

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stewart Gray and Mr David Goodfellow at the Hobart CIB on Sunday, the 9th of May, 1999. Also present seated to my left is Senior Constable David Upston from the New South Wales Water Police. The time on my watch is now 2.16pm. For the purpose of the record, David, could you please state your full name?

A David John Goodfellow.

Q2 Your date of birth?

A 20th of April, 1963.

Q3 Your current address?

A 17 Degrade Street, South Hobart.

Q4 And your occupation?

A Self employed boat builder.

Q5 O.K. As I've already explained to you before the interview, Senior Constable Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race and we've been tasked to speak to various people involved in the race who had difficulties, had rollovers, knockdown and that sort of thing. And the boat that you were on was the T42 Solandra. Is that correct?

A That's correct, yes.

Q6 O.K. Now, if I could just start, if you could give us some sailing background about yourself.

A About myself. I've been sailing pretty much, well, on

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the water since I could walk almost. My parents were involved in yachting and my father's done a few Sydney to Hobarts so I've just basically grown up on the water, around the waterfront and so forth and I've been sailing cadet dinghy, 12 foot cadet dinghies from early age to early teens. And went into, kept sailing full time, yeah, every weekend just about. It was my passion I suppose, loved it, and sailed lightweight sharpies, various, sort of, keel boats, harbour races and, yeah, just been sailing all my life pretty much.

Q7 O.K.

A Involved in the America's Cup over in Perth and building boats in Melbourne. Delivered a boat from Hobart to Hong Kong and raced it in the China Sea race and worked on maxi's in Europe and done, professionally been paid as a, paid hand on yachts for about the past 10 years, yeah.

Q8 O.K. How was it you, how was it you became a crew member of T42?

A Well, I've known Craig Vescott, the skipper who's sailed Solandra, there's been two Solandras, one got wrecked quite a few years ago and this boat, Craig's been sailing it, he got a second in the Sydney to Hobart in previous years. And about four years ago he had a car accident, got hit by a car and got a brain injury and sailing was his life.

Q9 Yeah.

A It was his passion as well, you know. Like, that's, he

did the same, similar thing to me, I suppose, even more so. And this injury he had was physically and mentally disabling him and sailing seemed to be the best medicine for him to recover, it was doing him the world of good. So, he was going out, we were basically just, almost had to lift him on board the boat and we'd go for a sail just for the afternoon and then we started doing twilight races and we did it, you know, the twilight races were going well. Craig's concentration was getting better and so, basically he was, like he was talking about wanting to do a Sydney to Hobart again. He's done nine already or something like that and I've done, only ever sailed in one. But, so it was Craig's passion that got us as a crew together with their family boat, Solandra which they've sailed the Hobart race before and yeah, it all came together and he was actually getting well enough to be able to do the Hobart race we thought.

Q10 Right.

A So, we went for it, yeah.

Q11 O.K. Now, what's the, sort of boat was the T42?

A She's an SNS34, fibreglass more of what I'd call a traditional type of yacht, I suppose.

Q12 Right.

A A mast head sleuth and very strong, built out of fibreglass. More of a traditional keel than the fin type keel that the yachts have today.

Q13 Yeah.

A You know, a lot heavier built probably. Certainly more of a sea-going vessel than a lot of yachts today, I would imagine.

Q14 Right.

A But, yeah, a good strong boat.

Q15 What division did you guys enter?

A E, I think.

Q16 Which was IOR, sorry, BHS.

A IMS.

Q17 IMS, was it?

A IMS, yeah. There was only eight boats in our division. I think only one finished.

Q18 O.K.

A Which was an SNS34 as well.

Q19 Now, are you aware of the stability rating of the yacht

A Yeah, pretty much. I mean they, they sort of, yeah.

Q20 So, the stability index on this boat is 133.8.

A Which is normally pretty high.

Q21 Yeah.

A As far as I know, I'm not really up with it but -

Q22 Calculated limit of positive stability is 130.3. Are you aware of the minimum stability requirements for the Sydney to Hobart?

A Well, I am but I didn't take much notice of it because it's - - -

Q23 Yeah.

A - - - our boat was and everything

else.

Q24 Are you aware that's 115 degrees?

A I wasn't. I knew it was around about that figure.

Q25 Right. O.K.

A It was quite a few ago when I was involved, when it was IOR. I haven't been involved in, quite as much IMS. So, but no, yeah, but no, I knew, I knew we were well above the limit.

Q26 Now, if I can take you to Sunday, the 27th of December.

A M'mm.

Q27 Rather than go to the very start of the race, you might like to relay your experiences to us in relation to what happened from the time you hit that storm to when you retired.

A Yep. No worries. Well, before the, the morning before the storm - - -

Q28 Yeah.

A I suppose it's not a bad spot to start. We got through that sou-westerly change that came through. It was a lot later than they expected, not as fierce as what they expected on, what the forecast was saying. And we thought we were in it, like that was going to be it, basically. We thought, well this is the sou-wester we're going to get and we're going to have it for the rest of the day pretty much. Sort of coming around into late morning, lunchtime the weather was, sort of, pretty overcast. Visibility wasn't, you know, it might have been three or four miles or thereabouts and the

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wind was up and down a bit and we'd had two reefs in the mainsail and a number 4 up in the sou-wester change and we ended up going for a full mainsail and a number 3, even thinking about putting, like our number 1 headsail on and I just, I was on the deck steering at the time and I said, "No, it's a bit funny about what's going on around the place". It just didn't have a good feel to be putting big headsail on at that stage so we left it with our small rig and the breeze was up and down, a little from, sort of, anywhere from 30 knots down to 10, sort of, up and down, up and down. And then I think it was the 2.00 o'clock sked, I think was the sked time, came on with this severe storm warning all of a sudden. It was like, you know, where did this come from, it's pretty handy. And before the end of the sked, basically we were in it. It was like, basically I said to the guys on deck, I said, "I think there's a bit more in that squall that we can see approaching than just rain", and sure enough it was, sort of, instant 40 knots. So, we just were basically put straight, straight to the storm, two reefs in the main, the mainsail strapped to the boom, storm trisail on and just batten the boat down and we were sailing quite nicely in it and, you know, we were quite surprised to see that, very surprised to see the conditions, I mean they weren't, well, as far as I was concerned they weren't forecast but, but then again, what can you do about it? If you're out there, we're

about 100, 90 to 100 miles south-east of Eden so we were a fair way out, committed. And so once we were actually in the storm, yeah, we had the radio on for a while and even, just after the storm hit, before it had reached its peak, we were hearing there was a boat, I can't think of the name of the boat ahead was basically, breaking the so-called rules and giving his conditions over the radio, saying that he was getting 70 and 80 knots of wind ahead. And I just sort of thought, struth, that's a bit out of control. So, I told the guys on deck what was happening ahead, that there were boats experiencing, you know, 70 and 80 knots and we were, sort of, getting 50s at that stage and again we were still too far into Bass Strait to think about what support from Hobart. We wanted, one, we wanted to get home and two, we thought it was worse to turn around. We thought if we end up halfway to New Zealand, well it doesn't really matter. We're still probably better than going north. Yeah, and we heard a lot of confusion, or, not confusion on the radio but a lot of, yeah EPIRBS going off and the boat had sunk and dismasted and there's people missing and all that sort of thing and that wasn't very nice, sort of, hearing that on the radio. But, I mean, you've got have the radio on to a certain degree. But it got to stage where I just turned the radio off 'cause it was like, well, what could we do. You know, like, you know, we're draining our batteries and I thought it was

better, I wanted to save batteries for engine, communications, everything else. So, we didn't have the radio on all the time. But in the height of the storm, I suppose we were, the boat was handling it fine. We were sailing fast, racing still pretty much. We'd never thought about, well, we thought about taking the storm trisail off but when we were actually putting the trisail on with the just the storm jib on you couldn't steer the boat. You know, you just had to have the tiller hard across and the wind was just pulling the bow away. So, we had the storm trisail and the jib on the whole time and the boat was handling it fine. The wind on our speedometer peaked at 70 knots. The wind gear was jammed hard round on 70 or 68, I think it was. And the seas were just getting bigger and bigger and bigger. The only problem we were having was with the breaking, the breaking waves, the waves that weren't breaking, you know, mountainous up, up, up, up, over not a problem. But the ones that were breaking, they were the problem.

Q29 Yeah.

A That's what ended up being our, yeah, undoing I suppose, yeah. We just got, we couldn't avoid it, you know. Like, I was helping the helmsman steer around them and try and avoid, you know, go high, steer high for a while or steer low.

Q30 Yeah.

A And then there was one we just couldn't avoid and it

basically just, you know, I don't know how much, 15 foot of breaking water just basically landed on the boat and engulfed the boat. And by the time we came up, you know, it was like being washed around in the surf and if you're surfing it was just, gettin' drilled. And the surf came up, the boat had done a 180 in direction, I was over the side with my life harness still attached and the rig had gone over the port side. So, basically, I felt fine, you know. Like, obviously it was good to get the fresh air again. I thought, you know, I was actually thinking it could be all over if the boat doesn't right itself or something happens, like, but the boat righted, I popped up, felt fine, just hauled myself back on board and the guy on the deck, John Bussa was steering, he had, like blood coming out of his nose but he was O.K. The other guy on deck, Richard Lewis, he was sort of, you know, in a bit of a daze, sort of, we all were. But he was fine, physically. We yelled out to the guys downstairs, they were all O.K. So, once I found everyone was, sort of, there and O.K. and no-one was dying or whatever, we just basically started yelling for the hacksaw, pliers and everything else to get the rig away. And in hindsight we had a bit of luck on our side, I reckon. One being where the boat doing a 180 in direction, the rig was over the port side which was now the windward side and the boat was getting blown away from the rig. So, every time another breaking, breaking wave or big

wave hit us, the boat would get swept away from the rig and like, if it was the other way around - - -

Q31 Yeah.

A - - - if it over the leeward side it would have been, kept on getting swept onto the rig and bang, bang. So, that was one good thing in hindsight. Well, it was a bit of luck I suppose. And getting rid of the rig, we didn't have any problems. It was a deck step mast, like keel step, where it doesn't go through the cabin top. So, there wasn't a hell of a lot of water getting into the boat, just a bit where the handrail had broken but unfortunately water coming in through the roof lining was going all over the radios. So, really, it was a matter of, I secured the butt of the rig with the two jib sheets that were coming up through the, the number 3 blocks near the shroud, straight up onto the butt of the mast and then the guy, John Bussa in the cockpit, secured them with the winches so we had the butt secure. The mast was just going straight out over the side and down. So, it was basically just before they'd got the hacks or anything, I'd already done, undone three split pins and, done, done three pins. Then the hacksaw came up on deck and Richard and myself proceeded to cut the rest of the rigging away, just knifed everything, cut at ropes, whatever, wires, with the knife. Once everything was gone, just let the two jib, well, cut the jib sheets and just basically, hurled it over the side or yeah, pushed it over the

side and it disappeared. And once it had gone we triple checked for ropes dangling over the side or any loose gear on deck that needed to be, yeah, taken care of. Started the engine, the engine went, put it in gear, headed north.

Q32 Right.

A And motored into it for 20 hours getting the shit kicked out of us basically. It was worse motoring back, it was horrible. We probably got thrown on our side, I don't know, a dozen, two dozen times, I don't know. Just bang, the boat would get thrown on the side, the propeller would come out of the water, she'd right back up again and the would bite and we just kept motoring and didn't really steer any particular course, just north. To steer north-west which would have been our course would have been just too hard. So, we just steered the most comfortable course you could, as long as it was somewhere near north it didn't matter, 'cause I just thought, we've got to get north. And it wasn't really until we got under the lee of Australia the next, following morning that we actually got out of the storm, or we actually motored out of the system as well, but we got under the lee of Australia and out of Bass Strait and the swell was finally subsided and then we could slowly come round to the west, just slowly but surely. And we ended up heading due west into Eden without any problems at all, really. It was pretty uncomfortable

on the way back, as I said. But generally, everyone was pretty good. We had, people were getting fairly fatigued - - -

Q33 Yeah.

A - - - but not to the degree, one guy hurt his leg in, in a previous knockdown that we'd had earlier and his leg was, sort of, he'd had a bit of a corky in one of his legs so we let him stay in his bunk a bit longer. So, there was myself, Richard Lewis and Guy Lewis who were probably the main three people. You know, we all, we all did what we could.

Q34 Yeah.

A If someone was knackered, well we left them there. But if someone had the strength to go up at all, you know - - -

Q35 Yeah.

A - - - had the stamina to go for while, you'd just stay on a bit longer or - - -

Q36 Yeah.

A But no, we didn't really have any problems at all. Once we'd got, the engine was going and started, we put it into the gear, I steered for a while and it was really hard steering into it. Our main compass had been knocked out of action and the secondary compass, you couldn't read it. So, you needed someone to check it, physically stand up and stand over it and check it every couple of minutes and - - -

Q37 Yeah.

A I went down below after a short time and got the emergency HF aerial out and plugged that in and, but due to the water that was coming through the ceiling, through the roof where the mast had knocked the handrail off, basically the HF was only receiving and wouldn't transmit. So, that was, it wasn't real good but pretty much as soon as we lost the mast, one of the guys downstairs, Tim Jones got on the VHF, got an emergency call out, put out a PAN PAN call and a ship nearby apparently picked it up and passed it onto Telstra control.

Q38 Yeah.

A And the VHF went dead as well. So, basically we'd lost all our communication apart from, the next thing was the EPIRB.

Q39 Yeah.

A Which obviously, we made sure that was safe and sound and, and yeah, the life raft we obviously thought about, you know, how we're going to deploy that but luckily we didn't have to, I'm glad we didn't have to. I would have hated to have to get into a life raft.

Q40 So, was the EPIRB activated?

A No.

Q41 Right. O.K. O.K. You got into Eden - - -

A M'mm.

Q41 - - - a short time later?

A Yeah. It was, we got, it was about 6.30 at night, or in the evening on that Sunday afternoon, we got

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dismasted, we were dismasted and it was about 1 o'clock the next day when we got back, when we actually got to Eden. And we didn't, that night it was pretty black. As I said, it was a horrible night looking into the wind and the seas was just impossible, you just couldn't physically look into it. And I've just never seen so much, just horizontal sheets of water, you know, with our emergency nav lights and all that going. It was just incredible. You just couldn't see a thing. At one stage, I was in, I was actually motoring south and you just got disorientated 'cause we couldn't read the steering compass.

Q42 Yeah.

A You know, all of a sudden I was heading south. I said, "Check the compass", he said, "You're heading south". I just went, "You're joking", and - - -

Q43 Yeah.

A - - - did another u-turn and started heading north again.

Q44 Yeah.

A So, it was pretty hard. Conditions were as such where, yeah, we just didn't see anything that night. We didn't see any other boats, planes, choppers, nothing. The only thing we saw was, as we were approaching Eden, a trawler towing, I think it was Team Jaguar, whatever it was called, that was the first boat we saw and then a couple of aircrafts and choppers flying out of Eden or Ulladulla or wherever they came from. Yeah, so we

had a pretty black night, we didn't see a thing.

Q45 O.K. As far as the, when you got knocked over, dismasted, you said before that she went over 180 degrees?

A I'd imagine so, yeah.

Q46 And she stayed there for how long, do you know approximately?

A It's pretty hard to tell but I mean it was basically, I don't know how long you can hold your breath for but I was certainly getting to the stage where I was wanting air, well, you know, thinking I want to, need air pretty soon. So, maybe it was 30 seconds, something like that. Well, basically the boat, we were sailing up this wave and then when the whitewater hit us, the boat basically just got thrown on its side immediately and then just started going sideways down the wave.

Q47 Right.

A The amount of water that hit the boat, threw the boat on the side and then started pushing the boat sideways back down the wave and then eventually the mast dug in, I would imagine and then the boat went upside down and I think the force of the water pushing onto the storm trisail which was between the, obviously the goose neck and the first spreaders and that's where the mast broke. So, I reckon the force of the water pushing on the storm trisail actually broke the mast - - -

Q48 Right.

A - - - during, while it was upside down or sliding down the wave and then somehow, while it was upside down, the boat suddenly pivoted round and when it popped back up it was heading north with the rig over the port side.

Q49 Yeah.

A So, it's sort of hard to say. It might have been 30 seconds, it might have been a tad longer. It wasn't long.

Q50 Mm.

A Holding your breath for 30 seconds when you're getting thrown around in the water like that, it's - - -

Q51 Yeah.

A - - - almost long enough.

Q52 How much water went into the boat itself?

A Um -

Q53 Could you put a measurement, a rough measurement on it?

A It was only, well, by the time I got down there it was only just up to the floorboards.

Q54 Right.

A Which happened in the previous knockdown, we'd been knocked flat once previous and unfortunately we were doing a bit of a crew change at the same time when the storm boards weren't quite fitted back in and they got hit by a big one and I was actually down below holding the storm boards in, we got hit then. But the main steering compass is actually part of, was part of one of the storm boards, the lower storm board. And that

got smashed out so a bit of water came in through there.

Q55 Yeah.

A But no, the water intake wasn't a problem for us.

Q56 Now, you mentioned wind speeds of 70 knots?

A Yep, at least. Well, obviously that's as high as our thing.

Q57 Yeah.

A Speedo went up to.

Q58 What type of, what type of wind instruments do you have?

A They were VDO.

Q59 Which is what?

A That's the brand of it.

Q60 Right. O.K.

A They were just on mast head.

Q61 Right.

A Wind instruments with speed and direction and all of that. Fairly, they were reasonably old one but - - -

Q62 Yeah.

A - - - certainly accurate.

Q63 Was there any way of recording a data for a wind speed on board the boat, like a hard copy of it?

A No.

Q64 No. O.K.

A No, we didn't have a fax or, we didn't have a weather fax or any, we just had the basics.

Q65 And so far as wave heights, can you put an estimation

on some of the waves?

A Yeah. It's hard to estimate 'em but I reckon they would have been anywhere from 12 to 15 metres probably.

Q66 Right.

A Of the bigger ones, the big ones that were breaking, like the one that well, dismasted us was, the big ones were the big ones, they were huge. Like, I was in, awe inspired. I was sitting back, just like, my God, this amazing. Like, I was quite, it was exciting, it was incredible.

Q67 Yeah.

A And you could just, on the, on the ocean you could see there'd probably be, out of the rest of the waves, out of all the waves, they would be three or four you could see that were just huge.

Q68 Yeah.

A Just enormous compared to the average. And then you might only see one or two but then there might be half a dozen as time was going by. So, the odds of being hit by a big one were there, certainly there, it was only a matter of time.

Q69 Yeah.

A I was actually worried about going into the night because you couldn't see the big waves but it was still daylight when we were dismasted, we just couldn't get out of its way.

Q70 And do you recall how far offshore you blokes were when you got rolled?

A Yeah. It was about 90 to 100-odd miles south-east of Eden.

Q71 Right.

A We, we didn't record our exact position when we gave our emergency call. It was basically just read straight off the GPS, it wasn't logged, it was just, other things to do. But as far as we were concerned, we were pretty happy. I mean, we certainly had a little bit of luck going for you which is always handy. No-one got injured which was good. The boat came through unscathed. I mean, we, as it turned out, we almost had a hole in our starboard side but we didn't realise that until we got back to Eden and someone said, "What happened to the side of your boat?", and then we had a look and thought, well, yeah, we were lucky. So, we certainly had a bit of luck on our side but we had a good experienced crew which certainly helps. All the guys on board pretty much knew each other which helps as well. And pretty much all the guys on board have done a lot of, quite a few sea miles and just understand and respect the ocean and, yeah.

Q72 What, what's the construction of the mast?

A It was aluminium.

Q73 O.K. Now, were there any flares let off at all?

A No.

Q74 Now, so far as the life raft, what type of life raft is on board the boat, are you aware?

A It was a, your standard category 1 life raft - - -

Q75 Right.

A - - - RFD or - - -

Q76 Right.

A - - - we had an eight person one. 'Cause we carried one, we carried seven crew when normally you'd probably only carry six because our helmsman was partially disabled - - -

Q77 Yeah.

A - - - we decided to take one extra - - -

Q78 Yeah.

A - - - cause he needed help.

Q79 Yeah.

A So, we ended up having an eight person raft on board and I'm glad we didn't have to use it after hearing stories of them just gettin' rolled around the ocean, like, yeah.

Q80 Where was that stowed?

A On the cabin top.

Q81 O.K. And how was it held on?

A With some, like seatbelt webbing type straps - - -

Q82 Right.

A - - - made especially for it to fit over and it was, sort of, also chopped in a wooden - - -

Q83 Right.

A - - - sort of in a wooden cradle, a few inches higher than the cabin top and lucky, yeah, that didn't budge.

Q84 O.K. Now - - -

A But it certainly it may have done, I mean it could have

been torn off with the mast or, but luck again, luckily it didn't. which on a small boat, it's hard to stow a big heavy life raft. You can't have it down below obviously, so -

Q85 Has anybody on, or anybody in the crew ever deployed a life raft before that you're aware of?

A No.

Q86 Has anybody ever fired any flares?

A Yeah. I've fired flares.

Q87 Right.

A I've got my coxswain's ticket so I've done a bit of that, but I've never done a shipboard safety, haven't done a shipboard safety deploying the life rafts and all that which I probably think would be a good idea in the future, that two or three of the crew maybe do that, do the course. 'Cause I'm sure there'd be a lot of boats that people deploy rafts before, lots I could imagine.

Q88 Were you guys aware of a, a life raft demonstration which was held at the CYCA prior to the race?

A Not that I can recall, no.

Q89 O.K. Dave?

SENIOR CONSTABLE UPSTON

Q90 David, you mentioned the, the weather and the needle on your VEO instruments being hard over at 70 knots. That's the height of the, that's the extremity of the, of the instrument, isn't it, 70 knots?

A Mm, mm.

Q91 And how long do you think that needle was, was at that extreme?

A Well, I suppose we were in like, with our mast in we were in the height of the storm for probably about two or three hours, and the bulk of it was, it was just constantly around there for a good, well, you know, I mean it was coming back, you know, fluttering back a little but it was certainly gusting 'cause even then, in the trough of the wave the breeze would just about disappear all together. So, it'd obviously fluctuated but it certainly, it was a good couple of hours at least. But then once we lost the mast heading back, the fury of the storm was still there, we couldn't read the, we didn't have wind instruments then but it was certainly still there.

Q92 Right. With your experience, do you think that that winds, obviously at times reached higher than 70 knots, do you think they blew constantly for higher than 70 knots?

A Yeah. I'd say they'd be constant, yeah, reasonably constant, as constant as, as wind gets, yeah.

Q93 Yeah.

A Yeah. I don't know, it could have been 80 knots, it could have been 85, I don't know But I don't reckon it was any harder than that 'cause we still had our storm jib and trisail up and the boat was certainly overpressed a little but not a lot, the boat was still handling it quite nicely. It was good, we were making

good speed and it was just the breaking waves that were the problem. The wind, to me, the wind isn't a problem, it's the sea state.

Q94 Right.

A The breaking waves are the problem or were our problem, yeah.

Q95 You, you mentioned earlier that you were surprised about the storm warning on the 27th. Did you attend the weather, weather briefing at the CYC?

A I certainly did, yes.

Q96 What's your opinion on that weather briefing?

A It's yesterday's news. I mean, it's like any weather when you're, it's yesterday's news pretty much but it's only a forecast. It was basically the information they had at hand at the time and obviously that was correct. We listened to it, looked at it and thought, you know, that sounds, you know, it's a good forecast, well, it's the forecast, it's the weather.

Q97 Right.

A You can't do anything about it and, I mean, the forecast pretty much was right up until Sunday afternoon or Sunday sometime. You know, you could, we could feel in the air there was something funny, well I could, anyway. There, just, there was somethin' goin' on that wasn't meant to be happening. And there was that little blow that started fired, got fired up and ended up spinnin' round like a cyclone. So, but I have heard, I don't know whether it's true or not that

on Sunday morning they were getting 90 knots, 90 knots at Wilsons Promontory, I don't know whether it's true but I've heard that and if that is true, well, you know, obviously they knew something was going on beforehand. I think, my opinion of the weather and all that is sure, you can only forecast to the, you know, good of what they can forecast but if they were getting 90 knots at Wilsons Promontory on Sunday morning, well surely there should have been weather, you know, warnings put out over the radio every hour or every half an hour or something or other, you know, warning people that there is, you know, that the weather's changed, the forecast's changed or something like that. I mean, it's still, it wouldn't have made any difference to us if we'd had the forecast earlier, we were already in it, we were there. So, you can't just, well we were 90-odd miles offshore. So, we couldn't do much about it anyway but sure, it would be nice to know earlier but, mm.

Q98 O.K. With, when you were on deck and you had your life line and harness, or you had your harness and lanyard -
- -

A M'mm.

Q98 - - - lanyard attached to a strong point, was that your own, or was that one that was supplied by the boat?

A It was one supplied by the boat.

Q99 O.K. Do you know what type of brand it was?

A I can't recall offhand, I inspected them all. I don't

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know what they were, to be honest. I just made sure that they were just quickly inspected and made sure that they were all in one piece and they didn't look as if they were rotten but I didn't take much notice of the actual, but they certainly had a standards code sticker on them.

Q100 Right. And were you present at the time that a safety inspection was done on the boat?

A Yes, yeah, yeah.

Q101 And who was that inspection done by?

A A ship's captain down there by the name of, by the name of John Solomon. He did the boat before we left Hobart which is all, you know, legal and, yeah, you could either do it here or when you get to Sydney.

Q102 Yeah.

A We thought we might as well do it here, it's one job out of the way and, so, certainly the safety inspections could be perhaps improved to a degree. I don't know whether they should be done down in Hobart. I mean, not that we did, but you can certainly rig your safety inspection if you wanted, if you were silly enough them and it's foolhardy to do it, but some people do do it.

Q103 How do they, how would you, how would they do that?

A Well, you could, say for instance life jackets or, you know, you might have a couple of old life jackets that you want to use but they won't pass so you borrow someone else's for the inspection and then give them

back and put your old ones or something in or -

Q104 Right.

A Out of date flares, you borrow someone's flares and, you know, and then you can swap them back again and things like that which, I mean, you're a fool yourself to do that type of thing. I'd never do that sort of thing and we didn't. There's no way. You just don't do that. But I'm sure, I've heard stories where people do do that.

Q105 What, in this year's race?

A No, no. I didn't, no stories in particular but you just do hear stories of where people do that. No, I can't think of any in this year's race but I think any inspection probably should be done in Sydney. You're about to leave, you know, it'd be good to have a random check. They should random check every boat, just walk aboard it unannounced and say, "Where is everything?".

Q106 So, the, the Solandra wasn't spot, subject to a spot checking sitting?

A No.

Q107 But are you aware that spot checks are carried out in Sydney?

A Yes, yes, yep. They certainly do have them and we were, yeah, we had everything there, we didn't care if they come aboard - - -

Q108 Right.

A - - - good, because, yeah.

Q109 Your, from your statement earlier about your

experience, you've sailed across, from Victoria and the East Coast of New South Wales to Tasmania a number of times before?

A Yeah, yeah, done a few, a few crossings.

Q110 All right. I show you a portion of a, a chart which has been photocopied and the chart is the Austchart 4601. Is that the chart that I'm showing you?

A Yeah.

Q111 All right. I'll hand you a blue marker pen, what would you, firstly, what would you class for us, if you can outline it in blue marker, Bass Strait?

A Bass Strait?

Q112 Mm. And when you say, well, you said earlier, "When we cross Bass Strait".

A Mm.

Q113 Perhaps say a hundred, you said earlier, you were a hundred and something or rather miles south-east of the coast - - -

A M'mm.

Q113 - - - into, in Bass Strait.

A Mm, right, mm.

Q114 So, what would you class as being Bass Strait?

A Well, myself, I'd go, I'd call it from Cape Howe pretty much down to, you know, well it wouldn't be the top end of Flinders if you want to go the whole of Bass Strait to, down towards Swan Island area, the tip of Tasmania right across to, over to Cape Ottoway to Cape Grim. I'd call the whole - - -

Q115 So, do you want to just, what, if you want to include any other areas you may, but would you just box in that area, what you would call Bass Strait?

A That's pretty much what I'd call Bass Strait, is that area between Cape Ottoway down to Cape Grim and across to Swan Island and up to Cape Howe and back across to Cape Ottoway.

Q116 O.K.

A The whole lot of it.

Q117 So, you, so the straight line's basically from where you've got the four marks?

A Pretty much. Well, that's what I would.

Q118 O.K.

A I don't know what other people think, but that's what I'd call Bass Strait.

Q119 All right. No, this is just your opinion.

A Yeah.

Q120 Now, where do you think you were at the time of the knockdown?

A Where we were, well -

Q121 Perhaps you can mark with the blue, say an X - - -

A Yeah.

Q121 - - - and keeping into account that it's a very small scale chart.

A Mm.

Q122 Or a large scale chart I should say.

A Well, around about here somewhere. I'd say we were about here we're out about

around about here, I think were on 151. So, we were out about here somewhere, probably there.

Q123 O.K. And you've marked that with a blue cross?

A Yes.

Q124 Would you class that as being in Bass Strait?

A Well, I'm not in Bass Strait am I? I suppose, but I'm certainly under the influence of Bass Strait.

Q125 Right.

A I'm still in the Tasman Sea - - -

Q126 O.K.

A - - - in that position, what I've marked as Bass Strait, but you're certainly under the influence of Bass Strait.

Q127 Right. And we look at say the, the 200 metre contour line.

A Mm.

Q128 The depths in metres, say the 200 metre and there's quite a flat area it appears, doesn't there?

A Yes.

Q129 From Cape Ottoway down to that 200 metre mark.

A M'mm.

Q130 So, all that area in there, in that 200 metre mark, even from where the oil wells are - - -

A M'mm.

Q130 - - - that would be influenced very much were you were - - -

A Absolutely.

Q130 - - - from Bass Strait conditions.

A Certainly.

Q131 Would you agree with that?

A Certainly, absolutely. Hence, you know, you've got shallow water there, so obviously the seas could, in shallow water, can be a lot bigger than they would be in deeper water, or a lot more confused with tidal influence and so forth.

Q132 O.K. Just for the purpose of the record, would you like to just sign your name on that piece of paper, write your name underneath it and then today's date?

A Whereabouts?

Q133 Anywhere on the paper you like.

A Just sign it?

Q134 Yeah. And today's date is there.

A Ah-huh.

Q135 The 9th.

A Yeah.

DETECTIVE SENIOR CONSTABLE GRAY

Q136 David, was there any seasickness on board?

A Yes.

Q137 How severe?

A No-one was that seasick they couldn't do anything. I was seasick.

Q138 Right.

A I do get seasick but I can still, I'm not confined to my bunk.

Q139 Right.

A I could operate, I was, keep forcing my food, food

down.

Q140 Yeah.

A It kept coming up and forcing water down. I couldn't keep anything down but I could still operate all right and other people were sick but again, just 'cause it was fairly claustrophobic down below, I suppose. And, and it wasn't, you know, with the engine going and things it was a bit, a little bit fumey I suppose and it wasn't very comfortable, so -

Q141 So, it's nothing that upset the routine of the boat or the duties of everybody?

A No.

Q142 Now, can you, sort of, give me an idea of the duration of the storm, mate? The time it hit you until the time it - - -

A Well, it hit us at, say half past 2.00 in the afternoon, not long after they actually said it was going to come. So, I'd say about 2.30 until, sort of, early mid morning, the next morning, 10 o'clock on the Monday morning or thereabouts. The sun started to come out and the breeze was, you know, dying out and so, we were certainly in it for, you know, 20 hours or -

Q143 Have you got any further questions, Dave?

A Nearly a day.

SENIOR CONSTABLE UPSTON

No further questions.

DETECTIVE SENIOR CONSTABLE GRAY

Q144 O.K. Look, is there anything that, that you can tell

us or information you can supply to us that may assist us in our investigation in the future for yacht racing, Sydney to Hobart, any ideas you have?

A Yeah. Well, I think that most of things are, you know, are pretty good.

Q145 Yeah.

A I think their safety, obviously the safety record's brilliant but generally, I think everything's pretty good. I reckon they should go to category zero life rafts which is what they'd use in, you know, round the world races, something like that, obviously just hearing about what these other rafts, category 1 rafts just getting thrown around and barrel rolled and, you know, you're trapped inside, you got to cut a hole in the floor to get air and, you know, that's hopeless. It think they should maybe up their, life rafts to category 0 and perhaps even look into inflatable clothing and I don't know about personal EPIRBs, that'd certainly be handy. I was, sort of wishing that I had an inflatable jacket on say, Stormy Seas down here. Make them, they've got the built-in harness that you can hook onto. So, if you did happen, if I'd come adrift, if my harness had broken, well I had no life jacket, nothing on. I just had my seaboots, wet weather gear on, I would've probably drowned. But if I'd had, our skipper, Craig, he had an inflatable storm jacket with a built in harness. If you'd fallen in the water and become

adrift from the boat, you could pull the cord and, (DEMONSTRATES AUDIBLY) you've a life jacket on instantly. The life jackets that generally are on board yachts and most vessels for that matter are normally bulky, horrible things that you, you know, only wear when you're about to jump in the water. You can't operate in them, you get trapped, you can't, you get caught on things. So, I think looking into maybe, inflatable clothing, whether it's a personal thing or a mandatory thing, I'm not sure. But the position of our two way radios and batteries on our boat, our batteries were high enough out of the water, they didn't, high enough out the bilge where they didn't get any water on them and if they did, well, we would have had a lot of water in the boat. So, I think if where positions of yacht's batteries and also radios, our radios were down the companionway to the left where a lot of boats, yachts nav stations' are and they were susceptible to water, one, coming down the hatch, and two, I mean, we did get a bit of damage on the roof, we lost our radios which is not a good thing. So, I think positioning of radios is a very important thing that perhaps the safety inspections or inspector that does the safety check on your boat, you know, should look at. Certainly, luckily we didn't need to use our radios again but, yeah, ours could have been in a better spot, that's for sure.

Q146 What type of batteries did you have on board?

A Two 12 volts, just connected in series or, yeah, so you could isolate one for engine starting and one for house and, which is pretty standard procedure on a boat. But, no, we, with, with our boat, I think we certainly did the work beforehand and even though our mast fell out, we'd done a lot of preparation. I mean, I'm, like, I'm fairly experienced in looking after boats, professional, looking after boats and getting them prepared for races, ocean races and all that. So, I'm certain, well our boat was certainly ready to go to sea. But, I don't know whether some boats are, I'm not sure.

SENIOR CONSTABLE UPSTON

Q147 Were they a wet cell or a seal battery or a gel cell battery?

A They were your standard old car battery, wet, wet cell which maybe is another thing, maybe totally, I don't know, what do they call them?

Q148 Sealed.

A Dry sealed batteries could be the go so if you get flipped upside down, well, you don't, one you don't want acid floating around your bilge and, you know, maybe, yeah, the battery types could be looked into as well. But people may, may complain that it I'll cost money to go to category zero life rafts and you got to buy new batteries and you've got to move your radios and this and that but then it costs a lot of money to go looking for people as well - - -

Q149 Yeah.

A - - - that get into strife. And people complain about that as well. So, you know, it's, it's the initial, you've only got to spend it once and you've got all the good gear. So, I don't think money's, should be an option. If you want to go ocean racing you've got to pay for it. I can't really think of anything too much else. I mean, if they could, I mean certainly the weather information, you know, if they can improve on giving updates more often. I think I read an article in the latest offshore, they're talking about giving real time data for say a weather float in Bass Strait well, I mean even that can help. But, it's not like you can just walk off the course. So, you know, you, it doesn't, you know, we're 90 miles away and you're still out there. I mean, sure it can help, the information can help but it's not going to really help your situation at the time. Mm.

Q150 Mm. O.K.

A I don't think there's much else that I could think

Q151 No. That's fine. O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q152 The time on my watch is now 2.58. This interview is concluded.

INTERVIEW CONCLUDED