

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Phillip Thompson at the Hobart Police Station on Saturday, the 2nd of January, 1999. Also present, seated to my left, is Senior Constable Dave Upston from the New South Wales Water Police. Time by my watch is now 10.05. Do you agree with that time?

A Yes.

Q2 As I said to you, Senior Constable Upston and myself are making inquiries in relation to the recent tragedy in the Sydney to Hobart Yacht Race. Basically, we want to speak to you in relation to your role so far as the involvement in the CYCA, and your role so far as involvement in race organisation. For the record, could you please state your full name?

A My name is Phillip Ernest Thompson.

Q3 And your date of birth?

A 15th of the 8th, '54.

Q4 And your current address?

A 43 Benelong Road, Cremorne.

Q5 Are you currently employed?

A Yes.

Q6 And in what capacity?

A As the sailing manager of the Cruising Yacht Club of Australia.

Q7 O.K. Basically, I wonder if you could just give us a run-down of your position with the CYCA?

A I'm the sailing manager of the club, so I'm responsible for the organisation and conducting all yacht races out of the Cruising Yacht Club of Australia. So that's dealing, putting together the races, dealing with the necessary authorities, putting the races together, then actually conducting the races, making sure that they happen on the day and producing results after the race.

Q8 Right. Now, how long have you been involved in this sort of work?

A I've been the race director for the Sydney to Hobart race for the last four years, and I've been with the club for 14.

Q9 O.K. Now, so far as arranging the race, obviously something is sent to, could you explain the procedure so far as getting the boats organised for a race?

A O.K. For the Sydney to Hobart race, it's obviously a very complex procedure. We have to deal with numerous government authorities and also all the yachting associations, to, to conduct a race. The racing is run under the International Yacht Racing Rules and New South Wales Collision Prevention at Sea, and there's a procedure in which you put together the, what's called the Notice of Race which is a contract binding you and the competitors as to how the race will be run. You both, both parties basically agree on, on how things like handicapping will be done, areas of, where the race is run to and from, an agreement on providing information to us, being crew lists, safeties, et

cetera. So it goes more along those lines. From that, there's then the sailing instructions which is actually how the race is to be conducted. That lists starting procedures, radio operations, search and rescue, starting procedures, finishing, all the procedural information on the race.

Q10 O.K. So far as the Notice of Race is concerned, that's a document here I have which is bound and that document is given to each participant. Is that correct?

A That's correct. That's sent, there's about 1200 of those and they're sent out to people who've indicated they're interested in doing the race.

Q11 Right.

A From that, they fill out, which isn't there, an application for entry - - -

Q12 Yeah.

A - - - which is basically, enables the club to vet the entry and then determine whether we will accept them for entry in this race. And quite a number of yachts were, were rejected with their current crew status, that we weren't happy with, you know, crew experience and, and therefore we asked them to look at putting other crews on board and a number of yachts actually were rejected.

Q13 Right. Now, you mentioned before that within this document, within this booklet, there is a, a ripped-out contract type thing or - - -

A Yes, that's the application for entry.

Q14 O.K. Now, what does that application contain, basically?

A It contains all the particulars on the boat.

Q15 Right.

A Who the boat is, previous names, when it was built, construction type, all those sorts of details. Then goes on to give us a history of the boat, so we can ascertain what it's been doing.

Q16 Yeah.

A A brief history of what the owner has done, for his experience, and then they nominate three crew member, crew members, which we, which have to have a, basically, Sydney-Hobart experience, and from that we make the judgment as to whether we'll allow them to go or not.

Q17 Right.

A And from that point, once they're accepted, they're then sent an actual entry form - - -

Q18 Right.

A - - - which they have to fill out.

Q19 O.K. Now, so far as qualifications, who judges the qualifications so far as each boat?

A Well, what happens is, when it comes in, we look at it and myself, I look at each of the applications. If they're at all what you would call, we're not happy with, they then to go the actual sailing committee or we form, get hold of a couple of members of the sailing committee and say, "I'm not happy with this - - -

Q20 Right.

A - - - with this boat, I'm going to reject it", and, or ask them. We don't actually reject it initially, we just say, "We're not happy with your crew experience", and - - -

Q21 Right.

A Or, "We're not happy with the construction of the boat".

Q22 Now, how does one judge crew experience?

A Well, it's, in the Notice of Race, and in also the international rules, half the crew must have at least done an equivalent of the Sydney-Hobart race.

Q23 Right.

A Or something of that, that nature. Now, we look for a bit more than that, and, you know, we're looking for people that have done multiple Sydney-Hobarts or equivalents.

Q24 Yeah.

A Now, they have to list that, so there's the, the crew member's name, his position on board. So, there'd be the owner's name, age, position being the skipper, and then what he's done.

Q25 Right.

A And, you know, they'd have something, like, I've done, you know, eight Sydney-Hobarts, four Lord Howe Island races, listing their long-distance experience, be it with racing or cruising.

Q26 O.K.

A And then from there, we then decide.

Q27 Now, so far as age is concerned, is there a cut-off limit for the youngest and oldest age?

A There's nothing for the oldest age.

Q28 Right.

A In the, the minimum crew that you can take on board is six.

Q29 Right.

A And out of that six, three must be over 18.

Q30 Right, O.K. Now, with the racing instructions, which is a document which you've given to me this morning, now that is, it's a 21-page document, titled , "Cruising Yacht Club of Australia, Telstra Sydney to Hobart Yacht Race, 1998, sailing instructions". This instruction, sailing instruction is prepared by yourself, is that correct?

A Yes.

Q31 O.K. Now, are these prepared on a, a basis of previous instructions? Like, is there a format?

A There's, there's a format, but again the sailing instructions are, are built around the skeleton which is laid out by the International Sailing Federation.

Q32 O.K.

A So there's, you've got to nominate certain, certain things within the race. Like, you've got to nominate, you know, starting positions, finishing, you know, varying people who the race committee is, responsibility for the owners.

Q33           Yeah.

A            Those types of things.  So there - - -

Q34           So it's a protocol - - -

A            Yeah.

Q34           - - - as well, sort of thing.  Now, when are these  
provided to the yachts, or the skippers or navs or -?

A            They're on request approximately three days before the  
briefing, but they're primarily given out at the  
briefing, and then we go through them at the briefing.

Q35           Right.  Now, so far as, if I could take you to  
briefing, can you just take me through what is the  
procedure so far as briefing's concerned, race day or  
whatever?

A            Yeah.  This is done on the day before the, the key  
speakers are, the commodores welcome people, and I  
won't go into all .....

Q36           That's fine.

A            Then, I then go through the sailing instructions and  
then we had, we have a representative from ANSAR who  
goes through the latest search and rescue recovery  
operations, and then we have weather information which,  
which is quite detailed.

Q37           O.K.  So, it's not the case that each person signs for  
a copy?  They just - - -

A            No.

Q38           O.K.

A            They get a pack, which is one of these bags, which  
contains the sailing instructions and bits and pieces,

and they have to, they pick all those up - - -

Q39 O.K.

A - - - and they, and then there is, is quite a detailed weather pack, how to get additional weather information and all the search and rescue information.

Q40 Do you have a spare pack?

A I could, I could get you one and send it.

Q41 Kitted?

A Yeah, ..... all the bits and pieces.

Q42 O.K. So, basically, it comes back to the skipper of the boat or his crew, to pick up that pack - - -

A Yes.

Q42 - - - whether he attends the briefing, or -?

A Well, they all send a representative.

Q43 Right, O.K.

A Usually the, usually the navigator goes - - -

Q44 Right.

A - - - as well as the skipper.

Q45 Right. And so far as the weather's concerned, at the briefing, at the briefing for the weather, does the expert, whoever it is, brief the whole - - -

A Yes.

Q45 - - - lot on the weather?

A On the weather. New South Wales Weather Bureau does it.

Q46 Right.

A Ken Batt is, has been doing it for the last, about the last eight years, he goes through the weather they will



encounter for the entire race.

Q47 Right.

A And then on Boxing Day morning, they set up at the club and hand out the latest weather information.

Q48 Right.

A Because that's obviously 24 hours - - -

Q49 Yeah.

A - - - down the track.

Q50 And so far as you're concerned, that was done on race day?

A Yes.

Q51 O.K. Were there any indications given by the weather people prior to the start of the race, of, of bad weather - - -

A No.

Q51 - - - down the coast?

A No.

Q52 O.K.

A There was, they definitely said that there was a front - - -

Q53 Right.

A - - - but on, I spoke to them on Christmas Day again, 'cause that's when we do our course construction, and the front was moving, was slipping away to the south and they'd encounter 35-knot so'-south-westerns.

Q54 Right, O.K. Now, so far as communications are concerned for the race, would you just give me a sort of a, an outlay on that?

A O.K. One of the checks that we have and because it's obviously an ongoing, been an ongoing problem in previous years, is we have all the radios of all the fleet all checked out by a licensed radio operator, to make sure that all radios on board are actually working, and he has to sign off to say that he has inspected those radios and that they are working to full power.

Q55 Right.

A We use HF as our primary radio source and then VHF as a back-up. We have two Skeds a day and a safety Sked in the evening. And we do all our radio work through a radio relay team on board the Young Endeavour.

Q56 O.K. Now, the person who does those radio checks, is that Mr Lawson?

A No. It's, what happens with the radio checks is, because all the boats come from interstate and everywhere we - - -

Q57 Yeah.

A - - - we take all, any qualified radio technician.

Q58 Right.

A So, if he's a, in a certified radio technician, he fills out a form to say that he's inspected it and sends that to us and we - - -

Q59 O.K. So that's the responsibility of each crew to have their radio checked prior to entry?

A Yes.

Q60 O.K.

A And that's a condition of entry.

Q61 Condition of entry?

A Yeah. No radio inspection: no race.

Q62 All right. O.K. Now, so far as safety officer - - -

A Yes.

Q62 - - - prior to the race, can you give me some idea what his role is and who he is?

A O.K. Mr David Lawson is our chief safety inspector. The, the safety categories are set by the international, ISAF which is the ruling body.

Q63 Mm.

A And they have different categories for different events. And those categories are basically listed out and Sydney-Hobart being a basically long-distance race, is what's called category 1, so that there are set things that we have, that they have to carry. We can, as a club, can insist on additional things to that. We asked for a couple of additional items, but we can't downgrade that.

Q64 Right.

A Now, from there, the state body or, state body through the national body, produce a, what's called a category 1 safety form, which is, which must be completed by all boats.

Q65 Now, is it the case that Mr Lawson checks the boats prior to the race himself?

A Not all boats, no.

Q66 Right.

A           What happens is that because it's an Australia-wide  
              - - -

Q67          Yeah.

A           - - - we've got competitors from Australia-wide - - -

Q68          Yeah.

A           - - - the, each, each boat has their local inspector go  
              through the boat and check it out.

Q69          Mm.

A           He has to fill out the same form and provide us with  
              exactly the same information.

Q70          Standard form.

A           Standard form.

Q71          And that's all sent to you prior to the race?

A           That's all sent to us prior to the race and we do a  
              new, if we've got any problems, we either get in the  
              chief safety inspector for New South Wales, to go and  
              check out some of the boats, and we also carry out  
              spot-checks - - -

Q72          Right.

A           - - - where we'll go down and ask for half a dozen  
              items on board and if they comply, well, right. If  
              not, we then go further.

Q73          Right. O.K. Now, in previous years, well, I'll say  
              that again. Is this, is there a situation, or did a  
              situation exist this year that, that there was a  
              representative in certain ports all the way down, so  
              far as Sydney to Hobart?

A           Not all ports.

Q74 Right.

A When, when, when the, when we realised the large number of boats that were going to go to Eden, we sent a representative to, to Eden to, just to look after the boats as they arrived.

Q75 Right. And that'd be Mr Greg Halls?

A Greg Halls, yes.

Q76 O.K. You've known Mr Halls for some time?

A Yes.

Q77 O.K. Are you able to tell me, I've been informed that, that on previous years or some previous years, that there's always been someone at Eden, regardless. And is that the correct situation?

A No, no.

Q78 O.K. Now, what's your location during the race? What do you do during the race, once the race has started?

A Once the race starts, I fly on the 27th down to, down to Hobart and we have an area set up in the Royal Yacht Club of Tasmania.

Q79 O.K. Where you just monitor things - - -

A Yes.

Q79 - - - as, as they go. Now, what are the entrance fees for the race?

A \$675 for a non-sponsored boat, and then it goes up in levels, because there's the AYP which is our national body, collects additional money for the, for boats that have sponsorship.

Q80 Right. How does the crew qualify for the race? Is

there a qualification, a racing qualification, or -?

A No, not as such. Again, it comes down to, to what we'll accept as experience, and we need to make sure that there's experience, we insist that we know what experience is on board.

Q81 Yeah.

A And then it's up to the owner then to decide what the make-up of his crew is going to be from that.

Q82 Yeah.

A But as long as he satisfies us that he has experienced crew members on board in that initial number, he can then make the numbers up how he feels.

Q83 Yeah. Now, the main communications check-point, I suppose, for the race is the Young Endeavour. Is that right?

A Yes.

Q84 Now, what's the role of the, of the Young Endeavour so far as the race is concerned?

A O.K. On board Young Endeavour, we have our own radio relay team which operates a, their own radios through, which is called Telstra Control. And the reason for the, for the two groups is that, as happened in this race, if Young Endeavour is directed by ANSAR to go into a search and rescue role, it can operate as a ship, and, and do whatever it's been instructed, where the group on board can still talk to the fleet as Telstra Control.

Q85 Right.

A But their primary role is to, they monitor the, the racing frequencies and provide the fleet with weather information as it comes to hand - - -

Q86 Yeah.

A - - - and then takes the positions and Sked times.

Q87 Right. O.K. Were any vessels, when they were checked for any safety equipment, did any of those vessels have faulty safety equipment prior to, during these spot-checks or anything like that, that you had to reject them at all, for any reason?

A Not - - -

Q88 From memory?

A No, no safety, no safety equipment. They had things like, life lines weren't tight enough, and those types of things.

Q89 But basically, the safety equipment complied as far as you were concerned - - -

A Yes.

Q89 - - - prior to all the yachts leaving, or starting the race?

A Yeah. Dave Lawson and the varying members did about 30 spot checks from the interstate and overseas boats.

Q90 Right. Now, are you aware at any time whilst, you mentioned earlier about the, the Young Endeavour being taken off and putting into a pattern, a search pattern.

A Yes.

Q91 Are you aware at any time the Young Endeavour was in fact taken off the role of radio relay vessel and put

into a search pattern at all?

A Yes. And that's why we have the two distinct radios on board, so that Young Endeavour can do, can take on that role and yet the, they don't, not even sharing radios ..... we put on our own dedicated radios and they're in a separate area, well away from the bridge of Young Endeavour.

Q92 And where is Telstra Control normally located in, in the event that the radio relay ship has been taken off its, its duties.

A Well, it's still on board.

Q93 Right.

A So they can, they operate as two independent groups.

Q94 Right.

A Because, you know, when, when the Young Endeavour is out doing a search and rescue operation, she's still within the, you know, the radios are very powerful and she's, and she's not going to be that far away from the, the fleet. It's just it means that Young Endeavour can communicate and deal directly with ANSAR and Telstra Control can deal with the, with the yachts.

Q95 And in the event of any unforeseen radio problems with the Young Endeavour, what else is in place to take over from the Young Endeavour if that's the case?

A If Young Endeavour for any reason, say, lost all, all communication, all power, we have a second frequency which is our back-up frequency which is a 6227, which is a very high power frequency, and we could run all



the, communicate with all the yachts from Hobart or with Sydney.

Q96 And what was the primary radio frequency used at the time?

A 4483.

Q97 And was there any problems using 4483?

A No. It got a bit scratchy and staticky, depending on how, what the conditions of the storm was, and they often had to, you know, relay through other boats, especially the back-markers and some of the front-markers, because Young Endeavour sits primarily in the, the centre of the fleet and at times with the boats, depending on where they're located and they have a bit of trouble communicating, so they just relay through one of the other boats.

Q98 And that's generally a normal situation for - - -

A Yes.

Q98 - - - vessels to relay - - -

A Yes.

Q98 - - - positions and any problems that other vessels are - - -

A Yes.

Q98 - - - experiencing?

A Yes.

Q99 Since the race has ended, have you had any communication with any crews that pulled out due to difficulties, and that sort of thing? And speak freely .....

A Yeah, quite a few. Nothing on a formal basis.

Q100 Yeah.

A But, you know, definitely chatted with a few of them.

Q101 What's been the general consensus in relation to the situation? I mean, the whole thing, as far as talking  
- - -

A It really depends where you were.

Q102 Yeah.

A The, my impression was that this, that the winds and seas that were encountered were very localised.

Q103 Yeah.

A That the front markers definitely didn't get anywhere near those wind strengths, and those that were right in close didn't, and the back-markers didn't. It was, like, you know, those storms we get up in Sydney that go through down that Lane Cove bit where they just - -  
-

Q104 Yes.

A - - - sort of snap off all the trees.

Q105 Yes.

A A bit like that. It seems to me to be very, very localised, very intense and very short. A lot of the boats were, the guys I've spoken to were amazed that it came up relatively quickly and also then died back relatively quickly, that it was over about six to an eight-hour period and - - -

Q106 Yeah, yeah. Are you aware of any boats that have a, any hard data so far as the wind was concerned?

A No, not, no.

Q107 Yeah.

A I'm sure a lot of the boats have got logs.

Q108 Yeah.

A We provide them with a log book which, you know, they can fill all that information in. It's a question of whether they actually did it, or they had their wind instruments still, still going.

Q109 Yeah. O.K. I've got nothing more to ask you about.

SENIOR CONSTABLE UPSTON

Q110 Just one thing. With the, you were talking about localised weather where those particular, the troubled yachts. Were any indications of wave heights expected? Was any correspondence or radio message given, warning vessels that these wave heights, they could be expected?

A I'll have to have a look what the, what the weather bureau put out. That all went directly to, to Young Endeavour.

Q111 And who would receive those? The coms officer.

A Yes, the coms officer.

Q112 O.K.

A You should have all that in those little bits and pieces you've got .....

Q113 Yeah. And basically as a whole, are you quite happy with the way the, the race was run and you don't have any misgivings or any - - -

A Definitely not.

Q114 O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q115 O.K. Time is now 10.29, do you agree with that time,  
Mr Thompson?

A Yes.

Q116 This interview is now terminated.

INTERVIEW CONCLUDED