

DETECTIVE SENIOR CONSTABLE GRAY

Q1 It's an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Richard Fisher at the Royal Prince Alfred Yacht Club on Wednesday, the 1st of December, 1999. Also present, seated to my right is Senior Constable David Upston from the New South Wales Water Police. Time by my watch is now 1.30pm. Richard, just for the record, could you please state your full name?

A Richard Daniel Fisher.

Q2 Your date of birth?

A 2nd of the 9th, 1967.

Q3 Your current address?

A 3 Danielle Court, Trevallyn in Tasmania.

Q4 And your occupation?

A A land surveyor.

Q5 O.K. And do you agree that we had an interview earlier this morning?

A Yes, I agree with that.

Q6 And after that interview we then proceeded to the jetty at the yacht club here?

A Yes.

Q7 And a boat by the name Nadia 4 was then positioned there and you conducted a number of measurements on that boat?

A That's correct. We, we conducted the information and the freeboard measurements.

Q8 All right. Now when you say freeboard, can you just explain that?

A The, basically the depth of the, the sheer line of boat out of the water at the foward and aft stations, measurements stations.

Q9 And inclination?

A Inclination experiment in a nutshell, heaving the boat from one side to the other and measuring the rate of change.

Q10 O.K. And Mr John Anderson, whom you met this morning, also conducted the same experiments, the same measurements?

A Yes, I, I believe he did that before I arrived.

Q11 All right. Now we've just had a conversation with Andy Duvall - - -

A Yes.

Q11 - - - who's, who's in charge of these experiments we've done today and it, it's been decided that both your measurements were spot on together.

A Yes, it would appear as though the measurements I took agreed very well with the measurements of John Anderson.

Q12 O.K. Now based on what we've, we've done today and the results and speaking to Mr Duvall and the, the graphs that he's shown you as a result of - - -

A Yes.

Q12 - - - the tests, are you able to sort of, well, do you have any views about, you know the whole situation, so

far as the measuring process was concerned with the Naiad?

A        Yeah. From, from the data that, that John had taken this morning, Andy was able to plot that data and he, the same experiment was, was carried out, I think four times, by John with different amounts of lead in the boat, removing some each time, and he was able to plot that, that data, displacement versus stability index and it fitted a very nice graph. Andy also presented similar data from a series of other boats, all Far 40's, all similar designs and all that data measured in varying states, all fitted the same kind of curve. It would appear that the first measurement that I took, the one that we believe was in error, in fact fitted that curve very well and the second, the recheck measurement, where we remeasured the, the freeboards for the second time, it would appear that that was clearly in error and certainly does not, the data doesn't fit the curve. The reasons that, that Andy and I discussed and I tend to agree with was that the second measurement, the boat was laying at, at mooring and most likely had sails in the fore peak or had gear in the fore peak, which I didn't sight because the boat was locked up, and therefore was sitting in, in a bow down trim that didn't greatly affect the aft freeboard measurement, which I reconfirmed and agreed with the first one, however, it would appear as though the

foward freeboard measurement when we checked it was some 90 millimetres or so out.

Q13 All right. So is it the case then that the, as you said, the first measurement was in fact the correct measurement, that documentation was forwarded to the A.Y.F. - - -

A Yes.

Q13 - - - then there was a question raised in relation to, to crew weight?

A Yes, crew weight, by Bruce Guy.

Q14 Which then required a remeasure?

A Not strictly so, didn't require a remeasure, it actually, I believe that the, the numbers that came from the first measure, limited his crew weight to, to X - - -

Q15 Yes.

A - - - and Bruce wanted more than that crew weight, which in reality he couldn't have and, I'll just gather my thoughts here - - -

Q16 You're right.

A - - - so he couldn't, he couldn't have that crew weight and that was the reason why we thought there was an error.

Q17 Yes.

A The bottom line, according to Andy, was that it was, he couldn't have the crew weight, because he'd pulled a hell lot of lead out of the boat.

Q18 Yeah.

A I think that's the bottom line.

Q19 So would you agree then that it appears that the certificate in which the yacht raced on, which was 104.7 - - -

A Yes.

Q19 - - - was in fact incorrect due to the second measurement and the certificate which was questioned, so to speak, of 109.5 - - -

A Yes.

Q19 - - - was in fact the correct certificate?

A Based on the data that Andy's presented me from today's testing, that would be a very fair conclusion to draw.

Q20 O.K.

SENIOR CONSTABLE UPSTON

Q21 It still doesn't negate the fact that the vessel still sailed with a, a limit of positive stability of 109.5. Is that your feelings?

A Based on the data that Andy's presented me, I've got no, no reason to question that hypothesis.

Q22 O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q23 Is there anything further that you'd like to say, Richard, just as a - - -

A No, I - - -

Q23 - - - anything you can think of?

A I think that's all at the moment, thanks, chaps.

Q24 You, you were happy the way in which things were conducted today?

A Oh, more than happy.

Q25 O.K.

A Yeah.

Q26 O.K.

A Very fair and reasonable and I think it was a good experiment, if you like, in that it was completely independent both John and myself and the data was compared very favourably, we were present when it was compared and the data agreed very well.

Q27 O.K. That's fine. Time by my watch is now 1.37pm.  
This interview is concluded.

INTERVIEW CONCLUDED