DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Will Oxley at Townsville CIB on Tuesday, the 27th of April, 1999. Also present, seated to my left, is Senior Constable David Upston from the New South Wales Water Police. The time by my watch is 10.35am. As I've already explained to you, Will, Senior Constable Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race. Part of our taskings are to speak to person who were involved in the race, in particular B-52 in your case, which was severely damaged and subsequently written off and insurance paid on the vessel. So, for the record, could I just get you to please state your full name?

A William ..... Oxley.

Q2 And your date of birth?

A 22nd of the 4th, 1965.

Q3 Your current address?

A Flat 11, 60 Alexandra Street, North Ward.

Q4 And your occupation?

A Marine scientist.

Q5 O.K. Could I get some sailing background from you, please?

A Been sailing since I was about five, got about 85,000 ocean miles. I'm a qualified Australian Yachting Federation yacht master/instructor. I've got a master class 5, restricted to sail. I've been, I've sailed

most of the oceans of the world. I've done it professionally every now and again in between marine science and this was my third Sydney to Hobart race.

Q6 O.K. Now, I wonder if you could take us through the preparations. You were the navigator on board the B-52, is that correct?

A That's correct.

Q7 I wonder if you could take us through the preparations that you were involved in prior to the race, as a navigator.

A O.K. There, there're two main things for the Sydney to Hobart as far as the weather are concerned is the EAC, the East Australian Current, and the surface weather conditions. As far as the EAC's concerned, I consulted with Dr George Creswell, CSIRO, who is a colleague as well as someone who does this race and one of his associates. So, I got access to the CSIRO satellite website some weeks prior and looked at the thermal images, and so got a feel for what was happening with the East Australian Current. That was a password protected site that they, you, for a fee they allow you access to. And then they open it up to the competitors, I think, a week prior to the race. I also had contacted Roger Badham a couple of months earlier and then we continued by e-mail to discuss it. We then arrived in Sydney for the Telstra Cup, which is the week prior. I caught up with Roger Badham by phone a couple of times and he helped us out through the

Telstra Cup with the weather conditions, so that we had begun a correspondence. And I logged on to the Bureau of Meteorology website every day and they had some of the long range are available, so that, you know, more than 10, 12 days out, you know, the weather can do anything, but a couple of the, I think it's mostly the GASP, the Global Assimilation Prognosis Models, there's about three models and you just look at them and see what's happening. About, and so you just have a, you get a feel for what's happening and then the general discussion with Roger Badham. I then attended the, so I'm making up my mind of what I think's happening, I then attended the, the race briefing, where we had the, Ken Bat gave a talk and basically he, he repeated the information that had come from George Creswell, basically he just repeated what was on the website, so there was no new information there, and he gave a prognosis using some of the GASP models, so there was no new information there, but there was nothing different. I circled, about five days out, I circled a low that one of the models had the low forming and I circled it and commented to a couple of people that this looked a bit like, had the potential to be the same as the '93 Sydney to Hobart, it, you know, so I also had all the information on the currents and so on from previous races that I was just looking at. And so in my pre-race discussions with Roger Badham, we talked about this low. Everyone, by the time of Boxing Day

and Christmas Day, all the models had the low forming, but there was no agreement on where it was going to form. So, that was the, there was going to be a low and there was the potential threat to be blowy, but then I got the, a detailed bit of information from Roger Badham on the morning of the race, which he had e-mailed, he basically e-mailed it to me, and then just before the start I got some updated information. I also went and got the Bureau of Meteorology race pack that they have, but obviously we expect the stuff from Roger to be better, that's why we pay him to, if it was gunna be the same as the Bureau of Meteorology, then it wouldn't be worthwhile. We talked about the low and he said, well, yeah, still not clear, but that the interest at that point was on the front, and there seemed to be a lot of confusion between people between the front and the low pressure, in that the front was forecast and I think Roger had said that it had moved through Melbourne and Victoria, you know, and there'd been swells of 50 to 60 knots as a result of that front. So, the issue with the front as far as the yacht race is, is that the run line course, that's a word that's O.K?

Q8 Yeah. Fine.

A Is 195 to Hobart, so the issue is what direction is the front gunna come through. If it's coming through to the east of 195, then you probably, it's O.K. to be out to sea 'cause you get pushed in to the land, if it's to

the west of 195, then you want to be in, inshore and you'll get taken out. So that the questions that we had initially, so I confirmed that, where do you think it's gunna come through, Roger said about 210, so most of our discussions were centred not on the low, O.K, well, there's gunna be a low, but we're not clear what's gunna happen, but on where's the position of this front gunna be. His best guess was about 210 and that, I asked the, the only question that I asked the Bureau of Meteorology guy was, I said, well, look, you forecast this for 180, what's your current thinking on it, do you think it's gunna be this way or this way, and he said, yeah, I'd go with more to the west. So, our, we then had a game plan which was to run offshore until we got, well, to come out to actually intersect with the current, but then, as soon as we were in the main body of the current, which had moved inshore in the week prior, so we knew it was pretty close to the coast, and then to run along the run line. Prior to the advancement of the front, we would actually run inshore to be as, be the windward boat when the front came through. So, that was the game plan before the start. That takes us to the start of the race.

Q9 M'mm. Did you, did Roger Badham's prognosis, was that more correct than the weather bureau, in your mind?

A Rather than being more correct, it was more detailed, it provides a level of detail that you just don't get from the Bureau of Meteorology.

Q10 Why is that, do you know?

A It's a greater temporal resolution because he's, he's giving you the information at more quicker intervals. The other thing that you get with Roger is that he, I've worked with him for a number of years.

Q11 Yeah.

A And so, he doesn't say, this is what the weather's gunna do, what he says is, these are the clues that are going to give you an indication of what's going on, so for instance watch these coastal observations that are real, you know, like getting the weather report from Gabo. If it's doing this, then this will give an indication of the strength of the front.

Q12 Right.

A So that you get, he's basically teaching you to be a weather forecaster, so over time you get used to working with someone like that and so you are forecasting as the race goes on, but using the information that's like, if A is happening - - -

Q13 M'mm.

A - - - like, if you're getting south-west winds out of Gabo, then it's likely that you're gunna get, in for a blower, or if it's from the south-east then it mightn't be as strong, so that if B, you know, if there's cloud cover then, you know, a sea breeze mightn't develop as much - - -

Q14 Yeah.

A - - - but if the cloud cover's not there, then you'll,

so that the sort of information, that you can talk about it with Roger is the what-ifs - - -

Q15 Yeah.

A - - - and so in that, to that extent it's a much better relationship than, you know, it's a personal relationship between two people, the weather bureau is - - -

Q16 Mm.

A It's not what they're paid to do.

Q17 Mm.

A So -

Q18 Are you going to move on to Wilson's Prom now?

A I can. That's a, the, the, what in particular?

Q19 So far as in your report here, you've mentioned that it's not a, it wasn't a correct wind speed from, there we go, 06.00 report from Wilson's Promontory was west sou'west, 31 knots with rough seas.

A M'mm. O.K. So -

Q20 It tends to over read surface conditions because of it's location.

A Yeah.

Q21 Can you explain that to us, or -?

A Sure. So, we get through the front, the front comes through as predicted.

Q22 Yeah.

A We're in the right spot, we're running down the, reaching, running out with it and everything is fine, you know, we're, it's rough conditions but we're set up

for it, the boat's in good condition. We've gone from being in the middle of the fleet to in the front of our fleet. The next thing is, O.K, now we're set up for that, what's gunna happen in Bass Strait.

Q23 Yeah.

A At 16.00 on the race day, they had, there'd been a storm warning issued by the Bureau of Meteorology or something. I mean, I think it was round about 16.00 that I got it on the VHF. And that was for, yeah, it was something like about 45 to 50 knots of wind, so it was clear that we were gunna be in for a blow, but that's not that abnormal for Bass Strait.

Q24 Sure.

A So what I then did was, in terms of the passage of the front and any weather, the coastal observations tell you what's actually going on, as opposed to what's forecast, so you can either listen to the radio and the coastal, I mean, the coast stations, the volunteer coastal patrols and they give, give it. They read out, you know, Gabo Island, west sou-west and so on. What I did was, instead, ... you can poll fax the weather bureau.

Q25 M'mm.

A We've got a laptop, just a standard VHF radio, it's just a box that costs about 100 bucks, 200 bucks, and you can, if you're in range with VHF, you can just dial the ..... number and get whatever picture you want or whatever. So, while we were in range of Eden I poll

faxed the Bureau of Meteorology in Melbourne to get the coastal observations for Bass Strait, which would give us a feel for what's going on. They were all, you know, reasonable, except for Wilson's Prom, which was, as you said, west sou-west at 71 knots. Now that, I've been sailing a lot in Bass Strait, and I'd never heard it record 71 knots before and I went, you know, and it was different from all the others, I thought, it might be a misprint, it's not clear. But it's at, it's at 88.7 metres off ..... sea surface, so Wilson's Prom, it's either dead calm or it's blowing a gale, it seems to what's down there. So, that was the first indication to me that we had more wind strength than had been talked about, the 50s, we were up in much higher wind strength. Now, I thought maybe it will over read by, you know, 10 knots 'cause it's up high, but it's still a lot of wind. So, what I then did was confirm it with the coastal report that actually reads out the coast station report.

Q26 Yeah.

A And it was, it confirmed 71. So, I then got a picture, our weather map, an analysis, but it showed the low but it was basically, it wasn't very much, very helpful for forecasting because it was just, there was a low and a lot of isobars everywhere, but it wasn't helpful as to what it was going to do. So, I then began to monitor at fairly frequent intervals. I, at 9 o'clock it was 79 knots at Wilson's Prom, so it was like, O.K, not

good, but the other weather stations were not as, showing the same high readings, so the other thing that's very useful down there is coast guard ..... gives the oil rig forecast on a regular basis, so I listened to that and I'm not sure whether you have this particular, I have a document in front of me that's from the Bureau of Meteorology.

Q27 Just, just in front of you, directly in front of you, there's a document you have, you're holding up in your left hand.

A Yeah.

Q28 And it's headed Meteorological Observations at Wilson's Promontory Lighthouse.

A M'mm.

Q29 What dates have you got there?

A I have Sunday, the 27th of December, 1998. I have the 25th, 26th, 27th and 28th in front of me.

Q30 Are there wind observations on that?

A Yes.

Q31 Can you show me that, please?

A Sure. I thought about that.

Q32 When, you obtained this from the weather bureau?

A No.

Q33 You obtained this from a polling -?

A I obtained it privately.

Q34 You obtained it privately.

A But what happened was - - -

Q35 O.K. Let me, let me just show you a document here I

have in front of me. What can you see from that document there that is, is different to the document you just showed me?

A I see. Yeah, there are no wind readings. What happened for me was that I had this, these pieces of information on the computer, when B-52 subsequently rolled, I no longer had hard copies of the information. So, what happened was, and lots of people were making inquiries and I was repeating from memory what had happened. I then decided to try and get hold of the information to confirm it. There was some reluctance to get the information.

Q36 O.K. So these wind speeds here are from -?

A They're from the automatic weather station at Wilson's Prom.

Q37 When you say there was some reluctance to give it to you, what do you mean?

A Well, I gather because the Bureau of Meteorology were conducting an inquiry, that they didn't wish to release the information.

Q38 O.K.

A But the information had been released publicly on the radio, so I - - -

Q39 Yeah.

A - - - was, I mean, it wasn't like - - -

Q40 O.K. I also - - -

A It looks like you've got it there.

Q41 I also show you another document in a report that I

have from the weather bureau. Is that the same as the document that you have, and which indicates wind speeds?

A Yes.

Q42 O.K.

A Yeah. It appears to be exactly the same.

Q43 O.K.

A Yes.

Q44 All right.

A So, it's, it's no different. Yeah. So, the reason why I particularly wanted to get hold of this information, because I had been requested by ....., which is a United States remote sensing journal to write an article about the weather, and in order not to present inaccuracies, I wanted to confirm that - - -

Q45 M'mm.

A - - - what I had. That was why I wanted the information. Sorry, we were at the oil rig forecast - - -

Q46 Yeah.

A - - - which tends to be extremely accurate, and my understanding is it's done commercially for someone like Esso or BHP and, but it's out of good will that it's provided, you know, it's read out. That indicated that by midday we were going to see plenty of wind, they'd said 30 to 40 with gusts to 50, and this was to increase to 40 to 50 with gusts to 60 by 6.00pm on the 27th. So, this, this discussion was going onboard on

B-52 at about, I guess about 9.30 in the morning, by which stage we were already into Bass Strait, so what we decided was that the conditions were fine to continue on out present course until about midday, but at midday we were probably going to go into survival mode, so what we did then was basically prepared the boat for worse weather, charged the batteries, and just kept going. But we changed down very early, we took, we dropped the mainsail. We took it off, put it down below, and basically the boat was ready for extreme weather conditions. At about midday was when we started to see winds well in excess of 50 knots, and at that point we agreed we're no longer racing, what we're gunna do is we're gunna keep the boat afloat, now we're in a good position, we've got plenty of sea room, we can run off wherever we want, and the indications were that by, that we were in the worse of it, but that by midnight it was going to start to ease, so, O.K, here it is, this is what we've got, the safest course for us to go is between about, it seemed to be, I have to say at this point that my job was the navigator, so, different from other races, my job was to report on the weather conditions, so I wasn't steering.

Q47 Yeah.

A So, my job was to say, this is what we should do. So, I don't have the experience that Wayne has of being on deck.

Q48 Yeah.

A What I have is, I knew what was going on with the weather and I could say, this is what's gunna happen, so that we split, you know, you split your paths.

Q49 Mm.

A So, that we ran off on a course that I believed to be, you know, 110 to 130 degrees apparent to the wind, and that seemed to be a safe course, until such time as the breeze got up, we had something up around 68 knots at which point we decided to drop the storm jib, it was, the conditions were too great for the storm jib. And so we did that, put it down below because it was safer to have it down below, wouldn't wash away. Then when conditions eased again, we'd put it back up again.

Q50 Right.

A You know, gave us better steerage. But everything was, you know, there was, the boat was under control - - -

Q51 Yeah.

A - - - you know, we were continuing to ..... water. When we dropped the storm jib and we ran off, we ran the engine again because we were sitting upright, so that, you know, we were continuing to do things that were in a seamanlike manner.

Q52 Mm.

A So, there was, we did the 2 o'clock weather, 2 o'clock SKED, on, with Young Endeavour. We were in pretty good shape, we were in the midst of it, but the boat was handling it as well as could be expected.

Q53 O.K. Now, what happened when the rollover, where were

you positioned and can you take us through that?

A O.K. What, yeah, what happened prior to that. Well, first of all, the conditions were still dreadful. There'd been a number of general discussions about, well, what do we do. Like, what are our options. And it was agreed that we were no longer racing, so there was no question of stressing things, but that we were taking the safest possible course. We wanted to confirm that, so, it just leads up to the rollover, that I, just trying to get the time. I think it was at 17.00, I listened to the weather forecast with ....., which you've probably would have heard of, and Derek forecast what was gunna happen with the low, it still was forecast to move away to the south-east quite quickly. I then called up Derek afterwards and I, from many years of sailing he recognised my voice, 'cause I'd spoken to him afterwards, and I said, "Can you just go through it again with me, the low. I just need to get this right in my head", and he at that point provided me with all the information he had, which was the high seas forecast, you know, the coastal waters forecast, eastern Bass Strait and we discussed it. I asked him for, I think it's northern Bass Strait, and he said, "Well, why do you want that? That's not where you are". I said, "I know, but I'm trying to get a feel for how far out it's extending". So, we had quite a detailed discussion and the result of that discussion was that it was forecast to move

away quickly, so that conditions were likely to abate within six or seven hours. So, we then had a general discussion that, well, O.K, we probably can't, we had decided that we were gunna take down the storm jib at night, was my understanding of the discussion, 'cause we couldn't see the waves, so you were probably better off running with it. After we had the discussion about ..... weather, we agreed that we would only have two people on deck, that we would keep everyone else, you know, on standby, like, we would continue the watch system, but that people would be below in their wet weather gear, so that it reduced the risk of hypothermia and you only needed two people with a storm jib. I was, at that stage still monitoring the radio, and there was various things going on. There was, Sword of Orion was, plenty was being discussed. We had the ..... was, it was, it's now clear that there was VC offshore, there were, one yacht that wasn't being identified and there was Team Jaguar. So, there were those problems that were being monitored. Wayne, the skipper, came down and said to me, "It's about time, you have to go and lie down", you know, "I need you later on. Get someone else to listen to the radio". So, I went and lay down on the starboard side of the vessel, underneath the cockpit there's a small gap of about that much, and I was lying there and it became apparent from the feel of the boat that the conditions were too extreme for the storm jib, even

then you could feel the boat suffering again. I sat up and said, "Look, I think we've got to get this sail off". There was general agreement. One of the guys that was on watch, who was still kitted up, slid the companionway hatch back, spoke to Mark Vickers, who was steering, and said, he said, "Is it getting too much? Do you want to take this down?" Mark said, "Yeah, good idea, we'll drop it on the deck again". Slid the hatch back and then I laid back down and was just basically lying there and there was a, my recollections of it were that there was a large roar, followed immediately by a big slap, and then the boat, extremely quickly, rolled to 180 degrees. Now, I don't know if you've seen the Bullimore exercise, where they recreate the roll. It, it happens that quickly. It's not like a knockdown where the boat sort of goes over, it just went, there was, there was no stability, the boat rolled over. So, I, 'cause I was in that small gap, I just ended up on the other end, so I sat up, but there was other people that were beside me ..... and things, so they were in a more precarious position than me, so I sat back, they climbed out, at which point I climbed out. And my first thought was, yeah, the keel's fallen off, 'cause there had been no, there was, there didn't appear to be any stability. I now, what I now believe happened is that basically the wave broke on us, so that, because it broke on you there was just no, no stability, so we were then at 180 degrees. As

soon as I sat up there were two thoughts. The first thing was, I said, "O.K. Everybody speak, like, let's hear who is here". And we, and then there was, someone said, "There's someone here". We grabbed a few people, 'cause the sails were in the middle of the boat and they had, you know, gone to the other end. All the items like the anchors and things were tied in, remained in position, and I remember thinking quite, like, 'cause I'd tied the anchors in and I'd been particularly finicky, and, you know, give me some more. So, I remember thinking, that's good. So, we ascertained that everyone was there. And someone said, "What about the two guys outside?" And my immediate response was, "Don't worry about them, there's absolutely nothing we can do about them right now". I remember it quite clearly, that's not a priority because there's nothing we can do, let's focus on what we've got at hand. My second thought was that I didn't have enough clothes on, it wasn't clear what was gunna happen, so I grabbed, 'cause I had, 'cause I was up and down all the time as a navigator, it's humid down below, but it's wet outside. So, I was, had my wet weather pants down here and my boots and everything were still on. So, I just dressed basically, put more items of clothing on, on the basis that, you know, you deal with yourself and then you can deal with everything else. We then had, and it was all fairly reasonably calm. I looked at the radios and they were,

one of them was upside, they were both obviously upside down, but one of them was immersed, at least one, and the handsets were fallen off. I figured since we were upside down there wasn't much point in worrying about that until we came upright. I think Wayne said to Linda grab the EPIRB. Of course it wasn't there, it was, you know, everything, so we grabbed that, we got the liferafts, put them in the middle of the boat, and then we had, the stormboards were in, you know, but there was, the inspection ports, so there was some water coming in there, but the boat appeared to be reasonable stable upside down, you know, it was sitting there and there was no immediate, I mean, I wasn't concerned that it was just gunna go - (DEMONSTRATES AUDIBLY) - my thoughts were it's reasonably dry here, this is O.K. for the moment. And we just basically got equipment together in the middle of the boat, we had the flares, we had the EPIRB, so that we were able to deal with those things. After what, we, and what happened afterwards was, as soon as, when we came, just to jump ahead, when we jumped back up, when we came back up, within about 15 minutes I grabbed the wet notes and started making a log of what we had, what was going on, because from previous things where things go on afterwards, you can never remember. At the time we agreed between three and five minutes was what we'd been upside down, so we were upside down for about three to five minutes. Wayne had gone up to the front

and we'd discussed ways of getting out if the boat had, was actually just suddenly to go - (DEMONSTRATES AUDIBLY) - you know, what would we do. It wasn't clear that that was gunna be a great success, but we discussed it anyway. Little things went through people's minds, like, Wayne had replaced the front hatch just because he wasn't 100 percent sure about it, and now here it was with all the water pressing against it, it was like, that was good. So, there were lots of things that were, you know, everything that could be tied down was, so that, that was all O.K. Then we rolled back and we went back pretty suddenly. I don't remember how I actually, I don't have a recollection of how I came to be standing back upright, but I do recollect that I was fine, but what happened is, when we came back upright, some people got dumped under sails. A couple of people shot out the hatch immediately we were back upright. Linda .... had her head stuck in our, under the stove and she got dragged out and she emerged with sort of blood pouring from her and said, you know, and I was at the nav station, and, you know, 'cause my first thought was, O.K, now let's have a look at these radios now that we're back upright. So, she emerged and said, "Stick your hand there". I reached around, opened the thing, grabbed a bandage, handed it to someone else, said, "Here, just wrap that around her head and hold that", and then we, then one team went on deck and started cutting away the

rig. We ascertained quickly that both guys were there, one on the stern, one on the bow. Wayne co-ordinated the deck and I basically co-ordinated down below, in terms of had two people bailing, one person on bilge pump. Mark, who'd come out of the water, as soon as he'd basically climbed back on the boat, grabbed the bilge pump handle, set it down, handed it to someone, said, you know, stuck it in, said to someone, "Sit there and start pumping", and then he started pulling the backstay out, you know, the running backstays out, 'cause he knew we were gunna have to lose the rig, so, there was no sort of what do we do now.

Q54 Yeah.

A It was, had to do all these things and, yeah, so that's what, we just proceeded along.

Q55 O.K. So eventually you got rid of the rig?

A Yeah.

Q56 The helicopter turned - - -

A In about 15 minutes, the rig.

Q57 O.K. Helicopter turned up?

A The, well, prior to that, what happened was, so we dealt with the immediate issue of the rig - - -

Q58 Yeah.

A - - - punching a hole in the side of the boat and that there wasn't a huge hole in the boat. We were making ..... water. ..... came down and we had a discussion about the EPIRB, and Wayne said, "Well, it has to be grave and imminent danger to turn this on",

and I said, "Well, look, I've been sailing for this many years. This is grave and imminent danger. We still don't know what's happened to the keel" - - -

Q59 Mm.

A - - - you know, the radios, I'd ascertained the radios were not functioning, made a couple of attempts at Mayday, but not, wasn't functioning, so that we are in grave and imminent danger. If we go, it's gunna be like that, it's not gunna be let's turn the EPIRB on.

Q60 Yeah.

A So, and it's gunna take time for people to get organised, so this will be a good time. So, we agreed, we turned it on, and then we proceeded to keep dealing with the boat. Got a fair bit of the water out, every time we took a big wave we would take more water on, but then at 8.00, about 8 o'clock, on dusk, we set off a parachute flair, 'cause it was now dark enough to see what was going on. But that, then we sighted a plane, set off a red hand flare. We had, during the day we already had the V sheet, you know, dusk, but you could see what was going on, the V sheet had been torn. The V sheet, just with the little pilot, you know, flicked away, but, and then we had a helicopter, planes took up station, and then at about 10.30, 22.30 the helicopter arrived.

Q61 Yeah.

A At the time the helicopter arrived, I was actually working on the engine, 'cause it had been upside down.

It was the right way, we'd come the right way up. Wayne's the mechanical sort, he gets crook down below but his brain stays functioning, so he was directing me to turn the engine over by hand, check the oil, so we were basically, O.K, well sure, maybe a helicopter will turn up but we need to deal with plan B, C, whatever.

Q62 .....

A And so at the time that the helicopter arrived, that's what I was doing. So, when Wayne, when the helicopter arrived, Wayne said, "You go up on deck, co-ordinate what's going on", 'cause in my, because of my qualifications, I've done a number of sea safety courses at the Maritime College in Tassie and done the whole bit with helicopters and stuff.

Q63 Right. O.K. And eventually you made it into Eden?

A Yes.

Q64 O.K. Now so far as the wind speeds are concerned, what was the highest wind speed that you - - -

A The highest sustained wind speed, 'cause we have a computer that's recording the sustained wind speed, rather that gusts.

Q65 Yeah.

A The highest sustained wind speed that I saw, where probably a minute average, was 68 knots.

Q66 Do you have that data available, that hard data available on disk?

A Apparently Wayne handed the computer over to someone. Apparently the hard disk was not retrievable, but I

didn't follow it up. I wanted, this was the information I initially wanted.

Q67 Yeah.

A But if that hard disk was recoverable then there would be plots of wind directions there.

Q68 Yeah.

A Mm.

Q69 So far as your experience in sailing in a great number of seas in the world, how do you rate the Bass Strait as far as a sea or an area?

A Yeah. It's very messy because of the, the, basically the Strait and the EAC meeting together, so that you get the, the waves seem to be a lot steeper. It's a, it's a shit of a place.

Q70 Yeah.

A But, yeah, so I rate it as one of the bad areas. There's probably five or six around the world that have a very bad reputation and certainly Bass Strait is one of them.

Q71 O.K. Can we just go back onto Wilson's Prom. I think we may have brushed over it a bit quickly as far as the, the wind speeds are accentuated there than what they really are. How do you determine that and what did you, how did you come to that conclusion?

A Because it's at a height of 90 metres.

Q72 Right.

A And friction, surface friction tends to reduce wind speed. You tend to get higher wind speeds as you go up

in altitude is my understanding of meteorology, and at Wilson's Prom there's a lighthouse and I guess there's a recording thing and there's not much else there. And the, because it's a narrow, X area, you know, it's one of the narrowest parts of the strait. I think it seems to funnel through there and it always reads more than Gabo Island for instance.

Q73 Mm.

A It just tends to over read and it tends to, the other one that's interesting is Cape Grim down on the north-west coast of Tassie. I remember thinking about that one, because that, what you're always trying to do is plot where the front is, you know, and Wilson's Prom, King Island, well, Flinders, King Island and Flinders Island give you a clue for where the front's coming, so that's why Wilson's Prom is a good indicator of what's coming, but you tend not to see the same amount of wind that's in Wilson's Prom, but as it turned out, you know, it was the low, not the, we're not really dealing with the front, we're dealing with the low, but there was, throughout the forecasting, no-one, what I, all I really wanted was someone to give me a latitude and a longitude of a low and a forecast movement, whereas they were not, I couldn't actually get that information, you know, 'cause then you can go, O.K, we're, it was clear from the wind direction what quadrant we appeared to be in, but - - -

Q74 Mm.

A - - - it was by no means sure that even if we turned around and went north-east, that we weren't gunna be back into it.

Q75 Mm. Yeah.

A So, we're on this quadrant of it, and almost come in, because it was, the breeze had come all, well into the, I mean, it was about at 284 at one point, which meant to me that we were, you know - - -

Q76 So, you were saying that you were in the, in the north - - -

A Sorry - - -

Q76 - - - in the south-west quadrant?

A That was our initial, but we weren't, we were, we might have initially been, but then we certainly ended up at, 284 being magnetic, so, variation east, compass ...., so it was around at 290. So - - -

Q77 M'mm.

A - - - that seemed to suggest that we were actually to the north of it, but you, you know, you're doing the basic - - -

Q78 Yeah.

A - - - O.K, it's spinning like this - - -

Q79 Yeah.

A - - - we're here.

Q80 Spinning clockwise?

A Yeah. And depending on as the breeze had clocked that way - - -

Q81 Yes.

A - - - it seemed to suggest it was moving away.

Q82 O.K.

A If the breeze had, you know, clocked the other way, it might have been moving towards the .....

Q83 Yeah.

A It was a matter of, but the forecast was for it, was continually, not that it was stationary, but that it was moving away. So, that you would expect conditions to abate.

Q84 All right. So, you rely on the winds coming through the areas that you suggested to give you an indication where the front is and the speed of the front?

A Yes. The interesting thing was that my recollection was that King Island was, you know, at 10 knots or 15 knots or something.

Q85 Mm.

A You know, so, that that was where we were, that was, we were trying to get to that - - -

Q86 Mm.

A - - - part of the world and it was like, Wilson's Prom was unusual, even the oil rigs weren't forecasting, I mean, Wilson's Prom is a fair way from where we were.

Q87 Mm.

A But I, I mean, I picked Wilson's Prom up because it's a, ... warning signal, doesn't necessarily mean you expect that ....., but I think that, yeah.

Q88 So, you just, you pay attention to Wilson's Prom, mainly for where it is and the time that it hits more

than the actual wind strengths indicated?

A The wind strength's usually a good indicator, but we were dealing with a low here - - -

Q89 Yeah.

A - - - not a passing front.

Q90 Mm.

A So, it's very good a, like, you know, Wilson's Prom goes from being 5 knots to 50 in a matter of an hour or two, it just - - -

Q91 Mm.

A So, 50 knots at Wilson's Prom is quite, I've seen it plenty of times.

Q92 M'mm.

A But I've never seen 71 or 79, so it was like, I hadn't actually done all the sums as to how that made sense, but it was like -

Q93 O.K. Is there anything further you'd like to tell us? Anything you'd like to suggest or inform us of that may assist us with our inquiry? Any ideas so far as the race itself, the weather reporting?

A There's a, just from my own - - -

Q94 Yeah.

A - - - perspective, there's a tendency on boats that, when you're dealing with a crew, that you don't actually, like, I'm not just the navigator.

Q95 Yeah.

A I, in terms of I also steer the boat and various other things, but there is a tendency, because a navigator is

someone that might be not good at other things, that you may minimise that role. It used to be in '83, when I would do an ocean race, that I had to actually provide a certificate saying I could celestial navigate and everything else, so that it was clear that this was a person who was a navigator, and that the role, and the important role is now not where are you, so much as where are you relative to what's happening. And there's been a number of people saying, you know, quite publicly, the weather was actually really badly reported. I don't believe that to be the case. I mean, I think that there was plenty of information about and we, we wouldn't have done anything different. We did, you know, there was more wind than we expected, but it was up, I mean, we knew there was a bad blow, O.K, so that you did everything that you possibly could for that situation. If we'd been up on the coast, you know, we probably would have gone stuff this, let's go to Eden. But we were already there, and so there's not much, there wasn't much option.

Q96 Mm.

A So I, I felt that, that it's an ocean race and one of the well known ocean races. It's not, I don't feel that people need to hold your hand, but I do feel that people need to expect a certain amount of experience on the boat so that you actually obtain the weather. I mean, people are saying, we didn't know what was going on till the 2.00pm sked, but by that stage, you know,

that, from 4.00pm the previous afternoon there was a storm warning. They don't put out storm warnings lightly, so that it was then a matter of gaining weather information from everywhere you could.

Q97 Yeah.

A If you happened to be, no navigator doing that job and it's just like, well, turn the radio now and get the - - -

Q98 Mm.

A - - - you know, then that's when the problems being.

Q99 Yeah.

A So, that's one thing. The, and I don't know how they do it, but the, we were lucky in having a crew on the boat that were able to continue to function.

Q100 Yeah.

A If you, I mean, the seas were so bad that if people are crook, then you basically, the boat starts to shut down and you're left with no people to drive these things.

Q101 Yeah.

A So, I don't know how they figure that out, but I, I don't agree that the way they do it now is that the CYC, that they say, this guy's got 15 Hobarts, obviously he's experienced, whereas this, I mean, the people that came from the UK may have never done a Hobart in their life, but I'm sure that they had extremely experienced people on.

Q102 Yeah.

A Sitting on the rail going from Sydney to Hobart doesn't

mean that you're experienced. Experienced means not that you did it, but that you were active in either steering or, you know, something.

Q103 Mm.

A So, that there's a, I'd certainly tighten up on that. That's, that's the main thing - - -

Q104 Yeah.

A - - - that I, it's just, the only reason we're still here is that we had experienced people that did the right things at the right time, so, I feel even more strongly that I'll make sure - - -

Q105 Yeah.

A - - - and that Wayne is someone that fastidiously looks, maintains the boat. Like, just before the race there was one small nick in one of the lifelines, so he replaced all the lifelines on the top, and then when the mast fell over, it was jumping up and down on the lifeline for 10 minutes, like, if they hadn't have been new lifelines, ping - - -

Q106 Mm.

A - - - ..... so it's - - -

Q107 Yeah.

A But you can't, can't legislate for that, but you can, as a race committee you have an idea to how you assess people's experience.

Q108 Mm.

A It's - (Tape beeping) - storm sails were, in hindsight, they were too big for the conditions. When you go back

and you look at the early Whitbreads and things, they would go one, two, three, four, five, six, and they would have a six, number six sail - - -

Q109 Mm.

A - - - you know, before they would go to a storm jib.

Q110 Mm.

A But I don't know many boats that go beyond a four now.

Q111 Yeah.

A So that, and then, so that you just need to, these have to be this size, like, we could have done with some sail that was smaller that a storm jib.

Q112 Yeah. Anything else?

A It makes a big difference, I mean, it makes a big difference to me that I've done all these helicopter courses and things.

Q113 Yes.

A When the, hits the fan you feel comfortable - - -

Q114 M'mm.

A - - - that you'd at least know what's going on.

Q115 Yeah.

A And I think - - -

INTERVIEW SUSPENDED

INTERVIEW RESUMED

DETECTIVE SENIOR CONSTABLE GRAY

Q116 Yeah. The time is 11.23am. Do you agree that the first lot of tapes stopped suddenly?

A Yes.

Q117 And we've since changed the tapes. The interview

between Gray and Oxley is continued. And I believe you were discussing the helicopter side of things, signals and - - -

A I, my point was that I think it's, you have to have a licence to drive a car these days, it's very useful that people should have certain amounts of experience in the unexpected. The only other thing, there was, I mean I watched the Four Corners with interest. I had quite a few discussions with one of the people that was organising it. I said, "Look, I'm not interested in being interviewed, but I, but some of the things that you're suggesting, you know, here are the facts", so I was interested in presenting the facts, rather than, you know, plenty of other things. But one of the things that was discussed was the issue of people not knowing what was going on and not repeating what Sword of Orion had to say in terms of the weather and what they should do. They'd already, they had actually said please monitor your radios and it made perfect sense that you would keep listening because of what was going on. We heard what Sword of Orion was saying and so should have everyone else listening to what was going on, so it wasn't a matter of, and if you were trying to get the message across, if your radio was sort of tautological, if your radio was on, you heard it, if your radio was off, it wasn't going to help that they repeated what they said.

Q118 Yeah.

A So, there was that sort of an issue.

Q119 Yeah.

A And I think that it's just an experience issue that relates to, you know, if you've switched on to, O.K, well now we're gunna stay alive, then you're listening to the radio and everything.

Q120 Yes.

A If you still maybe haven't seen what the sea can do at that height, then maybe you're still continuing thinking, yeah, well, we'll just keep going.

Q121 Yeah.

A There's a point at which you switch what you're thinking.

Q122 Mm.

A And even then, we did that but we still rolled over.

Q123 Did you hear much conversation between the radio relay ship and Team Jaguar at any stage?

A There were bits, yeah, there were bits going on. I, ... given everything else that went on, that wasn't stuff that, you know, your memory tends to push things out that didn't seem - - -

Q124 Yeah.

A I mean, it appeared as if, and now I don't remember, because I've, you hear so many other things, so that you've got a picture in your mind, but -

Q125 Do you, well, do you recall if there was a fair bit of chitter chatter between Team Jag and the radio relay ship which really wasn't necessary?

A Um -

Q126 If you can recall.

A Yeah. I wouldn't, wouldn't make that -

Q127 What Maydays did you hear?

A We heard, there was definitely Team Jaguar's and then there was Offshore, but there wasn't, it wasn't clear that that was Offshore to me until later - - -

Q128 Right.

A - - - because it was, the helicopters and things were referring to it as "that vessel" - - -

Q129 Right.

A - - - or they, they were not referring to the vessel by name.

Q130 Right.

A And then just as I had gone to lie down was when the person fell off .....

Q131 Right. O.K. Anything Dave?

SENIOR CONSTABLE UPSTON

No, I have nothing further.

DETECTIVE SENIOR CONSTABLE GRAY

Q132 Anything else you'd like to add?

A No, I don't, I don't think there's more that I would add. I think that, had it have happened 10, had this have happened 10 years ago or something, there might have even been more loss of life - - -

Q133 Yeah.

A - - - but definitely things have been improving in terms of safety and how people regard it, and what we

carry on the boats, and I just regard this as sort of another step in the process of, you know, making it safer.

Q134 Yeah.

A But I, I think of experience being the, I mean, you look at the ..... of boats that came to grief or didn't come to grief and there's no type that you can look to and go, well, look, you can't have that sort of boat, but, and there's not even, the experience doesn't always make a difference, but it definitely helps.

Q135 All right.

A Yeah.

Q136 O.K. The time by my watch now is 11.26. This interview is concluded.

INTERVIEW CONCLUDED