

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stewart Gray and Mr Robert Gordon at the Cruising Yacht Club of Australia in Rushcutters Bay, Sydney, on Thursday, the 11th of February, 1999. Also present and seated to my right is Senior Constable David Upston from the New South Wales Water Police. The time on my watch is now 10.35am. Mr Gordon, for the purpose of the interview, as I spoke to you before, Senior Constable Upston and I are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race. And part of that we're tasked to speak to a number of people who were involved in that race, crewmen, and whatever.

A Right.

Q2 Either directly or indirectly involved in the race. And that's why we're here to speak to you today. Firstly, if I could just get you to place on record your full name?

A O.K. My full name is Robert John Gordon.

Q3 Your date of birth?

A 30th of January, '57.

Q4 And your current address?

A 95 Parklands Road, Mount Colah.

Q5 And your occupation?

A I'm a bank manager.

Q6 O.K. Now, you were crew member on the Miintinta?

A That's correct.

Q7 And that's M-I-I-N-T-I-N-T-A?

A Yep.

Q8 O.K. If I could just get you to give some background experience in relation to your sailing?

A I've grown up at the water, I've lived at, I've lived near the beach most of my life, I've been involved with, you know, swimming, you know, swimming clubs, I'm a scuba diver, qualified scuba diver. I've been involved in ski boat racing, rowing, racing rowing boats, I've sailed small boats, catamarans, I've delivered boats from Southport to Sydney. I've sailed the tall ship, I used to have shares in the tall ship, and I've extensively sailed the tall ship out to sea off the heads. I've been doing ocean racing, twilight races, winter series, 10 years or so. I've been sailing yachts for 22 years.

Q9 O.K. Now how was it that you became involved on the Miintinta, last year?

A The owner, Brian, is my wife's uncle and I, I know that he's done a couple of Sydney to Hobarts before and every time we have a family party, I corner him and say, "Come on, mate, when are we doing it again" and this year he rang me up and said, "Do you want to come?".

Q10 Right.

A He's just bought a new boat, "Do you want to come?". I said, "Yeah, I'm in".

Q11 O.K. Now, what was your position on that boat?

A Just a deck, crew member.

Q12 Right.

A We all did bits of everything.

Q13 Right. O.K. Now it's the case that you and the rest of your crew were taken off that boat by the trawler Josephine Jane?

A Yep.

Q14 Off Eden?

A Yep.

Q15 If I could get you to take us from, say, the evening of the 27th, sorry, the 26th of December, 1998, if you could just explain to us what happened?

A Yeah.

Q16 On that day.

A We had a big nor'easter blowing and I had steered it till about midnight and about midnight on the 26th, I, I was getting a bit weary and the southerly started to come through so we did a change of a shift and as all the crew came on deck, we put some reefs in the main and we, we furled, furled the jib and we put a storm, a storm jib up and then the first 50 knot southerly hit us, at some stage after that, I was down below having a sleep but it was still quite comfortable, you know, the 50 knots didn't worry us at all and they got me up in the morning in a really sloppy sea, sort of winds coming from all directions, that's the morning of the 27th.

Q17 Yep.

A The first southerly abated, bit of a change of shift again, the guys that were up from when I went to bed went down below and had a sleep and so I took over steering again with the next nor'easter that came through and steered us back in towards the coast, probably about 210, 220 degrees in the, in the nor'easter that had come through again and steered us back towards the run line where we wanted to be and then later, later that day we heard there was 70 knots coming through, 'cause we were talking to a boat that we could just see his mast ahead of us, and, you know, we heard on the radio, "Look out guys, there's 70 knots", so we, we as quickly as we could dropped the main and lashed, lashed the main very heavily to the boom, like, not just with, with little ties, we used some fairly heavy, heavy ropes to lash it down so it couldn't beat itself apart, tied the boom down as we were doing that I think I stood on the, on the main sheet and let the boom go and I got beaten about the deck, 'cause I was hanging onto the end of the boom, you know, that was a freak accident, no-one could help that, but, in doing that when I came off the boom, I dislocated my shoulder, it just popped, it rolled out of joint and I put it back in, I've, it's an old, it's an old injury that happens every now and then and so, they sent me to bed, because I'd been steering all day and I was, I was a bit weary so they sent me to bed and I was down below, now the 70 knots came through and I

was down below so I didn't have a lot to do, I didn't have anything to do with the steering of the boat through that, through that big sea. What I, what I can remember though is I was sort of dozing on and off was, you know, the weather was particularly foul and I had a pair of ski goggles I had taken with me and the guys had came down and asked me if they could borrow my ski goggles so they could wear it on the helm just so they could see, but we were coming off these backless waves and I was, I was lying on the, on one of the bunks all strapped in, but you'd be weightless for, you know, like you'd count to five before, before you hit the, hit the bunk again, so there was some pretty big waves we went off. But when the boat did hit the bottom, because of the shape of the keel, this, the shape of the hull and the keel, it's a really nice wine glass shape hull, it's a perfect cruising boat type hull, it'd just cut into the wave and stand up again, there was no, there was no shock, going off these waves. You know, like there was, sort of like when you go down one of these elevators that you, you're weightless for a few seconds and then it, it slows you down at the bottom and there was one wave, hang on, let's go back a bit, what they did do at one stage was turn the motor on and we turned around and headed back to Eden, 'cause Brian decided it was just ridiculous, you know, and we were, you know, we'd head back to Eden. It was still the same thing, we'd come over these waves and we'd

just cut in really nicely. One wave we went off I remember within, within a second of each other, we just, we went down this wave and just went bang, bang and the whole boat shook and sort of stopped on its way down the wave, and I sort of sat up and said, hey, have we broken something, and the guys on deck said, "No, everything's O.K.", and I now, knowing now that there was a hole in the hull, I, I really think that we've possibly hit something. We've come down and we've hit, halfway down a wave, we've hit a container, a whale or some fish, who knows, there's been something in the water that we've come down and hit. Where we were there's no reefs there, it's too deep, there's nothing stands up, so there'd, there'd be no, unlikely to hit a bombie or anything. We got fairly close to Eden with the motor going and just with the attitude of the boat, like sort of when, with any boat you turn the motor on you get bow up and stern down, when the motor stopped, 'cause we cooked the motor, trying, trying to get it into, into Eden. When the motor stopped, I was still lying on this bunk and the boat sort of settled down, all this water rushed forward and I thought hang on, that shouldn't be there and a couple of the guys came down and we had the, the electric bilge pump set on auto and so we switched it to manual, even on auto, if there was much water then the thing should've worked, switched it to manual, nothing happened. We had power to the motor, but, the motor just wasn't working, so we

got, got a couple of guys in the aft cabin to use the really big bilge pump that we've got in the aft, the aft cabin and Brian's got the name of whatever brand of pump it is, I'm not sure what the brand is. And that, that pump is, is huge, it'd empty a swimming pool in a few hours and it stopped working. So we got onto the bilge pump, on the external bilge pump, which had been fitted, you know, a month before the race and the handle fitting snapped off that. Now that was the third time it had snapped. I, I used it when it was first put on and the fitting broke and it was one of these injection, injection moulded plastic you beaut modern fittings and it just snapped off, so, they made us another one out of fibre glass or kevlar or something, whatever it was, they repaired it and snapped again and so they made this, this new kevlar fibreglass thing and it also snapped, so, I, with all this water coming in the boat, I thought maybe it's time I get out of bed and get on the deck. So I got up on the deck and I wasn't, you know, my right arm was giving me a bit, a bit of grief, so, I sort of, I wasn't bailing, but, what I, what I was trying to do was lift the bucket up with my left arm and throw it over the side when the guys below were, were bailing, so, we got the sea buckets out, and the first, the first one we used, we had two, the guys were bailing into the bucket and I picked the bucket up, the first time I picked the bucket up the bottom fell out of the

bucket, and, you know, at this stage I was starting to think, God, you know, what have we done. Everything failed us, so, we ended up with, with the other bucket, there was two guys down below, we'd cut the bottoms out of some cordial containers so we used the handle on the cordial container as a scoop and got down between the timbers below the floor and they were scooping into the bucket and I was picking it up, the last remaining bucket which still worked, which was lucky, and I was heaving it over the side and putting the bucket back down but then we decided it was probably more efficient for the two guys down there to bail straight into the sink, 'cause being a cruising boat, it had pretty big sink in the thing and the drain on the sink, wasn't like a lot of yachts, it was probably an inch and a half diameter or something and it was working really well. We had one guy in the aft cabin still trying to use the big bilge pump, two guys down there bailing and Brian was down there sort of running around the boat, trying to find the hole, you know, tearing cupboards apart, getting into the skin fittings, just trying to find where this water was coming in and also on the radio talking to the, talking to the, it was Eden coastal patrol or whoever, whoever, you know, he radioed to, we put our first, I think it was a Pan Pan call in about, I think it was about 7 o'clock, that night, and we told them that we were O.K. at that stage, because we could, we could hold the water, but,

we were so close to Eden, like, we could see the lights of Eden, see buildings, you know, we were pretty close, I, I don't know what distance we were, probably further than we thought, but, still pretty close and we gave them our position and we started drifting out to sea, because with the four guys down below working, that left two of us on the deck and me with a sore arm to try and sail the thing and two of us on the deck just wasn't enough to, to sail it, so we drifted 40 miles out to see and then the trawler got there at 2 o'clock in the morning, and it took us an hour to get the rope, the two rope onto the bow. Brian tried by himself and couldn't do it, so then I went up the bow as well and between the two of us we got, we got the tow rope on and he also called out to the guys to start the motor, because we tried to start it before, but it wouldn't start, but this time it at least kicked over and it swung the bow around enough for us to hook the big rope, the tow rope onto our mooring bollard. This mooring bollard we've got, it's a standard fitting, it's probably an inch and a half diameter cast bronze, big, big T piece, it snapped off, it just snapped it in half, after about half an hour of towing and so the trawler came back to us, and, I made up a bridle out of our two heaviest mooring lines back to the main winches on the stern and took them up either side of the deckhouse, tied them together, and fed them through the anchor roller, and when the trawler came back the

second time, this, the guy that drove the trawler was absolutely brilliant. I'd kill to be able to drive a boat like this guy does. He, he backed up to us in this sea and was from me to you away, 3 feet or so, and I was talking to the two deckies on the back of the trawler, while I was standing on the, on our bow spread, they asked if I'd like them to take our rope or would I like to take their rope back and I said, "Look, I'm stuffed", I said, "You guys have our rope", and I actually passed the rope to him, the first time they threw heaving lines to us and we had to pull it across, this time we actually passed the rope and then the next time we shook hands and I said, "Thanks very much" and we just clipped the back of the trawler once and as soon as they had hold of our ropes they tied, tied it off to their, their big rope and took off, so that, you know, we, they'd separated us, so then the guys kept bailing and Brian was still talking to the trawler and the coastal patrol on the radio and I spent probably the next, I don't know how long, lying over the bow strip and pulling the, every time we went through a wave, pulling the rope back onto the, the anchor roller, so it wouldn't fray, it wouldn't chafe on the edge of all the stainless fittings and I eventually, between pulling that on and going through waves, 'cause I was under water half the time, I eventually whipped it on and sort of held it there, then got myself off the bow and crawled back up to the, up to the cockpit

again, we were getting waves hitting, hitting us that were knocking Yuli, who was steering at that stage, the German girl, and myself and still, still connected on harnesses, they'd knock us both of, just out of the cockpit, and we have to, and whoever was first back would grab the wheel and try and straighten up to get some steerage back and after a while of being towed, it was probably about 5 o'clock in the morning, we decided to, it was time to get off, and because it was, like I was saying before, the boat would, would tilt to one side and stay there, it wouldn't right itself quickly and then it would come back up and go the other side and stay there, there was probably knee deep water in the, in the cabin and we thought it was getting to that point where it's just going to go and sit on it's side and it was safer to get off at that point than it was to wait. you know, any longer, even though we all wanted to save the boat, so Brian just gave the order for everybody to go down below and get a bag of stuff each, which we did, and then the two girls and myself set the life raft going, that's an interesting, interesting concept too.

Q18 What's that?

A Getting the life raft going.

Q19 Yeah, what a problem or -?

A Just the weight of it because we had a big heavy duty one - - -

Q20 Yep.

A

- - - some of the guys I know had these little, you know, life raft in a bag type thing, we, we could have set it off from where it was straight into the water, but I tried to get it round to the, to the lee side of the boat so that at least it wasn't going to explode and come back on the boat, it was, it was sheltered, which I thought was the best way for us to get in anyway on the sheltered side, so, just pitching and rolling, trying to heave this bloody great fibreglass box across the stern to get it in, anyhow we got it in, that was all right. It was just, it was just heavy to do. So we got that in, we put the two girls in, we threw all our bags in, we put the other two guys in, then I got in, then Brian, I held it while Brian got in, it leg go, and we drifted away for, I don't know, for a while, and then, then we, the trawler came round and picked us up, they threw us a line and I, I hooked that onto the big hook on it, I hooked that onto the boat, around the inside of the life raft and every time like he went down and we went up, they'd just reach in and grab another body and pull us in and I was the last out, so they pulled me in, and then the two deckies and myself the next time the raft came up, we just grabbed the raft and heaved it onto the deck, with our, our bags of stuff. One thing during the night, they asked us to set flares off and we couldn't easily make the flares work, they asked us to set white hand-held flares off, so they could get our position and the

instructions on these things are written in paper to start with and the only time you're ever going to need a hand-held flare is when it's bucketing down raining, when you're getting swamped a wave and the instructions are written in bloody paper, which, and in the dark, which immediately melted on me, and, so, you know, we pulled these bits of string and the ends, and how does this work, and then I, I sort of figured out, yeah, this, this bit feels rough, that bit feels rough, maybe you, you just arc it like a match and of course away it went, and, so, we figured that out. Like I've seen flares before, but because you're not allowed to go out there and let the, let the things off, you've really got no idea how they're going to operate or what they're going to do, you know, you know, in the circumstances. So, anyhow, we let the two white ones off, they couldn't see them, so they asked us to let some parachute flares off, so, similar deal, at least the instructions are just sort of painted, painted on, so they don't melt when you get them outside but in the dark, trying to read what it says, and you're getting bounced around, we pulled everything and lever and everything that you're supposed to do and on the bottom of the parachute flares, have you, you'd have, you'd have used them?

Q21 A number of times.

A Yeah, you either push or pull the lever at the bottom and it should, it should let the parachute go. I did

that and all the mechanism bent and so I thought I this is a split pin with a piece of string on it, maybe you pull that and it goes, all the mechanism fell apart and all I was left with was the, the two little legs in the bottom that held the mechanism together and obviously what, what appeared to be a firing pin, so, I was sitting next to one of the main winches and with a winch handle still in it and the little locking lever on the top of the winch handle, I was able to sort of bang the thing on that, and get the firing pin to go, and, and set the flare off and then the same thing happened with the second flare, you know, push the lever, pull the lever, it just bends the hell out of it, it doesn't work. So the same thing pull it apart and hit it on the, hit it on the winch handle. They eventually saw the parachute flares, after we let a couple off and, you know, it was just a bit of a worry the way those things worked, I, and I thought later that, you know, maybe if we, if we were in a life raft, how the hell would you let one of them off.

Q22 Mm.

A If it was all going to fall apart on you or bend, you know. I also thought that, you know, later on, it's probably a good idea for people like the cruising yacht club with the water police permission maybe to go over to Quarantine Beach once a year or a spot around the harbour, and being a racing type club, you know, let everybody set off a couple of old flares, so at least

the, a skipper or the crew or you know there's a couple of people on the boat know how the things work, how they're supposed to work, because, when, you know, when it comes to the time you've got to use it, it's not sitting around the desk chatting about it, it's, shit, we need to use it now, you know, and it didn't work as it should.

Q23 O.K.

A And, but, you know, when we got on the trawler they, they had beds on it, they, most of them went to bed, Brian and I just laid down in the, in the companionway on the floor and you come home, everything smells like fish, my wife still won't let me go near her with these shoes on, she reckons they still smell like fish. But we were still ages, like it took us till 2 o'clock or so, half past 2.00 in the afternoon to get back to Eden, you know, we were just making .8 of a knot into this sea, into this huge sea, he was doing 10 knots water speed but .8 of a knot ground speed into this sea. But the last time we saw the boat, it was, it was looking pretty sad, 'cause I, after we got onto the trawler we kept, they kept towing us and it kept towing the boat, and then the rope snapped again, and we turned around and had a look at it and thought, you know, it's getting lower in the water and staying on its side longer and it, it wasn't worth risking someone's life trying to get back on the boat to try and re-attach another line, you know, we thought, it's

best, best to let it go, maybe if it's still there come back tomorrow or something but we were apparently about 20 miles away from where Winston Churchill went down and that day and the next day they had you know 28, 30 planes or something, whatever it was, out looking for Winston Churchill and I'm sure that had somebody seen a boat wallowing in the water, although they weren't specifically looking for it, they would've said, we found a boat here, you know, no-one, no-one reported it, and I'd, I'd give it a few hours after we left it I reckon and it's, it's gone.

Q24 O.K.

A It would've just filled up and gone. But I, I think the reason it went down was because, well, I'm almost certain the reason it went down is because of all this, these bilge pumps failed on us.

Q25 Mm.

A Had they worked we would've been able to keep up with the water and had they worked we, we would've had the electric bilge pump working, the big bilge pump in the aft cabin maybe put one crew member down there to pump, to keep the water out, and we would've had five people on deck sailing the thing and that would have been enough people to sail the thing back into Eden or somewhere, you know, go and run with the sea and head back up the coast or something, you know, but because all the crew were downstairs, you know, four out of the six of us were downstairs getting the water out, you

know, there wasn't enough of us on deck to sail it.

Q26 And so you were taken back to Eden, I believe you were looked after by Mr Marshall?

A Unbelievable.

Q27 That's good.

A Yeah. Something that hasn't come out in any of the, the reporting was that the trawler guys that came out looking for us. You know, the Channel 10 have made a TV show about the thing and they talk about the Navy, God, the Navy guys got there after the event, but the, the, they're heroes, you know. I mean the guys in the choppers and the planes, they were brilliant getting, getting people out of the water, but, no-one has thanked the trawler guys who were, who where asked by Lockie to come out and rescue us, like he didn't order them out, he asked them if they'd go and they agreed to it and then when we were on the boat, they radioed again and asked him if he would go, turn round and go back out and look for Winston Churchill, and he asked us if that was O.K, and we all said, "Who cares, let's go", you know, let's go and look for them, if there's more people in the water, you know, but then we were ordered to turn round and come back because there was another boat closer, but these guys were bloody brilliant and no-one's thanked them. We have, but

Q28 Yeah. From an official point of view, you mean?

A Yeah, they seem to have been forgotten.

Q29 O.K. Just a couple of questions - - -

A Yeah.

Q29 - - - that were sort of picked up on the way. Are you sort of able to tell us the onset of the storm, was it, sort of fast or slow?

A It was fast. It just hit us.

Q30 Very fast, when you say fast - - -

A Just hit us.

Q31 It just hit you.

A Yep. There was a nor'easter and then, whack, 70 knots.

Q32 Right. And that windspeed was indicated on the vessel on, on your boat?

A Yeah.

Q33 O.K.

A Yeah - - -

Q34 You had 70 - - -

A - - - we had, we had up to 80, I think, at some stage.

Q35 Yep.

A And the seas were really strange too.

Q36 Did that come on sudden?

A Yeah, well, they built up.

Q37 Yeah.

A They built up. But, you know, we were 40-odd miles out to sea, 40, 50 miles out to sea or something, so, it's not like, you know, it's raining in the cricket, we'll turn around and go back to the pavilion, you know, there's nothing you can do about it. Yeah, so, you know, the seas, the seas built up, but they built up

fairly quickly as well. Just, you know, because of the, of the strength of the wind, you know, that nor'easter had been blowing for about a fortnight before the race and we had a big swell, you know, it had, it had pushed up a big swell, which we were surfing on the way down, the boat was going brilliantly, but then all of a sudden a southerly hits you and starts pushing a swell from the other directions and those, those waves that might only be, you know, six metres high or something, six or seven metres high cross over and they immediately double in size and double the depth of the hull and halve the pitch of them, and you know they just stand up. You know we were getting dumped on with green water, it wasn't, wasn't wash, it was green water, it was just, solid water.

Q38 Now, was anybody else injured on the boat that you know of?

A No, everyone's got, you know, sort of cuts and bruises and stuff you know. One of the girls who was throwing, was throwing up.

Q39 Yeah.

A Like, I wasn't a party to the decision to turn around and go back to Eden 'cause I was asleep at the time, but I, I think Brian was sort of worried about my shoulder and Lisa who was throwing up, she was a bit, you know, starting to sort of dehydrate a bit, so he probably thought it's time to get us back, back to

civilisation.

Q40 Right.

A You know and, and the rest of, you know, the rest of the crew, too, because, you know, we were all getting just knocked around.

Q41 Now, your shoulder has that, have you sought medical
- - -

A No.

Q41 - - - treatment for that?

A Like I said it's, it's an old injury - - -

Q42 Right.

A - - - and it happens every now and then. I said to my wife it's sort of like Mel Gibson, she reckons there's nothing like Mel Gibson. No, it just, it just rolls out and I just put it back in and it's - - -

Q43 Right.

A - - - you know, a couple of months later, it's, it's fine, you know.

Q44 O.K. Now you did say that you feel that had the bilge pumps been fully operational it would've made a difference?

A Yep.

Q45 O.K.

A And these are all new pumps.

Q46 Yeah.

A And one, like Brian was saying before, one, one overhaul.

Q47 Yeah.

A You know, and they all failed.

Q48 Yeah. Now you mentioned water inside the boat. How much water was inside the boat when you blokes were still on it?

A I think it was about knee deep.

Q49 Was it?

A Mm.

Q50 O.K. Now you mentioned a sea bucket.

A Mm.

Q51 Can you explain to me what a sea bucket is?

A Well, it's a big, a big plastic bucket - - -

Q52 Yep.

A - - - bigger than the, bigger than the one you'd buy from Franklins or Woolworths - - -

Q53 Yep.

A - - - and it's more heavy duty - - -

Q54 Right.

A - - - than the one you'd buy from Franklins or Woolworths. It's got a big heavy plastic rim around the top of it, it's got four holes, two holes on either side of the plastic rim, to put, to try and get lanyard through it, so it's designed to scoop water up and, you know, throw it out the side of the boat.

Q55 Right.

A And the bottom fell out of it, and it's bought from a ship's chandlery.

Q56 Right.

A You know, as a safety item.

Q57 Right.

A And it was fairly new. It wasn't as though it was, been sitting the sun for 10 years and, you know, UV affected or anything, it was fairly new.

SENIOR CONSTABLE UPSTON

Q58 Was anything stowed in that bucket at the time prior to use? Any heavy objects?

A No.

Q59 No.

A No, we had both buckets, one inside the other, up in the sail locker, in the bow, there might have been some ropes in it or something, you know, just small bit of rope, nothing, you know, not the anchor or something sitting in it, yeah.

Q60 Yeah.

A No, nothing like that.

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Q61 Were you aware if the bilge pumps worked prior to leaving - - -

A Yes, they did.

Q62 Right. O.K.

A 'Cause we tested them.

Q63 Right.

A Like the, the one in the aft cabin we didn't test the morning of the race or anything, but, it worked the week before.

Q64 Yes.

A it had been overhauled and we put it all

together and used it, yes, it works, you know.

Q65 Right.

A So we considered it was all right.

Q66 Now, was there an EPIRB activated?

A No.

Q67 No. O.K. And who called the Pan Pan?

A Brian.

Q68 Brian. O.K. During the rescue, it was night time

- - -

A Yep.

Q68 - - - did the trawler have good lighting and - - -

A Yes.

Q68 - - - and did you guys have good lighting?

A Yeah, we put, we put all our lights on - - - -

Q69 Right.

A - - - 'cause we'd been running the motor for hours anyway, so all the batteries were fully charged, so we had all the batteries on, we had all the cabin lights on, we had our nav lights on, we had the spreader lights on, which, up on, see that mast sticking up there?

Q70 Yep.

A The lights on the deck lights, they just, they just light up the whole deck - - -

Q71 Right.

A - - - those lights. Yeah, we had everything we had on, you know, just so that people could see us.

Q72 Yep.

A And the trawler had all his big powerful lights at the back and, you know, Christ they were lighting up the water to about 20 feet deep, you know.

Q73 Right. So it was good, it was good sort of - - -

A It was good light.

Q73 - - - light to operate in for a rescue sort of thing?

A Yeah, yep.

Q74 Now, what were the seas like during the actual rescue, I mean, were they still fairly large and the wind.

A Yes.

Q75 So it was a real havoc?

A Yeah. When we were bouncing up and down when the trawler was a few feet away from us I could, a couple of times I saw his props.

Q76 Right.

A And he could see the bottom of our keel when we went up.

Q77 All right. O.K.

A We were three feet away.

Q78 Now, the life raft, what type life raft was it, do you know offhand?

A It's gone to RFD to be serviced but I don't know if it's an RFD brand.

Q79 Right. O.K.

A Actually, I think, I think it might've been but I'm not sure.

Q80 And what, what, how many did you have on board?

A Six.

Q81 Six in the boat?

A Six man life raft - - -

Q82 Six man life raft.

A - - - so that's the number of our crew.

Q83 O.K. Now what sort of shape was it? Was it a - - -

A Round.

Q84 Round one?

A Yep.

Q85 And did it have a hood?

A Yep.

Q86 O.K. Now, were you aware about a life raft demonstration at the club prior to the, the race?

A No.

Q87 O.K. You didn't know about that - - -

A No.

Q87 - - - at all?

A No, I didn't know.

Q88 O.K. Would you have attended the one if you, if you'd known about it?

A Yeah.

Q89 Any sort of safety demonstrations?

A Yep. That's what I was saying before I think we should - - -

Q90 Yep.

A - - - we should do it.

Q91 Now, so far as any items and supplies on the life raft, were you aware of any?

A Yeah.

Q92 And what was on it?

A There was the standard stuff, the, you know, the food and water and you know it's wrapped up in the life raft, plus, we've, we've got a bucket that we, not a bucket, a big bin thing with a screw cap.

Q93 Yep.

A Which we took with medical supplies and flares and just all the other bits and pieces that we had in there. Yeah, so there was - - -

Q94 You were fairly satisfied with that?

A Yep.

Q95 Now - - -

A Like, we, we knew we weren't having a big trip in it, so, we were O.K.

Q96 Did you guys have life jackets on?

A Yeah.

Q97 At the rescue?

A Yep, all of us did.

Q98 O.K. Now - - -

A Harnesses, wet weather gear and most of us had wet weather gear and life jackets, yeah.

Q99 Right. Now, how long were you in the raft for, from the time youse all got into it, till the time -

A It's hard to put a time on it, 15, 20 minutes, yeah, I think. We just, we just drifted away from our boat - - -

Q100 Yep.

A - - - far enough so that the trawler could come round

- - -

Q101 Yep.

A - - - and the yacht wasn't going to interfere, you know
 - - -

Q102 Right.

A - - - halfway through picking us out, the yacht wasn't
going to sort of drift up and hit the other side of the
trawler so, you know, it might've been 15, 20 minutes.

Q103 Now, did the life raft take any water?

A No.

Q104 No? You, you were fairly comfortable and - - -

A It was a great ride.

Q105 Even though the waves were sort of - - -

A Yep.

Q106 O.K. Did anybody hit the water at all?

A It was cosy.

Q107 It was cosy?

A It was cosy.

Q108 Did anybody hit the water at all during the rescue?

A No.

Q109 O.K. Now, what type of radios were on board the, the
Miintinta, do you know offhand?

A There was about two or three radios, I'm not sure
 - - -

Q110 Right.

A I'm not up on marine radio - - -

Q111 O.K. That's fine.

A - - - personally.

Q112 Are you aware - - -

A I could tell you about a CB radio and stuff on land
- - -

Q113 O.K.

A - - - but not - - -

Q114 Righteo.

A - - - you know.

Q115 But as far as you're aware they were the standard
radios for - - -

A Yeah, they were G - - -

Q115 - - -

A - - - one was GME radio which I know is a good, good
quality one, yeah.

Q116 O.K. Now the batteries on board the boat did you ever
see them at all?

A Yep.

Q117 What sort of batteries were they?

A Monster. Huge things.

Q118 Were they a, an open unit, like, were they exposed to,
or were they sealed battery?

A (NO AUDIBLE REPLY)

Q119 What I'm saying is if water went on the batteries would
they still function?

A Yeah.

Q120 They would. O.K.

A Yeah, yeah, we replaced one of the batteries just
before the race.

Q121 O.K. Now what other boats did you, if any, did you

hear in distress that night, any at all, or know of?

A We, we heard there was bedlam on the radio.

Q122 Right.

A Because all the people in distress were, you know, were calling, so offhand, you know, I couldn't give any names, we, we knew Winston Churchill was in, was in trouble, but, you know, the other ones, who knows.

Q123 Yep.

A You know, there was that many.

Q124 Yes. Did you see any flares at all other than the ones that you -?

A No.

Q125 Right.

A We had a, had like a container ship doing circles around us at one stage - - -

Q126 Right.

A - - - and the trawler guys thought that he was sheltering us, he was just laying off, sheltering us from the sea, but he wasn't, he was turning circles, so for a couple of seconds, he'd shelter us as he went past, the rest of the time we were exposed again, but he was too big to do anything, you know.

Q127 Yeah, yeah. Now, the construction of the boat, are you aware of the construction of the boat?

A Yep.

Q128 O.K. And what sort of construction is it?

A It's, it's fibreglass.

Q129 Right.

A It's built by Ron Swanson, designed and built by Ron Swanson, who is one of our best known boat builders, he's dead now, but, it was built 22 years ago and the fibreglass would be three-quarters of an inch to an inch thick, don't ask me to tell you what that in metric, you know, it's fairly heavy fibreglass, it's been around, you know, to, it's been to the States, it's done two Sydney to Hobarts before, so we didn't have a problem taking it down, it was - - -

Q130 Yeah.

A - - - good solid heavy boat. We certainly weren't going to win, win the race, but, we'd intended to have a fairly comfortable ride.

Q131 Now are you aware, being a crewman on board the boat, are you aware of the limited positive stability rating of that boat?

A Sorry?

Q132 You're not, that's all I wanted to know, that's all. A technical term that's all.

A O.K.

Q133 Now - - -

A What, what does that mean?

Q134 It's a rating which is given to boats in their capacity to right themselves.

SENIOR CONSTABLE UPSTON

To right themselves again.

WITNESS

No, I didn't know - - -

DETECTIVE SENIOR CONSTABLE GRAY

Q135 That's all right.

A - - - but with the amount of lead in the bottom - - -

Q136 Yep.

A - - - it was, you know, unless it was full of water
- - -

Q137 Yes.

A - - - it's always just going to stand straight back up,
..... yeah.

Q138 O.K. That's fine.

A Yeah.

SENIOR CONSTABLE UPSTON

Q139 When, when the trawler put on a tow line and commenced
the tow you said earlier that the tow line parted a
couple of times, what sort of speed do you estimate the
trawler was towing you at?

A It was, was hard to tell, I think he was trying to get
a fair speed, with that?

DETECTIVE SENIOR CONSTABLE GRAY

Q140 It's 11.15am, this interview's suspended for change of
tapes.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

DETECTIVE SENIOR CONSTABLE GRAY

Q141 Time is 11.17 on my watch. Interview between Graham
Gordon is continued - - -

A Graham Robert Gordon.

Q142 Sorry?

A Between - - -

Q143 No, between Graham Gordon - - -

A O.K.

Q143 - - - is continued.

A Sorry.

Q144 You're right.

SENIOR CONSTABLE UPSTON

Q145 O.K. Just prior to the, to the end of the tape I, we're asking when the tow line was attached from the trawler to your vessel, what speed was the trawler towing you at?

A It's, it's pretty hard to tell, but, he was trying to get, a reasonable amount of speed obviously to, you know, to get us out of there, to get us back to the coast, I think, just an estimation, but I don't think it made much difference whether he had the boat attached or not to his speed because of the size of the power of the trawler, so, I'd say he was probably trying to go about 10 knots and he, we weren't making much headway.

Q146 All right. Do, do you think that may have been too much because of the sampson post - - -

A No.

Q146 - - - shearing off?

A I don't think so.

Q147 Do you think it was just fatigue of the, of the metal?

A I think it was just the amount of weight in the boat.

Q148 Yeah.

A And the size of the seas.

Q149 Yeah.

A You know the strain that was getting put on it, like, our boat weighed, what was it, nearly 19 tons or something - - -

Q150 Yeah.

A - - - odd. 19.8 tons, you know, that's empty, and then you, you put knee-deep water in it and there's probably another few tons of water in there, and the, the lashing about of the, the seas.

Q151 Yep.

A That's hell of a lot of strain and I think that's what's done it, you know. Whether he should've pulled us closer to the stern of the trawler or let another 500 metres of line out - - -

Q152 Yep.

A - - - who knows, you know, everyone was doing the best they could at the time.

Q153 Yep.

A You know, he was obviously doing what he thought was right and the guy, the guy driving the trawler, Ollie, comes from Iceland, he's, he's an experienced, experienced on the water, so he's spent a hell of lot of time in some big seas out there, you know, I think he would've known - - -

Q154 O.K.

A - - - you know, where the, where the rope should've been.

Q155 All right. When, when you, when you were on board the, the trawler and the line parted again from the, from the vessel - - -

A Yeah.

Q155 - - - and you said it was the last time you saw it, do you know what depth of water you were in at the time?

A We were out off Eden, Twofold Bay, that's bloody deep.

Q156 Yeah. You don't know how far - - -

A No.

Q156 - - - approximately?

A Well, we'd made, from 3 o'clock in the morning, till 5 o'clock in the morning, and hooking it up again, .8 of a knot for two hours and we were about 40 miles out to sea when we started, so - - -

Q157 Yeah.

A - - - not very, not very far in.

Q158 Yeah.

A I can't - - -

Q159 O.K. No, that's fine.

A Probably, you know, 30 miles, you know, maximum.

Q160 But you were in a reasonable depth of water - - -

A Yeah.

Q160 - - - so she was fairly deep?

A Yeah.

Q161 Yeah.

A Yeah, too deep to dive on.

Q162 Yeah. O.K. No, that's fine.

DETECTIVE SENIOR CONSTABLE GRAY

Q163 And you've prepared a report - - -

A Yep.

Q163 - - - in relation to the loss of the - - -

A Yeah, I - - -

Q163 - - - Miintinta?

A I wrote a letter to Brian - - -

Q164 Yes.

A - - - the owner, 'cause he needed, needed a report for his insurance claim, so - - -

Q165 Right.

A - - - that sort of sums up fairly briefly, you can have that.

Q166 O.K. Now, is there anything that you'd like to say or any views, views that you have on the race, or anything that you'd like to see improved or have any thoughts on?

A I've heard lots of discussion about the CYC should have called it off, they should've waited a day, they should've done all sorts of things, I mean, if we're all going to do dangerous things sometimes, we know ocean racing's dangerous and we knew that there was going to be a big sea, we knew there was going to be a 50 knot southerly come up, and we knew that there was going to be another wind come behind that, but, as a forecast no-one knew what it was going to be. But we decided we were going to race, it's our decision.

Q167 All right.

A You know, the race is on, you decide to race. I, I used to race cars. I decide myself, if it's bucketing down raining and the race is on, I choose to go racing in the wet, in bad weather, you know. You can choose not to if you, if you so decide. You know, it's the, the skipper's decision, the crew's decision, in those circumstances what you're going to do, so I, I can't blame the CYC, which a lot of people are, are, you know, indicating that's what they're blaming. I can't blame the skipper for anything, you know. It's just a series of events that happen, it's nature, you know.

SENIOR CONSTABLE UPSTON

Q168 Ultimately, what was your decision, what was the decision to retire from the race, was it, it wasn't gear failure, was it - - -

A No, no, it was just, just the conditions - - -

Q169 Yep.

A - - - of the sea, the condition of the crew - - -

Q170 Yep.

A - - - I said I wasn't a party to that decision 'cause I was asleep but, you know, Brian told me later that, you know, that the conditions were so bad and Lisa, Lisa was crook, you know, I, I was a bit sore and sorry, so - - -

Q171 Yep.

A - - - let's head for Eden.

Q172 So, ultimately - - -

A Wait, wait in, wait at Eden - - -

Q172 - - - it was through safety?

A Yeah, we'll wait at Eden for the conditions to get right and then just keep going, I mean, we were out of the race, but we wanted to go to Hobart for the party, you know.

Q173 Yeah, yeah.

A We had some nice bottles of wine in there that went down too, take to the party.

Q174 Right.

DETECTIVE SENIOR CONSTABLE GRAY

Q175 You said that you knew there were 50 knot winds?

A Yeah.

Q176 Where did you get that information from?

A At the briefing.

Q177 Right. And at the briefing did they inform you that there were likely to be winds of high speed?

A 50, you know.

Q178 O.K. What about the bad seas, did they, were they predicted or, you mentioned bad seas?

A Yeah, well, like, it's, it's a forecast, so - - -

Q179 Yeah.

A - - - the guy, the guy that came out and that's actually recorded too - - -

Q180 Yep.

A - - - I think Channel 10 recorded that. He came out and gave us the good and the bad news. He told us that he knew there was going to be, like, 50 knots or so

come up the coast and we thought it was going to be earlier in the afternoon actually, but, it took, it was just after midnight, but, he, he told us looking at the fronts, coming across, and at the weather patterns coming across, and also looking at a history of this sort of weather pattern - - -

Q181 Yep.

A - - - that he predicted there was going to be another storm or two following the, following the first one.

Q182 Right.

A At that stage he couldn't predict the, the strength of the wind or the height of the seas or anything like that. I, I don't think anybody could have predicted the height of these seas and the shape of these seas, because they were just coming from all directions.

Q183 Yep.

A It wasn't, it wasn't just the swell coming the one way, it was, they were crossing over, and, like, you know, you get two waves crossing over at 90 degrees and they just stand up.

Q184 O.K. Anything else you'd like to say?

A No.

Q185 O.K.

A There is, but no - - -

Q186 You're right. The time is now 11.25, this interview is now concluded.

INTERVIEW CONCLUDED