

SENIOR CONSTABLE STEVENSON

Q1 This is an electronically recorded interview. I'll just have to pause.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

SENIOR CONSTABLE STEVENSON

Q2 This is an electronically recorded interview between Senior Constable Jason Stevenson and John Stanley at the Pambula Hospital on Tuesday, the 29th day of December, 1998. Mr Stanley, do you agree the only other person present in this room is Detective Senior Constable Grey?

A Correct.

Q3 And do you agree the time now according to my wristwatch is about 1.40pm?

A Correct again.

Q4 Do you agree that prior to the commencement of this interview, I told you that I wanted to speak to you about your involvement in the Sydney to Hobart Yacht Race?

A Yes.

Q5 And do you agree I also gave you, there's a form in front of you there with a paragraph typed out on that which is a standard preamble paragraph for all of our statements.

A Yep.

Q6 Can I get you to read that out aloud now on the tape, please?

A O.K. "This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that if it is rendered in evidence I shall be liable to prosecution if I have wilfully stated it in anything which I know to be false or not to believe to be true".

Q7 O.K. Ta. Just for the record, Mr Stanley, can you state your full name, please?

A John Michael Stanley.

Q8 And your current home address?

A 47 Baringa Avenue, Seaforth.

Q9 And your date of birth?

A 17th of the 5th, '47.

Q10 You age now?

A 51.

Q11 And your current occupation?

A I'm the manager at Woolwich Marina.

Q12 Can you tell me, you were involved in the Sydney to Hobart Yacht Race, is that right?

A That's correct.

Q13 And can you tell me what boat you were on?

A Winston Churchill.

Q14 Are you able to supply me with the specifics and dimensions of that boat?

A Well, it's a, it's a timber sloop which was built in 1942 and its basic measurements are 52 feet by

approximately 13 feet and a six foot draft, which is from the water to the bottom of the keel, and it weighs approximately 25 tonne and it's built out of timber.

Q15 O.K, can you tell me where the boat was built?

A In Tasmania by a famous boat builder called Percy Coverdale.

Q16 Percy, sorry?

A Percy Coverdale. Coverdale.

Q17 Coverdale?

A Yes, C-O-V-E-R-D-A-L-E, he built in 1942.

Q18 Who owns that boat?

A Now?

Q19 Yeah.

A Richard Winning.

Q20 Richard, Winning was it?

A Yeah.

Q21 And where is it based?

A At Woolwich Marina, Richard and his cousin own the marina and the boat was placed there after its return from the Southport Race to have a few jobs done on it in preparation for the Sydney to Hobart Yacht Race.

Q22 What sort of condition was the boat in prior to the race?

A It's in good condition, it's, it's, Richard bought the boat over a year ago and wanted to do the Sydney Hobart Yacht Race which was a major job, there was a lot of rectification needed and the boat was put into the shed, completely stripped down and we basically went

through a rebuilding programme in the time that we had, there are, it had timber decks on it, but it was too big a job to take all the decks off and to redo 'em due to the steel fixings that were only available back in those days, but basically the vessel is very sound.

Q23 And if you can, can you just go through for me what experience you have in sailing, how long you've been doing it, what races, things like that?

A I started back when I was 12 years of age and I came up through the ranks of juniors at The Spit down at Seaforth with the 16 footer club, I got into 16 footers, a chap down there who was a top sailer at the time was a chap called Ken Burchill, he grabbed me and took me on as one of his, like, hands at the age of 15, and then I proceeded to go through and into 18 footers and I was quite successful in many championships, within a crowing situation. Then I started in yachts and I did my first Hobart in, I think it was 1972 on a boat called was at the Yacht Club which was next door. Then I advanced into a whole host of boats. I joined Syd Fisher in Ragamuffin and then I just went through a series of boats, trying to always be, sort of, try to be the best at your sport.

Q24 Yeah.

A And I got involved with Jack and Ballyhoo, we, I was part of the crew to take it to America and back and we did various races, I also

joined a bunch of people and we did Hawaii, we did what they call The Round the State Race, which then ended up as Clipper Cup. I think from memory I did six Round the State races which is a 840 mile race, I've done America's, I've done Admiral's Cups with Syd Fisher on Ragamuffin, I've done America's Cup with Alan Bond on Australia 1, so I've been involved in it pretty extensively all my life.

Q25 Fairly experienced?

A Mm.

Q26 Can you tell me what your role was on - - -

A On this boat?

Q27 Yeah.

A I was basically the sailing master. Richard Winning, the owner, appointed me as the sailing master of the boat and I did it last year when the boat, after the boat had been rebuilt, and this year he wanted to do Southport Race so I got involved with the boat and organised the crew, fairly experienced crew and we went to Southport. Richard and myself flew up and we delivered the boat back to Sydney and then I did some work on it and organised the crew for the Hobart race this year, and the list in the crew are a combination of some of Richard's friends and a combination of people that I've known with good experience and good knowledge of the sport.

Q28 Right. Are you able to name all the other members of the crew for me?

A Yes. Well there's Richard Winning, who's the owner, there's his friend Paul Lumtin, myself, and there's John Dean, a friend of Richard's, and myself Mike Bannister, James Lawler. There was another very, very experienced sailor, Bruce Gould, there was a young, up and coming young sailor down at Middle Harbour who I asked, who had never done a Hobart, I asked him would he like to do it and I could give him some teaching in regards to how to go ocean racing the dangers of it, and the highlights of it. We basically only had two races, not races but two practice sails so that everyone could get familiar with the boat and so we were all confident of the situation, but pretty well an experienced bunch of sailors and really good mixing bunch of blokes.

Q29 What was the name of the young bloke you just mentioned?

A Michael Rynan.

Q30 That's eight people you've mentioned including yourself, is that all that was the crew?

A No, there was nine, who have I left out someone there I've got in the rafts - - -

Q31 It's Mr Gibson, would that be the other one?

A yes, John Gibson, who, who is a friend that I met some years ago who owns a boat and I did get involved with him in his first ocean race with his wife and I took him up to, in the race to Coffs Harbour and,

and then we cruised home and showed them the beautiful places you can call in and visit on the way home and we became great mates ever since then and then the opportunity was there and I asked him would he be interested and he was thrilled at the prospect of doing, doing his first Hobart race. I believe there was only himself and young Michael, that was their first. I think last year we actually had four people do their first and different style of race altogether, of course. But that was the basis of the crew, they all mixed very well.

Q32 Has this crew of nine that you've mentioned, have you ever worked together as a team before?

A I've known a lot of them and I've sailed with, against, probably quite, all of them.

Q33 Yeah.

A I've sailed with one, two, three, four, yeah, four of 'em but I've known the others either racing against them or socially mixing with them, yeah.

Q34 All right. O.K, John, what I'll get you to do now is, like I explained earlier, I just want you, in your own words, take your time, from the time you left Sydney on Boxing Day just basically go through what happened, the weather conditions.

A Yeah, all right.

Q34 - - - how you went about - - -

A Well, we did get briefed at CYC and I made a point just to go and check with the weather, there was two weather

people there, you know, just to see what, what they came up with and the conditions were going to be favourable the first afternoon and that night a southerly was expected and they weren't, there was a funny pack of them down there but they weren't saying which way it'd go and each one did have a slightly different opinion, so, I mean, it's not normal for that to happen, of course.

Q35 Mm.

A So we, I went and we had a spinnaker run the first afternoon and it was very enjoyable. It got, freshened that night, it got to a point where it was stressing the boat enough for what I was happy with so we took the spinnaker off and we we set what we call a headsail, a number two headsail spinnaker and then we were comfortable and I was happy with that situation, and the breeze turned around, as it does before a southerly, it always around to the west and we then dropped that and we actually what they called gybed across in anticipation of the change - - -

Q36 Yeah.

A - - - so that we're on the right tack and then it freshened and we got comfortable with the right sails and reefs was comfortable with the boat and then we proceeded through the night. The forecast was then, from the radio relay vessel, was for this front to possibly turn back to the west, which is an unusual

scenario, it normally doesn't do that sort of thing, and the next day there was going to be some gusts, possibly up to 50 knots, which is fresh, so we had that in the back of our minds, that it was going to be fresh and we needed to be aware of putting the right gear on and once again getting comfortable.

Q37 Yep.

A That afternoon it did freshen and we dropped sails accordingly to wind pressure then we proceeded through that afternoon and the breeze kicked again and when we got down, I'm just trying to think now, our day, first night, second day was when we were off Eden. That afternoon it was freshening and we had some gusts of approximately 35, 40 knots so we had a three reefs, sorry, two reefs and a mainsail, then we proceeded with the storm jib, which was quite comfortable.

Q38 Yeah.

A We then got across into the Bass Strait and we were, we were just into Bass Strait, about 35 to 40 miles off Eden - - -

Q39 Yep.

A - - - but into the Strait, like past Eden, just past Eden and then it freshened and there was actually one of the reefing lines broke under the pressure so we dropped the mainsail and proceeded to, to lash that down and then we sailed with the storm jib and the breeze then really did freshen, but we were comfortable, because the sea hadn't really built and

this is the problem with the breeze when it does freshen, it does take an hour or so before the seas start to build and I was thinking if it freshened any more what would we do, which was the best way to do it would be to too, which is quite feasible in that boat and while I was downstairs, we get in these conditions, we get what we call a rogue sea and what that is is the, once the wind blows for a certain period of time at a certain strength, you get a series of waves that come through, but depending on the strength and how long it's been blowing you might get, for instance, every of sea will be sea that's twice as big as all the others and it's called a rogue sea and I remember going to a dinner party and the guest speaker was Alan Payne, that was back in 1982, and he had just put all the facts and figures together from the Bass Strait oil rigs and proceeded to say that this is what can happen in Bass Strait and he said one day it will happen.

Q40 Mm.

A It might take 100 years but one day you're going to get these sort of conditions and there's going to be a fair bit of tragedy - - -

Q41 Yeah.

A - - - and damage and mainly he stressed on this because he believed that the sport in general was building boats that were too light for Bass Strait conditions. In Churchill's case what actually happened was I was

just in front of, downstairs in front of the steering helm and there was two people on deck, Richard was steering, Richard Winning and John Dean was with him and one of these seas came through and I wasn't on deck to actually see exactly the size of the thing, but it literally, it literally picked the boat up and Richard, possibly could've gone head to wind if he thought it was going to be a bad one but they just come from nowhere, these seas, but they're deadly, they're dangerous and, but literally what it did, from, from what I could feel in, in the boat is it literally picked the boat up and then at the top of it, it basically threw the boat at a 45 degree angle through mid air into the other side which is basically a brick wall.

Q42 Mm.

A And at that moment when it hit over that side in the aft coachhouse there's, there's three windows on each side and two at the front, the windows would be approximately 16 inches by about 14 inches, and the pressure of the, the water on that side, is the boat was, 25 tonne of boat was thrown sideways, the water pressure came in, and the, and the side of the coachhouse is approximately 3 feet from the edge of the boat, so, we're talking a fair bit of pressure here

- - -

Q43 Yeah.

A - - - it literally, and I was just getting up, it

smashed the windows and the pressure of the water through the windows pinned me to the other side of the, of the coachhouse.

Q44 Mm.

A With that I could hear Richard and John saying, "Help, get up and help us", then when I got up there the actual wave had, they've got their life harnesses on and it's got what we call a split backstay and they were both tangled up in this backstay with their feet about two foot six off the, off the deck. And I knew what I had to do was get to the motor, turn the motor on, get the pumps going in case we were going to sink.

Q45 Yeah.

A And in the time it took me to untangle them and then say to Richard, "You go and turn 'em over while I go down and change, get these pumps going", but also at the same time when I looked down to look it had blown out what we call the of the boat which are like a short railing or fence, which stands about 15 inches above the deck - - -

Q46 Yeah.

A - - - which is, is common for those older style boats and it actually, the force of the water had blown an area six foot completely out of the boat.

Q47 Right.

A Consequently, where the beams come through the shelf, the deck shelf, there was holes, gaping holes and the water was pouring in there. The wave obviously also

blew the awning off the companionway entry to the, the main cabin and a lot of water had gone down there. So by the time I got Richard untangled and got him to go downstairs and start the motor I got down there and there would've been around about 15 inches of water above the floorboards and the unfortunate part of us being on that tack was the batteries are on that side of the boat, which meant, and they're in the corner, so when you get the angle of the boat the water up this level, it's sort of coming across nearly to the top of these.

Q48 We'll just have to pause the tapes at the moment - - -

INTERVIEW SUSPENDED

INTERVIEW RESUMED

SENIOR CONSTABLE STEVENSON

Q49 This interview between Stevenson and Stanley is resumed. John, do you agree there was just a quick pause in the tapes while your medical thing here was playing up.

A Still playing up.

Q50 Playing up. That was my machine.

A Was it, O.K.

Q51 All right. Continue.

A correct. So in that, and the water was coming in and I believe that it must have sprung a plank also outside but because of the inside lining that you put on the boats there was nothing certain to tell me why the water was coming in so quick. So in

that time delay, by the time I'd got down there and got Richard to turn the, turn the motor, it only just kicked and then it was dead.

Q52 Right.

A So I had no opportunity then to get the, the clutch driven pump which pumps water out at a tremendous rate, I couldn't do it, couldn't get the motor started. So I then quickly looked at the situation and said to the boys, "This doesn't look good, we might have to get off the boat, there's a possibility we're going to sink here". So I got 'em on deck and I said, "Get the life rafts on deck", and I went forward and I got all the, the, the life vests out and then passed them out to them upstairs and I had a look at bailing the water out, in this time Richard had sent out a Mayday.

Q53 Yeah.

A And we then had a bit of a talk, Bruce Gould was steering the boat, because he's a very experienced sailor, and we had dropped the headsail when this happened so we had no sails on.

Q54 Yeah.

A So we were actually just coming away downwind running with the storm, we were taking a lot of water so having a quick discussion, I said to them, "Well, I think we should not get off the vessel until such times as the boat is, deck's level with the water", that enables us to slow the boat right down and gives us time then to throw the life rafts overboard and then pull the, pull

the strings, inflate the life rings and because the boat's moving at a lot slower pace we can then jump over and into the life rafts, which is what we did and there was one six-man and one four-man life raft.

Q55 Yeah.

A I checked on the four-man to see how many were in it and there was four people so I said, "Right, you're right boys, I'll go and get in the other one", and I noted who was in it, and then I went and got in and there was Mike Bannister and myself was the last two people inside the life raft. We did have a line tied between the two of them but it didn't take long for that to break, which was a, a blessing, because, in retrospect I think we would have been trying to tear each other apart so, that was all for the good, and then we took off in these life rafts and it drove, in our life raft, which we put over the side, which is like a funnel made out of cloth and it's thrown out and it's on a long piece of string in this case, it's there to slow the raft down so that the water and the waves sort of don't pick you up and throw you everywhere.

Q56 Yeah.

A Unfortunately the thing only lasted about 15 minutes and it broke, so, which meant we were going to be travelling as, as the wave wanted to, wanted to throw us, where it wanted to throw us, without having the, the weight of the it's helping you slow the thing down. In our scenario, which is what I can only

talk about because I really don't know what happened in the other life raft, as you can understand, we then proceeded and found that there's a little hole, obviously to stick your head out of.

Q57 Yeah.

A Which, and the rain, and the thing was pouring in with rain so I literally had to fold that up and hold that with my hand, and, and Jimmy was opposite me. There was, I was in the sort of a back corner, facing the waves as they came, holding onto this, this opening, but we were taking water because it was coming in the opening so we, we just then proceeded to sort of use a boot to bail the thing out and keep it as dry as feasible. We were sort of sitting across each other, had our feet sort of crossing each other and we, we got one way, which I got first because it lifts me first and then, sort of through the bottom of the raft and my body was lifted but my feet were pinned underneath other people's bodies and I, sustained an injury to my right hip, I believe, and my left ankle in that. When we came down I said, "Boys, what we have to do is sit parallel so that if this happens again, you've only got your own body that's being deflected and you're not pinned under anyone else's", so, so we managed to just keep on rolling along those lines. I'm not 100 per cent sure of the actual times, I mean we got into the raft at 6.00, that particular that probably happened, possibly an hour or so, an hour

and a half, maybe, down the track that one.

Q58 Was that 6.00pm or 6.00am?

A 6.00pm. We then experienced a few other rough tumbling rides but still upright and we got a bit of a system going where we were bailing and, yeah, it was pretty horrific outside as we could feel the vibration of the wind on the, on the raft and the hellish ride sort of thing, which you're not really sure what's going to happen to you. So we proceeded on and then we got hit with an enormous wave and this particular one flipped us over, right upside down. So we were now upside down and the, the raft is designed with two black round circular tubes which fully inflates when you inflate it and it comes out to a, a rectangle shape and then it has one six inch one which goes over the top and holds this lightweight roof up.

Q59 Yep.

A When it turned upside down we were actually able to put out feet on that circular one and then hang onto the sides. We then, as you do, we had a discussion of what we thought would be the best way to do it. Jimmy Lawler was next to this, this opening, which was the door, the door/window opening - - -

Q60 O.K.

A - - - and he felt around down the bottom of it and he said, "Well, to get out I'm going to take my life vest off to get out", and I said, "Well, that's dangerous", we all agreed that that was dangerous and that by the

time one person gets out and hangs onto the other side and we're all out there then try to throw it over, it was too dangerous under the conditions that were prevailing. So we thought about it and we knew we only had probably about 10 minutes of air left because the top, the bottom of the boat is solid rubber finish.

Q61 Yeah.

A So my suggestion was there was a reinforced cleat, which had good material at the side, I said, "Let's slit, slit that, if we're happy to stay like this, let's just put that small slit in it so that we can get oxygen".

Q62 Yeah.

A We did that and it sunk down about, 'cause we knew with this air that was inside was going to escape, we sunk down approximately about an inch and a half, just dropped a little bit, but that didn't worry us at all and then we had oxygen so we were quite happy with that situation. We got a lot of heavy waves that crashed on top of us but it sort of lowered the roof and we all just lifted the roof up and shed the water off to the sides and carried on. And then, probably, we probably did that for three quarters of an hour and we had another tremendous wave once again hit us, it tumbled us back up the right way.

Q63 Mm.

A And then we had a problem because of this flooring split and all our weight on it.

Q64 Yeah.

A The split extended - - -

Q65 O.K.

A - - - across the boat so we basically then didn't have a floor in it and so we were O.K, we were able to hang on there and proceed, but we had to, the roof of it, was such a lightweight material and had gone through all this, it was pretty ripped, so we just basically, parts of it were just pulled off so that you could physically get your hands, you know, like on the outside of this thing and hang onto the rail, the road rail which is on the outside of the thing and we then hung onto that. Further down the track, which was I would say around about 2 o'clock in the morning, half past 2.00 or something like that, we got hit again and one big wave and it just rolled us over again, so we were all there and, with it upside down that way meant that this tubular part which holds the roof up, like, we could put our feet on it and then hang onto the sides of it and that was O.K, we all, we were in good spirits and helping each other, if anyone needed a bit of a help to sort of get a better position so we did that, and we carried on like that for some time, I think it would have been around about probably till 3 o'clock in the morning, until we got this, and we'd all agreed that we really, at all costs, must hang onto the raft. We were all sort of lying there, just sort of trying to sort of hang on and go with the waves and we

did, we got hit by a wave which literally, really threw us through the water, like, it was in the surf.

Q66 Yeah.

A And I hung on to the best of my ability but I didn't, one of the chaps, John Gibson, had, still had his, his harness on from the yacht and what he did was he actually put the harness around the circular tube in the middle.

Q67 Right.

A So he was literally pulled through the water and I, I remember just hanging on for all I could and then it finally stopped, I came up to get some air and I looked back and it was white water all the way back to where it started, which I reckon would've been about three or 400 yards and I could see two people, the first thing I did was yell out, "Is everybody here?", and only one person answered which was John Gibson. I looked back before I dived back underneath to get inside and I could see two people back with their, their vests up there and they were yelling out, I went underneath and I said to John, "Unfortunately, John, we can't do a thing about this, the wind is going to blow us that fast and we can't go back, but we've just got to hang on ourselves now, unfortunately we just lost three blokes and hopefully the rescue might get out here pretty fast and can help them". And we continued on till daybreak and I think we got tossed, the two of us got tossed, John was O.K, he was attached but every

time it got tossed I had to make sure I hung on and I supposed we must have got tossed about another 10 times over and back this way, back that way. Daylight came and it was still fresh and the surf was still throwing us everywhere and I just thought to myself if the boys can survive through to daylight hours there's a chance that, you know, they could be helped. I expected, in my own mind, from these rescue operations, I was expecting to see a plane around about 10 o'clock in the morning, but nothing. The first plane I saw was around about 4.00, 4 o'clock, 4.30 that afternoon.

Q68 That's yesterday afternoon, is that right?

A Yes, and it was quite wide going down on one, one low lying sort of thing and I waved and things like that, 'cause John couldn't see 'cause he had a contact lens missing and he can't see for long distance anyway and I failed to, and he came back in exactly same line which I thought was quite silly, I thought he might have gone further to the left or further to the right, anyway he didn't, and it wasn't until about, it wasn't dark it was before dark, it didn't get dark till half past 7.00, quarter to 8.00, but I was facing the way we were going, which was east and I then saw a or whatever plane the big plane was - - -

Q69 Yeah.

A - - - coming at us and I frantically then had a vest on board, a yellow vest and my white jacket, because you

could imagine the raft itself is black tube and it's on dark water - - -

Q70 Yeah.

A - - - so it's pretty hard to spot, and he was coming straight up the path and obviously in retrospect he'd found Richard's raft and was then coming back to, back up the track just to see if he could then find anyone.

Q71 Mm.

A And I managed to get his attention and he turned on his light on the wing - - -

Q72 Yeah.

A - - - to acknowledge that he'd seen us, which I said to John, I said, "Look, mate, we're in luck here", but it took a long time then for, he circled a couple of times and he was waiting then, obviously waiting for a chopper to come out, and then they both just took off in the direction that he came from and I said to John, I said, "I reckon they're going down to pick up Richard", I would have thought his EPIRB would have - - -

Q73 Yeah.

A - - - picked him up a long time before this and since then I found out that his EPIRB wasn't working. Anyway they went down there and it got darker and then the chopper, from what I've been told, was running out of fuel so then he, I didn't see him come back at all, I thought he would possibly come back and have a go at us, but, because of his fuel shortage he obviously

veered off south and went down and dropped the boys off down, the name of the place. And so the other aircraft came back and he circled us about, he crossed us about and crossed us about, this time it was dark, so I had my maglite and John had a strobe light so they couldn't miss us - - -

Q74 Mm.

A - - - and he went across us about 10 times, I suppose, and then finally another chopper arrived, and so obviously they had to get another chopper out from somewhere.

Q75 Yeah.

A He arrived and I suppose it would've been about 9 o'clock before they arrived and the guy came down with the harness.

Q76 M'mm.

A And he got into the boat and I said, "Well, take John first, he's got a couple of bad fingers, I want to get him up into safety", so he just put the harness around him, gone, and then they threw the harness out of the plane and lowered it back down to me, just by myself and with the down thrust of the, the blades, it really throws you everywhere - - -

Q77 Mm.

A - - - anyway, I managed to get the harness on and in doing that I must have put a rope, one of the ropes with the, the life raft over my shoulder and then I put it on and I said, "Lift", and I've got up about

25, 30 feet and I've realised I was taking the raft with me and I thought, God, this is a disaster, so I just, I just thought, right, so I just put my hands in the air and just slid straight out of the harness.

Q78 Yeah.

A Knowing that if I took that up there it would've been, could be dangerous.

Q79 Mm.

A So I just came out about 25, 30 feet back into the water, swum away from the, the raft and then got them to throw the harness back down, I just slipped it on and they pulled me straight up. And then we went in and then I said, "Listen boys, there's four, three people up here and", I said, "my calculations are that they are approximately 10 miles, in my rough estimates
- - -

Q80 Mm.

A - - - on this track that you've been running on, possibly a little bit left because they wouldn't have been set to another course.

Q81 Yeah.

A And we told them that, anyway, they said, "We've got to go back, we're going to drop you guys off and then we're going to come back" and John, when we got there to the base, John was talking in what he thought of, and it was sort of similar to what comments were and then we were in here.

Q82 O.K, all right. I just have a couple of things, if I can remember what I wrote down. Can you name the five fellows that were in your life raft?

A Yeah, yeah, there was myself, James Lawler, Mike Bannister, John Gibson and John Dean. Unfortunately the only two that survived it was myself and John Gibson.

Q83 Now, these rafts you've described to us, are they standard safety rafts?

A They're a standard safety raft that, that most, most yachts use. There's basically sort of two types that the, the yachts tend to go for.

Q84 Yeah.

A And we have the standard what they call RDF brand and they, they had just been serviced as you have all those things serviced before a race, the Cruising Yacht Club are quite strict about their safety requirements.

Q85 Yeah.

A And so they should.

Q86 Who was the skipper?

A Well, I, in regards to being the person that sort of made decisions, that was myself. As regards to skippering the boat I mean everyone is basically 70 per cent of the guys steer at various times.

Q87 Did you have a designated navigator?

A Yes, yes.

Q88 Who was that?

A Paul Luntin.

Q89 You said earlier that a Mayday call was made by Richard.

A Yes.

Q90 Can you tell me, was that received?

A I believe so, I asked, because I was up the front of the boat when, it was actually Bruce who yelled out, "Make a Mayday call" - - -

Q91 Yeah.

A - - - and we were even lucky to get out because all the force of that water that came through those windows just went all over the radios, but he managed to get one call out and I heard him answering the chap saying, "How many people are on board?", and he answered nine and that we'll be getting into the life rafts shortly.

Q92 You're not aware of who that call was received by?

A No, no, I didn't, no, I didn't actually specifically say who, who actually did take that call, I don't know.

Q93 Right. And with the EPIRB, I know you said earlier that it wasn't working, was it, was there any known - - -

A Well, what happened was, the EPIRB is there and it's, it hasn't been, it hasn't been used.

Q94 Yeah.

A And it's, it's had a stamp on it to say when it's next service is and it was in that, that time frame.

Q95 Right.

A get to time frame and you get them

serviced and checked over.

Q96 Right.

A I gave it to the boys and I said, "If you", one of the boys before we jumped into the water, I said, "Have you set off the EPIRB?", and he said, "Yes". In fact, that would have been Mike Bannister he said, "Yes", and I saw he had the aerial out and, you know, then when they went they, Richard, it ended up in that raft, 'cause there was only the one, and in hindsight, when you look at it, you know, personalised EPIRBs probably will end up a standard feature safety.

Q97 Could be very handy.

A Yeah.

Q98 Were there any flares activated?

A No, we didn't. We got, Richard, I think Richard got some out but we didn't actually activate the, mainly because the Mayday had been received and we'd given our position. I don't, no, we didn't fire a flare, once again I was downstairs getting harnesses, yeah, getting vests and things out, but he did get them and didn't, from my accounts, they didn't let one off.

Q99 Has the boat always been known as Winston Churchill?

A Yes, it has, yeah.

Q100 Do you have anything, Detective?

DETECTIVE SENIOR CONSTABLE GREY

Q101 Just if I can take you back when tho, when the boat

first started to take on water, you said you were flung sideways from a wave, is that right?

A Well, the force of the water, see, what, just to try and put you in the picture, the boat was sailing, the waves were coming on the beam, and this particular wave being so strong and powerful, it lifted it up and literally flung the boat sideways in mid air against the water down here in the bottom of the, of the last wave. So what you're really effectively doing is throwing the boat sideways against the wall, 25 tonne quite substantial. With the force of that boat hitting the water, the pressure of that, that water there and it was that from the side of the boat to those windows, it smashed and the water came then another four feet and pinned me against the wall on the other side.

Q102 So at that time when the boat was flung sideways you were underneath, is that correct?

A I was just getting out, I'm just getting out of, out of this bunk on that side, yeah.

Q103 How long had you been underneath at that stage?

A I'd been down there, probably, an hour, I suppose, you just take it in turns, if you feel confident with the progress of the boat you just try and get 40 winks while you, don't really sleep, of course, not in those conditions, but you lay your head down and just, and I thought, well, you know, if this gets any worse we're going to have to try and

hove to run off and that takes you a long way off course but you can hove to, these old boats that have got long keels on them, which enables them to actually, when you hove to you set a headsail, the small headsail, you just pull it up to windward and you lock the helm down, tie it up the other way so that the helm of the boat, the rudder is trying to push the boat up that way but this headsail being that way, sort of wants to take the bow down that way. So what, effectively what you're doing is you're doing this in the, in the wind, the eye of the wind, and that's what they call hoving to, which you, I haven't actually done with Churchill, but it's quite feasible to do with boats with long keels. The modern boats you can't do it.

Q104 How would you describe the weather conditions when you went underneath an hour beforehand?

A It was fresh and we only had one storm due. It was going to be tough, it was going to be tough, it was just a case of

Q105 How big do you estimate the waves were, the swell?

A Well, when I came up and then had to grab the helm I looked at them and they were getting, they were getting big, so I suppose five metres.

SENIOR CONSTABLE STEVENSON

Q106 That's the end of the tape.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

SENIOR CONSTABLE STEVENSON

Q107 This interview between Stevenson and Stanley is now resumed. Mr Stanley, do you agree the time now, the time now is about 2.28pm by my watch?

A Correct.

Q108 Do you agree the tapes were just stopped and changed for fresh tapes?

A Yep.

Q109 O.K, Detective Grey.

DETECTIVE SENIOR CONSTABLE GREY

Q110 Yeah, just before the tape had stopped you were telling me about the weather conditions at the time that you went underneath.

A Yeah. There was probably around about 40 knots of breeze, we were quite, reasonably comfortable and that's why I decided to go down and get a rest before, you know, some of the wind sort of got worse or it abated. Like, and you always hope it will possibly die and not increase, but in this case it just slowly, and the boat, being timber, you don't, you don't, unless the waves are really thumping into the side of the boat, you feel quite comfortable downstairs and it wasn't until this one wave literally do it, did it to the boat and then of course the damage was done and I had to go up and untangle them off the and when I had a quick look around there was that much water had come in in that and as I said I believe the water coming down where the had

been washed off, water pouring in there, I suspected that with the amount of water that was coming in downstairs that we could've possibly sprung a plank on the outside of the boat but you couldn't see it because there's lining on the inside unscrew that to actually see leaking and of course once the motor wouldn't motor wouldn't start we, we were really in a bad situation, so the life rafts were, were and everyone knew what the situation was.

Q111 What kind of sail did you have set at that time?

A We had a storm jib up, just one sail, that's the smallest sail that you've got on the boat and when this accident happened we pulled that off and we ran just trying to work out whether we could get the motor started and, and pump the boat out. But unfortunately the motor wouldn't start, the water had, water had gone across the leeward of the boat and that's where batteries were, you put batteries on that side or that side of the boat, you know, it doesn't really matter which side, it's just a case of it happened to be the side which the angle was at its greatest it got up to it did start initially but it only lasted a couple of seconds.

Q112 Who would have been left on deck when you went down underneath?

A Well, there was about three, but in those conditions, as long as two people that are steering are comfortable

enough, that's sufficient, you know, to be on deck because it's cold and miserable at that situations that it's not necessary, it's one sail which is up and it's cleated off and no mainsail was up, so it's just one sail and two people on the, at the helm so if, you know, one person trips or falls or something there's another person to take the helm this one wave rogue wave which has probably full just literally picked the boat up and throw it sideways. The chap that was in with me there at was with the chap called, Peter and Peter is a yacht designer, and possibly had one of the strongest boats in the race and he sustained a lot of injury to the ribs and things like that and was thrown over so that the mast was horizontal, near horizontal conditions do that to a boat like his, it's the luck of the draw, it really is, yeah.

Q113 Are you able to nominate for me who would have been up on deck

A At the time, O.K, well, as I say when I came up on deck there was John Dean and Richard Winning and when I came up they were tangled round the backstay and I just raced up there and grabbed the helm and then another chap came up, I just forget who it was now, yeah, it was Bruce Gould, he's also a man of a lot of experience, and he grabbed the wheel and I untangled

the boys and in doing that I said, "Richard we must get this boat started", and the water had come in that much in that space of time that's when I said to the boys, well, I was at one end of the boat saying, "Get the life rafts out, put 'em up on deck", Bruce Gould was at the back saying to Richard we must get a Mayday out and fortunately he got one out before the radio stopped. Yeah, everything happened so fast we, when you have one incident happen like that, that you've got to act pretty quick and then we made the decision of not throwing the life rafts over till the boat was, water was right up to deck level, so that it slowed the right down and it enables you to throw it over and these things then take probably about five or six seconds, maybe a bit longer, to inflate tied off and then, then you've got to literally jump in the water and go and swim and get in, and even all that is, that's a task in itself, so you need to try and think about the best way to attempt that, which is what we did, we managed to do that. There was a line attached to the boat and I thought, God, the boat was actually sinking at this stage but the line came away, detached itself, so we were O.K. The life line between the two rafts then broke but that was a blessing

Q114 In your absence would anyone be then in charge or is it a matter of who

- - -

A Well, the experienced chaps on the boat, which is why I took them Bruce Gould and James Lawler and that's the way I worked the watches so there was experience on, on both watches, and we did try and do that

Q115 The conditions after the boat had been flung to the side and started to take on water, had they deteriorated from when you had originally gone downstairs?

A Well, the damage was done to a point where we were taking on a lot of water from that hit and so I don't know how much water actually came into the back of the boat. I mean I was pinned to the wall three holes coming through, pinning me to the wall till the boat can, right itself upright a bit. So I don't know how many gallons came in there and that was all over the radio and down onto the motor and everything. But the main thing was for me then to get up on deck, untangle these guys and then try and get, get them to start the motor while I went down to the other part to then get the valves changed over but when the motor failed I knew that we that were in trouble.

Q116 What I was interested in is, is the weather conditions prior to you going down underneath and then when you came back up again, did they seem to be worse?

A Yeah, but Richard, if he was, you know, if Richard had any real qualms he could have said, you better come up

and have a look at this, I don't like this sort of situation, I mean that's the way we operate, and if you're not sure of your own confidence in what you're doing you try, you tell the chaps that you must give me a yell if there's any problems and -

Q117 Did you give any consideration to heaving to, as you call it?

A Well, I, that was in the back of my mind, possibly we might have to do it, but that's what in fact that, I was getting out to sort of go and have a look at it just to see if we were travelling too fast or just how bad it was going to get because night time coming on I mean it was still light and in light you can basically handle a boat reasonably well, by steering it on the side of a wave then up over a wave which you try and teach the blokes to do, but at night time, of course, you can't, so that was what my idea was before it got dark we organised to possibly hove to and, and try and stop the boat in those conditions it's still very hard. I mean they were pretty horrendous stuff it's something that you don't get very often and when it happens you, you get a lot of problems, a lot of disasters. I mean you get people caught in cyclones and that, that depression, the way the two layers, from what I can work out what happened, I mean I still haven't really sat down with any of the weather guys to tell me how it happened 'cause it was never forecast, but obviously this one low up here and

this low started heading in the same direction and once they squeezed they just got this tremendous cyclonic condition in the middle and this is what we got. We were in a cyclone, virtually, when you're in the middle of it, in the lap of the Gods in a lot of ways and it's got to be a very, very strong boat and that's one of the, one of the problems with, probably, the sport is that it, the boats are really not built to go out in those conditions, but that's easy to say in hindsight. I mean I believe they cancelled the start of the race from Melbourne to Tassie, 'cause they go down the west coast, well any sailor will tell you if he hasn't had, if he, even if he hasn't had much experience, that if you go and do that race in the wrong conditions you're heading for disaster because when we, when we have to do anything on the east coast, and nine times out of 10 the conditions are from the sou' west or west, and you have to run off and run for cover, as they say, you're heading out to sea so it's not a problem, but if you're going down the west coast of Tasmania and you've got to run for cover, you're heading straight for the rocks, that's why that's a very, can be, could be a very dangerous race if half way across they got those conditions. So they've got to be very judgemental when they run that race which tend to put it back a day or two

Q118 At any stage did you consider terminating your race?

A No, no, we hadn't. We, we were, when we got to the

stage to terminate it also was just as hard to either keep going, hove to, or then run off, running off is a, is a hard one in that you, even if you take all the sails down and run off you're running with such speed that you end up miles and miles and miles away and that makes it even harder to go back over to Eden or continue on in the race. You turn around at that time if you thought no, this is, this is dangerous, let's turn around, you could turn around but you're still heading on the same course as what you were doing when you were going that way so it's, it's an awkward one to really be judgemental on unless the owner himself, I mean I leave it to the owner himself to, I mean it's his, his money and his boat and you try and be as as you can

SENIOR CONSTABLE STEVENSON

Q119 Do you have anything further you want to tell us about anything?

A No, not really, I don't think there's anything
..... at this stage.

DETECTIVE SENIOR CONSTABLE GREY

Q120 Before the commencement of the interview you mentioned some concerns about the life rafts?

A Well, I've never been in a life raft before and I'm not sure whether the life rafts that are available for sailing these days, after, after my one and only experience in 'em, I do believe that they could be a lot better and, not knowing a great deal about them,

..... professionally you'd, but obviously there's a lot of things that I think could be improved dramatically and probably they'd end up a lot heavier and, of course, like every sport they try and chase lightness in lieu of safety, which is not very smart.

Q121 What kind of things do you think could be improved in the life rafts?

A Well, I believe there's, one of the chaps was telling me before, CYC did run some experiments, I wasn't involved in that at all, but they did put people in rafts in a 30 knot southerly off Sydney and they used an aircraft one which, the top and the bottom were the same material, and that proved to be the best one, but for what reasons they didn't sort of pursue that sort of thing. I'm not sure the tests were and what they picked up on. But, just from my experience, yes, I could sit down and start to think about things that I would, from my experience, one and only experience, would think about improving, yeah. But you need to sit down with the manufacturers and people involved in the organisation of say, well, can we do this and what you, why, why can't you you've just to put a bunch of people together and try to come up with some answers.

Q122 Are you happy with that?

A Yeah.

Q123 Right. That's the conclusion of the interview. The

time now is 2.43pm.

INTERVIEW CONCLUDED