

SENIOR CONSTABLE BOYLE

Q1 This is an electronically recorded interview between Tony Boyle and Graham Bear at the Cruising Yacht Club of Australia on Tuesday, the 10th of August, 1999. The time on my watch is now 2.52pm. Graham, do you agree with this?

A Yeah. That's correct.

Q2 Graham, as I've explained to you, I'm making inquiries for the New South Wales Police in regards to the 1998 Sydney Hobart Yacht Race for the purpose of transcription. Could you please state your full name?

A My full name's Graham Lindsay Bear.

Q3 Your date of birth?

A The 28th of May, 1956.

Q4 Your address?

A Is unit 1 of 18 MacDonald Street, Vaucluse.

Q5 And your occupation?

A I'm a contract cleaner.

Q6 O.K. Thank you. Now, Graham, would you please in your own words describe the, the events leading up to the abandonment and the events that occurred during the abandonment of the vessel that you were crewing during the 1993 Sydney Hobart Yacht Race, please?

A Well, it was the second night out in the '93 Hobart and I was on a Friers 40 yacht called the Adjuster, there was eight crew on board, and around the time of the evening sched at about 10.00, 10.30 in the evening I was off watch and I was trying to get a bit of rest

lying on the floor of the cabin of the boat. And at that time the skipper was involved in doing the, the evening sched. And I'd noticed that when I first lay down on the floor there was a little bit of water would, was washing around my feet, but within half an hour, at which time the sched had finished, I said to Les Emmerson, the skipper of the vessel, that I felt that the water in the boat had increased quite rapidly and that within that half hour period that he was involved in the sched it had gone from occasionally washing my feet to sort of being permanently over it. And so we started trying to see if we could find the reason that that water was entering the boat and lifted floor boards and generally had a good look around trying to find where this water was coming from, but to no avail. Obviously it was fairly dark and even with the use of torches and so forth by this stage there was that much water and it was swilling around the boat that we had, well, we just couldn't detect where it was coming from. So we alerted the rest of the crew and several of the crew started manning the bilge pumps, there was one in the sole of the boat and one in the cockpit to the aft of the boat. And the bilge pump that was in the sole of the boat after being used for just a couple of minutes blew a gasket and, which meant that pumping the water, it was pumping the water straight back into the boat rather than out of it. And although I'm not sure if more than one crewman tried to

use the other bilge pump, it was reported back that no pressure could be built up in that pump and therefore it was also inoperative. We had a small electric pump that was activated immediately and it was working but totally inadequate. And so we started using buckets and there was two crew members in the boat filling the buckets, passing them up to myself in the companionway and we were going as fast as we could emptying the boat that way but within a half hour period the water down below was well above their knees and the boat was, had started to become quite unstable. We'd pulled the sails down and lashed everything down at this stage and had the motor running, we were unsure as to how long it would continue, we figured that once the batteries became submerged and the electrics started to, to go that it'd be a complete shutdown, but we did, the skipper originally sent a P.A.N. message out, which was responded to, and within probably that half hour period that we were bailing the boat he changed that to a Mayday, which also was responded to. We were aware that there were yachts in our vicinity, not too far away, within a, I guess a 10 mile radius, and anticipated that they or one of them at least would be close to us within an hour or so or a couple of hours. The conditions that night were extreme, gale force winds, 50, 60 knots, wave height, I'd only be guessing but I don't know probably 8 metre waves, some breaking, but all in all everything before this event was fairly

comfortable and everyone was happy and we were looking toward a pretty hard night, but everyone was happy and comfortable and there wasn't any concern on board up until that, that point in time. Once the boat got to that stage of having that much water in it and being thrown around in that sea the discussion on board was about, you know, how long we could sustain staying in the boat, everybody knew the rule of staying in the boat as long as you can, but we were concerned about the instability of the boat at that stage and whether, you know, with the sea just one breaking wave, or one wave could swamp it and if that did happen how quickly the boat would go down and then what was the risk of loss of life if somebody was caught within the boat or by something on the boat. And so we deployed the life raft and tied it to the pushpit of the boat and continued bailing until such time that we decided that the boat was that unstable that it was really more risky to, to stay on it and so we got into the raft and cut ourself free from, from the yacht. We drifted away from the yacht and probably after about half an hour a breaking wave broke through the door of the raft and put a substantial amount of water into the raft at which time I suggested that we might close the door of the raft and started to do so and then a couple of the other crew members asked that it be reopened 'cause they were concerned about getting sick in the raft. And so I opened the door again and within a couple of

minutes of doing that, with no warning whatsoever and literally within seconds, the raft was upside down, we were just flipped over by a massive wave. Myself and one of the other crew members was thrown clear of the raft out the door and the other six were inside the raft, the upturned raft, but all managed to swim out from underneath. We grouped again hanging on to the rings of the raft and established that everybody had got out of the raft safely and tried to right the raft. There was myself and a couple of others pulling on the righting strap and trying to right the raft, but to no avail, it didn't seem to move at all and so at that stage - (Tape Beeping) - I climbed up on to the raft and started pulling crew members up on to the raft with myself. We had about four or five of the eight on the upturned raft and at that stage it sort of seemed very unstable and so I suggested that the others stay in the water hanging on and that we would take turns and, at being in the water or being on the raft, and I strongly suggested that if anyone was feeling overly anxious that, you know, just let us know and, you know, we'll pull you up on to the raft and swap over. So that's what we did until such time as the yacht Kingarra came to our rescue and they had a very strong search light and after several attempts at getting close to the raft they were successful at throwing me a line and with some very good seamanship on their part managed to

rescue us, pull the raft in to the boat and we got off the raft and on to their yacht.

Q7 O.K. Thank you. Can you state or do you, do you know where the position of the yacht was when it first sank and you took to the life, or when you first took to the life raft?

A The grid position or - - -

Q8 Oh, no, just approximately.

A It was approximately 80 miles east of Eden on the south coast.

Q9 O.K. And do you know what type of life raft it was that you were using?

A I can't say for certain, I think it was an R.F.D. It was the type that is in a rectangular hard pack, fibre glass style of casing, and it was stowed on deck underneath the, the boom from memory.

Q10 All right, and it was an eight person life raft?

A Eight person life raft, yeah.

Q11 Did you have any, experience any difficulties in launching the life raft?

A No, we didn't, it's one of those situations where, you know, they're very heavy when you try to lift them under normal circumstances. When you're told to launch the life raft you just pick it up and take it to the back of the boat and throw it in. That was not a problem, however one incident that did happen while we had the life raft tied to the, the stern of the boat and we were still all on the, on the yacht, we'd let

off several flares, one of which was a parachute type, and when it landed in the water landed very, very close to the raft and we realised at that stage you've got to be damn careful where you fire these things because if it had have hit the raft obviously it would have blown it.

Q12 How was the life raft lashed to the deck? Was it via a some sort of manual quick release mechanism or were the lashings required to be cut by a knife?

A We cut them with a knife.

Q13 Right. Just getting to the pyrotechnics, did, did you have any trouble operating the pyrotechnics?

A No, I'd never operated any before and I'm not sure that any of the other crew members had, but it wasn't difficult to figure out how to set them off.

Q14 O.K.

A And there was from memory both types, the lever type and the striker type on board.

Q15 Right. Once you had gotten everybody in to the raft did you, did you cut, have to cut the painter or the tether line?

A Yes. Yes, we did.

Q16 O.K. And the drogue or sea anchor, were you, did you deploy that?

A No. I, I don't recall even seeing a, a drogue.

Q17 O.K. Right. So there were eight people in the life raft, is that correct?

A Yes, that's right.

Q18 Right. Now after the raft capsized do you recall where you were relative to the wind direction when you were trying to right the raft? Were you upwind or downwind or across the wind?

A Yeah. I understand the question.

Q19 Yeah.

A I'd say it's impossible, well, I'd say, well, it was, I'd say we were upwind of, the wind was, the raft was between the direction of the wind and, and ourselves.

Q20 Right. So you would have been facing, the wind would have been in your face - - -

A Yeah.

Q20 - - - as you tried to right the raft?

A I think so.

Q21 Right. And you said you were using the righting strap provided on the raft?

A That's right.

Q22 So it was a strap rather than a handle?

A Yeah. There was a, a like a seat belt material type of strap.

Q23 Right. And where, where did you position your feet for righting the raft in the first attempt?

A Well, what I, I was closest to the raft and then there was other people behind me that were pulling as well and my recollection is that I put my feet on the raft and grabbed the strap and tried to, to pull it up that way.

Q24 Right. So could you see the, the gas cylinder - - -



A No.

Q24 - - - from your position?

A No.

Q25 Do you recall where the cylinder was relative to you?

A I was never aware of the, seeing the cylinder at all so I don't know.

Q26 Right. Do you have any idea of why the raft did not right?

A Well, at the time it just seemed like due to the, the, what do you call it, the roof of the, of the raft that it was, like, virtually a losing battle against the weight of that in the water, that we just, I thought that it didn't budge and we just thought, there's no chance in the world, this is a vain attempt.

Q27 Was the life raft sitting flat on the surface or at a slight angle?

A No, totally, completely upside down, flat on the surface upside down.

Q28 Did the life raft have an inflatable canopy support?

A I can't recall how that canopy was supported.

Q29 Right. I'll, I'll ask it another way. When the raft was inflated did the canopy automatically pop up?

A Yes.

Q30 O.K. It would have had an inflatable - - -

A So it must have, yeah.

Q30 - - - support. All right. Had prior to the, the race and incident in question, had you or any of the other

crew members undertaken any form of survival training or training in the use of life rafts?

A I certainly hadn't and to my knowledge none of the others had either.

Q31 Right. Since that event has occurred have, have you since undertaken any sort of training in life raft operation?

A No, no, I haven't.

Q32 All right. We're approaching the end of the interview. Graham, have you anything extra you'd like to add or any other thoughts that have occurred to you since, since you've initially given us the, the big picture.

A I think that, well, it's a little bit difficult because, like I've said, I haven't undertaken any life raft training. My thoughts are that, I mentioned about the pyrotechnic nearly landing on the raft which would have been disastrous, I think there are other issues involved with the usage of life rafts that need to be pointed out, for example, when we were in the life raft before it turned over we had a look at what was provided in the raft and found extra pyrotechnics and the other gear that's there and, of course, not expecting it to turn over, we didn't re-stow that equipment and had we needed those pyrotechnics we wouldn't have had them. Little things like that that you don't think of at the time are important things I think for, for training. No, I, I don't think so.

Q33 All right. I've just got two more questions. Were you and the other crew members wearing life jackets during this?

A We all had life jackets on.

Q34 What type of life jackets were they, do you recall?

A Well, I remember two of the crew had their own personal life jackets, the inflating type and the rest of us had the big bulky yellow ones that all the yachts carried.

Q35 O.K. And once the raft was inverted and everyone was in the water, did anyone have trouble keeping up with the raft given it would have been blowing downwind at a fair old pace?

A No. Well, it wasn't blowing away due to the, the canopy, I gather, acting as a sea anchor and - - -

Q36 So you think that - - -

A - - - I mean the others were inside it and I was thrown clear with one of the other crew members and I don't recall any problem getting back to the raft, there didn't seem to be that sort of drift problem.

Q37 Right. And once the others exited they, they, they stayed in contact with the raft?

A Yeah, yeah.

Q38 Right. So the canopy was pretty well full of water by the time everyone else had exited, do you think?

A Oh, yeah, yeah. My understanding was that the canopy was totally full of water and they just had the air bubble that they were using to breathe until they came out one by one.

Q39           Right. Thank you, Graham. The, the time by my watch is now 12 minutes past 3.00. The interview is now concluded. Thank you.

A             Thank you.

Q40           Right. That's all, that's all I need there.

INTERVIEW CONCLUDED