

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronic, electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Carl Watson 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. The time on my watch is now 1.57. Do you agree with that time?

A Yes. I do.

Q2 As I've already explained to you, Senior Constable Watt, Senior Constable Upston and myself are making inquiries in relation to a storm which hit the Sydney to Hobart Yacht Race on the 27th, 26th, 27th and in which you were a member of a boat by the name of Spirit, Sword of Orion, in which I agree person was lost overseas, overboard. So, what I intend to do is just ask you some questions in relation to that matter.

A Certainly.

Q3 O.K. But just first of all, if I could just grab your full name?

A Carl Campbell Watson.

Q4 Your date of birth?

A 10/10/53.

Q5 And your current address?

A 4/245 Mowbray Road, Chatswood.

Q6 And your occupation?

A Yachting consultant.

Q7 O.K. Would you be able to give me some background to

your yachting experience, and, and, and perhaps your occupation as well?

A Certainly. I've been sailing practically for 35 years, this is my 15th Hobart race. I've sailed all over the world, my job entails all aspects of, as a yachting consultant, all aspects as of setting up yachts, project management, people buying sails, all sorts of aspects ....., about a yacht.

Q8 Right.

A Through from -

Q9 Is that gained through an experience or is it gained through some sort of qualification? Is it - - -

A I am actually a sail maker by trade.

Q10 Right.

A So, I gained my trade certificate in New Zealand, where I lived for 10 years. I competed actively over there, we won a world championship in a 1 tonne yacht which is a 36 footer, and in those days, that was in 1977. So, basically it's gained experience and working with people throughout the field.

Q11 Right. Are you able to give me some details of the Sword Of Orion, so far as it's .....

A It's a, it's a, it's a Reikle Pew 43 footer, built to the IMS rule, like, it was built in Melbourne originally for the owner, Mr Peter Sadgett, who unfortunately died of cancer about two months ago. I joined the crew prior to the Telstra regatta. I did a couple of short offshore races what we'd call socks

races at the CYC, cruising off up Australia, and I was asked to join the crew for the Tolstra regatta and the Sydney to Hobart race.

Q12 All right. Now, so far as the crew on board the Sword Of Orion, are you able to tell me the names of those persons, if you can?

A Yes. Yes. The owner is Mr Rob Kothe, there's Darren Senogles, unfortunately I'm not, a lot of the other surnames is - - -

Q13 That's fine.

A Yeah. There was Sam, Simon, a half ounce, Glyn Charles who joined us from England, Steven Kulmar was actually the, even though Rob was the owner, Steve was the skipper.

Q14 Right.

A He has competed in as many Hobart races as myself, he's actually done 16, he's competed in five fast-net races, he's won two Hobart races. I think collectively overall we had an experience rate of about 75 Hobart's on the boat.

Q15 Right. O.K. Now, Mr Glyn Charles, Charles, I believe it's Glyn Charles, is it?

A Glyn, yes.

Q16 G-L-Y, yeah. Could you sort of explain to me how he became sort of involved in the Sword Of Orion or -?

A Yes. He, Glyn was in Australia to coach Andy Beardsworth and the English crew on the silings in the regatta on Sydney Harbour, about a week prior to the

Telstra regatta. Steven Kulmar had his own boat which is a mum 36, and they competed for Australia in the Admirals Cup last year. Glen joined their boat for the fast-net race that year and he became a very close friend of Steve's.

Q17 All right.

A When he was down here we were a little bit shy of a little bit of talent in a few, in particular areas, which is just skill of not, not knowing how to sail the boat, but more a tactical skill.

Q18 Right.

A Steve asked Glyn if he would like to join the boat and obviously in unison with Rob that decision was made and Glyn joined us for the Hobart race.

Q19 Right. So, he's a fairly experienced sailor?

A Very good sailor, yes. He was in the, in the star class, he represented England in 1996. He was going back to Europe to pick up a new boat and keep his ongoing campaign going for the Olympics.

Q20 Right. Now, prior to the, the race, which started at 1.00pm, on the, the 26th, did you have any dealings with racing briefings?

A Yes. Both Steven Kulmar, Glyn Charles, Adam Brown, Rob Kothe and myself attended a race briefing.

Q21 Right.

A Rob also had from New Zealand a guy who, who's a oceanographer and worked with the met bureau here. He also does met work for Team New Zealand, which is the

America's Cup syndicate, and he'd also did a weather briefing for the yacht, Sayonara before the race as well.

Q22 Right. And you were privy to that briefing?

A Yes.

Q23 O.K. Are you able to give me a, a sort of a sample of that briefing, like, what the - - -

A Yeah.

Q23 - - - what the - - -

A The prognosis came back from the weather bureau in Sydney gave us a brief, a weather briefing of just the last part of the Hobart race. And they went through the facets, they had three different models how they forecast the weather, and really they couldn't tell us there was low, which is in the, to the east of Australia, basically east of Brisbane which was coming south. They really couldn't forecast, we had a high pressure system, or a high pressure cell, which was locked over the south islands of New Zealand. If that cell had have moved, the low coming south they had forecast to dissipate. The biggest thing that they were worried out is what's called the east coast low, which is what developed. And this is caused by the hot water that's running down the coast and at the moment I believe the temperature's running at about 22 degrees, which is very warm. And the day before, on boxing, the day of the briefing they still couldn't give us a firm prognosis as to what the weather would

be. They said there was a 15 to 20 per cent chance that the low might form, but they really couldn't give a solid prediction.

Q24 Right.

A And on the morning of the race, Rob knows his name, I think it was Greg, Mike actually, I can't remember his name now, he came down to the boat with the latest details of the weather.

Q25 Yeah.

A He ran us through, we sat on the boat and this took about 25 minutes and in his opinion it was still only a 20 to 30 per cent chance that it may happen. And the only forecast that put the low to actually where it did form was the European mob.

Q26 Right.

A Out of the other two it, it really couldn't place the low system, and that, it was always a guess work situation.

Q27 Right.

A In our situation he said to us, "Just watch your barometer".

Q28 Yeah.

A So, "If it falls 20 to 30 points in a big hurry, you could be in danger, but just keep an eye on it and keep and eye on the weather pattern generally". And this is what we did.

Q29 O.K. Now, you just indicated before that someone was worried about this particular east coast low, I mean

- - -

A Yeah.

Q29 - - - who was concerned about that?

A Everybody who sails and it's well publicised in the latest sailing magazine there was a Australia Sailing, there was an article written by Ken and it's well publicised, that when an east coast low happens the low pressure cells then form very intensely and very quickly and then cause a lot of devastation up the New South Wales coast.

Q30 Right.

A Everybody is more that aware of that happening. It's not something that is just a rare form, luckily it is rare in it's occurrence, but people are more aware of the situation that can develop at hand.

Q31 So, there was a 20 to 30 per cent chance that this east coast low - - -

A May develop.

Q31 - - - may develop?

A Yes. That's correct.

Q32 You as a, as a yachtsman, how, how did you feel about that so far as taking the risk to go or to stay or not to go, did anyone say to you?

A I, we weren't particularly worried about it, at that stage we would, would have been heading down the New South Wales coast and had quite a lot of opportunity, they'd forecast a front to come through, just a small, small front to come through, but we had the north

easterly ..... we were going to the west, sou'west at approximately 25 to 30 knots, then swing into the south, south east and the gradient breeze, go back into the east, north east again.

Q33 Right.

A That was the prog, and then we would as we got into Bass Straight, we would have that approximately 12 to 14 hours.

Q34 right.

A And then the breeze would back around again and there was another front due over Tasmania at 10.00pm, on the, on the Tuesday, and at which time we thought we would probably be finished.

Q35 Right. So, is it the case that some, that some crews would say, well, yes, there's 20 to 30 per cent chance of this happening but we'll be past that perhaps?

A Yes.

Q36 .....

A We got, depending on how the low intensified or if it didn't - - -

Q37 Yeah.

A - - - but if the north easterly had stayed in we could have been progressed past the system.

Q38 Right.

A And there was always the thing about, it's always the case that the bigger yachts, like the maxi yachts tend to jump the system, they'll get into the new breeze, the guys behind you progressively get different air.

Q39 Right.

A And this showed up at the end of the race with the smallest boat, Midnight Rambler winning it, they actually came down the east coast of Tasmania with the, with the spinnaker up.

Q40 Right.

A With the north easterly .....

Q41 O.K. Now, from your experience in the 15 Hobart's that you've - - -

A Yes.

Q41 - - - sailed in, have, have there ever been, have you ever experienced situations where there's been discussions about whether the race should continue or, or whether it should start, or whether it should be postponed and that sort of thing?

A Not really. It, it's very stressed at the briefing - - -

Q42 Yes.

A - - - and it's always stressed off the mother ship, which was the Young Endeavour this year, that it is the skipper's responsibly at all times as to whether you should continue in the race.

Q43 O.K.

A And they make that very clear that it is your decision to continue or your decision to withdraw.

Q44 So, does that, to you does that mean well, we'll fire the gun and if you want to turn around at the, at the heads that's up to you?

A I would imagine that the CYC, if it had have been blowing 60 knots - - -

Q45 Yeah.

A - - - from the south west at the start of the race they may have had the opportunity to abandon the race or postpone the race.

Q46 Right.

A To a day, for a couple of days - - -

Q47 Yeah.

A - - - to let the system go past.

Q48 Yeah.

A At that stage they had all the information at hand that they could physically get - - -

Q49 Yeah.

A - - - from three difference forecasters. A lot of the boats in the fleet, all the weather is forecast and, and sheets are printed.

Q50 Yeah.

A And the morning of the race they are available from the sailing office from 6.00am.

Q51 Right.

A So, it's their decision at that time as to whether they'll enter, keep going in the boat race.

Q52 Right. O.K. Now, look, if I could just get you now to just give us your experience of the race from the, the starting gun on the 26th at, at 13.00, to the time that you were rescued.

A Right. We started off in a about a 10 to 15 knot north

casterly in the harbour. We cleared the harbour and went out to the sea mark, we then set a spinnaker heading south, we were actually making not quite the run-line course from Sydney through to Tasman Light, which is the rounding light before you come across Storm Bay, is approximately one, 183 degrees. We decided to go a little bit east to try and get into a little bit more current, this meant diverging off the run-line by probably 4 or 5 miles, we continued running down the coast with a, the breeze slowly strengthening. We passed Wollongong after three hours sailing, three and a half, four hours sailing, so we were making very good time down the coast with the assistance of the east coast current running south at approximately two and a half to three knots. So, our boat speed, which showed 8 knots, that the boat is actually going through the water, but our GPS tracking system which give us an actual speed over the surface of the earth, was tracking at around about 11 knots. So, we were making another 3 miles per hour basically south free of charge. As we got further south we noted the boats in, that were closer to the coast than ourselves, we were approximately 7 to 8 miles off the coast. The guys who were inshore of us during the daylight were actually making a gain on us, they were, like, to similar size, and in a couple of cases a couple of smaller boats, and what we do is have a handbearing compass, and we put the compass on them and take a bearing on them, if they

progress on that bearing you know that the guys inshore have got current with them. We then decided that we would instead of holding the higher course, pull the spinnaker pole back and sail down a little lower towards them, and found that we actually picked up again about another knot into the current and then we stayed parallel with them. As the evening went on there was quite a lot of thunderstorm activity all the way down the coast, we got past Jervis Bay in the dark, we were approximately 7 miles off the entrance to Jervis Bay. During the evening the, and later in the evening through the early morning or just after midnight, the breeze steadily freshened. The wind stayed fairly steady at 045 through flicking back a little bit through to 030. When you're running down the coast, when a system comes through if there's going to be a change the breeze will gradually, if there's a southerly buster, sometimes the breeze will just die and you can get an approaching front that'll come through. If it's going to be a, a system whereby you've got a, maybe a day and a half, the breeze will tend to go back through the north, so we have true wind direction displayed on deck at all times. So, we know where, which way the wind is going. The breeze gradually backed into north during the night and got into the vicinity of 35 to 40 knots. We decided at that stage, Glyn was steering, we had I think seven or eight people on deck, that it was now time to get rid

of the spinnaker, the ..... the, the real reason being that we had 520 miles to go to Hobart, and as to preserve the boat and get the boat there in one picce. Where people make a mistake in that area, your boat race is finished, so, you try and say we want to get the boat there and everybody else there in one piece, so we backed off, we put a jib up, and poled that out. That breeze continued during the early hours of the morning and then the breeze started backing into the north west as per the forecast, initial forecast ..... as we went down the coast. And we'd probably see a front somewhere towards Montague Island or Eden, not very intense, the first part of it might have been 30 knots but then backing off to a steady 25. We made, we then decided to jibe the boat because the breeze had actually gone into the north west. We actually dropped the jib, we actually did not jibe the boat we went, we got, it's called a granny in yachting, we actually turn the boat through head to wind and went back down the course. We set the boat up again, the breeze, we're at that stage before dawn we were more down towards Eden. The breeze gradually backed into a direction of around about 305 to 285, so it was north of west. It was quite comfortable, the pressure built, we had a full mane and a number 3 jib. The breeze again freshened, we decided to put a reef in the mainsail, and the breeze freshened more, we went to two reefs and a number 5. The breeze gradually swung, we

were then south of Gabo and it was extremely fast time down the coast because we were aided by this current. I believe on the SKED from the race organisers that nearly all the boats at that stage were ahead of the actual race record.

Q53        Yeah.

A        Going into Bass Straight. We watched our barometer and it had only fallen two or three points, so at that stage there was nothing to, to panic, we actually thought if we were lucky as we were getting out into Bass Straight that we might have a north westerly to westerly gradient wind for the trip across Bass Straight. Gradually during the day the breeze increased and increased, it was by midday that we were experiencing winds in the vicinity of 40 to 50 knots, which was on the top end of the forecast that they had said. We had weather from Eden, we could hear coast guard stations, we had a weather fax on the boat, we could actually get data out, we heard the forecast from Melbourne radio, and the breeze had slowly started to increase, and I think by about 13.00, 13.20, we were experiencing winds in the vicinity of 75 to 78 knots. On the laptop computer that Rob has, it actually graphed through the instruments, it graphed on the laptop what the peaks were in the wind, the times the lows were, and I think the top gust we recorded was in the vicinity of 80 knots. This then backed off a couple of times and it would go down to 65 knots. At

one stage we sailed into a, we had, we decided at that stage that the mainsail was on the, we didn't have a mainsail up, we had taken the mainsail up once the breeze, taken the mainsail completely off once the breeze had stayed steady over 45 knots. That was completely lashed to the beam, the beam was on the deck of the hull, on the deck of the boat, lashed with sail ties, which are made out of webbing to one of the stanchions and it was safe, everything was tied down. We had, on our watch system on the boat, we had 10 people, we had three watches of three people. Rob was the navigator, so he was basically floating, which meant that he would come up on deck and maybe spend an hour with each watch. During a normal watch period you would have six people on deck. The three guys who are actually on watch who were sailing the boat, the other three were off watch, but on deck. Then we had all talked prior to the start that if the conditions got to the point where we had continual 45 or 50 knot breezes, we would only have two people on deck and we would have two people downstairs ready to go. At all times during the breeze, once the breeze kicked up, even during the night when we were running we were all had harnesses on and we were clipped onto the boat. And it's a part of the sailing rules and the safety rules to have what's called jackstays, and they're heavy duty webbing straps that run from the transom of the boat through to the bow, so that you can walk the length of the boat

unimpeded attached to the boat. So, if anything at any time happened you're still attached to the boat. At the 1400 SKED we reported our position in to the Young Endeavour, we had an update on the weather and, which was that they were recording winds at Wilson's Promintary, which is on the western end of, east of Bass Strait, in the vicinity of 71 knots. We'd actually recorded more. No, none of the boats ahead of us had given any details of the wind, Rob had decided under his own hat to call Lou Carter who is the radio, on the radar, radio relay ship, Young Endeavour, and notify him of the current situation we were in, in terms of wind strengths and what we had experienced. Lou, we had another yacht ahead of us, a boat called Yendys, which is a 50 footer. They came back and reiterated that they were experiencing exactly the same air. Lou Carter then notified the fleet and told them of the wind gusts we were getting and again stressed, quite strongly, that it was the owners responsibility whether he continued in the race. Approximately 25 minutes, everybody on the boat was pretty stressed that we had guys amongst, we had a little bit of seasickness on board, which you would get on any boat. Steve, myself, a few of the other boys were getting a little bit concerned that we could be actually sailing into more wind. We had a bit of a consensus talk. I was up, actually up on deck with Glyn, Steve went down and spoke with Rob, the owner, who's decision it was to

make whether we would actually turn the boat. That decision was ultimately made. I think it was around about 14.45 that we actually turned the boat, everybody was aware of the situation. There was a sense of relief that knowing that we were going to go back in similar weather that we had come through there was always a small concern, but we decided to retire, that was it. We again, we went through the same routine, everybody that was on deck was clipped onto the boat. Rob had given us a course, a rough course to get back, he was just getting organised downstairs, I was actually sitting up on deck with Glyn, and Dags is our bowman, he came up on deck and I said I'd like to go down and just make double sure of the course with Rob, make sure - - -

Q54 Can I just interject for a second?

A Yes.

Q55 If you start getting a little bit upset or anything

- - -

A Yeah. I'm fine.

Q55 - - - by all means just tell us, we'll stop the tapes and - - -

A Yeah. No, it's fine.

Q56 O.K.

A Darren Schogles came up on Deck, Glyn was at the wheel, sitting behind the wheel, it's a very big wheel on the boat, approximately 6 feet in diameter. And he was able to sit next to the wheel on the gunnel and he was

clipped onto a, what we call a strong point or a pad eye on the deck, with his safety harness. Darren was just in front of him, basically sitting side by side, and that, Darren was clipped onto the jack stay. I went downstairs and I wouldn't have been down there approximately, I would have been down there approximately five minutes. I was standing just aft of the companionway, all of a sudden the world turned upside down. There was this frightening crash and it seemed to take forever, and the boat rolled and came upright again. Darren was washed forward off the cabin top and still attached to the boat, onto the deck. Everybody was just shocked at what had happened and really had to snap them out. I basically got the guys, Dags was on deck, first call was man overboard. The three guys raced up, we'd suffered quite severe structural damage to the boat. The mast had broken and we were actually heading north so we had the breeze on our port side, the mast was wrapped around the port side of the boat, broken and in the water. At that stage we were taking a lot of water on, we had, I think, four guys in the cockpit who were trying to pursue Glyn. We had a guy who was looking back and just had his eye on visual on Glyn at all times, and basically counting, the other guys were trying to belay rope, we gave as much safety gear into the water in that first minute that Dags had hailed, "Man overboard". We were drifting at approximately five and

a half knots, nearly 6 knots. Glyn, at this stage, the owner, Rob Kothe, was sitting at the chart table, which is on the starboard side of the boat, he was strapped in around the side of the table. During the rollover he was thrown out of his seat, his leg was badly twisted in the harness, he was jammed in there, when we came out of the roll I looked down, he'd actually smashed the companionway stairs off in the fall, had large bruises on his head, his forehead. We hadn't seen it, all I could see was his legs, and noticed then that his leg was very badly hurt, there was no noise coming from Rob. We had to lift the sails off him, he was conscious, he, as he said later, was thinking the next thing he was gunna see was water. He was actually holding his breath. After approximately two minutes, two to three minutes, we'd have drifted 250 metres from Glyn, I had a guy bailing the boat, we had another set of guys trying to get rid of the mast, 'cause I made them aware that we had to preserve our house, get nine other people, there were nine lives there. And the problem being that all our safety gear, even being belayed out in the wind speed of 65 knots was nigh impossible to get to him. I saw over the companionway very briefly, which is looking aft into the cockpit, the guys were working frantically, I passed up an anchor and the chain and probably 100 and, well, 50 metres of ..... to belay off the boat to stop our drift. This was then done, the guys cut away most of

the rigging, after five minutes or so we realised it was fruitless that we could get to Glyn, we couldn't start the motor, we'd, the fuel tank had been damaged in the roll with the collision with the Rob and the engine box and the sails down below. Sometime during the period of the rollover, with the boom being attached to the deck, the force of the water ripped the boom away from the, from the stanchion. That collided with the wheel and smashed the wheel, and put a hole in what we call the wheel well, which is set into the boat and goes from, nearly from the cockpit floor down to the hull of the boat. That's a seal, it's a integral part of the hull, it has it's own drain out of the hull. The main mission was to find out our source of water, why we were leaking, we didn't know if we sustained sever hull damage below the water line. Rob, immediately once we'd got him up, our HF radio was wiped out by water damage immediatly in the roll. Rob, as soon as we got him onto the seat, we were onto the VHF, we had an emergency aerial downstairs, we also had an emergency aerial for our HF radio that we had put onto the transmitted boat. We then realised we couldn't make any contact on the HF radio, and Rob started calling the Mayday process. Once the rig had been squared away, the, the rig had actually broken off, we had part of the mast above the deck, probably 2 feet, and the rest of the mast down below in situ. The rig was cut away from the boat, we then went about,

we kept Rob, just calling for Maydays. We were approximately 65, I think, or 70 miles away from Gabo, and the ferocity of the air we thought with the VHF we'd just keep transmitting. The call was that we had lost a man overboard and it was just a Mayday, Mayday, Mayday, Sword Of Orion. This continued on for quite a while and the last part of daylight we noticed a yacht going towards Hobart, going upwind. I think we can put a positive identification on the boat as the yacht being the yacht Margaret Rintoul. It was approximately, I think, at 40, Spartan and Steven's 46 footer. The boys, we had the flares on deck, they fired I believe in vicinity of 6 flares at the boat. They were totally visual to us, the boys were waving to them, they did not respond to one flare. So, there was nothing heard, and there were six flares. Once they had gone past, everybody was shellshocked, the main reason we wanted to contact them so that they could get onto SAR, which is Search and Rescue, and we had logged the position of where Glyn had gone into the water, like the latitude and longitude of where the incident had happened. We have a MOB button, which I called a man overboard button on the GPS, which is the Global Positioning System. In this situation that position is logged and if you're in a position where you can, if you haven't lost a mast or your motor in tact, you know the position exactly where the fellow went into the water, you can calculate the drift. In our situation

we had logged the position and we had our GPS running on DR, which was just updating our position with drift. We tried to slow the boat down as much as we could by having the anchor and the chain and everything else out of the boat, we jettisoned quite a lot of the sails off the boat to get, they were very wet. Darren had then isolated where the, most of the water flow was coming in, which is through the wheel well. The boat from the starboard quarter of, of the aft part of the boat to approximately 6 metres or 5 metres down the side of the boat, the boat had actually, the hull had split away from the deck, we had a gap. The, the main support frames on the starboard side of the boat, which are made of Kevlar with a fine core and also the laminates of glass had, had totally sheared away from, the hull had collapsed. The cockpit had started to sink because the foam was, well, the, the cockpit wasn't fully supported, and I said to Darren that we had a spare spinnaker pole downstairs, we actually cut that up into three sections and supported braces under the cockpit sole to support the boat. So, that we'd try to keep it as a, as a one ..... unit. We kept on with the Mayday calls, I, once the guys were organised, Rob's leg was in a very bad state, I said to the guys to get some sail battens, we had to immobilise his leg, we got the sail battens out and two of the guys got him onto a bunk, I told them how to make the splints up, we put three splints on his leg, put him into a bunk, totally

immobilised, the guys did that and I was still making the Mayday calls. We heard a crackling and we finally picked up a plane and he told us then to release our EPIRB straight away. And we did that and they EPIRB comes of a, with a line attached to it, we attached that line to the boat and deployed the EPIRB into the water and switched it on. He homed in on that beacon within I think from memory about 35 minutes, and he did a couple of passes overhead. We have, many of the guys on the boat had personal handheld strobe lights, we had those on deck as the plane made the pass, he then told us that once he had spotted us that they would be sending out a helicopter. We described to damage to him and he asked me my opinion was the boat safe, and I said, "No". We were still taking water, we had a routine where every 15 minutes we had, basically had people in their bunks trying to recover, there was a lot of just straight shock on the boat, so I tried to keep the guys motivated by where every 15 minutes we'd have two guys in there bailing the boat out, making sure the boat was dry. We got some hot food going and it was a, I think it was, it seemed like forever when the chopper came out and I think it was approximately about 2.00 or 2.15, we realised we could see lights to the north of us, that there was obviously a search on for other yachts that were missing. We could hear them calling up, there was a freighter that was actually involved in looking for the yacht B-52. We could hear

them on channel 16 occasionally. When the chopper came out he asked us about the sea conditions, our wind speed, we had lost all our instruments so we were guessing at that stage, but I still think it was in the velocity of around about 65 to 70 knots. We were getting periods where the breeze would back off to 40 to 45 knots, there were very low ceiling for the planes and quite a bit of sea haze plus rain, it made their job very hard. We, as the chopper came in and he said, "O.K. I've got you, can you please turn off your EPIRB now, we've located you, we'll get you". We went to retrieve the EPIRB and the line had sheared off. Once we notified them that that they were aware of that. One of the safety issues that we thought about now with that is that the line that is attached to the EPIRB is nowhere near strong enough ..... It's almost like a , what we call, polypropylene, only about 2.5 or be lucky to be 2 millimetres, and that is only rubbing on the deck there was nothing else to intrude on it, and it was tied down to the base of a winch, and that had just cut off. After we'd done that the chopper pilot asked me about the damage on the boat, I explained that to him, the personnel et cetera, I then at, at that stage told him the identity of the missing person and if he could relay that to shore and that it was Glyn Charles who was a UK resident. We wanted to get that message ashore quickly because there was no other means for us to communicate, we were too far offshore to

communicate with a mobile phone, especially a digital phone, and the pilot said he was gonna do a couple of passes over, he asked us where we sustained the maximum damage, which was on the starboard side. He then flew at a very low altitude, I would image no more than probably 80 feet off the water, homed in on our starboard side, had very very bright search lights on the chopper. He then said after he had assessed that that we were going to go through a rescue. He said it was unsafe to stay on. We agreed with him totally. He said that initially we were going to let it getting the disabled people off the boat first, however in his opinion for them to do the test lift was better off to do it with able bodied people. So, in the first, the first three people off the boat were Darren Senogles, Steve Kulmar and Nigel. Steve Kulmar was last of the three. When Steve, how they effected the rescue was that they dropped us a line which is attached to their wire trace, it's a long line, I would guess probably 200 metres long, about 14 mil rope with a, what we call a monkey's fist on the end of it, which is a big ball. We had three guys on deck, we had to be careful in the cockpit because the damage to the boat. Each person had, from the time we rolled everybody put on a life jacket at all times and we all had safety harnesses. We tried to stop anybody getting on deck unless there was a maximum necessity to. We had three guys in the cockpit, one would grab the, they lowered it down to

us, then the pilot, he would lower, probably close to 100 metres off the boat and then he'd walk the chopper into us, very difficult conditions. The guys would then grab hold of that pull as much line into the cockpit and they stressed at all times not to make it fast to the hull in any way, shape or form. As soon as the guys were ready, Darren actually went into the water without clipping onto it, his lift actually took some time, he was away from the boat quite quickly. They had him at all times, from then on in we actually clipped onto that line, the guys on deck would pull as much of that line as they possibly could, the guy would be sitting on the starboard quarter of the boat attached to the line, the clips would allow you to, to tow along the line, you'd then push into the water, or jump into the water and go as fast as you could to the harness which was attached to the end of the line, then put that over your head under your arms and put your arms down tight, at that stage you were attached to the wire. They would then commence the lift straight up into the chopper. While the conditions were a bit harder in the first lift we couldn't always maintain basically the, the base line, a couple of times they had to relay it back into the boat. Then that rescue was effective, the pilot had a long time with Steve, who when he went into the water he cramped very badly on his, on his right side, and they actually had to send a diver down off the plane to assist him. At the

end of that lift the pilot called us, he called us up each time a person was safely in the chopper as to how far we would go and he said, "I'm extremely low on fuel", he would have to return to base and another chopper would be, and I think this was about 3.30 or 3.25am, he said, "There will be another chopper here on the hour". And he was very close to the truth, I think at 4.00am, Tiger 70, was a Navy Seahawk came over, again we had the guys, we had Rob still in his bunk, one of the other fellows had hurt his shoulder, Adam Brown, he's 114 kilos, so he was just slightly down and being able to get around, he came in over us and we went through the rescue process or talked through the process, I asked him at that stage how we were going to get Rob off the boat with a broken leg, I told them it had been immobilised and it was in a splint. He said they would give it some thought, he then asked me if we wanted to lift or would we be prepared to wait for the first sign of daylight. It was my opinion, I think, and everybody on the boat that we would wait for this first sign of light. The chopper pilot was more than happy with that, he said, "I'll do a sortie over you every 15 minutes". Which he did, I heard him calling a vessel which was coming our way, it may have been a ship, to see if they could be of any assistance, to maybe stand-off, I don't think they got any joy from that. So, at first light he decided that he would come in again, one by one we got them up, the system worked

very well, I think it was round about three minutes to four minutes to get each man into the helicopter. Simon, who is our, what we call our pit man, he and I stayed to assist Rob, I said to the fellows on the chopper that we would position Rob, we had to lift Rob out of the boat, and we got the other guys off the boat, the other three, so the three of us left, two able bodied people to, to get Rob up, we had to actually lift him up into the cockpit, get him back into the corner and we sat him on the edge of the boat ready for his deployment into the water once he was attached. We explained to him that he had a little bit of loss of mobility, he'd been on Panadine Forte for the pain, but only I think 3 tablets and Rob, think he was, he was a pharmacist so he knew that at what time to cut them during the rescue so that it wouldn't infringe on him mentally. We got Rob into the water, it was a bit of a scary one at first because he went, his head went down under the back of the boat, but luckily he drifted away quite quickly, it took him a little bit of time to get into the harness and he was lifted. I then, each time we lifted I went downstairs onto the VHF and spoke to the pilot to make sure that he was happy with all the details, how the lift was going, he was O.K. on fuel et cetera. Simon, I made the decision from the first time that I would be the last off the boat, I was doing the communications and I was more than happy with that and so we got Simon

off, I was a little bit easier for Simon because I could pull the rope down and, and retrieve as much as line for him, because as we were doing that we were actually pulling the wire down to the water and pulling it closer. So Simon went and then I was the last one to go, and I had to grab the rope and I whatsoever pulling it into the cockpit and thinking to myself at the same time, how much I can get into the cockpit and then coil it so I could put it on my arm, throw it in the water so it was gonna be attached to the boat and then, like, out of there. But everybody's main fear was while the boat was still floating you really feel dumb jumping into the water.

Q57 Mm.

A You know, you just don't feel like doing it.

Q58 M'mm.

A At all times we had the life rafts in the cockpit, tied to the boat from their belaying point, so that if anything did happen the rafts would inflate. We were all very much aware that in 1979, in the fast-net race, the people who left their yachts drowned and the boats were recovered in, within a day or so and the SAA, the chopper guys said, "Whatever you do, don't get into your rafts". So, unless the necessity was that, we all said the same thing, if we had to step off the deck into the rafts then we'll go into the rafts, but other than that, no.

Q59 M'mm.

A So, I was the last one up into the chopper, I think around about 6.00, I lost, lost track of time, really what time it was, I think it was around about 6.05 or 6.10. And then we were flown into Merimbula and the three guys had been in there earlier and when we went into the hospital they'd first of all got Rob straight in, he was on, on a stretcher in the back of the ambulance. And we all had a hot shower, we had, they asked us if wanted a check over or whatever, and they were just absolutely fantastic.

Q60 Very good. Now, you mentioned that he, there was a person by the name of Darren sitting next to, to Glyn, is that right?

A Yeah. Darren Senogles, yeah.

Q61 Darren Senogles, O.K. Are you able to give me an opinion as to, if the boat had turned and, and Glyn was actually harness in and blocked on, or whatever - - -

A Yes.

Q61 - - - you call it. Would you be able to give me some sort of idea of why he might have come loose, or, I mean would it have broken off or -?

A He, his harness line was snapped off on the boat.

Q62 right.

A What we believe happened was that the weight of the water - - -

Q63 Yeah.

A - - - and as he went across he was on a strong point, so he was fixed onto a step, just like a part of the

yacht, where Darren was, he could go the length of the boat with the water flow. What we think happened is that the boom during the rollover broke loose, hit the wheel and then possibly hit Glyn.

Q64 Right.

A So, he might have taken the full force of the boom with the mainsail on it.

Q65 Right.

A So, that was what we believed would have happened otherwise our steering system probably wouldn't have been broken.

Q66 Yeah.

A We, once we found the hole in the wheel, well we actually jettisoned the wheel so that we could pack some things into the wheel well to, to seal it off, so we could try and minimise the water flow into the boat. We didn't know how badly Glyn may have been hurt - - -

Q67 Yes.

A - - - during that time.

Q68 Do you recall approximately the time that that happened? Was that daylight?

A Yes. I really can't recall of the top of my head now.

Q69 That's all right. Was it before dark?

A Yes, it was before dark.

Q70 Sometime before that?

A Yes. Yeah. Yeah. It was before dark, yeah.

Q71 So, when he came off, when the boat rolled, how long was it, how long was the rollover?

A From the time the wave hit until the time we were basically sitting upright, I believe it was no more than six seconds.

Q72 right.

A So, it was very very fast.

Q73 Yeah.

SENIOR CONSTABLE UPSTON

Q74 Now, did you see, I believe you said that you went downstairs and you came back up after the boat righted itself - - -

A I was down, I was downstairs - - -

Q74 - - - at the time?

A - - - at, or at the time, there were only two people on deck.

Q75 O.K. That's all right.

A And we had a washboard and the hatch cover whatsoever closed over on the boat and what had happened was that the actual coacher for the sliding part of the cabin top had been torn away in the rollover. So that basically the hatchway was totally open, there was no closure over it, we had the side decks of the, of the, of the, the hatch itself, of the cabin top, but we were lucky in some ways that we didn't have any cabin top side windows, the boat had no windows in the cabin top, I think if that had have happened we probably would have sustained a lot more water damage downstairs.

DETECTIVE SENIOR CONSTABLE GRAY

Q76 Yeah.

A But that stopped that window and the first thing we heard basically as the boat had come upright and, like, everybody had got themselves up, I was thrown around a couple of times, but basically ended up with the guy on my head, but able to get up pretty quickly and the first call was man overboard.

Q77 Yeah.

A At which time, like, four guys just - - -

Q78 Yeah.

A - - - scrambled out of that boat as quickly as possible.

Q79 Did you see a glimpse of Glyn from the - - -

A Yeah. I saw Glyn directly upwind of us, or astern of us.

Q80 Right.

A I would say that Glyn probably came off the boat just before it righted itself.

Q81 Right.

A And I think we were being washed down a wave and the distance that we'd made away from Glyn was that he had obviously popped up or whatever had happened to him and we had progressed probably 150 metres to 200 metres away from him.

Q82 Right.

A And then the guys were on deck and it was instant action to try and get - - -

Q83 Yeah.

A - - - we deployed as much safety as we could get out to

him, but with the wind force it was impossible to throw anything.

Q84 Yeah.

A Since then, and I've spoken to a lot of the search and rescue guys, we believe now the way of doing it is to have something, this is only a, probably a, a one in a million that you get this happen to you, but what we now believe would be a great idea is to have something of a, like, a ..... or, or a, something with a  
- - -

Q85 All right.

A - - - would that, will belay a line to a guy.

Q86 Yeah. And you could fire it over the guys head and at least you can get the first part of a line to him, and he's got something then and we could feed out more line to him.

Q87 Yeah.

A At one stage Darren was gunna jump into the water with a rope tied round him and try and get back to him. Everybody didn't want him to go, and he thought about it I think for about 10 seconds and decided, no. Because we were actually on a platform and we, even though we weren't that high, we still had a little bit of visibility, but the waves were in the vicinity of probably 12 to 13 metres, and you were disappearing quite quickly as the face went over. So, if Dags had have been in the water because of their separation they would have been so far apart from being to see each

other, and he wouldn't have known what direction Glyn was in without us - - -

Q88 Yeah.

A - - - ..... and we were towing away from him and the last thing we needed really was another man in the water. if Glyn had have been attached to the boat or been able to get something, you might think about being harnessed on and getting to the point of being near the water, but not physically leaving the boat.

Q89 Yeah.

A And that was the thing, it was at, it was a shocking thing for Dags, he - - -

Q90 All right.

A - - - you know, to him it was just the hardest thing.

Q91 All right.

A It really knocked him around a hell of a lot.

Q92 Mm. All right.

SENIOR CONSTABLE UPSTON

Q93 Was, in, in your eyes was Glyn visibly alive when you went up?

A I only saw him very briefly, he was - - -

Q94 Yeah.

A - - - he had a, what we call a dry-suit top on - - -

Q95 Yeah.

A Which is, it was a yellow jacket I think and they just have a rubber seal around the neck and a rubber seal on the cuffs and rubber around the waist, so you've got the very minor chance of getting water into your

clothing.

Q96 Right.

A He had some wet weather pants on, his harness and some short seaboots, which were laced on.

Q97 Right.

A Normally in ocean racing if we wear seaboots, you always buy them one size or two sizes bigger so that when you're in the water you can kick them off, because there's the dead weight of them.

Q98 Yeah.

A So, it's something that can sink you. I briefly saw when I was trying to get Rob, who I was worried about downstairs, we had enough guys on deck, all I saw was a, I think I saw a couple of strokes and he was face down, whether he was trying to get to us - - -

Q99 Right.

A - - - at that stage there were enough people dealing with that situation.

Q100 Yeah.

A I went down and attended to Rob, tried to get the rest of the boat happening so that we had people doing other jobs so we weren't, we couldn't all do it because - - -

Q101 Yeah.

A - - - we had the danger of the rig, you know, holding the boat.

Q102 Does that sailing suit provide any flotation at all?

A It can do, you can get a little bit of air into it, I

was in the situation approximately four years ago, I was steering a 43 foot yacht in a race from Sydney to Wollongong, and we were south of Cronulla, and a guy by the name, a fellow by the name of Larry Jamieson, went down to ..... to trim on a bit more sail, we went over a small wave, he lost his balance and ended up bodily against the stanchion, and it was only blowing 20 to 25 knots, it wasn't what you call a big sea or anything. And a small wave came down the side of the boat and sucked him out, just like that, he was gone. We went straight into a normal situation at, at that stage when you're sailing the boat into the wind there's normally only two people, if you have a full crew on deck they've got their heads in the boat, the rest of the people are looking out on the horizon or talking to each other. But it was so instantaneous that the water sucked him out, we were lucky we went into the, the full situation what we do in, in a man overboard drill, is if we're going up wind and the call's made as a man overboard, somebody goes down, straight downstairs, hits the man overboard button on the GPS, that's logged, have a pointer who points at the person, and counts to themselves, and they never take their eyes off the person, they're the, they are the person doing their job. We have been taught and over the years, you turn at a right angle to your course, get rid of your sails as quickly as you can , make sure there are no lines in the water. Start the

motor, make sure that the motor is going, you've got one person on the radio, we then go back and, what I did was we estimated that he was upwind of us we turned the boat and went downwind for approximately 20 seconds, ..... on the boat at this time was just at all times pointing to him to where he thought he was, and we had torches up on deck, we turned the boat and slowly made it up to the position and we spotted his fluro and his wet weather gear and we had him back on the boat in under seven minutes, about six and a half minutes.

Q103 Mm.

A He was a lucky boy.

DETECTIVE SENIOR CONSTABLE GRAY

Q104 Mm.

SENIOR CONSTABLE UPSTON

Q105 Mm.

A And it wasn't until the next day, Larry got back on the boat, we continued the race and he was fine, when we got the Wollongong the next day - - -

Q106 Yeah.

A - - - it hit him in the face that, you know, he could have drowned.

Q107 Yeah.

DETECTIVE SENIOR CONSTABLE GRAY

Q108 Mm.

A So, everybody is very aware and we actually on the Sword we sat down in the cockpit, we left the marina at

about 11.00, and as we were motoring out up the harbour, it's a calm time for us, we all get together as a group, we have a brief about it, and the first thing was safety and man overboard and Steve went through that with people, so that we were all aware of what to do in a given situation, and we knew what each guy was going to do.

Q109 Mm.

A So, we all had a job to do.

Q110 What colour were the pants that Glyn was wearing, do you know?

A I think they were grey or red, I'm not sure, you know, I couldn't be - - -

Q111 And, anything about his boots?

A They were just grey boots, yeah, just ..... just above ankle height boots, they were laced on.

Q112 All right. Now, as far as the radio communications prior to the rollover, was the radio communications good from your system?

A Yeah. But, yeah, it was perfect, the HF was, was booming and we had no problems getting through to Young Endeavour.

Q113 Right.

A As part of the situation with the race, if you did not come up on two consecutive radio SKEDS or another yacht did not have a visible sighting of you - - -

Q114 Yeah.

A - - - and everybody was told this at the briefing then

search and rescue would be initiated.

Q115 Right.

A So, after two consecutive SKEDS and no other sighting of another vessel they would automatically roll into a SAR. And everybody was aware of that. A lot of the times on boats, I deliver a lot of boat, the odd boat here and there, but normally, if you get on coastal stuff, you know, just close to the coast, because it's only coast guard stations, you can always leave the VHF on, on dual watch as is channel 72 and channel 16. And it's a base necessity for, if we have shipping in the area, you can call the ship up and they're always standing by on 16, they're always monitoring you.

Q116 Mm.

A And that way you've got communication, but the HF was good. We had a boat, Yendys, it was approximately at the, during the morning about two to three miles ahead of us, but our courses change a little bit with drift during the course of the breeze. But communication was fine, you know, the Young Endeavour came booming into us on the HF frequencies.

Q117 Did you communicate between Yendys?

A No. We didn't, Rob, when Rob had done the SKED with Young Endeavour at 2.00, 2.05, 14.05, when he passed on the weather to Young Endeavour that we were experiencing, Yendys just came back and reiterated that, to the Young Endeavour that they were experiencing exactly the same thing.

Q118 Right. Did you at all hear any other distress, distress calls?

A No. We didn't, no. no.

Q119 Did you at all see any other flares being activated or -?

A At one stage when we were drifting after the damage had been done, we saw to the north of us a lot of lights, at one stage we thought we, thought we saw a red flare but we wasn't sure if it was a chopper turning, they had big red and green lights. But at that stage we were basically sitting by the radio on 16 in case there was any communication came through at all.

Q120 All right.

A And not having the, the VHF acrials on the yachts, the HF, VHF aerial sits on top of the mast.

Q121 Right.

A And we have a, a wire back state, so we had the emergency aerial set up for the VHF so we could still have that range of communication, if we had have lost that we'd have been in a lot more trouble.

Q122 Yeah.

A We would have activated the EPIRB immediately then.

Q123 Mm.

A But I think at that stage the SAR plane said to us they had beacons goin' off all over the place.

Q124 All right.

A You know, it was just, and it looks to us when we went through the results of the ..... that it was

almost a central pattern north of us, or from us north in a big group that actually, you know were really hit by the ..... you know, so -

Q125 Mm.

A It was like a big group of us so -

Q126 Yeah. Now, the first chopper that came to the rescue was that a military chopper?

A Yeah. That was another Navy helicopter as well.

Q127 Right, that was - - -

A Yeah.

Q127 - - - do you have it as a Seaking or a Seahawk?

A I think it was a Seaking.

Q128 Right, O.K.

A the first one.

Q129 And how was the chopper communicating to you, giving you instructions?

A He was talking to us on channel 16 on VHF.

Q130 Right, O.K. So far as the Mayday's concerned in relation to the Margaret Rintoul, I might pass that over to - - -

A Yeah.

Q130 - - - Senior Constable Upston.

SENIOR CONSTABLE UPSTON

Q131 Yes. Just some questions, firstly, how did you come to identify that it was in fact the - - -

INTERVIEW SUSPENDED

INTERVIEW RESUMED

DETECTIVE SENIOR CONSTABLE GRAY

Q132 Interview between Detective Gray and Mr Watson recommenced. The time is 3.04pm, do you agree with that time?

A Correct.

Q133 We've just had a tape change and moved to tape two. And I'll just hand the interview back over to Detective, sorry, to Senior Constable Upston.

SENIOR CONSTABLE UPSTON

Q134 Yes. Mr Watson, we, we began to ask a question on, on how that did the crew come about to identify the vessel, Margaret Rintoul?

A The fellows on deck, the, the yacht, Sword Of Orion is berthed at the Cruising Yacht Club of Australia. The yacht, Margaret Rintoul is berthed at the Cruising Yacht Club of Australia, I think 90 per cent of the people on the boat had sailed against it on numerous occasions, so visibly know the boat extremely well, and that type of yacht, it's a, it's an old, it's a 60s ..... heavy displacement mast head rig. And they are very, the boys who identified it, I mean, there's Darren and Nigel definitely said it was the Margaret Rintoul.

Q135 And approximately how far was the Sword Of Orion from the Margaret Rintoul at the time they identified her?

A The boys on deck told me that we were no further than 300 metres maybe less directly down wind from 'em, and they were on deck and of course the first part of it

was elation that there was, there was a yacht somewhere near us, and then the call was for flares straight away to get their attention. These were fired we were still making Mayday calls on 16. It wasn't a mandatory thing for anybody to have to monitor VHF, it's a common sensible thing moreso than anything else. The flares were fired, there was nothing heard at all, no alteration to course, and the guys were frantically waving, but the boat sailed on, and that was the end of it, you know, we, we're still trying to get out on, on 16, we didn't know if they were monitoring, we were hope that they might be monitoring it.

Q136 Right.

A If we had have been in the situation of having an HF radio that was working I'm sure we would have made a, been, been able to make contact with them.

Q137 O.K. Did any of the crew say that at any time they saw persons on deck of the Margaret Rintoul?

A Yes. They said there were two people on deck. One person steering it, I think another person sitting in the cockpit of the yacht. The, at that stage the wind was fairly ferocious. You're not looking directly forward when your steering, because, just because of the ..... you tend to look a little bit across the boat, then you glancing, you know, trying to look forward, but without the full force in your face. The guy who was on deck with him may have been looking directly aft, he may have been assisting the helmsman,

we don't know, .....

Q138 And, and you said earlier that you were to leeward of, of the Margaret Rintoul?

A Yes, we were down in a downwind - - -

Q139 Downwind situation?

A - - - downwind situation, yes.

Q140 O.K. So, it's a possibility that you would image that somebody could be looking down to look away actually from looking into the wind?

A Yes. They could have, could have looked straight leeward, I'm not sure at that stage what they were doing, they may have their own associated at that stage, I wouldn't know.

Q141 Yeah. But, it's only a guess anyway.

A It's only a guess, yes.

Q142 But, it's just something that you probably would be looking away and not looking directly - - -

A Well - - -

Q142 - - - into the seaspray - - -

A That's right, and I know when the boys jokingly said maybe the only way we'll get their attention is to aim a flare one of their sails.

Q143 Right.

A To, you know, it was sort of last gasp.

Q144 Right.

A But, they just fired the flares off in the normal manner, pointed up, it's like, up into the air, it's up into the breeze so that they weren't being washed

straight off from behind us - - -

Q145        Yeah.

A            - - - they'd actually fired them into the breeze at a pretty high prejectory rate.

Q146        O.K.  So, you said you fired six flares - - -

A            Yes.  I think that's correct.

Q147        Now what type of flares were they?

A            Red parachutes, fired those of as well, Nigel, forgotten his other name, he actually was in charge of the flares, he did the flares, we bought them up in a sealed bucket and put them on deck.  And some, the orange smoke flares, I couldn't be sure of the others, it have to be Rob, but I know that they got to the stage where we were down to our last few flares, but we knew that if there was any danger at any time that we could open a raft that contained more flares - - -

Q148        Right.

A            - - - so if we got into a situation where we saw another boat we could then in that situation.

Q149        O.K.  Now, with the, the man overboard situation, can you recall exactly who called the man overboard?

A            Darren did.

Q150        Darren?

A            He was the only person on deck.

Q151        O.K.

A            Yeah.  And he screamed it loudly and he'd got himself back to the back of the boat, and his main thing was just trying to get Glyn back and it was very very loud.

because we were drifting downwind his voice was bellowing straight into the boat, it wasn't a case of the, the boat was totally opened in terms of the wash board was out, the hatch slide had gone.

Q152 Yeah.

A So, there was no problem hearing his call.

Q153 All right. And then after that call how many people went up on deck again?

A Basically all bar Rob and myself, so we had six, six people on deck.

Q154 O.K.

A At that stage. Yeah, Rob was incapacitated downstairs, young Sam was passing, we're trying to pass up tools, anything that we could get, rope, Darren was calling for more line, any line that we could get to belay that out the back of the boat.

Q155 O.K.

A So, we're all sort of in a job process but there were the six guys on deck.

Q156 All right. And, and you appointed the pointer, so to speak - - -

A The, the, the - - -

Q156 - - - or was it - - -

A Darren at all times - - -

Q157 Yeah.

A - - - he was the minister in charge of it. He was on deck, he just kept a visual eye on him all the time.

Q158 O.K.

A And I think Simon was one of the fellows on deck, he, Rob will tell you more, he talked to Simon at more length.

Q159 Mm.

A Simon knew exactly how long it was before they lost, actually lost sight of Glyn.

Q160 right.

A I think it was in the vicinity of over, just under five, like, five minutes.

Q161 Yeah.

A Before they visually lost him. But at all times we had a guy who was just eyes on him.

Q162 Yeah.

A So, we got two or three people that was just, that was just looking exactly where he was.

Q163 So, it would be fair to say that one of those two actually were the last person to see - - -

A Yes.

Q163 - - - and loose and sight of him.

A Loose sight of him, and I think Rob would be able to tell you that I, I think that was Simon.

Q164 M'mm.

A Because - - -

Q165 And that's Simon -?

A I forget Simon's - - -

Q166 O.K.

A - - - other name, actually, but Rob will give you that. Yeah. I, Dagsy was in the process of getting all the

gear together as well. So, he may have had his head down and up a few times, but Simon was just visually locked onto him at all times. And he said to Rob that it was in the vicinity of five minutes he thought before he lost him, lost sight of him. The seas were in a sort of state where we had to have hands to the boat, one hand for the boat and one hand for yourself because we didn't know if we were going to get hit by another rogue, and we were prime targets for it with, being having the rig over the side.

Q167 All right.

A So, it was pretty much after Glyn, they had lost sight of Glyn that they could completely go at getting the rig out of the boat.

Q168 All right.

A But the main priority was to try and get Glyn.

Q169 Yeah.

A Yeah. That's was .....

Q170 And it would be fair to say that as a result of talking to the, to the aircraft on VHF at the time of rescue that in fact you were transmitting on VHF at the time that you were trying to call Mayday or Margaret Rintoul at the time?

A Yes. We were just, yeah, they were fine, it was a bit ..... I'm not sure at what distance the plane got us, that would be interesting to know later on as to how far away from us he was when he intercepted the signal.

Q171 All right.

A He notified us that at our current position when he first got to us that we were out, actually out of chopper range for the rescue. So, I think they worked that on our present course and our drift rate approximately where we'd be and that's obviously why the chopper probably appeared around about 2.00, 2.30, figuring that we were with the, I was updating the plane, once they had our EPIRB we were fine, so they were tracking us anyway, but each time we did a Mayday over this period of time I would update our present position as to where we were.

Q172 M'mm.

A And the, the, the GPS was just running on, on DR, so it was updating all the time.

Q173 Righto.

A But our, our set, our drift rate varied on the seaway, at times it would be up to four and a half knots, at other times down to, to two knots to 1.8 knots, and is depended on the seaway at times there were bigger seas, and then we'd get a little bit of abate in the, the breeze, so our rate of drift would slow down that's why we belayed the anchor and chain out the front of the boat too, and that was one of the first things that I raced to do after we'd thrown the line to, for Dags and the guys to throw out, was to get an anchor overboard, because we had, the only thing we could do was stop our, or slow our rate of drift as quickly as we

possibly could.

Q174 Mm.

A To some degree the mast was helping a little bit, but I couldn't tell you in how many places the mast was broken or how much was left of it, it should have, like, we had all the rod and everything else was still attached to the boat, we had to cut some of it, we had to knock the pins out the rest of it.

Q175 All right.

A So, you know, it's quite a job.

Q176 Was there any sail attached to the - - -

A We had a storm jib.

Q176 - - - mainsail ..... over the side at the time?

A The boom, I think, must have been washed off or broken off, actually in the rollover. It definitely was not on the deck and it shows, I think, from the stanchions and the damage to the wire that the boom obviously might have taken out the stanchions or whether that it was just the force of the wave because of what it did to the boat. We only had it, we had a storm jib up in the bow, we were sailing with a storm jib.

Q177 Right.

A On the way back.

Q178 And the swell was from what direction?

A It actually quite varied, it was, the breeze was oscillating from the vicinity of 260 round to 235, when we were actually, before we had retired, we were actually quite comfortably making course, we could sail

a little high because we were probably making about 3 or 4 degrees at leeway, but we were quite comfortable and Rob had us so that we were logged off, off the runline distance of it at each time.

Q179 All right. And, and then the winds of course were from the - - -

A West, south west.

Q180 Right.

A Yeah.

Q181 So you - - -

A More, more on the west going into the south west, yeah. I don't think it ever, well, at one stage it got round to about 190s, and the breeze, this is well prior to, we went through, like, an eye for guess, and we had two reefs in the storm jib, and it got down to 12 knots.

Q182 All right.

A ..... with any, a lot of people were going, you know, you've gotta change sails, and the rule of thumb is you have the five minute rule.

Q183 All right.

A And you wait five, and if nothing happens then you might start to make a slow move ..... but it was bang 45, straight ..... 45, 50.

Q184 All right.

A So, it was like a little window between each one, you know.

Q185 Mm.

A I remember in '93 the guys, they had 55 to 60 knots or

55 to 60 in the front of it, but 45 to 50 steadily and one of the boats in '97, they actually sailed into the eye of it and were calm for like 10 or 11 minutes, and popped out the other side back into it again.

Q186 Mm.

A It's amazing.

Q187 All right. I have nothing further.

DETECTIVE SENIOR CONSTABLE GRAY

Q188 Just how effective were the flares when they were fired from the boat under those conditions?

A They're good, I think we only had one flare that was an orange smoke flare that I think we had a problem with, but, no, they were good. And the boys were all, everybody on the boat all come from pretty good yachting backgrounds, and all are au fait with the gear, it was a little bit ..... that we had daylight, the, the flares were all kept in a big airtight, or waterproof sealed contained. The flares were all packaged in plastic packs and each flare was individually opened.

Q189 Yeah.

A And we had one guy who was on the flare program, I think we only had one, one orange smoke flare that looked it was a big soggy, it just didn't do much.

Q190 All right. So, there were, there were in fact six parachute flares deployed?

A I couldn't give you the exact number, but Rob will be able to give the exact number of parachutes that were

there, we still, the flare container was still on the boat with a couple of flares there. Rob will be able to tell you more accurately, I think he spoke to Nigel. I was actually attending more to the - - -

Q191 O.K.

A - - - to the inside of the boat, yeah. But they tried, they got to the stage where obviously Margaret Rintoul, I think they spotted her when she was pretty much directly upwind or maybe off our quarter, so they had time to get the flares going.

Q192 Mm.

A So, there must have been a time, they would have probably been travelling in the vicinity of probably six to six and a half knots, maybe a little faster going into it, but it depends if they were backing the boat off. We were travelling and we were going upwind in around about 7 knots, and we were trying to keep the boat quite slow because of the seaway, so you could actually pull the boat away a little bit, but I guess we were drifting away from them and they're going up so - - -

Q193 Mm.

A - - - the separation was, you know, was, was there.

Q194 O.K. So, just to the best of your ability, could you just repeat how many flares you think - - -

A I think from, there were six flares that were set off in total.

Q195 Right. And you don't actually know which were

..... - - -

A I couldn't give you - - -

Q195 - - - parachute and - - -

A I know - - -

Q195 - - - which were - - -

A Just the - - -

Q195 - - - the handheld red?

A Yeah.

Q196 Or in fact smoke flares?

A Yeah. Smokes flares - - -

Q197 Orange smoke flares?

A I know that there were definitely three parachutes that were gone.

Q198 O.K.

A Yeah.

Q199 Yeah. Are you aware if the Margaret Rintoul finished?

A Yes. They did, they, I think they won their class in division F, I couldn't be positive.

Q200 And have any of you guys spoken to them about it?

A I actually spoke to Richard about it last night, I actually spoke to his brother when we first got here.

Q201 Who's Richard, Richard?

A It was Richard Burchill and his brother, but I actually spoke to his brother when we first got down here and he just said we never saw it, didn't see anything, you know. So, it's, it's very hard to say, you know, whether they were - - -

Q202 Yes.

A - - - yeah, he could have been in the bunk or - - -

Q203 Yeah.

A - - - he was on watch at that time and at a particular time because everything was rolling through pretty fast, so, but it was definitely, obviously, well, definitely close enough that there was a visual on it, and the, the boat is, is quite recognisable, it's a very pretty boat, it's - - -

Q204 All right.

A - - - not, not ..... very much the same so -

Q205 Yeah.

A It was pretty definable.

Q206 And of course it was daylight hours.

A Yes. It was daylight, yeah, yeah.

Q207 Is there anything that you'd like to say or you'd like to add or comment or, have an opinion upon?

A Yeah. Yeah. Not really so much as that really the, the, all the people on the boat have done quite a lot of miles in their own right. Everybody's fairly experienced and the way everybody handled the situation was, was pretty good. Everybody was a little stage struck at first, but it was, you just had to get your head back into it and get around it because they knew that it was their life on the line as well, but, the SAR and the Navy guys were just absolutely amazing blokes. Yeah. So, we hope to actually at some stage have a bit of debrief with them, this is for further ongoing stuff and then find out how far they got our

signal out of the boat, you know, all that sort of stuff that you put in your memory bank and - - -

Q208 All right.

A - - - it can be used in the future.

Q209 O.K. The time by my watch now is 3.21, so you agree with that?

A Yes. I do.

Q210 This interview is now concluded.

INTERVIEW CONCLUDED