

Q5 O.K.

A Contracted to ABC Television.

Q6 Right.

A One our major contractors.

Q7 O.K. Now, how long have you been with the ABC for?

A The company's been contracted with the ABC for near on 18 years and myself have been involved with them for that 18 years.

Q8 O.K. Now, how much flying experience do you have?

A Just under 11,000 hours, helicopter time.

Q9 O.K. And previous to the ABC you were in the Army Flying Corps?

A Previous to the ABC I was the Deputy Director of Flying Operations of the New South Wales Police Airwing, prior to that, prior to 1979, the Australian Army Aviation Corps.

Q10 O.K. Now, if I can just take you back to the, I'll withdraw that. Can you tell me what your role basically is, so far as the Sydney to Hobarts?

A So far as the Sydney to Hobart Yacht Race goes, primarily the role that I play with using, using the ABC helicopter, is one of a roving film camera platform to take pictures for the sake of any other description of what we do, of the events taking place in the Sydney Hobart Yacht Race. We first conducted this operation in 1983 and have been continuous since and we are now providing video pictures for numerous television networks for Australia and overseas. You would describe the helicopter activity as a pool vision gathering helicopter for all the networks.

Q11 O.K.

A We're not, we're not associated directly with the CYC

but we've always maintained a rapport with the CYC, given, you know, our proximity to the racing yachts, and, the fact that we do follow the yachts all the way to Hobart.

Q12 O.K. In your role with the actual chopper do you have a rescue role as well?

A We do not have any rescue role at all, the only role that we can achieve with the equipment on board is a search role, and we have a limited search capability and we have a limited homing capability.

Q13 Right. O.K. Now if I could take you to the day the race started, could you just flow on from there as to your involvement of last year?

A Sure. Where do I start?

Q14 From the start if you like.

A From the start of the race the ABC helicopter was chartered by Channel 10 to provide a live camera platform for the race start. Subsequent to the race start the helicopter was then transformed into a news gathering helicopter that follows the fleet all the way to Hobart. On the 26th of December a sortie was made out around about 4.30 in the afternoon to gather late afternoon pictures of the lead yachts as they headed downwind towards Merimbula. Later on that evening on positioning of the helicopter from Channel 2 to Merimbula, there was a lot of storm activity we found some yachts, however, we, we took a couple of pictures, video pictures that is, and then we relayed those

pictures from Merimbula back for the television networks that evening. The following morning usually starts pretty much just after dawn and myself, the cameraman and journalists on board the ABC helicopter took off from Merimbula looking for the lead boats. The conditions were not surprising as a front was forecast to go through, 45 knots approximate wind strength, seas choppy, although at that stage probably seas were about 20 feet, occasionally, 30 feet, that was between a period of half past 5.00 in the morning to about half past 8.00 in the morning. During the day it was obvious that the conditions were affecting a number of boats, given a couple of sail changes that we observed, given the hard going of the boats in the morning, a couple of the main maxis, as in Wild Thing and Marchioness ha pulled out, due to structural damage. It was clear at that stage that it was going to be very tough going for the fleet as they headed past Merimbula. Another sortie was flown after that one, which finished us, which led us to land at Mallacoota, at approximately, I can only say approximate at this stage, because it would've been around about 2.30 in the afternoon, landed at Mallacoota to refuel. This is a standard operation, we would go in and out from Merimbula and call Mallacoota during the day and pick up vision of the yachts. It was very obvious when we landed at that time that it was not going to be very, it was going to be tough for

the smaller yachts and indeed it was, it was tough for the some of the larger yachts in negotiating what was becoming a build up of the seas. The seas were building to 40 feet and the wind strength was probably, you know, increased to about 55 knots, my estimate, we don't have anything on board the helicopter to assist with windstrength. It was at that stage that a local policeman from Mallacoota sought us to advise that there was a yacht declared a Mayday off, off Gabo Island. There wasn't, a position was not given at that stage but five minutes later we were given a latitude and longitude for the yacht Stand Aside. We quickly refuelled, we made our way out to that position and along with another fixed wing Echo X-Ray Foxtrot, I think it was, question mark on that one. We located Stand Aside. The dilemma then was what we can do with Stand Aside who, it was apparent to us had been, had suffered severe structural damage, it didn't have a mast and half the roof had been ripped off the top of the yacht. During this period I was in telephone contact with AUSSAR and advised them that we'd located the yacht, they asked if we could, as we, going back one if I may - - -

Q15 Yep.

A - - - we were assigned this task from the policeman at Mallacoota, but we were happy to be out there as we were the only helicopter in the area at that stage, and provide whatever assistance we could possibly provide

for the yacht and also AMSAR. It was aware to me, it was made aware to me that the first helicopter was going to be 45 minutes away, 45 minutes turned into an hour and 20 minutes before the helicopter call sign Helimed 1 arrived overhead Stand Aside. At that stage the windstrength was I estimate up around 65 knots and the waves 50 feet troughs, occasionally a little bit higher, unfortunately the problem then was that there was breaking water on top of the, of, of, the top of the troughs. So you had a 10 foot break on top of that, on top of the wave, caused by the sea conditions themselves and also the wind factor, which made, which made the conditions very, very difficult for any yacht. There wasn't much we could do other than reassure, reassure, now at that stage, sorry, we only had the cameraman and myself on board, because I dispatched the reporter, Scott Ally, back with our fixed wing aircraft from Mallacoota to Merimbula. I felt that he's, he's, was better use back at a coordinating area where we knew that this was going to be bad for the rest of the fleet, so far as the challenge of the seas and the boats, we knew there was going to be other boats in, having problems and indeed there was, so, you know, it was, it was obvious that there were going to be a lot more in boats in trouble. But during this time anyway I was, as I say, I was in, had numerous conversations with AMSAR, advising them of the sea state, the conditions, the

situation with Stand Aside, checking up on the arrival time of Helimed 1, but, it was, it was delayed for whatever reason, they got there as soon as they could I'm sure. During that period we were asked by AUSSAR if there were any other vessels in the area, we passed one freighter who was about 26 miles out, which would have been, he would have taken several hours to get to the site, I'm not sure what AMSAR did with that, that boat, that was a, you know, a freighter of some sort. But there was another yacht very close in called Siena. I was able to raise Siena on the marine radio and through AUSSAR, asked if he could come back 180 degrees and come back to where Stand Aside was, and just be in a stand off position in case people ended up in the water from yet another wave hitting Stand Aside before the rescue chopper got there. Almost as soon as the yacht Siena turned around in front of me, it got hit and was flattened against the wave and then righted itself, and they reported then that they'd had a knockdown and their radio operator was injured and it was the same guy I was talking to, and they wouldn't be able to hold station, they attempted to hold station even though they had injuries on board, but then they, they advised that they'd have to head off towards Eden because of the injuries. They eventually went back to Bermagui because of, the seas were bad, in the sense that the track towards Eden would've put them abeam the swell, the track to Bermagui would've been better off

for, for the boat, and indeed they went back to Bermagui. Just after Siena left Helimed 1 arrived and at this stage we'd been airborne for near on two hours, maybe a little bit longer, and used a lot of fuel, the wind conditions were at least 65 knots and I was thinking to myself, well, we are we going to go for gas and how long's is it going to take us to get there. And even at that stage I planning the fuel if Helimed 1 hadn't arrived. Anyway Helimed 1 arrived and I figured that I had about 10 to 15 minutes of fuel left and indeed the cameraman asked me at one stage how long, how long we'd got left and I said 5 minutes, so at the end of that 5 minutes, we watched Helimed 1 rescue one survivor from the life raft that was tethered to Stand Aside and I called that we had no more time on station because we had no fuel left we had enough fuel to go to what I thought would've been Mallacoota, say 50 minutes, with 20 minute reserve and I was prepared to stretch it down to a 15 minute reserve. Just as we were about to leave there was a Mayday call from Winston Churchill. Now, I figure that time was about 5.23pm in the afternoon. But I'd have to check, have to check. As you can imagine the, the conditions at the time, you're a single pilot flying in those conditions, I was relying on the cameraman to write down a lot of notes in the back and the rest is basically memory, but we do have audio tapes that will back up, you know, the sequence of events, the audio

belongs to all that vision that you, you will no doubt get.

Q16 Yep. All right.

A And you can soon piece together the times, there's a few lapses there, because believe it or not we had intermittent audio problems with the receiver in the back, that was receiving all the information coming from the yachts and telephone calls, et cetera, et cetera, and we subsequently did a check on the helicopter and there was about five different circuit cracks or, you know, intermittent faults in the audio box that was feeding the recorder, so, unfortunately we had to live with those, but all your times are there, basically you can work out when the, when the Mayday call came from Winston Churchill. I took Mayday, the Mayday call from Winston Churchill, I asked him questions like, what was the nature of his Mayday, how many persons on board, he gave me obviously his position, which he gave as 20 miles south east of Twofold Bay. Now, I was a lot further south east than that and because of my radio and because of my height, I felt well, geez, you know, that's a pretty good reception. It was very loud and clear the Mayday call and I wouldn't normally get, I wouldn't normally get that sort of response where I was relative to what he said his position was. So I figured that he was somewhere close to me, but that was a sort of fleeting, at that stage the fuel gauge was going down, you've got

a Mayday call on your hands, what I did was contact AUSSAR and give them, relay the Mayday instantly and then figured out how long it was going to take us to get back, to get back for fuel. At one stage there I only had a ground speed of 35 knots, when I normally have a ground speed of 115 knots. But then we seemed to move out of that and gathered a bit of inertia and we had a ground speed of about 50, 55 knots. And as a matter of fact it took us 55 minutes to go from my position, which was about 26 miles east of Gabo, back to Mallacoota, and I had 15 minutes of fuel left, so I had, my biggest frustration was I knew I had no time to go looking for Winston Churchill.

Q17 Right.

A But on the way back, on the way back, this is pretty critical, I think, on the way back, in that 55 minutes there was an aircraft call sign Sierra Alpha Romeo. Now Sierra Alpha Romeo I later found out was the dedicated SAR aircraft that AMSAR or AUSSAR have on standby at Moorabbin And during that period I can't, because I wasn't taking notice and trying to fly the helicopter, about half an hour out, or 20 minutes out from Mallacoota, so 30 minutes into the trip from the Mayday call from Winston Churchill, so 30 minutes after that, I believe the Sierra Alpha Romeo came up with a positive ID of Winston Churchill, and, and he was talking to Melbourne centre, he was talking to Melbourne Flight Service, he didn't have a

telephone contact of AUSSAR. Now, the nature of the call from the Sierra Alpha Romeo was more matter of fact, I, you know, I have Winston Churchill's lat and long, lat and long. Now I wasn't in a position to plot that at that stage, but it seemed to me that it was a little bit too far south, and I really don't know whether that aircraft, whether he had a positive ID on that, on that, that yacht or not. But we went back to, we got back to Mallacoota, the weather conditions were deteriorating on the coast, with a bit of low cloud, a bit of, a bit of a sleety, not sleet, sorry, bit of, you know, like drizzly type weather conditions, drizzly rain, low However, the weather wasn't too bad, there was, there wasn't rain at all, it was just sort of howling gale and a lot of salt spray. When we got back there was a problem with how many drums were available for refuelling, we managed to refuel to about, about 80 per cent of the capacity of the machine. Helimed 1 returned with the first seven survivors off, off Stand Aside, whilst we were refuelling, Polair 1 from Victoria had landed, refuelled, was obviously sitting there ready to be dispatched and all of a sudden we got another, the police came over with yet another request that we immediately head east because a man's been swept off the yacht, Kingarra, O.K. Now, I, I, I suggested the policeman go straight across to Polair 1 because he'd refuelled, I was still in the process of refuelling, as

soon as we refuelled we were going to go. Luckily, Polair 1 was off the ground within five minutes, we were off the ground five minutes after that, went straight out to this lat and long that we were given for Kingarra, who'd lost his man overboard, but en route to that location, about five minutes out from the location, happily we got the news that Polair 1 had been able to hoist the missing crewman out of the water, very lucky boy. So we then, I was in contact again with, with AUSSAR and went straight to the lat and long, the latitude and longitude, that was given for Winston Churchill that we got off Sierra Alpha Romeo and went to that lat and long and started to conduct a search. We searched there, God, it must have been an hour and a half, there was not, not a sign of anything. The only boat we found was Team Jaguar, which was demasted, and we also found a tugboat that was obviously, that was going out to, we later determined at that time, was going out to Team Jaguar, we spoke to the Young Endeavour, let him know what we were doing, this is all on VHF, marine, and I'll explain those differences in the radios to you a bit later, that's important, and we also spoke to a couple of fixed wing call signs in, in searches. Now, there, that second search for about an hour and a half was uneventful other than Team Jaguar, and it was a mystery to me, we went to the latitude and longitude where the fixed wing said that he sighted Winston Churchill,

there was just not a sign, there was nothing in the water, and we went right to that point and then started drifting and then doing a square pattern initially, then a circular pattern, to try and establish, you know, if they were in life rafts and they, 'cause they told me that were getting the life rafts on deck, I assumed at that stage that they were, they'd water, sunk and as I understand they did sink pretty quick. But we had to go back to that latitude and longitude and search and obviously I then described our lack of finding anything to AUSSAR on the telephone, it was an analogue telephone, so basically during that period we were in constant contact with AUSSAR, trying to give them a better picture of what was going on out there, because their information was being relayed through various channels back to their office, they didn't have anybody eyeballing the situation like we were. With last light approaching there was no fuel for me at Mallacoota, I started to head back towards Merimbula and just on, just on last light, which would have been, God knows, it would've been coming up to half past 8.00 at night. I encountered, what's the word, the Westpac chopper from Wollongong, he was on his way out, John Clopper, and I, he, and it was like the storm area had its own gale force and then you'd pop out of that area into sort of, you know, 20, 30 knots of wind, which was sort of quite mild compared to the little cyclonic area that was where the yachts were, and we encountered one

yacht going to Eden, I think it was Midnight Rambler, I'm not sure, but he was O.K, he was, he was going into Eden, then we, then we encountered the rescue chopper going south and I just, he was going there for operations after dark and he was, because he is a, a VMC helicopter like he doesn't, they don't fly on instruments, he doesn't have, didn't have, that capability, I just advised John that, you know, beware the conditions in there were pretty atrocious for, for after-dark searches and indeed we were coming out of that area back to Merimbula and indeed about 15 minutes after I advised him, he turned around anyway 'cause pretty horrible for him, came back to Merimbula. The most important thing on my mind at that time was the fact that there seemed to be dilemma about where Winston Churchill was. I put him north of where this so-called latitude and longitude was given by Sierra Alpha Romeo. Just in my mind I didn't have anything to go other than gut feeling the radio reception, just, just a gut feeling that he had to be a little bit further north, but anyway I never found him. As soon as I, as soon as I finished cleaning the machine, cleaning the engines, putting the helicopter away, I went back to the motel room and rang AUSSAR because I felt that we had a dilemma as to where Winston Church was and indeed when I rang they were just all sitting down to a round table and they were trying to discuss the, that issue, the Winston

Churchill issue. They had other issues I'm sure, but they were also trying to figure out where the hell Winston Churchill was. So indeed we got the tapes that we shot and we ran the tapes back to determine exactly what he said, I relayed that back onto, on the telephone to AUSSAR, they were happy with our response, they were happy that, the skipper said 20 miles, they were happy that the time was around about 5.23, I think it was, so they had all those details to work on and basically after that we tried to get some sleep, 'cause we wanted to get out there first light the next morning. During the night I heard a couple of helicopters land at, at Merimbula. The next day Winston Churchill was still missing. I rang AUSSAR because I didn't want to infringe their, their search and rescue protocol and they gave me a roving brief just to rove and, and to take pictures as well, obviously, to see what we could find, so we sort of tracked around various locations to assist any aircraft that were already out there. We went out towards where the last position of Winston Churchill was, a little bit further to the east and north east, a bit of a search across that area there, and then we came, we went out further where we thought what's the name of it, the fellow that was lost off yacht.

Q18 Glyn Charles.

A Mm.

Q19 Glyn Charles.

A Yeah, what yacht was he on?

Q20 Sword of Orion.

A Sword of Orion. Yeah, we started to go out that direction but it was just too far out, and I figure where he may have been he was, the yacht would've been a long way out of our range, so we came back to Merimbula, refuelled and then headed up to Business Post, where we knew there was a rescue going to be made by a Careflight helicopter, we got there after the rescue had been made, we were looking for life buoys at this, life rafts at this stage, we came across the life raft, we came across Business Post and to my surprise they'd left a body on deck face up, which surprised me, we understood too that there was a body below deck in a bunk, but that boat was basically then adrift, it had its sails out, they had the sails over, over the deck, probably to use as an anchor not to drift too far, I'm not sure, because normally they'd cut all that gear away, obviously they'd, they'd left it out for some reason. We found other life raft and reported that position to AUSSAR again, we were on the phone all the time. Then we, then I got a beacon response on my homer at the same time Polair 1 was in the general area, he got a beacon response, we were hoping it might have been a life raft but we both, we both honed in on a beacon, we did search for a good 35, 40 minutes and couldn't put it down to anything, we both, even though

he had more sophisticated gear than I did, we both honed in on the, on the same spot. He conducted a high search, I conducted a low search with, with nil result, nothing in the water at all. So we don't know what that, anyway on the way back from that we, we came across B52, I think it was, and that was probably about 1 o'clock. Now, I'm not but probably about 1 o'clock on the 28th, I'm pretty sure that's right, I'm pretty sure. hang on.

Q21 after that

A Sorry, that was the 29th. I think it was the 29th.

Q22 On the 28th, the afternoon of the 28th there was a sighting once again by this aircraft, Sierra Alpha Romeo, of Global Challenge, the yacht Global Challenge with its, apparently its sails up, right, about 95 miles due east of Merimbula. Now, to me that just didn't make any sense at all, but we responded to that and so did the the warship Newcastle. When we went there with warship Newcastle about 110 miles out off Merimbula searching. Now, warship Newcastle was going to launch a Seahawk but they had arrester hook problems on the back of the deck and they couldn't get their chopper off. O.K. But they did, they reckon they had a radar return, we went to where that radar return was, there was nothing there, so, you know, you can get all these spurious radar returns anyway, but they still couldn't get their chopper off the deck, so went out

there, we, we looked in that area and by the time we got out there we only had about 20 minutes of searching there that we could do, so we weren't really good in that sense, we were too far out and we figured well they had the Seahawk there they could do a lot more in-depth searching than we could. We searched there late in the afternoon and there was nothing, absolutely nothing there at all and but it still didn't make sense that this, the aircraft report the yacht with a sail up just didn't make sense at all. Anyway, we went back, I was a bit at this stage and I took a bit of a break, 'cause we, we knew that everybody was out there looking anyway, I spoke to AUSSAR again that night and obviously during that night, the 28th, they found the two rafts and they plucked five out.

SENIOR CONSTABLE UPSTON

Q23 Five?

DETECTIVE SENIOR CONSTABLE GRAY

Q24 Mm.

A Yeah. Which was great, the next day, it was the 28th that found B52 by the way. They were under motor without, without a mast heading into, they had no coms, so, they were O.K. Heading into, when we heading back for fuel we come across them they were actually located by Westpac, we just followed up on Westpac sighting So that was the 28th. If this is sounding like a bit of a blur, let, let me know.

Q25 No, no, you're fine.

A The 29th, first thing Global Challenge was sighted some 85 miles away from the position, or north, north west of the position that Sierra Alpha Romeo had radioed the day before, which I must admit I was pretty sceptical about in the first instance and we linked up with, once again we linked up with HMAS Newcastle and Newcastle put a boat in the water as we got there, they put a boat in the water and took a couple of people off Solo Global Challenge. We confirmed they were with Solo Global Challenge and they were going to head off towards Ulladulla or Bermagui, I'm not sure where they went. And they seemed to be O.K, they had a radio in their hand, they were talking to us, they were talking to the Orion, they were talking to warship Newcastle and I think they were, their spirits were good, they, they'd got a couple of people off, the weather conditions were, it was like glass out there, there's a bit of a swell, but there was, you know, it was just nothing like the weather 24 hours beforehand. So they were happy to head off 100 miles out of Moruya, that's where we found them. Not we, but that's where they were found, which as I, I'll say again, didn't make any sense to to where they were positioned the day before by Sierra Alpha Romeo and that morning they'd only just, they'd only, they'd be working on their motor all the time, they'd only just got their motor started, they said they've only just

got their motor started, they're happy to, you know, head off back in towards the coast. Returned back to Merimbula and really then it became a body search, with all the call signs, with all the helicopters, we were again given a roving brief from AUSSAR, they were happy with us to rove, we went out to that search area, the search area was well covered, but as I, my understanding they never recovered any other, any other bodies after that time. We found a, you know, there's some, there was some debris in the water, there was a, a Dolphin torch, couple of other little bits and pieces, nothing of substance at all. The life rafts, the problem is the day before and the day before that the 28th, 28th and the 29th, there was all these life rafts were, we found two or three and they didn't have any ID on, we passed what numbers were on back to AUSSAR but I'm sure these life rafts had been found by many helicopters and many fixed wing and been reported on all the time, so, on the 30th about lunchtime, we were no further use there so a decision was made to resume the coverage for all the television networks and head south to Hobart. Arrived at Hobart just on last light on the, couple of days, 29th, 29th.

Q26 O.K. That's - - -

A Let me just go and check - - -

Q27 Sorry?

A Let me just go and check a book here, make sure I got

- - -

Q28 Hang on before you go
It's 11.30am. This interview is suspended.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

DETECTIVE SENIOR CONSTABLE GRAY

Q29 The time is 11.36am. This interview between Ticehurst
and Gray is recommenced. You left the room - - -

A yes - - -

Q29 - - - a short time ago?

A That's correct, yep.

Q30 Now, you arrived at Hobart and you attended to,
celebrations there or -?

A Well, I arrived at Hobart and unfortunately that
evening, found out that one of the missing people on
Winston Churchill was a friend of mine Jim
Law.

Q31 Right.

A So I was very saddened to hear about that and reminded
me, you know, just, just everything came back so far as
the 27th of December was, goes because it was very
frustrating - - -

Q32 Yes.

A - - - to be so close I felt because of the radio
reception we got on marine VHF and yet not having the
fuel to go and look for these people.

Q33 Yeah.

A 'Cause I do believe that if we would've found an actual

location, things would have been a lot different, but I, but then even though we had to leave the search area I was initially comforted by the fact that Winston Churchill was sighted by the aircraft Sierra Alpha Romeo and there was no other comments about the condition of Winston Churchill, so I, you know, I sort of felt in my mind that perhaps the boat was all right. There were other, there were other emergencies going on at the time that we became involved in that took the issue of Winston Churchill away from us until later on in that on the 27th we went back to look specifically for Winston Churchill, and I couldn't find it.

Q34 O.K. Now so far as the forecast that you were given prior to you commencing your operations you mentioned earlier that it was a front forecasted at 45 knots winds and the seas 20, 20 foot to 30 foot, is that correct?

A No, the forecast I got was that night and basically a front moving across around about midnight hitting the fleet, winds of 45 knots, so we would expect, you know, 10 to 20 foot seas with a wind like that. You've got a wind blowing in one direction it can't blow in the other so you're going get to a chop in that area. When we went flying dawn on the 27th, yes, everything that was forecast I expected was there, it was as per the forecast in my mind. But that developed, the front didn't move through, that was the odd thing, it, it intensified in one, one small area, and it didn't sort

of blow out until basically 24 hours later on the 28th, where on the morning of the 28th the conditions were more widespread off the coast, more southerly front type conditions.

Q35 Now when you commenced your operations you said that you were sort of following the lead boats, so I assume that you would've had some view of the rest of the fleet Merimbula, at a point at Merimbula, how spread out were the fleet, do you recall?

A I really can't answer that we never really got to find the rest of the fleet.

Q36 Right.

A Because of the conditions, it was difficult enough finding Brindabella, Sayonara, Helsal, Titan Ford, and a couple of others, we probably only found 10 or 12 boats before the conditions deteriorated, and this is not uncommon, we could go out for three hours and maybe only get in a big wide sweep of that area on day two of the race only four or five boats and then by the time we did the second sweep, it was getting really bad, weather conditions wise, we were at Mallacoota when the Mayday come through. So our attention was then away from the fleet and we were reacting to requests from the AUSSAR people.

Q37 Right.

A So we did never, we never really got a chance to look for the rest of the fleet but we certainly knew, saw a

lot of boats going into, when we were returning to Merimbula for the fuel, both on the 27th and the 28th, there was a lot of boats going into Eden and taking shelter down the coast. Because our concentrated effort really was to try and find survivors and to find those boats that had reported themselves in, in trouble.

Q38 At any time while you were conducting your operation did you fear for your safety, the safety of your crewman and your helicopter?

A No, because the machine's a twin engine machine, it has pop out floats, it is well equipped for sea survival in case we have a problem with one engine or two engines, the chances of a double engine failure are absolutely negligible, so the machine is the right machine for those conditions, even, even though I did make a precaution of not having extra passengers on board, just in case there was a major problem. I only had the cameraman and myself on board. Life rafts were included in the machine, EPIRBs, we had EPIRBs each on our life jackets and survival vests, plus EPIRBs, air EPIRBs in the aircraft so if we found any yacht in distress or life raft or person I was always, we were going to throw an EPIRB to them, that's always been my modus operandi, so to speak, in covering the yachts all these years to have some extra gear available to toss to somebody if they're in strife. But no we didn't have any other, other gear, I felt that the machine was

up to the job, I felt comfortable and even though the conditions deteriorated it's not as if we came from calm conditions into that worst condition we sort of were in those conditions building up to the worst conditions, so, to use somebody else's words you, you sort of you warm to the task in effect, and it's not as much a shock to the system as if you come in cold into the worst of the conditions. So I felt that, yes, we were, the machine was capable and I was certainly capable of handling the conditions.

Q39 Right. Now, you've been involved in the Sydney Hobart for some 16 years.

A 16 years.

Q40 And have you ever experienced conditions, wind and sea conditions like this previously?

A 1984 was a bad year but that was a typical southerly front that came through and lasted more, lasted about 36 hours, that was pretty tough, but certainly no, never seen any conditions like this, this was, this was really, this evolved into gale force conditions, 50 to 60 foot waves. And you measure those against some of the yachts that we found out there, so, no I've never, never seen conditions like this before.

Q41 Now what sort of height do you normally fly at when you're filming the yachts in a -

A When you're filming around the yachts, you're, you're below 500 feet, so which means you that you could be down to 10 to 15, 20 feet above the water or you could

be 200 feet or 100 feet, the height varies, the height varies. When you're searching for a yacht in those conditions if you, if you're at 500 feet you won't be able to visually see them against all the white caps, you've got to get down lower probably 200 feet, 150 feet, to a hundred feet, so you can pick out a mast or something that's different on the, on the horizon, that's the only way over the years that I've been able to, able to find the boats. You do go out, we try to get some skeds, there was a crossover in the changing of the, the office from Sydney to Hobart, we didn't quite get the skeds on the first day as timely as we wanted them, but that was, that was history then, we found the yachts ourselves in the rest of the day.

Q42 Right.

A We didn't have to worry about skeds because you're more concerned with the, with the yachts that were in trouble than anything else.

Q43 O.K. It's 11.45am, this interview's suspended for a tape change.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

DETECTIVE SENIOR CONSTABLE GRAY

Q44 Interview between Gary Ticehurst and Detective Gray continued. The time is now 11.58. Yes, in relation to Team Jaguar, Gary, I wonder if you could shed some light on that

A Well, Team Jaguar, after we'd

finished with man overboard from Kingarra, we resumed our search for Winston Churchill and it was getting late in the afternoon now, it was well and truly after 7 o'clock, and we'd become aware that Team Jaguar was demasted, we heard that conversation on, on the VHF marine radio between, I think it was Young Endeavour, and another, another boat, I believe a tugboat, and indeed then we came over, we came, we came across the tugboat in our, in our search profile and then about 10 miles north of that we found Team Jaguar without a mast, they were quite stable, but without a mast and we never raised coms with Team Jag, so we're not quite sure what coms it had, but we advised the Young Endeavour that we'd located Team Jaguar without a mast and they said, yes, they were aware of that and there was a rescue tug on the way. And I said, "O.K, yes, we passed that", but it was a long way away from where they were and I got them to verify the latitude and longitude that had been given for Team Jag and indeed it was the wrong latitude and longitude for the tug that was going to intercept that latitude and longitude, so I re, I gave a new latitude and longitude or position for Team Jag to Young Endeavour, I understand subsequently that that was passed on to the tug, not on our radio, it was passed on to the tug and the tug made contact later on, just before last light that, on the night of the 27th. So, there must have been a bit of HF chatter between

Team Jag and Young Endeavour and the tug to try and intercept but we didn't copy that, subsequently I've, I've heard hearsay that there was quite a lot of chatter on HF with Team Jag and the tug and Young Endeavour, I'm not quite sure where that led to or how substantiated that is.

Q45 Right. Now so far as the Naiad's concerned you said that you heard a few Maydays from the Naiad.

A from the Naiad. The Naiad as I understand was in strife on the night of the 27th.

Q46 Yep.

A And, and we never picked up any VHF and we're not equipped, the helicopter's equipped for HF, so we never picked up any of those signals at all from Business Post Naiad, but we were there just after the Careflight helicopter rescued the remaining crew off Business Post Naiad on the morning of the 28th. And as I described what greeted us at Naiad was a body on deck and we were aware that there was another deceased below decks and in the close vicinity of Business Post Naiad, to the north of Naiad, there were two life rafts in the water.

Q47 Right. Now, so far as, generally speaking, so far as coms with the yachts were you happy with the coms situation?

A Well, for our purpose where we're a news gathering, vision gathering utility helicopter, for our purpose we

don't need to be on HF and indeed the helicopter is not equipped with HF radio. We can, when we come across a yacht they always, they know to come on up on the marine VHF and talk to the chopper.

Q48 Right.

A And we, we have permission from the CYC to be able to talk to those skippers about how they're going, what conditions they're in that, that would be newsworthy so to speak. We're not allowed to pass on any information about the, it's against the race rules to pass on information about sea state that they're heading into or wind strengths that they're heading into and other things that may give them an advantage over other yachts. But that's, that's the strict, you know, application of the rule, but really we've never had to give advice of that nature before, we never have. The day before, if I can go back to the day before, when we found Brindabella, it had radio problems and we were able to assist Brindabella pass on its, its schedule position, reporting point, to the yacht, the CYC, because they hadn't heard from Brindabella and was concerned about its safety. We were able to confirm to the CYC that Brindabella was O.K, it had a HF problem and we were able to relay its latitude and longitude on VHF. So we, we would use VHF under those situations, to help out a boat or to a, you know, to talk with a boat. Let them know what we want to do around the boat and so forth.

Q49 As it is the fact that boats aren't within the strict rules committed to pass on information about winds and that sort of thing, from your point of view out there in a helicopter if you were experiencing winds in excess of 65, 70, 80 knots, do you feel a moral obligation to pass it onto yachts or Telstra relay ship?

A Yeah, no, we, they knew the conditions, 'cause we passed on the conditions to AUSSAR as soon as we were involved in the search step back, take one step back.

Q50 Yep.

A The conditions on the morning of the 27th were as predicted 45, 50-odd knots and they grew and they grew but when we found Helsal it was sailing, it was in rough conditions, it was handling conditions O.K, so, he, he knew exactly what the conditions were. We were on a VHF system so we were only really localised to a yacht. Now, we didn't find we were in a position to advise any yachts because they weren't there, so we didn't have them visual but you always make the assumption that they're getting the same weather that we're getting and they know what's, they know what's happening. However, once we became involved in the search and rescue certainly we were passing the weather conditions onto AMSAR, also, to give them an idea of what the actual conditions really were. What they did with that information I don't know. But we weren't in

the position then because we were tied up with Stand
Aside and Siena and a search to advise other yachts,
they were in it they were there, they
were in it. And the next day it was again search and
rescue was on the 28th. But if, for example, there
would be debris in the water and a yacht was sailing
straight for a, a container I would be on that radio so
fast to let them know, you know, if I was in the
immediate vicinity of a yacht about to get itself into
strife, you'd be on that radio quick smart and giving
them a hand to, to prevent any sort of, you know,
disaster situation or, you know, or danger to life, you
would be on that radio straight away.

Q51 So from an outsider's point of view and
I suppose in being involved in the Sydney to Hobart for
some time, I mean, that rule to you, what do you think
about that rule?

A Well, the rule as such is a rule and it's one of the
rules of the race, but there, but that is up then to
the skippers to seek advice, right, to make his own
decision, to seek advice, or to relay advice to other
yachts if he finds himself in danger. Our situation
was slightly removed from that as I just explained,
because we were at boats that were either doing O.K,
right.

Q52 Yep.

A In those conditions or part of the search and rescue
operation and only in the search, only in the searching

type operation. But as I, as I say, you know, the rule is there for general conditions, but conditions do deteriorate, the conditions on the morning of the 27th were as predicted in my mind. What went wrong is that instead of moving through, this front became a cyclonic little, own little low of depression and it just kept going round in circles, and it was a, it was a very low or cyclonic low pressure region. Very, very very isolated and very intense low pressure.

Q53 Now, so far as coms are concerned with ASSAR you had no problems?

A Well, I had, they had no problems because we were able to talk to them direct on an analogue radio system and - - -

Q54 Right.

A - - - and my, my quandary this year is that they turn the analogue system off this year before the next race.

Q55 Yep.

A And I reckon, you know, there, there's, the analogue system proved itself on the last Sydney to Hobart Yacht Race and they've got nothing, it's just crazy, they're going to turn this analogue system off and there's just nothing there to replace it, nothing. We were getting a telephone signal in the helicopter 90 miles out to sea, in our, in our search for, search for Global Challenge, 95 miles out to sea at 100 feet, that's the sort of range we were getting on the telephone, which adds an immediacy factor to any search

and rescue because we're there on the bloody phone, like talking to AMSAR, also, instead of going through relaying through Melbourne Flight Service, who've then got to make a telephone call, or going to relay to another aircraft who then relays the message to Melbourne Flight service who then relays a message back to AMSAR. Indeed the rescue helicopters like Careflight and Westpac, they've also got analogue phones on board, which is very timely for the doctors to be able to talk to hospitals direct in assessing a patient's situation or if, in this case you might have survivors on board, you can relay their, their medical condition, so that's where the analogue phone was used in a very discreet way by the rescue agencies and, and ourselves and I believe, you know, it is a lifesaving facility which is going to be cut off at the end of the year, now that's a little bit political but I'm, you know, at a loss to understand why they would, you know, cut this facility off other than the deals they've made between Vodafone, Optus and Telstra, and that's all it is, the government made a deal, the government turns it off in, in December 1999.

Q56 Mm.

A But thank God for the analogue phone, we were able to be expediently tasked because of that phone system. We had no other way to communicate other than as I was saying in relaying all our information through other aircraft and Melbourne Flight Service which was a

horrendous bloody chain of communication.

Q57 As a, as an aviator is your weather protocols obviously different to prior to you taking off and getting your, your flight information?

A No, it's very close to, it's very close to what the yachties would use and indeed on the VHF radio we get the same weather, I use the same weather forecast that the yachties use, 'cause we're in those conditions, and we get updated weather from Sydney Radio, they call yachts and other vessels across the various channels, channel 67 marine is one of the channels that boats and yachts are called over to and we use that frequency to copy the weather and that weather is very, very reliable. What the boats have, what I don't have is a fax weather on board and they can take a fax diagram of the weather and a lot of the boats and I understand most of the boats have got the, this, this fax weather reporting system. But it doesn't work when you haven't got a mast but a lot of the boats got the 3.00pm fax and decided to call it a day, because they could see what was in front of them.

Q58 Right.

A A lot of boats, a lot of boats.

Q59 So, you, you rely totally on picking up your weather the same as what the yachts would.

A to a certain extent, but we, we're visual flying we don't fly instruments.

Q60 Yep.

A Therefore the weather is not as critical for us as on instruments because they've got to plan, you know, holding, and holding fuel and so forth.

Q61 Right.

A Visually we can, we can look at the weather and judge the weather because we all must, always must have a visual way of navigation either to a yacht or back to, back to a refuelling point.

Q62 O.K. You mentioned earlier about your limited search capabilities. What's the range of the helicopter you were using at the time?

A Well, that machine, O.K, it's a Uricopter AS 355 F2, known as a Twinstar and it has an endurance, it will fly 60 knots, it has endurance to empty tanks of 3 hours and 20 minutes. The range depends on all sorts of things but basically you've got 300 nautical miles range with about 20 minutes reserve, 20 minutes time reserve. When you add different weather conditions and different power settings that range can be reduced or it can be extended. You burn more fuel at low level than you do at 5,000 feet or higher, so, but you're constantly monitoring the fuel remaining and on your, on your fuel gauges to, to estimate the time required to make good the destination. In the case of looking for yachts, there's a lot of travelling to and from points that you've plotted in your little computer on board the chopper and then there's a lot of holding time at those positions, either filming a

yacht, using a different fuel burn, so when you finish those locations you go back to your fuel gauge and you see how much fuel you use and you work out if you can go to another point and still have enough fuel to go back to your destination, that is a continuous process of updating in your own mind how much fuel and range you've got left.

Q63 O.K. You also mentioned earlier that you've got ADF capabilities.

A Yeah, homing capabilities.

Q64 Yes.

A A very limited homing capability, we have two fixed antennas below the chopper and we have a purpose radio that we hook in purely for the Sydney Hobart which will give us a deflection on the meter, a Becker, it's a Becker homing device. Deflection on a meter, left or right and signal strength. So if you, if you do get a beacon on 121.5, that's this homing is only on 121.5 megahertz, we don't have homing facility at this stage for a 406 megahertz homer.

Q65 Do you feel that - - -

A It's only a very limited range of, probably less than 10, 10 nautical miles.

Q66 O.K. You mentioned earlier that you, you picked up a signal in conjunction with another fixed wing aircraft.

A

Q67

A Polair 1, from Victoria.

Yeah.

Q68 O.K. And did you find that may have been hampered by the amount of EPIRBs that were perhaps activated at that time?

A Look, it, it wouldn't surprise, it was the morning of the 28th, we were close to Business Post Naiad, there was a life raft, we found a life raft earlier on probably about 20 miles from there, I was concerned that maybe I was just getting a spurious, you know, tone, you know, an EPIRB type tone, but then when the Polair picked the same tone up, I'm not sure what gear he's got, but I'm assuming it's better than ours, we both arrived at the, at the same place and there was nothing there, now, it could've been EPIRB 20 foot below the water.

Q69 Mm.

A It could've been a skip from another EPIRB of, a more powerful one, 20 miles away, but, it was received on 121.5 and also when you, there is a technique you use to degrade the frequency, if you go off frequency by about .5 megahertz and you can still get it, you know you're close, so, we went through that procedure as well and we knew we were pretty close, I went to the spot and he was, the Polair was right over the top of me, coming right on the same spot, so, we didn't see anything, but I think it was pretty indicative to all the EPIRBs on 406 that were going off, because the 406 EPIRB goes straight to the satellite and on top of the

406, you've got another little EPIRB on 121.5 to, to allow aircraft to find, to do a final homing in on the 406 EPIRB. So you got all of this, you've got all of these EPIRBs out there and life rafts life rafts perhaps go off, you never know what's out there.

Q70 But would be surprised to, to know that there was only very limited 406 EPIRBs that were actually activated?

A yeah, because I, I wouldn't be surprised, because they, they would have only been activated in dire emergencies, so, I felt that Winston Churchill would have had a 406 going, I'm sure Business Post would have had one going, I know Stand Aside had one going, but I relayed deactivation on Stand Aside, which was done, you don't know how long these things were activated or deactivated. I'm not sure whether Business Post perhaps deactivated its EPIRB.

Q71 Yep.

A I don't know.,

Q72 And you mentioned earlier that AUSSAR gave you more or less a roving commission as far as search and rescue capabilities. At any time did they give you a search pattern or a grid, grid pattern at all?

A No, because, yes, they gave me a pattern for Winston Churchill, they didn't give me a pattern, they gave me a location.

Q73 Right.

A Which we went back to and formed our own pattern given

the conditions at the time we formed our own pattern, we had to look at the wind strength across the water where you thought life rafts were going to go, so they really left it up to me in that circumstance, because they then had other dedicated, more sophisticated machines with better gear on board.

Q74 Mm.

A Doing low cover and top cover searches. But I know, I've worked with, worked in close with, well, you know, worked with AUSSAR before when it was AMSAR and Search and Rescue, so they know me and they know the capabilities of the helicopter, so they, they were happy, they trusted what we wanted to or needed to do to, and indeed every, every, every emergency situation that came up other than the one way out, what was, what was that boat right out, that lost a man overboard?

SENIOR CONSTABLE UPSTON

Q75 Kingarra?

DETECTIVE SENIOR CONSTABLE GRAY

Q76 No, not Kingarra, the other one.

A We didn't get out to him, but basically we were at every location.

Q77 Yeah.

A That there was an emergency and we were using at the same time as or just slightly after or before the, the, the other rescue machines were there.

Q78 Do you recall the name of the yacht that the Polair

from Victoria winched the sailor from, that was the man overboard?

A No, he winched from the yacht, it was, the name of the yacht was Kingarra.

Q79 Right.

A It was Kingarra, and he was lost overboard from Kingarra.

Q80 Right.

A And Polair 1 lifted him, he was about 350 metres behind the boat when they found him.

Q81 That's right. Was he an American gentleman?

A Yeah. Canadian guy.

Q82 Yeah. O.K.

A It was Kingarra, K-I-N-G-A-R-R-A.

Q83 O.K. Is there anything you'd like to say in relation to the, from your point of view, in relation to the race or -?

A Look, my only, my only problem with I was impressed with the way AUSSAR got on top of that very difficult afternoon and got on top of trying to organise searches, 'cause everything basically happened all at once. I wasn't listening to HF, because I didn't have HF, but I was concerned about, well, what I was sceptical about and which was reinforced the next day was positions given by an aircraft Sierra Alpha Romeo about the location of, an actual location of Winston Churchill, which I went to search only just after basically timewise on the hour after the position

was given, there was nothing there, in, you know, a 20 mile radius and also the following day a position was given for Global Solo Challenge which was 80, 85 miles out from where Global Solo Challenge was eventually located. Now, I'm just, I'm just trying to, trying to look for reasons why that would be the case and if an aircraft can't get low like a helicopter can, it's going to find it very difficult to make a positive ID of what he's got below. Like some of the times I can't even ID a boat with the sails down, because a boat doesn't have a sail number up when he's got his main reefed onto the boom.

Q84 Mm.

A The only way you can identify a boat is to get right behind it and look on the stern of the boat and say, well, that's it, right, so, I can't see how a fixed wing could have got that low to do that, and I believe that might have caused a couple of problems.

Q85 So, are you saying in fact that the Sierra Alpha Romeo was mistaken?

A Could've been. I, I say that, I say that that aircraft could have well been mistaken and Winston Churchill was never identified.

Q86 Do you think Sierra Alpha Romeo in fact didn't see the Winston Churchill at all?

A Well, I can't say that. I'm, I'm sceptical of the fact that Winston Churchill was reported by that aircraft,

when in fact there was, he just wasn't in the area, because we searched that area, I mean, within an hour. Within an hour of that yacht being reported at that position. And if the yacht went down there would have been something in the water or life rafts in the area, with an EPIRB on that we would've picked up and there was nothing, nothing.

Q87 Is it possible that the yacht did in fact sink?

A I'm sure it did, how, how, how quickly it sank, I don't know. Yeah, there's, there's hearsay about it, it sank in 15 to 20 minutes and somebody else says, well, it sank long after that because it was sort of sitting just under the water, I don't know. But it seems to me odd that I, I where I picked up the Mayday call, where the skipper thought he was, where the aircraft fixed his position, I felt that, I felt that position was optimistic and I was very cynical of or sceptical is probably a better word of where that position was given by Sierra Alpha Romeo, and the next day to have Global Challenge, so called identified by Sierra Alpha Romeo nowhere near where it was eventually located, so it reinforced that scepticism that I have about the, the validity of those two sightings.

Q88 Mm.

A But that is, but then again on the other hand that aircraft is the dedicated search and rescue machine kept on standby by AUSSAR, so, you know, I'm sure those guys are well trained, but, I, I think, you know, if

you talk to the pilot, you're only going to, that's the only way to find that out.

Q89 Mm.

A But I have my doubts, yeah. I think, you know, for the future we've got to have, for those sorts of races, we must, we must have numbers on the, on the side of the boats, because as soon as they put their sail down to weather out a storm, there's no sail numbers, nobody can identify a boat, all you've got's a sail and hull..... you see it overseas used, big ID numbers on the side of the boat, on both sides of the hull, maybe one on the bow, on the you know, on the top of the deck, because the aircraft can see a number and then it's got a list of numbers on a spreadsheet.

Q90 Right.

A That's my number one recommendation for the, for the committee to perhaps ponder and for AUSSAR because, I'm sure, I'm sure that will save people in the future.

Q91 Have you spoken to the CYCA investigative committee?

A No, I'm surprised. I don't know why. I think the CYC are trying to keep it in-house. I know there was a lot of problems with the CYC in accepting the fact that there was going to be a coroner's inquiry. Yeah, so my..... my frustration with Winston Churchill, and my scepticism about one particular aircraft and what it was able to do and see.

Q92 Mm.

A But back to the CYC, there's nothing formally between the CYC and the ABC helicopter, the way we conduct our business, it's more or less, you know, we'll give you a hand if, you know, we're out there and we see something happening, give you an update 'cause there's always problems in knowing exactly what's going on between sked times, it's always a problem knowing exactly what's happening with the yachts, where they are, so they appreciate a bit of information from us as well, but I know, I think they've bunkered down a little bit at the moment, because of the coroner's inquiry.

Q93 What do you mean by, "bunkered down"?

A I know we're being taped. Well, I think there's a bit of an attitude down there that you know, we got to make sure we're going to get it right we can handle it sort of thing, I know there was a reaction that, that they didn't really need a coroner's inquiry, 'cause they would get it right. I think we all know that it needs some, an outside agency, divorced from the emotion of sailing and, and that's sort of seen to make some sort of value judgement. I certainly endorse that.

Q94 Anything else, Gary?

A Not unless you've got a question for me, mate.

Q95 No? The time now is 12.23pm. This interview is now concluded.

INTERVIEW CONCLUDED