

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Martin James, at the Cruising Yacht Club of Australia, Rushcutters Bay, Sydney, on Thursday, the 11th of February, 1999. Also present and seated to my right is Senior Constable Dave Upton from the New South Wales Water Police. Time by my watch now is 5.12pm. As I explained to you, Martin, Senior Constable Upton and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race, and we've been asked to speak to numerous people who are involved in the race, including crews, and others, directly or indirectly involved in the race, and that's why we're here today and in particular to speak to you about Team Jaguar and its involvement in the Sydney to Hobart race last year. Firstly, if I could just get you to give me your full name?

A Martin Raymond James.

Q2 Your date of birth?

A 19 May, 1957.

Q3 And your current address?

A 34 Corabella Street, Kirribilli.

Q4 And your occupation?

A Lawyer.

Q5 O.K. Now, could you give us some background in relation to your sailing experience?

A I started sailing when I was nine years old on dinghies

when I was living in Western Australia. During my school period I sailed a progression of dinghies with my father. I then went to university in Western Australia, where I took a break from sailing for five years. After that I started sailing on keel boats, first of all on the Swan River in, in Western Australia and then ultimately in, in Sydney. I bought my first keel boat, a 38, a 34 foot keel boat in 1985, and then since then I've had a progression of three more boats to the current boat, Team Jaguar and Infinity Three, which I bought in December or the end of November, 1994. So my ocean racing experience is from, essentially about 1989, through to the present.

Q6 O.K. How many Hobarts have you sailed in?

A This is the third time we've started in the Sydney/Hobart.

Q7 All right. And your capacity on board Team Jaguar is owner/skipper?

A Owner/skipper.

Q8 Can you give me some information in relation to the boat itself. It's size, it's weight and keel, and all that sort of thing?

A Team Jaguar is a far 65, it's in fact overall length is just a little over 64 feet. It was designed in 1989 by, by Bruce Barr, built, built by who have their factory up on the, up in Gosford, and it was launched in 1989. The boat was, design was commissioned by George Snow, the, the owner of the new

Brindabella. The boat when it was launched was, was named Brindabella, it was the first Brindabella that George Snow owned. The boat's a, a sloop design, it's a, a composite hull with, with foam core and S glass and E glass or Kevlar Single mast, fractional rig, it carries a crew of varying sizes, for the Sydney/Hobart race, we had a crew of 18 on board, including myself.

Q9 O.K. Are you aware of the stability index rating offhand?

A The, the of the LPS, or stability index, is, my recollection, on the current stability is 123 degrees.

Q10 O.K. O.K. Is the vessel insured?

A Yes, the vessel is insured.

Q11 It was insured during the time of operation, all right?

A Yes.

Q12 And as a result of the damage to the vessel have you made a claim?

A Yes.

Q13 O.K. Now, if I could just take you to the day of the 27th of December, '98, which was a Sunday, you might like to tell us from there on in what happened in relation to the boat?

A Yeah, we were, we'd adopted a race strategy following hearing the weather report on the 26th, in fact, at the time of the 150 sked to go as far right on the race course as we can to enter Bass Strait, as far as we could to the right, which is, some might say, against traditional thinking, where you might enter Bass

Strait, but we knew it was going to be very strong winds, we wanted to have the ability to with it, and remain on the race course. So we're a long way right in, in Bass Strait, the wind had been building during the night when we entered Bass Strait, just south of Eden. The wind at that stage was already over 30 knots and was fairly steady in the 30 to 40 knot range. During the course of the morning it built up to 40 knots, gusting up to 50. At about 10.30, I'm not entirely sure of the time, as we were sailing along on a, on a starboard wind angle around about 90 degrees, with a fully reefed main and a number 5 jib, the mast collapsed. We're not entirely sure where it broke first, it looks as though it could have been the starboard spreader that failed, just close to the root, followed immediately by the D2, one of the rigging rods, it might in fact have been the other way round, we don't know. The rig broke immediately above the first spreader, and came back lying fore and aft with the boat, supported at that stage, like an elbow, at the first spreader. Because of the sea motion and the action of the water there was a need to get the rig off the boat fairly rapidly, whilst it wasn't doing a whole of fatal damage to the hull at that point in time, because it was lying down straight down the middle of the boat, there was a concern that it might go over the side and, and with the violent motion of the boat, it could have punched a hole in it quite easily. We

started the exercise of sawing through the forestay with a hacksaw, knocking the pins out of the starboard shrouds, where they join the chain plates and looking at the possibility of saving the sail and/or the boom, being expensive items. Unfortunately the motion of the boat was such that it was unsafe to contemplate saving the sails, and it was, it proved physically impossible to save the boom. So we were in a situation that we were going to lose everything above the deck. And we had approximately 10 people on deck who were involved in various parts of chopping ropes, knocking pins out, sawing through stays, letting runner tails off, and those sort of things, so that when the rig is separated from the boat, it would, it would sink. The forestay and the starboard shrouds ended up being released first, which then left us with a rig over the side, in the water, hanging just by the port shrouds, that then prevented, because the weight of the mast, plus everything on it weighs about 700 kilos, because of the weight, we could then no longer knock pins out of the portside chain plate, so we then had to saw through the rod with, with hacksaws, and that takes a little while. Eventually we managed to chop through those shrouds and the rig sank away from the boat and we then had it back in control. During that period we remained starboard side to the breeze, the, the rig when it was hanging in the water was actually back under the boat and caused some keel damage, which looks, at this stage

from diver's reports, looks cosmetic, but it may be more. There were no injuries during that process and the rig was gone. Unfortunately the rig lying down the middle of the boat and every time we went over a wave or the wind pressure changed, it was rocking backwards and forwards, starboard, portside, across the boat, and it wiped out the pushpits on both sides of our boat, which contained all of our aerials, so we lost the HF aerial, which was in the back stay, when the rig went. We lost the VHF aerial, it was knocked off. We lost two GPS aerials, which we had on the back, we had three GPSs on board, sat com unit. We also lost the Channel 10 uplink, we had Channel 10 on board doing live reports. So we lost all of our communications and all of our primary position reporting equipment. Nonetheless we got rid of the rig, everybody was fine, the only problem on board was seasickness. We then turned the boat around and commenced motoring back to, to Eden. A short time thereafter, I don't know how long it is, we went, weren't keeping track of the time, we got hit by a large than normal wave that we hadn't managed to, to steer around adequately, that washed two crewmen over the side, Tony Eginton and Craig Gurnell. They were recovered fine and their harnesses held and they were extracted from the water quite rapidly, a little bit shaken for the experience and cold and wet, but that was all. Unfortunately, some rope that was under the boat, so got sucked into the propeller and

more significantly the water filled bearing at the bottom of the strut that holds the propeller shaft. The propeller shaft was jammed solid. We've got a little window in the bottom of the boat, we could see the rope around the propeller and you could have normally just turn the shaft one way or the other and eventually get it off, but because the rope had been sucked into a water filled bearing and then melted in there, the shaft was jammed solid, which meant we couldn't turn it, it also meant that if we run the boat, there would be no water going through the bearing and it would have seized up anyway. So we then for the first time, very shortly after losing the mast, and as a result of the loss of the mast, we found ourselves with, without communications and without, without power. In the course of being hit by that wave, we also took a lot of water downstairs, the, the wave itself had, had cracked the deck beam, some water had come, even though the companionway was almost fully shut, because the boat seemed to be almost totally submerged, a few tonnes of water came down the companionway, whilst it was already wet down there, at least we didn't have any electrical problems but when the wave came down, we did have electrical problems, so, whilst we've been busy resurrecting our communications, we then lost everything. So we were in a position that we had no communications, no power and nobody knew what our circumstances were. So in order

to draw attention to the fact that it was, something that wasn't, as it ought to be on the boat, nobody even knew we'd lost a mast at that stage, we set off the EPIRB. Shortly after that we managed to resurrect the HF aerial, because we are required to carry spare aerals for both radios, we never did, did get the VHF radio going again, but we did manage to get the HF radio going again, by drying it out, screwing in the external aerial, and, and managed to start transmitting on it, at which time we've turned off the EPIRB. Unfortunately the radio was stuck on one channel only and stuck on, we couldn't turn it off, and we couldn't change the channel, and during what happened over the next 24 hours, that was a pain for us and a pain for others as well that we couldn't communicate with the VHF, because of water damage to the VHF, which, we just couldn't get it dry, couldn't get it working, and the HF radio was stuck on the main race frequency and also the Coffs Harbour race frequency and frequency and so on. We were quite comfortable, a little apprehensive, and very seasick, but the boat was comfortable, the wind pressure on the boat was such that we were probably doing 3 knots through the water, and so we had a measure of steerage way, we weren't going the way we wanted to go but at least we had sufficient control that we could control our destiny through the waves, and the boat was relatively comfortable and, because it is quite large it, it was

riding water O.K. There were a few other waves that caused us difficulty from time to time but once we'd lost the mast, we had even more stability than we normally have, a very stable boat when it comes down to it. So we didn't feel threatened at all. We were working with the Young Endeavour to let them know we were O.K. We identified that our hand held GPS was providing inaccurate information. We managed to power that up, we had three GPSs on board, and we'd lost two when we lost the mast, but fired up the third one. Garry Tythurst on the ABC chopper was the first one that drew attention to the fact that where we thought we were wasn't where he thought he was and his helicopter was probably right and our instrument was probably wrong. At that stage we were 10 miles away from the position. He was searching, I believe for the crewmen lost, lost off Kingura that was recovered.

Q14 Yeah.

A During the period we'd gone through losing the mast and then losing our motor, that's when things started happening on other boats. We were probably the first casualty, because there'd only been 50 knots, it got worse, from our perspective. So the other other things were happening, so the helicopter first drew to our attention the fact that our GPS was providing inaccurate information. During the course of, of that time we were asked whether we would accept a commercial tow and the options for me were accept a commercial tow

or wait the storm abated enough for it to be safe to send a team of people upstairs to rig up a jury rig on the boat. We were happy to accept a commercial tow, quite a number of seasick people on board and that was the best way of minimising danger to the crew, and getting us out of Bass Strait, even though we were only 30 miles from Eden. That, I didn't take place, I didn't take any part in that radio call that organised this, that was done by other members of my crew. That was, I believe, or ultimately organised through the Eden Water Police or the Eden Police, I'm not entirely sure, but basically were off the Young Endeavour agenda, and they were dealing with the Winston Churchills and the Swords of Orion and Kingura crewmen and these, these sorts of things. Moira Elizabeth was in the, was in the area, and, and they agreed to try and locate us. They said initially, I think, that it had taken four hours to get to the position we thought we were but we knew we actually weren't, we just didn't know how far wrong it was. They arrived in the approximate area after dark, we then went through an extremely frustrating exercise trying to locate us, as you've probably heard from my crewmen, we exhausted all our night time flares and they still hadn't found us. We used six parachute flares, three of which failed to fire, we'd used all of our white hand held flares, and one of which failed to fire, so we, at that stage we'd used up 12 flares, eight of which had fired. They'd

been requests from Telstra race control for all boats to keep watch for flares, but nobody had seen us, not surprising in the wind and water conditions that were there, I think you'd need to be next door. So after some hours trying to find us that way, I think Telstra race control and ourselves had got to the point that it wasn't, it wasn't going to work, they tried some other things, for some reason they asked the Moira Elizabeth, to set off a flare, I'm not quite sure what that was going to do but, they asked them to do that as well, and nobody saw that flare either, I think. So, eventually, I think it was Telstra race control that suggested that Moira Elizabeth just give up, go back to port, we'll sort it out later on, I was actually quite comfortable with that because the seas and the wind had started to abate a bit, so, since the sun came up, we just rig a jury rig and we'd be back in four to five hours. The Moira Elizabeth elected to stay around, don't quite know why, but they just elected to stay in the area, and stumbled across us in the dark. After some to-ing and fro-ing there's any tapes or whatever, but they weren't very skilful at getting a line on board, as we managed eventually to get a line on board without them smashing us to bits, and they towed us back to Eden. The tow started, I think, at around about 05.00, and we got into Eden at about 12.30 hours, eventually arrived off Eden about an hour and a half before that but they wanted us to come alongside

and for them to tow us into the harbour alongside rather than at the end of a long rope, and it took a long time to actually tie us up alongside. So, I suspect we were about 30 to 35 miles east, to south east of Eden the time that the tow was, was executed and we were towed into Eden, arrived there at 12.30 hours, and a couple of hours with scuba gear and we managed to clear the, had a problem with the motor and then the boat was in a position to motor back to Sydney, which it did the following day.

Q15 All right. Now you mentioned before strong winds. Now what do you determine to be strong winds?

A I guess my view on strong winds, was winds that I hadn't seen before.

Q16 All right.

A I, you know Lord Howe race and we raced across in 40 knots, and I did that on the way back and sustained 40 knots on the nose, and I thought that was pretty awful. We got to 40 to 50 knot winds at 9.00 to 10 o'clock in the morning, on the 27th. We weren't, it wasn't on the nose, the boat actually felt very comfortable, we were pretty vertical, we weren't on, on our side, the boat wasn't spinning out, it wasn't banging badly off the waves, there was some vibration in the rig, but that was because the boat was going fast, it was just sitting on 14 and 15 knots continually. So the time the rig went, the boat wasn't stressed and we wouldn't have thought the rig was

stressed, so you'll always have a question in your mind, particularly when you can't take the rig back why on earth it broke.

Q17 Mm.

A The description of the crewmen who was looking at when it did break, suggests that it was the pressure of the mainsail on the port spreader, twisted the spreader around the rig, it was only held, to stop it twisting by four bolts, so those bolts sheered off through the, just the wind pressure pushing forward on the spreader, and the moment it started to twist it would fail, and that's the only explanation I've got, but I can't verify that one way or the other.

Q18 Mm.

A So the wind at the time, I would have thought the worst gust we had seen at the time that it went, was about 50 knots, but it felt 50 knots.

Q19 All right.

A From my analysis of the weather, a bit like Brindabella and Sayonara, if we had not broken the boat at that point, we would not have seen 70 to 80 knots, we might have got up to 60, but, we at that stage were, were not that far behind them and were further west, and therefore that with the wind, it would have given us better boat speeds, and also a much easier course through, through the seas.

Q20 So did you experience 70 to 80 knot winds?

A We don't, we lost our wind gear. Our estimate, based

on, well it felt like a 50 knots, is that I would have thought that the, the biggest gust we saw was in the order of 70 knots.

Q21 Right. And so far as waves are concerned, are you able to give me some sort of idea as to the size of waves?

A I would have thought that, that the swells were coming through at 7 to 8 metres, and I think that did the damage to us and which occasionally tipped us a bit more was the seas coming over the top that you didn't see.

Q22 Right. Now so far as, when you were vertical when the, the boat went vertical into that wave, into the trough a fair bit of water went inside the boat?

A Yes.

Q23 How was that taken out, that water?

A That was taken out through a series of electric and manual pumps.

Q24 All right.

A We've got two manual pumps and six electric bilge pumps on board.

Q25 All right. And they worked fine?

A Yes, they worked fine, that part of the electricity was fine, it was the radio and communications that were the problem.

Q26 O.K. Now so far as the storm is concerned, would you consider that it was a fast onset or a slow onset of the storm?

A When that storm happened, it happened very quickly,

the, the pressure was dropping very rapidly. We'd been warned that it was going to be 45 to 55 knots, that tells me a maximum wind strength of 70 knots, that means you've got to plan for it, which we did, and we thought we'd, we'd planned the race course about as well as it could be planned, and we were very happy with that. The speed at which the wind went from sort of 30 to 40 knots maximum gust to a 60 to 70 knot maximum gust, was quite rapid, that all occurred in what appeared to me to be a sort of a four to five hour period.

Q27 Mm.

A That's a pretty significant change, but I have no experience of my own, I've never been in weather conditions anything like that.

Q28 O.K. Now so far as the flares you're talking about which failed, I think it was, four failed?

A Yeah, three parachutes and one hand held.

Q29 Have you yourself had any experience in letting flares off?

A No.

Q30 Did any of your, your crew have experience in letting flares off?

A None, none of the crew are involved in using them.

Q31 All right.

A Whether other people on board who were in the rack at the time had experience, I don't know.

Q32 Was there any difficulty experienced with the flares,

so far as discharging them?

A Those that fired, fired fine.

Q33 All right.

A Unfortunately, of course, you can't bring, bring them back - - -

Q34 That's right, yeah.

A - - - because, some went over the side and my initial thought was that the flares had failed when I spoke to the crew members involved in firing them, one of whom you've spoken to. I suspect it might be an element of operator error.

Q35 All right.

A I couldn't say that any of them in fact failed due to incorrect manufacture.

Q36 Yeah.

A And the parachute flares had all been bought within the last four months - - -

Q37 All right.

A - - - the previous ones had expired, so they were actually pretty, pretty close to brand new.

Q38 Now so far as harnesses are concerned on your, on your boat, what type of harnesses do you have?

A We have the standard red and green over the shoulder, round the, around the waist, we supply that for crew members with the webbing lanyards.

Q39 All right.

A Some crew members, including myself, have got additional safety gear. I have an automatically

inflating life jacket that I wear, because of my position on the boat, I can do that. That has got its own webbing over the shoulder, around the waist, so all I have is one of the standard lanyards, webbing lanyards for it.

Q40 O.K.

A Other crew members also have built in harnesses in their, in their jackets.

Q41 All right.

A on the boat, but the vast majority of the crew wear, wear the orange the green standard ones that you -

Q42 Did you have any personal EPIRBs on board?

A Yes, I think about four crew members with personal EPIRBs. I choose to carry one and some other crew members choose to carry them as well, other crew members choose to carry personal flare packs.

Q43 Yeah.

A I think some have personal

Q44 All right. Now so far as the crew experience, were you satisfied that you had a good, well experienced crew?

A I think we had a very experienced crew and we had, as the principal helmsman a fellow, who'd done 14. The navigator and the fellow that does all the radio, listens to weather and reports and so on, he's done over 10. We had a lot of Hobarts in the crew. There were some newer people on the boat - - -

Q45 Yeah.

A - - - inevitably, somebody, everybody has got to do their first Hobart at some stage. The two crew members with the least experience were the real access program student, Melissa McCabe from, from Eden, and the Channel 10 cameraman, and the Channel 10 cameraman did start the '97 Hobart with us but unfortunately we distinguished ourselves by only getting to Jervis Bay in '97 before that mast broke, that was a new carbon fibre on, it had been in the boat two days, so it didn't actually have much longevity about it at all. So they were the two crew members with the least racing experience, Melissa McCabe had done some races with us before, including 180 miler, so she actually had quite a number of - - -

Q46 Mm.

A - - - of ocean miles to her credit already, but she was the least experienced person on board and herself extremely well, otherwise we had people there with three, four, five Hobarts, so there was a good, good cross section of skills and good experience.

Q47 Yeah. Now the sea sickness was that obviously due to the conditions?

A Yes.

Q48 And was that, did that affect a cross section of the crew?

A Cross section of the crew, including some who would regard that as their first ever time being seasick.

Q49 All right.

A I was, I was in fact affected by seasickness before we lost the mast, the majority of the seasickness occurred once we lost the mast and suddenly, all, you're rocking round like this, the mast and sail is a great stability provider - - -

Q50 Yeah.

A - - - and once we lost that, then people who've, you know, been sailing all their life, like me, but who've never been seasick before, did succumb.

Q51 All right. Now were you aware of a flare and life raft demonstration held at the CYCA prior to the race?

A Yes.

Q52 Did you attend that?

A No.

Q53 Did any of your crew attend that that you're aware of?

A Not that I'm aware of.

Q54 Is there any reason why yourself or your -?

A I had, I had business - - -

Q55 O.K.

A - - - I couldn't make it.

Q56 O.K. What do you think of that as an idea to have prior to a race?

A I think, I think there's a number of things that, that we learnt from the race - - -

Q57 Yeah.

A - - - and that is in the dark that we're not going to let flares off necessarily correctly all the time.

Q58 Yeah.

A And one thing that I would, in all my capacities, be quite interested in, is an opportunity for everybody to fire a flare.

Q59 Mm.

A Now, of course you don't get opportunities, you can't go around firing flares off, you see the odd one creep up at New Year's Eve, but not from Team Jaguar. If an opportunity could be created for people to have hand on experience in inflating life rafts and letting off flares, I think most significantly letting off flares, then I think that would be a good development, now that obviously needs the co-operation of regulatory authorities and if they were prepared to allow that

- - -

Q60 Mm.

A - - - I would support it wholeheartedly.

Q61 Mm.

A I've got a garage full of flares at home that are all out of date, which will work absolutely perfectly, I know, but if the right opportunity was created, I'd get all my crew members to - - -

Q62 Mm.

A - - - fire them.

Q63 Mm.

A And, they were experienced crew members are involved, like Stephen Burnett, who you've spoken to, he's a very experienced ocean racing yachtsman - - -

Q64 Yeah.

A - - - done tens of thousands of miles, and he was one of ones that tried to set off one of the parachute flares and, and thinks he may have got it wrong, when he pushed instead of pulled.

Q65 Mm, mm.

A It's obvious that it has to be pulled when you sit back here in an office and think about it, because with the push ones there's too much chance that it's just going to get knocked - - -

Q66 Mm, mm.

A - - - where you need positive action to pull it out, but in Bass Strait, when it's blowing 70 knots, and you're told to fire a flare right now then mistakes can occur.

Q67 Mm. Now so far as life rafts on, on board Team Jaguar, what sort of life rafts did you have?

A We have three life rafts of six persons each in

Q68 All right. And are you au fait with using one of those life rafts?

A I've never set one off, once again - - -

Q69 O.K.

A - - - you, you can't create opportunities to do that.

Q70 All right.

A But, yes, I've been through all the exercise, I've unzipped - - -

Q71 Yeah.

A - - - and opened them up, so I could see them, but I haven't gone to the extent of,

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Q72 With the personal EPIRB, that you carry yourself.

A M'mm.

Q73 What frequency is that?

A 121.

Q74 So it's - - -

A Yeah.

Q74 - - - megahertz. Do you think that the personal EPIRBS should be carried by the crew?

A We take the view on the Team Jaguar, there's a certain minimum level of safety that I, I require, and the team requires, and that is that we must wear safety harnesses, we were wearing safety harnesses from dusk, on the 26th, and weather conditions, that other boats may well have decided it didn't warrant it. On things like blow-up life jackets, on other safety items that, that have a weight and a bulk about them, we leave it as a matter of personal choice, so personally EPIRBS, personal flare packs, and personal strobes, I leave as matters of personal choice, together with, if you want to have an inflatable life jacket, that's fine, if you want to wear one of those vest style buoyancy things, I don't know if they're actually PFDs in the true sense but if your unconscious, knocked off a boat, it's better than not having it on, then you can do that. Now, my bowmen, for instance, choose to not have those sort of things, because it creates bulk and it creates weight, which in fact increases the chance that they're

going to go over the side, so we, we give crew members options as to how far they go with optional, what we call optional safety gear, so we've got absolute minimum set standards that everybody must comply, and then there's three or four items where you carry that if you feel comfortable carrying them. I choose to wear, I, I'm not worried about bulk when I'm down the back steering the boat or when I'm in the rack, or I'm navigating - - -

Q75 All right.

A - - - so I can have all that sort of stuff, bulk doesn't worry me, not always covered with water, the other men don't like the blow-up ones, because the automatically inflating ones have a bad way of inflating under a wave when it goes over the boat, I'm not in that sort of a position, so I can choose to carry an inflatable life jacket.

Q76 What are your views on the 407 EPIRBs?

A Having gone through the exercise of actually having to use EPIRB and I suppose doubly frustrated that that's not accurate and the hand held GPS is not accurate, I can see a case for a more accurate EPIRB. At the end of the day I suspect that if, if back-up GPSs were accurate, and you had communications, that that's in fact a better way to go.

Q77 But with the GPS, the back-up GPS, we're aware that your crew may have experienced difficulties actually operating the GPS in the way that it should have been

out on deck and not possibly held up through the companionway?

A Yeah, that's, that's interesting. We became familiar with using it sitting in the pen not going anywhere, and of course it gave an absolutely perfect position sitting at the navigation table.

Q78 Yeah.

A So, that, I think, possibly made us think that was fine, but different boats have different characteristics with their hulls and Kevlar is actually not such a bad material, whereas carbon is a, is a much more difficult material to have operate things inside. We'd also experience with Channel 10, the previous year, being, from inside the deck, so we had no, no idea that as soon as you were in, in an environment where you were moving around more violently, that the position that was absolutely accurate in the pen would be lost - - -

Q79 Mm.

A - - - so until the Channel 10 chopper brought it to our notice that it was inaccurate, we had no reason to believe that it weren't where it said it was.

Q80 M'mm.

A And then the question is, do you make it more accurate by simply sending somebody upstairs. My view was that I wanted as few people upstairs as possible, I needed one to steer the boat, and two to look after the person steering the boat. I wasn't comfortable with the idea

of a fourth person up there just with the, with the GPS, and it wasn't until we got back to Eden, once again when it performed perfectly, that we actually twigged to the fact that it was downstairs in a violent motion - - -

Q81 Mm.

A - - - that was creating the inaccuracy.

Q82 Mm.

A Now I think it's because hand held GPSs don't have the sophistication of our other two GPSs, which are multi flexing. It's a fairly exercise of going through six, looking at six satellites and then doing the sums - - -

Q83 Mm.

A - - - by which time, you know, there's a huge inaccuracy built into the system.

Q84 Excuse me.

A So, I mean, one of our resolutions is that we're going to try and put in a different place, so that we don't risk losing our primary GPSs at once.

Q85 Mm.

A So we don't get to a position we're relying on a hand held GPS again.

Q86 And the, the video that was taken by the Channel 10 cameraman, do you have a copy of that?

A No, I don't.

Q87 So that - - -

A we, we haven't seen the '97 film yet either.

Q88 No, but, well, I understand that a video has been shown of the damage actually being occasioned to the mast?

A The, what I, what I saw on television with the one hour program that Channel 10 showed afterwards, there's a few seconds of the mast broken at the first spreader, and lying back down the boat, taken from the companionway, just shot, shot it up like this, so, it's a bit hard to work out exactly what's happening, it's taken from a strange angle.

Q89 Mm.

A And it was only very, very brief. I actually don't know how much more film he got at that time. It, it must have been before we'd finished sawing through most of the bits and knocking the pins out, but it was a good five minutes after it broke, because it, having broken the first spreader, and then broken the deck, and that's when we need we weren't going to be able to save the boom, because there was no way then of getting it off the mast in a safe manner. So I don't know how much vision is there, there was clearly that little bit

- - -

Q90 Yeah.

A - - - because they included it in their program.

Q91 Yeah. O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q92 So far as, well from a Team Jaguar point of view, and a sailing point of view, have you got any views or ideas for future, so far as the Sydney to Hobart?

A I think we've got a number of, we, we learned a number of things which relate, like, relate to us, and, and a number of things relate to sailing more generally and some of these things we're, we're going to be mentioning to Peter Bush.

Q93 Yeah.

A I don't think that EPIRBS should have telescopic aerals. I don't think the heaving lines that satisfy the requirements are strong enough. I'm concerned about the stories about the number of that might have broken. I, I suspect that some of the tolerances on some of the safety gear aren't designed for 70 to 80 knots and the seas that we saw.

Q94 Mm.

A Like we've got an older style EPIRB, and then when I look at the rope that you're meant to tie that to the boat, and there's a little plastic ring that holds the rope onto it, any wave in Bass Strait that we saw that day, that hit that EPIRB, if it was tied to a raft, would have broken either rope or broken it off the EPIRB. So if you'd done the right thing, take an EPIRB with you and tied it to your raft, you would have then been separated from the EPIRB, and the EPIRB would still have been floating, worse still it would show a position, but it's not the position you're at any more.

Q95 Mm.

A And also when you look at the force, when you see the force of waves that large, a telescopic aerial is a

ridiculous idea, it's just going to break, a breaking wave, even something like an EPIRB, that you'd think would just go like that quickly, could not possibly save a telescopic aerial, so I think there's some interesting safety issues there.

SENIOR CONSTABLE UPTON

Q96 So a flexible aerial is certainly the way - - -

A I think flexible aerial would be what I'd be looking at. I mean, I've got a, my personal EPIRB is the standard one, you, you can get item, it's got a little, you know, natty little telescopic aerial - - -

Q97 Yeah.

A - - - and the worst thing about a personal EPIRB is you hold it over your head, which means that if it gets hit by a wave, it doesn't go with the wave, so the prospect of that aerial being of any use for much more than a minute or two in the water is about zip, I think.

DETECTIVE SENIOR CONSTABLE GRAY

Q98 Mm.

A And it's something that, that you only ever appreciate having been out there in 70 to 80 knots.

Q99 M'mm.

A I feel confident about being in there in 70 or 80 knots, I think, properly planned, as demonstrated by the boats that got through, if our boat hadn't broken we would have been quite happy with where we were, we would have finished the race and probably come third,

and we would been quite comfortable with that, but then when you're in a stop position, and you see the force of it then These things which, you know, are made by third parties, safety issues, I'm not quite sure they're making them beefy enough, I'm not quite sure they're thinking through all the issues.

Q100 O.K. Is that all?

SENIOR CONSTABLE UPTON

Yeah.

DETECTIVE SENIOR CONSTABLE GRAY

O.K.

SENIOR CONSTABLE UPTON

Q101 No questions, your worship.

DETECTIVE SENIOR CONSTABLE GRAY

Q102 The time is 4.48. This interview is now concluded.

INTERVIEW CONCLUDED