

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Roger Hickman at the Cruising Yacht Club at Rushcutters Bay, Sydney on the 5th of November, 1999. The time by my watch is now 12.18pm. Also present seated directly opposite me is Senior Constable David Upston from the New South Wales Water Police. For the purpose of the record, Roger, could you please state your full name?

A Roger James Hickman.

Q2 Your date of birth?

A 25th of the 2nd, 1954.

Q3 Your current address?

A Current address is 303/38 Alfred Street, Milsons Point, 2061.

Q4 And your occupation?

A Application software consultant.

Q5 O.K. As I already explained to you prior to the commencement of the interview, Senior Constable Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race and the reason we are here to speak to you today is that we've been informed that you played a role on a sub-committee or a committee of a similar nature in vetting boats to ensure they complied in last year's 1998 Sydney to Hobart Yacht Race. So, do you understand that?

A Yes, yes.

Q6 O.K. And prior to the interview you said that you didn't have a very good recollection of that particular role, is that correct, at this stage?

A Yes. I have, I have been involved in that a fair bit but I can't actually remember going through a formal process like we are this year. However, you know, maybe in a bit of time I might pick that up.

Q7 O.K.

A I guess because I'm involved in so many administrative angles of sport, with the A.Y.F, Y.A, yacht club and we're looking at boats' rating certificates so often and I guess it's 'cause it's not your paid job - - -

A Yeah.

Q7 - - - you don't actually sign off with the same, with the same - - -

Q8 O.K. Perhaps I can just take you, how long have you been a member of the Cruising Yacht Club for?

A I think 8 years, it might be seven.

Q9 And what committee positions have you held or do you hold?

A I joined, sorry, your question was when I joined the C.Y.C?

Q10 Yeah. A member?

A A member, since, the 8 years, I think in the last 6 years I've been a director of the club and as a director, prior to being a director I think I was on the sailing committee. I've been on the sailing committee continuously, you know, give or take a year,

you know, I'd have to check my exact records but I've been on the sailing committee for probably 6 or 7 years, I was chairman of the youth academy for a while as, as one of the roles as a director. In recent times, last 2 years, chairman of the house committee, is it 3 - - -

Q11 It's O.K.

A - - - 2 years, 2 and a half years.

Q12 And your sailing experience, can you give us a background?

A Sailing experience I guess it would be nice to say that, it would be nice to say that it's extensive, quite extensive, yeah. I've done, I've, basically been my sport of choice all my life and since joining the Merchant Navy in 1971 it's been the only other major sport other than recreational - - -

Q13 Right.

A - - - when I say, you know, recreational squash, tennis.

Q14 Yeah.

A But it's been my life blood and my sport and I've competed in 22 Sydney-Hobarts, you know, and international experience.

Q15 Now as a result of what happened during the race last year a race review committee was, was formed. Is that correct?

A Correct.

Q16 And did you play a role in that committee?

A Yes.

Q17 And what was your role exactly?

A I was invited by the chairman of the race committee to partake and to, what's the word, exercise might be the word, exercise the experience in order to assist, to make comments and, and etc. etc. so that the role, there wasn't a job description - - -

Q18 Right.

A - - - as such, there was just, we did take on certain tasks interviewing a boat, for instance, or one or two boats, for instance, so it's just to partake and be a member of that committee.

Q19 O.K. At what point were you informed, or when did you become aware of the incident involving the Business Post Naiad so far as its stability?

A As you can see, I'm not that good with dates. It, it certainly wasn't initially, I think that if we considered the time of the inquiries 100 per cent I think probably around 60 per cent into the program.

Q20 Yeah.

A So if you've got the bit where we started and where - -
-

Q21 Yeah.

A - - - we finished and I haven't, I could dig it out, I guess. Once again, these things are things you do not as a formal - - -

Q22 Mmm.

A - - - paid, so you don't keep timesheets, everything's like that, but I think it was some time around 60 per cent, a bit over halfway through that there were mentioned there would be an issue - - -

Q23 Right.

A - - - with a boat, yeah.

Q24 What was your reaction to the stability problem with the Naiad as an experienced sailor and administrator?

A I, when I used to sign on ships as Captain, you know, you would sign on the articles of agreement that, I under God take command of this vessel. So I'm very tainted by my Merchant Navy experience that the master of the vessel is in fact the master of the vessel. My reaction was one of anger with initially the owner for allowing a certificate that may be or may be wasn't right, you might recall I wrote an article in, and it was published, The Owner's Responsibility to their I.M.S. Certificate. So I guess originally I, I guess I just was annoyed that owners continued to put before us certificates that weren't in fact valid. Now in saying that, you know, I didn't go to the absolute depth of the full side of that, that wasn't, I didn't get involved in that on the inquiry so if you ask me to tell you exactly what was the output, or the outcome I - - -

Q25 Mmm.

A - - - might embarrassingly have to say, Look, I didn't follow that through, because I tend to stay focused on what I can do - - -

Q26 Yes.

A - - - not what I can't do. So if you were to enlighten me as to the actual result, but my first impression was that owners must sign that certificate and not, not owners' representatives. But, in fact, that wasn't the actual, from what I can recall that wasn't the issue at hand anyway. So that, that issue was handled by other members of the inquiry because it was sort of leading away a little bit from what, what we were trying to achieve, other than stability.

Q27 Right.

A Yeah.

Q28 So you, you've just mentioned about the owner being aware of that but in a situation where the organisation is, is vetting boats to ensure they comply, does, or is it in your view that the buck stops at allowing a boat to enter a race so far as the vetting committee is concerned?

A Pretty difficult question, that one.

Q29 It is a hard question but, I mean, how do you feel yourself personally, this year you've informed us that you are now performing a vetting role.

A Yes.

Q30 And great importance is being placed upon, or great responsibility has been handed to you to ensure that

all boats comply. So what I'm saying here is that if a skipper submitted an I.M.S. form which was invalid and it got through this year, where would your responsibility extend to so far as that I.M.S. form, form is concerned?

A Well - - -

Q31 With the new - - -

A Yeah.

Q31 - - - structures in place?

A It comes in two parts. The certificate that they have submitted to us - - -

Q32 Yes.

A - - - they have signed - - -

Q33 Yes.

A - - - and agree to.

Q34 Yeah.

A Now if we accept that certificate the end, you know, we're saying that we agree with that certificate. Now if they go and change it or do anything that is different to that - - -

Q35 Yes.

A - - - we can't be held responsible in any shape, manner or form.

Q36 Certainly.

A However, if, if at the time when we, when we sign the document saying that we've seen the stability data it was lower than what we'd allow I would say, yes, now we are looking at it, we're making a conscious look at it.

But, but still, the notice of race is quite specific as to the requirements.

Q37 Yeah.

A The Blue Book is quite specific to the requirements so that ultimately I still feel that the owner should not submit a certificate that he knows doesn't comply with the notice of race and when he pays his money to enter he's saying that all the stuff that he's got, but yeah, an interesting question and I think that, I still believe personally the owner is responsible for everything to do with his boat. However, you know, if the club says they are signing off on something then they are signing off on it and it's got to be done right.

Q38 Certainly the reason they have these vetting committees and, you know, quality checking of documentation is for a reason and that is so a boat is eligible to enter.

A Yeah.

Q39 So you agree in your position this year where you're going to be doing that, you agree then to a certain degree you've got a responsibility to ensure that when you receive A's documents you either point out to A that his documents are incorrect or you accept them on face value, O.K?

A Yes, yes.

Q40 Now so far as last year's race was concerned with the 115 degrees minimum stability, you just mentioned that if a, if a certificate is under that, is it your

responsibility now to chase up any problems on that certificate as, as a vetting committee or organisation?

A Um - - -

Q41 To question that is what I'm saying.

A No, no, it's, well, having, you know, my income has been over the last 15, well, since I left the Merchant Navy, is human relations, HR. Now I have always believed and I often make mention of it, if you don't pay someone they're not responsible.

Q42 Right.

A Amateurs are not responsible. Now, so what you're asking is an interesting conundrum within me personally because I believe, yes, you're right, I've taken on a responsibility but then is any responsibility worth its salt if you're not being remunerated? What, what are you risking? You're risking your reputation? I've never put up a reputation. So it's a fascinating conundrum that you say but yeah, the long and the short of it all is that if I miss something I would be pretty disappointed in myself. Now what the ramifications of missing something would be, I come back to say, Well, you know, just an amateur person, just, you know, assisting in an amateur sport.

Q43 Mmm.

A So we come up to another whole range of conundrums ourselves but I am doing, I will do the best of my ability and I would desperately hope that nothing slips through, so much so that we, that we will check them

again 'cause there's a number of issues that have come up from looking at boats where I've said, simply said that they're not satisfactory and albeit being a pain in the arse because of it, it creates more and more work but I guess the people that are being employed to do it, they, they have to react to, to our requests.

Q44 Are you aware of who actually did the vetting last year so far as the documents for boats entering the race, as a member or as a board director or as the sailing committee?

A I'm embarrassed to say I should - - -

Q45 Yes.

A - - - and I just can't recall whether the circumstances, who did, obviously that the sailing, the chairman of the sailing committee is always involved, I'm pretty sure that I did put my hand up to give a hand.

Q46 Yes.

A I'll say that with my hand on my heart - - -

Q47 Yes.

A - - - that I did actually offer to give a hand but, you know, life often, you know, unfortunately you seem to be always busy, whether or not that they didn't consult me because they felt that, that I was too busy or that I actually was consulted and didn't pay it due attention - - -

Q48 Right.

A - - - which may be, which may be the case although you'd like to think not.

Q49 Yeah. If I was to inform you that Mr Phil Thompson and his sailing administrator and also the sailing secretary, that would be Andrea Holt - - -

A Mmm.

Q49 - - - were involved in receiving correspondence so far as the 1998 Sydney to Hobart Yacht Race was concerned and Mr Thompson was responsible for the collation of that information and anything that related to that information, would you be aware of that or - - -

A Yeah. Yeah.

Q49 - - - you are not aware of that?

A Yeah. No, no, there's no question that the sailing office collected the information.

Q50 O.K.

A There's no question that the sailing office would go through that information and, and look at that information, yeah.

Q51 Now are you aware as a member of this club or not particularly as a board director or a director on the board, or whatever you want to call it, that who is paid by the C.Y.C. in the sailing office by this club?

A Yeah, yes.

Q52 And would you agree that that would be Mr Phil Thompson, that he's a paid - - -

A He is an employee - - -

Q52 - - - employee of the club?

A - - - of the club, yeah, servant of the club, no doubt.

Q53 And his sailing assistant?

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Andrea?

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Q54 No. I'll remember his name.

A Oh, Mark Robinson.

Q55 Mark Robinson?

A Yeah.

Q56 O.K.

A But in say that, that if they had requested my assistance - - -

Q57 Yeah.

A - - - and I haven't given it, I feel responsible that, that we, that I have taken on a role of assisting them - - -

Q58 Yeah.

A - - - and that there may be a case last year where I let them down, I don't know and I'm, it's not that I'm hiding - - -

Q59 No.

A - - - I just, simply in a, if you came back to me and said tomorrow, you know, that on this date, this date, you did in fact let them down, well, that may be correct because I can't honestly say that I didn't, but yeah, that's the procedure, yes.

Q60 We've been informed, as I told you prior to the interview, that you were involved with Hans Sommer, Phil Thompson - - -

A Mmm.

Q60 - - - in a group or committee, unofficial or otherwise, responsible for the - - -

A The vetting.

Q60 - - - the vetting of the boats.

A Yeah.

Q61 Now are you able to enlighten us on that?

A I, I'm pretty sure now that there were times that we'd mention a boat and we'd look at the crew experience.

Q62 Right.

A I can remember, you know, this has happened on and off for a long time, crew experience.

Q63 Yeah.

A But I honestly, you know, and with respect, may, I just can't remember actually looking at a certificate but in saying that I look at certificates all the time for 100 other reasons because of other roles that I have. But to, to say that I actually looked at a stability set of information, I, I can't say that and I'm not trying to bow out of the responsibility but I mean, I can't even, I didn't hear Business Post Naiad's name until, until all this - - -

Q64 O.K.

A - - - came up and, and one should know but I guess the Sydney to Hobart, while it's, it's something I love to

do because, you know, the 15th and the 20th, you remember boats but you don't, it's not that passion of learning every boat's name. So as a competitor, as a director or as a person that was assisting in the responsibility of, these things all sort of mesh and flow because as a competitor I'm interested in some boats.

Q65 Mmm.

A As an official I might be dragged into being interested in another boat but show no interest and just sort of push it out of my mind. So, you know - - -

Q66 O.K. So to the best of your recollection you do not recall viewing a certificate involving Business Post Naiad, to the best of your knowledge?

A No, I, I, sadly I say I can't, but I should have perhaps.

Q67 O.K. Are you aware of three pieces of A3 paper that were erected in the sailing office which had the names of the boats on the paper and a number of columns which indicated the documentation that was required for each boat?

A A4 or that big, bigger - - -

Q68 We got told it was A3 paper.

A A3, yeah.

Q69 Which is fairly big.

A Yeah.

Q70 Three pieces of it.

A No, A3 for sure, yeah.

Q71 Did you at any stage last year see that?
A Yeah. I've seen that on the board.
Q72 Right.
A I, was it A3, I've certainly seen the deficiencies list.
Q73 Right.
A I thought it was more like a, that paper they - - -
Q74 A butcher paper type - - -
A Yeah, butcher paper.
Q75 O.K.
A But that size.
Q76 Now I take it that that is set up to ensure every boat has - - -
A To assist, yeah.
Q77 To assist.
A Yeah.
Q78 And I, I take it that when a boat meets the criteria it is crossed or it is ruled out?
A Mmm.
Q79 Would that be the normal - - -
A Mmm.
Q79 - - - procedure adopted? And I've been informed that on, on the day before the race a list of boats is presented to, ordinarily the race committee chairman and he reads the list of boats out which have not complied - - -
A Correct.
Q79 - - - if certain documentation has not - - -

A Yeah.

Q79 - - - been forthcoming? And I believe last year that was done and boats were given til 12.00 midday the following day to have all the, all the necessary paperwork and documents.

A Yeah.

Q80 Do you recall that or do you know that that occurs?

A No, that is certainly the procedure, as you speak I was trying to drift back to make sure that I was actually, to answer the other question, was I actually there and I'm trying, yeah, I saw Ken Batt with the hat. And once again, tragically, you do this every year - - -

Q81 Yeah.

A - - - you tend not focus maybe 'cause, but yeah, that is certainly the procedure and that certainly would have happened.

Q82 Right. O.K. What, being a very experienced sailor as you are, do you place a lot of importance on the stability certificate yourself?

A Two ways to answer that, yes, absolutely yes from a documentation point of view, having spent 20 years in the Merchant Navy and, you know, as 8, 9 years as chief officer my sole responsibility was to keep the ship upright. So numbers, GZ curves, stability, righting moments, absolutely paramount. With yachts we tend to think, you know, so much stability, more stability than you could possibly imagine so it's never an issue of whether they get tipped upside down or, no sorry,

leaning over, you know. So, you know, you assume because they're so stable that it's not an issue.

Q83 Mmm.

A Now obviously some boats are tippiier than others, it, it's always been of huge concern to me about people moving and moving ballast. Three of my closest friends lost their lives on the Charleston, you may recall that yacht that sailed back from Hobart, on the way. So this whole issue of internal ballast has always been of major concern and we're talking about my experience as a yachtsman, I will not have it, when I had Wild Oats we did have internal ballast but it was like, major, we classed in. When I took over the charter of Atara I actually removed some of the ballast straight away because I personally didn't like it. A boat's got to be able, not that I've ever experienced or even been close to experiencing rolling upside down, but this, because of Charleston and my uncle who I sailed a lot with, we both sort of came to the unwritten conclusion that maybe the ballast got loose, punched a hole through the deck and once the deck collapsed the boat just sunk and there was no trace, you may recall, of the Charleston. So, to answer your question, yeah, you know, very, very important. I have always believed that, that in order for a boat's stability to be 100 per cent you have to get hydrostatic data and hydrostatic data is not cheap to, to come by. For yachts in recent times and since the advent of I.M.S.,

the I.M.S. certificate gives you satisfactory hydrostatic data. Now prior to that, you know, it was a bit of pig in a poke, you know, if you were on a yacht and it fell over you'd think, gee, we've got a problem here. But I, I would have to say, tragically, 80, 90 per cent of the people that go sailing wouldn't have any idea of that, you know, on the big merchant ships sometimes you'd put the helm over just to feel it and you'd think, O.K. we're O.K. you know, to check the numbers. You know, I was on a ship, we nearly, we had a horrifying experience going around the Hovel in Melbourne one time so, you know, so stability is very important, there's no question about that. The difference, you know, between 110 and 115 may not be noticeable to a lot of yachtsmen, I'm sure it wouldn't be noticeable to a lot of yachtsmen. The ramifications of that figure wouldn't be, very few people would even know where they come from or why they, how they get them, the difference between a fat boat and a skinny boat, you know, the, the, the stability index versus the limit of positive stability, there's a shift. You know, on my boat I have a low stability index but a high limit of positive stability because I'm short and fat whereas a long, thin boat has a low limit of positive stability and a high stability index. And you think, you know, so I think it would really, really ask, we'd be asking a lot.

Q84 O.K. Now your involvement in the race review committee, how do you see personally yourself - - -

A Mmm.

Q84 - - - how this mistake could have been made so far as the Naiad certificate? Do you put it down to an administrative problem or do you just put it down to, I'm asking you from your point of view, a breakdown in the system?

A I think, my honest, no, don't say that because that means I'm lying to you the rest of the things I've been saying. What I actually believe through my sporting life and following sport and everything in life, when you get punch drunk by something you are more aware of it. And I think, and I will include myself in this, that we now have a figure that we're hanging our hat on, the Blue Book hangs its hat, you know, this 115 or the lower or the greater or the lesser or whatever and I think that nobody or the people that actually were vetting, were really aware of that important issue. 'Cause I know in my own mind up until now it's always been the crew experience, the crew experience, you know, boats don't roll over, you know, don't often roll over. Yachts, racing boats especially, cruising boats might but racing yachts just don't do it, it, it's not fast. So that I, I think in the absence of the tragedies that happened that people weren't punch drunk enough, they hadn't watched the videos of the forward pass, they hadn't watched the videos of the line outs,

they hadn't watched the videos of, of the pre-start or coming into the corner, you know, on a 500 cc motorbike. They weren't aware that, you know, as, as, as policemen that when you stop to pick up somebody the three people in the bush are the ones that are gunna, you know, steal your purse not the person. So there's so many things that I, I think we may just not have unfortunately had enough experience in. Now in saying that, we're punch drunk now, now there would be no excuse for these sorts of things and so me, you know, you, you cut people slack if you haven't told them, you know, a captain used to say to me, check, check, check. Now if you put a ship aground and you hadn't checked three times, well, you deserve it. And so, you know, and everything I do on the water, you know, they always said, you've got to, you could end up in a court of marine inquiry as a ship's captain or a ship's officer because you've got a certificate you could lose. This is a very amateur sport, tragically more amateur than you'll ever imagine because a lot of the people that have got enough money to buy boats don't know anything about sea safety. Similarly, a lot of ship's captains don't know much about fishing but a good fisherman, boy, you know, he really does know his stuff, a good fisherman. And so, you know, I haven't answered your question, but I guess now, you know, we, we may not have been aware of it and I've always been involved in rating, stability and the fact that a boat was 111 or

116 now, you know, we're all on to it because you can't go to Hobart, you can't go to Hobart whereas before boats were going to Hamilton Island and Hayman Island and all these other regattas with stability less than a Cat 1 stability.

Q85 Mmm.

A Yeah. So it's been highlighted, I personally am more aware of it and I think prior to that it may not have been and, and all you can do, I mean sorry's probably not good enough but, if, you know, you've got to cut 'em some slack because they hadn't had it before, the coach, there's no coach in this sport. We are the, we've ended up being the coach, haven't we, on this one?

Q86 Mmm.

A And you people and all of us are coaching us through this and it depends on how well we do it now, I guess.

Q87 So are you satisfied that this year, for this year's race that there are adequate systems in place to ensure that that minor error won't happen again?

A No, there is no mechanism in the world that can guarantee that owners don't do stupid things.

Q88 No, what - - -

A What I am confident in, that the documents that they supply to us, and if they do as they say they'll do and stick by those documents, that I would be horrified if something like this happened again, yeah, because we've seen the video, we, we've been, you know, punch drunked

on it. You mean, you don't do, to make the same mistake twice would be stupid. Now, if it was a mistake and it obviously may well have been, but I think the awareness wasn't there and I, I would have known more about it than any because you know, ship's captain, very competitive, you know, won the Hobart, I watch rating certificates, but this boat, you know, I mean, it wasn't the Canberra Raiders, it was some local team from Ballarat, why bother.

Q89 Mmm.

A But, you know, they are competitors in the race, aren't they?

Q90 O.K. Dave?

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Q91 Just on one thing, we spoke about being professionals and amateurs. Where do you feel the line of professional and amateur is in regards to sailing?

A Well, there are professional people that are being paid to go sailing that know squat, they really are. What we're talking about here is, is seamanship and the seamanship on the water but the clerical work in the office hasn't, doesn't necessarily have a lot to do with seamanship. So the professional at sea I wouldn't hang my hat on at all, you know, there's police and there's police, there's good and there's not so good as in ability.

Q92 Mmm.

A There's yachties that are good because they're good seamen and just because they're being paid doesn't make them any better. So the paid yachtie, forget him, he's, he's got a, he's no better or any worse, he's probably worse in some cases 'cause he's a bit full of himself and a bit arrogant about his environment. But certainly in the yacht club the people that are paid by the club to do particular jobs, you know, they're professional people and I've often said, and I, you know, that the final vetting, you know, if it's left up to committee and we're volunteers, what's a volunteer, you know, he can lose his reputation, I guess, as a director you can lose your house. But I just wonder whether we shouldn't employ someone, but then, to say, Right, this is your job, you know, and then they've got professional indemnity.

Q93 Mmm.

A It's a difficult one, you know, when a marine surveyor surveys a ship and lets that ship go to sea and the ship flounders, you know, the surveyor can be questioned at the highest regard because, you know, he's a professional man whereas we're all here amateurs except for the people, the clerical assistants, now albeit Phil Thompson's a very experienced sailor, in this role he's a clerical assistant with a lot of experience. But his seamanship experience isn't relevant, it's there, thank God, but how do you get people, good professional seaman that love their

sailing, to be clerical assistants in a yacht club? You can't 'cause they want to go sailing. So, tragically, Phil's, you know, a bit more shorebound than some, but a very professional clerical assistant too, I might add. But can you see the difference?

Q94 Mmm. Mmm.

A You know, it's - - -

Q95 I can understand what you're saying but then does the line come in where, where a person like Phil Thompson and also young Andrew - - -

A Mark, Mark Robinson.

Q95 - - - sorry, correction, Mark, both sailors from a very young age, competing in, in numerous yacht races and in fact teaching and then taking up a, a paid profession makes them a professional in, in their role?

A No.

Q96 You don't believe so?

A No, no, no. A, a professional compass adjuster is paid to be a professional compass adjuster. A professional ship's captain is a ship's captain and he has a certificate. I've had a lot of arguments with yachties. I have a yachtmaster's certificate that, from the Y.A. Now if I've done something wrong I can lose that. It shouldn't be given to people, people think just 'cause I've been a yachtie for 20 years that I'm entitled to be, have a yachtmaster's Y.A, you know, an A.Y.F. yachtmaster, it doesn't work that way. I was 20 years in the Merchant Navy, I wasn't, I didn't have

a coxswain's ticket so I went and got my coxswain's ticket because it's something that if I make a mistake that can be taken off me, I'm accountable for it. You, no one on yachts, because there's no qualifications required to be a skipper of a yacht, is accountable. And clerical assistants are accountable for what they do clerically, but there's a real, real fine line there where they don't, where, you know, we, you can't hold a clerical assistant in the, in the sailing office responsible for anything anyone does on the water 'cause you know, the captain of the vessel - - -

Q97 Mmm.

A - - - is in sole command of that vessel. Now, you know, if a boat sails off into the ocean and that captain of the vessel should have, should know his own boat. Now, of course, you know, you get horrific conditions and you know, I bet you've read that, The Perfect Storm, not The Fatal Storm, The Perfect Storm, interesting book, good reading, in fact I'm gonna make it compulsory reading for my crew before they go to Hobart because, I mean, your job's hard because you're trying to find accountability. But an act of God or a storm has no mercy and so these things could have drifted on for a long time if the weather hadn't have turned. But certainly it's a pet thing of mine, I'll talk to you about it at another time if you like, but it's like people trying to be amateur police.

Q98 Mmm.

A Just stay away from things you don't know and the water, anyone can buy a boat, there is no law to say you can't go out in your yacht. And so, to try to start and stop people in the Sydney to Hobart is a very difficult - - -

Q99 Mmm.

A - - - difficult to say, No, to them, they think you're some sort of prick.

Q100 Mmm. On your vessel in this year's, in last year's race - - -

A Yeah.

Q100 - - - was there any persons on board that were, were paid to be there by you or any other person?

A No. No, not on my boat. Lots of people have boats where they're professionally paid and the, you know, whole range of income tax and professionalism and people do splices on boats and don't have insurance to cover them, but on Atara, I've just got to be careful 'cause, you know, Hamilton Island I've picked up, I've paid a bloke to deliver the boat. But theoretically in the racing rules no one's allowed to be paid - - -

Q101 No.

A - - - it, it's against the amateur rules of the sport. So what happens is they get \$200.00 for this day or 2,000 or something as the case may be, nothing for the next 3 days and you, so I have actually paid people to deliver my boat. As I said, last year it came back from Hamilton Island and had two ship's captains and a

chief engineer and they, they wrote up this check list, I should give you a copy, a bit, it's 150 points 'cause how litigious the Merchant Navy's become, you know, 'cause when I was there we went from the, you know, the days of a drink was O.K. to drink was not O.K. to now when it's not O.K. at all and check lists and check lists and check lists and check lists and, and if, I just haven't got the time to educate - - -

Q102 Mmm.

A - - - all these yachties out here. And we're actually trying now - - -

Q103 Mmm.

A - - - and I don't know whether we'll get anywhere because it's a very egotistical - - -

Q104 Mmm.

A - - - thing, you know, people look after their boat better than they do their car and all this, sometimes.

Q105 Well, with, with and just very briefly - - -

A Yeah, yeah.

Q105 - - - because we don't want to hold you up too long - - -
-

A No, I'm here now for the rest of the day.

Q106 If, were any of your crew looked after as far as their accommodation down in, where you were going or where you got to or did you organise any flights back or did you organise food or clothing? Were they, were they given these items for, for being on board your boat?

A On Atara? I think two crew did stay at my mum's place with us, it was just, you know, a place to put their head, food, we all chipped in, I think, there was one member that didn't cough up, I'm still chasing him.

Q107 He's not a member this year?

A He is actually, he is actually, stupidly, 'cause we had such a good time, not such a good time, but we got there and we had a good time and we all want to do it again and, so I'll, I think our crew will pretty well be unchanged.

Q108 So he'll probably eat a lot less this year.

A I'll catch up with him, but most boats, look, you know
- - -

Q109 Yeah. Did they make their own way back or, from - - -

A Yeah. Some of them flew out, you know, one flew out straight away.

Q110 Yeah.

A He wanted to get back to Coffs.

Q111 You didn't pay that airfare - - -

A No.

Q111 - - - or anything like that?

A No, not on Atara.

Q112 O.K.

A I mean, I'm not saying that I haven't, although very rarely do I, but at the top end - - -

Q113 Mmm.

A - - - at the top end it's very common, I mean you, you, but then I don't know how it'd work through the tax and their tax - - -

Q114 Mmm.

A - - - BT's and things, I often wonder.

Q115 O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q116 Can I ask you a quick, four quick ones for you, Roger. Do you consider Phil Thompson to, to be competent?

A Yes.

Q117 And - - -

A Yeah. Certainly, if you cross the board internationally as a sailing manager we are very, very, very lucky. Now whether that is 10 out of 10 or eight out of 10 - - -

Q118 Yeah.

A - - - we don't have a proper job description.

Q119 Right.

A You know, and we should have but it's a club.

Q120 O.K. And from your, from your recollection and from what, from your experience Phil Thompson has written a number of notice of races or been involved with them?

A Yeah. Phil, with a lot, a lot but they all get vetted - - -

Q121 Mmm.

A - - - again and again and again by different people.

Q122 Yeah.

A And so quite often Phil's original idea may have been changed and he cannot be held responsible for those changes.

Q123 Certainly.

A Usually senior amateur people - - -

Q124 Yeah.

A - - - have changed the professional's job.

Q125 O.K. And is Phil Thompson still the race director for this year, 1999, as far as you are aware?

A I, I, is he the race director, oh, O.K. I really, I thought the Vice Commodore is the race director?

Q126 No, he's the race committee chairman.

A O.K. Thank you.

Q127 There is a race director within - - -

A O.K. Yeah. I should know, I mean, this is, yeah, I should know this.

Q128 That's all right.

A I should know this.

Q129 And why is somebody nominated as a race director? Based on their experience and their competence, you know, their competence and that sort of thing, ordinarily? You don't just go and grab someone off the jetty - - -

A No.

Q129 - - - and say, You're the race director, do you?

A No, no, the race director would be, the race director would be the person that has the most broad based experience of the event, I guess.

Q130 Right.

A And then that, we would get in some extra people, like, this year we've got a clerical assistant to assist on, chasing up owners on their paperwork is nearly a nightmare, so much so that they often, you know, to not get jaded, not get upset, not get personal, 'cause as soon as any of these assistants have a go at any of the members they're chewed up by, it is all wrong, it is all wrong.

Q131 Mmm.

A But we tried to ban three owners in the last race, you probably know about it, because they were late with their paperwork, not ban them, sorry, we sent 'em a bill for being late.

Q132 Mmm.

A And those three people gave us so much buggery - - -

Q133 Mmm.

A - - - that you nearly wonder why you bother. And so we've got a real problem and that's why I think that somebody's got to take the rap professionally, professionally for signing off on these things and I'm happy to be a committee member. If they wanted me to take it on professionally well, then, you know, I would not only check, I'd check again and I'd check a third time, which this time I'll probably do. (Tape Beeping)

Q134 O.K. This will be quick. Are you aware that last year a number of letters were forwarded to owners by Phil

Thompson and Mr Hans Sommer in relation to documents or

- - -

A Yeah.

Q134 - - - I.M.S. certificates, are you aware?

A Yeah, chasing up things, yeah, oh, yeah.

Q135 Anything else you'd like to say, Roger?

A No, no, no, just to - - -

Q136 O.K.

A - - - help, happy to help.

Q137 The time by my watch is now 12.58. This interview is concluded.

INTERVIEW CONCLUDED