

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Ian Griffiths and the Mooloolaba Yacht Club on Monday, the 26th of April, 1999. Also present and seated opposite me is Senior Constable David Upston from the New South Wales Water Police. The time on my watch now is 11.48am. For the, for the record, Ian, could you just state your full name?

A Ian Charles Griffiths.

Q2 Your date of birth?

A 9th of November, 1949.

Q3 Your current address?

A Is 13 Adaluma Avenue, Buddina.

Q4 And your occupation?

A Solicitor.

Q5 O.K. As I've already explained to you, Senior Constable, excuse me, Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race. Part of our tasking is to speak to boats which suffered some sort of problem during the race and in your case we're discussing the Midnight Special situation. Now could I get some sailing background in relation to yourself, please?

A I've been sailing since the mid 70's. I've done a fair bit of off shore racing. I've done a couple of two handed trans Tasmans, a solo trans Tasman, a few, or a couple of Sydney Hobarts. Just general off shore

racings, main, mainly, that's the, the, the sorts of boating that I've done is mainly off shore racing.

Q6 Right. And are you part owner in, or were part owner in the Midnight Special?

A Yes, I was.

Q7 O.K. Now if I could take you to the 27th of the 12th, 1998, you might like to relay your experience on that day for us.

A About, oh, during, during the morning we were, we were going down the coast and it was a westerly, west to south-west breeze I suppose, and until about mid morning we were in quite sheltered conditions and it was fairly, fairly calm, being an off shore breeze. We were in fairly close to the coast, within sight of the coast. We passed Gabo(?) Island about, roughly I suppose, mid morning and proceeded into Bass Strait and it would have been about, or late morning, getting on towards midday when, when the sea started to rise and, and the, the wind started to come up as well. And probably from about 12 o'clock until the sched at 2.00pm we, we experienced increasing seas and winds until it, by the sched time at about 2.00, 2.00 to half past 2.00, the seas were getting quite, quite large and the wind was up to probably, well, we, the last we saw it, it was blowing about 55 knots, when it blew the, the wind gear off the top of the mast. But we were still reasonably comfortable, the boat hadn't been knocked down badly by then and by about, until about

probably half past 3.00, when the, we heard a warning over the radio that, there was a warning to skippers I suppose, that, about skippers' responsibilities and we had a, had a talk about it down below, and at that stage I was, I was navigating. I was trying to work out where we were and the other guys had asked me where we were and how far it was to, to get back to Gabo, to the shelter of Gabo, or how far it was on to Flinders, under the lee of Flinders Island. And I told them that it was about 35 miles, I think, from memory, back to Gabo and about 130 on to the lee of Flinders. And we were having a talk about whether or not we should, we should retire or not in, in, in light of the warning that we'd been given about the, the weather and we got knocked down fairly badly and I was thrown across, inside the cabin from where I was, and I broke my leg, my right leg, or one of the bones in it. So I, I was more or less incapacitated after that, I couldn't stand up. And then the decision was taken at, at about probably 3.30, I think, that afternoon to, to turn around and go back and try and shelter under Gabo Island, it being the, the shortest alternative. So we turned around at about, about 3.30 and started heading back and in doing so we found that the, the seas seemed to be, well, seemed to be approaching the boat at a worse angle, which tended to make the boat more unstable, and although I was unable to steer 'cause I'd broken my leg, I, everybody was saying that it was

harder to steer over the waves, they were less predictable, because I think the, what was happening was that we were still, the wind was still about the same direction, but the waves, I understand, were coming from a, a, an angle further aft. So we went on until it was just starting to get dark, as I recall and, we, we had quite a bad knock down and I, I was thrown around again and a couple of guys experienced some fairly, fairly serious injuries at that stage. One of the crew members, Neil Dixon, was, was knocked out. He'd been lying on the floor of the saloon and was actually bodily picked up and thrown onto the side of the boat with the floorboards on top of him, and I'd actually been up in the, in the bow, trying to go to the toilet, and I, and I was thrown into one side of the, of the forepeg. So then after that, I think it was probably about 9.30 at night when we had our first roll over, and we lost our rig. The starboard side of the coach house was stoved in and took a bit of water inside the boat, but she came up again pretty quickly. We got rid of the rig and, I think from memory, that we eventually got the motor going as well at that point in time, so we've started to run the motor. And then we just basically settled down for the night because there wasn't very much that we could do, we couldn't go anywhere, the, the tiller had been broken off, so there was only the stub of the, of the top of the shaft that was, that was showing through, so it was very difficult

-  
to steer the boat, so we were running the motor in forward for a while, until the motor actually stopped, just to try and keep the bow up into, into the waves a bit more. And whilst we were doing that we found that the motion was a lot better and we weren't being knocked down, but as soon as the motor stopped and we were more at the, the mercy of the waves, we were side on to the waves, and the, and the waves would be, would be, would be knocking us down. And I think about, or as, towards morning we, we got the motor, the motor was running again and we were once again trying to keep the, the bow into the, up, up towards the waves a bit more and, 'cause it would have been early in the morning, fairly soon after daybreak that the first, the helicopter arrived and at that point we, we took the motor out of gear and, and I think stopped, or it might have, the motor might have stopped, I'm not sure, and that's when we had a, our second roll over, but she stayed over that time for about a minute or so, but came up again and then we, we got off the boat, and I was, I was, I think about third or so off the boat. I think the idea was to get the people off who'd, who'd been injured - - -

Q8        Yeah.

A        - - - myself being among them and then Peter Carter, when he had quite a bad back injury as he'll have told you - - -

Q9        Yeah.

-

A - - - Roger Barnett went off 'cause he'd been chronically sea sick, quite bad. David Lesley went off first, I think probably because he was the doctor and could talk to the paramedics about - - -

Q10 Yeah.

A - - - injuries that people had.

Q11 Yeah.

A And so we all got off and thought, rather naively, that everybody was going to get into this little helicopter, but that didn't happen, of course, so we found that once a few of us got in there, we had to leave all these poor guys on the boat.

Q12 O.K. Now the fracture that you had, which leg was it?

A Right leg.

Q13 And it was one of the bones in your leg, fib or tib?

A Fib.

Q14 Fib?

A Yeah.

Q15 And that was a closed fracture, I mean, it was a - - -

A It was, yeah.

Q16 O.K. Did you have difficulty with that leg in the water?

A No - - -

Q17 Not at all?

A - - - not in the water, no, in, inside, in the boat it was difficult - - -

Q18 Right.

A - - - it was a bit sore.

Q19 O.K. Now so far as wind speeds, were you aware of what the wind speeds were during the race?

A Only until we blew the, the wind gear off. We heard reports from other boats, of course, of 70 to 80 knots.

Q20 Yeah.

A Sword of Orion was ahead of us - - -

Q21 Mmm.

A - - - and, and it gave a report and that's when we, we started to think about it .... we were going quite well, at that stage, we were fairly well up in the fleet, the boat was going well, we were doing sort of sevens and eights through the water and up to 11 knots across the ground, according to our, our instruments, which meant that we had an awful lot of tide with us, where we were, which would also have accounted for the bad sea conditions, I guess, that we - - -

Q22 Yeah.

A - - - were experiencing, wind against tide. So, so we, the worse actual wind speed we saw on our instruments was 55, when the wind gear let go - - -

Q23 Mmm.

A - - - but then it increased from there, got, got a lot worse from there.

Q24 Now what about wave heights?

A Oh, I have no idea.

Q25 Big?

A Oh, big, ..... big, yeah, I couldn't, I couldn't judge them, no - - -

Q26 In - - -

A - - - just .....

Q27 In your experiences in sailing, have you ever been in similar conditions?

A No, no, not as bad as that, never, no.

Q28 O.K.

SENIOR CONSTABLE UPSTON

Q29 When you say, tide, you mean current?

A Current, yeah, yeah.

Q30 Yeah.

A What, what we'd done was, we'd, I, I'd gotten the current charts off the Internet the night before the race so we were trying, and we noticed that there was a, quite a strong current, which was, it was well in shore of where it would normally be, south, south running current, and we were trying to stay in that current line which I think we, we'd been quite well in it, 'cause we were, we'd sort of overhauled a lot of other boats, we were doing reasonably well, and so we just stayed in that current line, but what it, what it meant was, I think, that we also copped quite bad seas when we got to Bass Strait, well, everybody did.

Q31 Mmm. What was the web site that you got the current details from?

A Just, just the, there was a, I think it was the Weather Bureau, I think it was the Weather Bureau web site, I just can't, I can't remember now.

Q32 Yeah.



A Yeah.

Q33 Did you have a harness on at the time?

A Well, see, I was, I was, I'd broken my leg - - -

Q34 Yeah.

A - - - and so I was, I was really down below, I tried to do a bit of navigating from time to time, but, but what happened, of course, was that our, everything, everything stopped working, all of the electronics stopped. So the only thing we had left was a handheld, and even, and, and that went, that went after the second, the first roll over, we, we couldn't find it, it had gone, so we had no idea where we were, well, we weren't going anywhere anyway.

Q35 Mmm.

A So, so I didn't, I didn't have a harness on - - -

Q36 Mmm.

A - - - down below, no.

Q37 Did you have a life jacket on?

A Yes, I put a life - - -

Q38 Sorry, correction, a P.F.D?

A Yes, I put one of those on towards the, oh, when, when the, when the, when the helicopter was, was there, I think, yeah - - -

Q39 Mmm.

A - - - but I didn't have a, didn't have a life jacket on until then.

Q40 Right. Was that an inflatable type or was it - - -

A No.

Q40 - - - a fixed - - -

A Fixed, yeah.

Q40 - - - inflated one?

A Fixed, yeah.

Q41 When I say, inflated, was it - - -

A Hard.

Q41 - - - buoyancy, buoyancy, hard buoyancy?

A Hard buoyancy, yeah.

Q42 I have no further questions.

DETECTIVE SENIOR CONSTABLE GRAY

Q43 As far as the pain relief .... did that assist you? It was adequate?

Q44 Yeah, well, I had, David Lesley was there, of course -  
- -

Q45 Yes.

A - - - and, and he, he and I were huddling down the, down in one side at the back and he, he was cuddling the, the, the, he had the, the medical kit with him, so he was sort of doling out these wonderful drugs from time to time.

SENIOR CONSTABLE UPSTON

Q46 All legal, of course?

A All legal, of course, yeah, but, no, it was good, yeah, yeah, I didn't have any real problem, except when I tried to stand up.

DETECTIVE SENIOR CONSTABLE GRAY

Q47 Yeah. Now have you recovered fully from the injury?

A Absolutely, yeah.

Q48 Did you receive surgery?

A No, no.

Q49 It was just realigned and just - - -

A Yeah.

Q49 - - - plastered?

A Yeah, no, not plastered.

Q50 Not plastered at all?

A No, it didn't, I, I, didn't do anything about it until I got back to Mooloolaba - - -

Q51 Yeah.

A - - - I didn't, didn't want to get stuck in, in Merimbula, so I managed to get a ride on a minibus back to Sydney, which was an interesting ride through the night, and got a flight straight back and then just went and got medical treatment up here - - -

Q52 Mmm.

A - - - so it was fine.

Q53 Now if, if you, what was the food situation on board the vessel after the roll overs and damage?

A We only had, we had some dried, dried food like chips and those sorts of things which we, which were still dry, but everything else had, everything else had, had gone. All of the, the fresh food, of course, was, was all, all swamped and gone, yeah.

Q54 How long would that have lasted nine blokes, if it, if required?

A The, the dried food?

Q55 Yeah.

A We had quite a lot of it, actually - - -

Q56 Right.

A - - - so, yeah, yeah, we had quite, quite a lot of dried food so we, it would have lasted for, we could have, could have, you know, done a few days probably, yeah, without too much trouble.

Q57 O.K. Now do you have anything that, any suggestions or ideas or views that might assist us in our inquiry that we can bring to the notice of the Coroner?

A Oh, not really, I mean, we've all heard about, about, you know, the weather report situation and whether or not we, we, we would have, could have been warned, but I mean, I was, I was, I was taking the weather reports, and the only weather reports, I, I, the only weather reports that I was taking were from, from Peter Comstat and from the, the actual race organisation and they told them, they told us that it was a storm warning in Bass Strait, and we, we thought to ourselves, oh well, that's, that's O.K. storm warning, we knew that it was a, that's a high wind strength, but, but being Queenslanders, we, we were used to the fact that, that generally speaking, that the, the warnings overestimate the actual wind strength that we get. I'm told that's not the case, in fact, down south, but, but we were, we thought well, if they said the wind was going to be sort of 48 knots plus, well, maybe we might have gotten 40 knots, but we, so, so we thought that we probably wouldn't get the sorts of wind strengths that, that we

eventually got, and that was one, that was an education thing from our point of view.

SENIOR CONSTABLE UPSTON

Q58 Are you aware of how the, the storm situation or the, or the wind strengths are broadcast as far as either light winds, strong winds, storm warnings, gale warnings, hurricane warnings - - -

A Well, we knew, we knew what the, what the strengths were so we knew what a, what a gale was and what a, what a storm warning was, but, but that was all.

DETECTIVE SENIOR CONSTABLE GRAY

Q59 If I refer you to the Bureau of Met. preliminary report on the aspects of the 1998 Sydney to Hobart Yacht Race and draw your attention to paragraph 20, if you could just read that to yourself .... I'd just like to know if that has any sort of, I mean, does that educate you in any way, so far as wind's concerned?

A Well, it does, because we had no, I had no idea and I don't think anybody else had any idea that if, if we've got a storm warning of 45 to 50 knots that, that it would gust, it would gust to 70 knots, we had - - -

Q60 Mmm.

A - - - no, no idea of that at all.

Q61 In fact, in excess?

A Yes, exactly.

Q62 Yeah.

A Had we known that - - -

Q63 What would have been your view?

-  
A We, we, we probably would have, would have thought more carefully about, about earlier retirement - - -

Q64 Yes.

A - - - from the race, perhaps, although, you know, the, the boat, it was, it was quite a good, heavy weather boat - - -

Q65 Yeah.

A - - - and we, we thought it was in, it was quite well founded, in quite good condition, so, and we were, we were in a yacht race after all.

Q66 Mmm.

A But, but certainly we had no idea that that storm warning meant that you could get gusts in excess of 70 knots. No, not at all.

Q67 Yeah.

SENIOR CONSTABLE UPSTON

Q68 If you hear the terms, storm warning or gale warnings, what would you interpret from those, just the terms?

A Well, as I said, gale warning I thought was from, you know, about 45 to 50 and storm, sorry, yeah, 35 to 45 gale and, and 45 upwards for, for storm. That, that was my own, only idea of it, but I didn't, I didn't know about the high range of the - - -

Q69 O.K.

A - - - the warning, no.

Q70 So storm warning being the greater than gale?

A Yes.

Q71 Mmm.

A Yes.

DETECTIVE SENIOR CONSTABLE GRAY

Q72 O.K. Anything further?

A No, I, I don't, the other guys obviously had problems with their safety harnesses - - -

Q73 Yes.

A - - - and those sorts of things which, which you've talked about, but in terms of my experience of it, I mean, I was, I was out of it fairly early because - - -

Q74 Yeah.

A - - - I injured myself and all I could do was, was remain down and, and try and do a bit of navigating, so I, I didn't have the same experience as the others did.

Q75 Yeah.

A Thank heavens.

Q76 O.K. The time on my watch now is 12.06. This interview is concluded.

INTERVIEW CONCLUDED