

**ECONOMICS AND INDUSTRY
STANDING COMMITTEE**

INQUIRY INTO 2011 KIMBERLEY ULTRAMARATHON EVENT

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 30 APRIL 2012**

Members

**Dr M.D. Nahan (Chairman)
Mr W.J. Johnston (Deputy Chairman)
Mr M.P. Murray
Ms A.R. Mitchell
Mr I.C. Blayney
Mrs M.H. Roberts (Co-opted Member)**

Hearing commenced at 10.28 am

HULL, MR MICHAEL

Competitor, RacingThePlanet Kimberley Ultramarathon, examined:

PITT, MISS TURIA

Engineer, Argyle Diamonds, examined:

SANDERSON, MISS KATE

Unemployed, examined:

VAN DER MERWE, MR SHAUN

Mining Engineer, Xstrata Nickel Australia, examined:

WALSH, MR GREG

Counsel Assisting Miss Pitt, examined:

The CHAIRMAN: Before we commence today, could I ask those of you in the public gallery to refrain from using audio recording devices as they may interfere with Hansard. I would also ask you to switch off your mobile phones during the hearing. Thank you very much for your efforts to appear before the committee today. This committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the house itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as a contempt of Parliament.

Before we commence, there are a number of procedural questions I need you to answer. Have you completed the "Details of Witness" form?

The Witnesses: Yes.

The CHAIRMAN: Do you understand the notes at the bottom of the form?

The Witnesses: Yes.

The CHAIRMAN: Did you receive and read the information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

The Witnesses: Yes.

The CHAIRMAN: Do you have any questions relating to your appearance before the committee today?

The Witnesses: No.

The CHAIRMAN: Any issues?

Mr Walsh: Not at this stage.

The CHAIRMAN: Thank you. For the record, would you please state your address and the capacity in which you appear before the committee today?

Miss Sanderson: Kate Sanderson. My occupation was receptionist, but I am currently unemployed.

Mr Walsh: My name is Greg Walsh and I appear for Turia Pitt.

Mr Hull: My name is Michael Hull. My occupation is IT specialist.

The CHAIRMAN: Thank you very much. The committee has received your submission. Thank you for your contribution. Do you propose any amendments to your submissions at this time?

Mr Walsh: Not at this stage.

The CHAIRMAN: Before we ask any questions, do you wish to make a brief opening statement that addresses the terms of reference?

Miss Sanderson: Yes, I would like to say something.

The CHAIRMAN: What we will do is just hold that a minute and clear the room.

Miss Sanderson: Because it is probably the only chance to get it out to everybody, I would just like to quickly say thank you to everybody involved in Kununurra for rescuing Turia and me and the other guys on the hill. There are so many more people than we know who helped and were involved in some way, and I just want to say thank you.

The CHAIRMAN: Thank you for that. Does anybody else want to say something?

Mr Walsh: Miss Pitt does not wish to make any remarks at this stage.

The CHAIRMAN: Again, what we will do is start with Miss Sanderson and work that way just for organisation, and of course, if someone in the group asks a question and you have a reply to that, please do so.

What draws people to ultra-marathons? What pulls you in? Could you also describe some of the other trail ultra-marathons that you have been through, particularly in Australia, but also overseas? Were these events, if you had any, organised in a similar manner to the ultra-marathon that you participated in?

Miss Sanderson: For me personally, I guess some people run because they keep wanting to get faster and improve their times, whereas some people want to run and go for longer distances. I am a pretty slow sprinter; if I do a 10 kilometre run, it does not suit me. Ultra-marathons are more appealing to me because I am a lot slower. You are out in the bush, you are going through trails and seeing the scenery, and it is just a way of challenging yourself and pushing yourself. That is why I have done them. I have done maybe seven 100-kilometre events and maybe 10, 50-kilometre events. All of them have been fantastically run. Some are in cold conditions where the risk is hypothermia; in some there is a risk of heat exhaustion. All have been run fantastically. Normally a 100-kilometre event is around \$200 to \$300 mark, whereas this one was \$1 600, so to do this event was just a graduation of going further than doing the other 100-kilometre events; this was in the desert and it just appealed to me.

The CHAIRMAN: Did you ever run previously for a race organised by RacingThePlanet?

Miss Sanderson: No; I just heard about them in the last couple of years. And once you have done a few 100-kilometre races you progress to 250-kilometre staged events, and that was what I was heading to.

The CHAIRMAN: In what other places did you run these events?

Miss Sanderson: Just a mixture of places: the Victorian Alps; the Great North Walk in Sydney or just out of Newcastle; a few Oxfam Trailwalker events, which were in Melbourne and Sydney; all different terrains.

The CHAIRMAN: How did you hear about RacingThePlanet and the race specifically in Kununurra?

Miss Sanderson: Just being in the circle of ultra-running and on the websites. A few people have done the staged events overseas, so I have heard about them for a long time. The 250-kilometre event in 2010 I only found out about after, so I was looking on the website and then found this event was coming up; it just suited me perfectly.

The CHAIRMAN: When you sign up for it?

Miss Sanderson: Probably about eight to 10 months before.

The CHAIRMAN: So you knew 8 to 10 months out that it was going to be a goer, you had an expectation of doing that?

Miss Sanderson: Yes.

The CHAIRMAN: You paid an entrance fee, did you not?

Miss Sanderson: Yes, \$1 600.

Mrs M.H. ROBERTS: I understand you have also done the Kokoda Trail?

Miss Sanderson: No.

Mrs M.H. ROBERTS: Have you done other overseas ultra-marathons or were they all in Australia?

Miss Sanderson: No; they were all in Australia.

Miss Pitt: I have always liked running, ever since I was younger, but I had never entered an ultra-marathon before this; it is my first one.

The CHAIRMAN: Turia, are you a regular runner?

Miss Pitt: Yes.

The CHAIRMAN: Towards the longer distance style?

Miss Pitt: Yes.

The CHAIRMAN: You were brought into the race right before it started, were you not?

Miss Pitt: I thought that the money they were asking for was a bit ridiculous—I thought it was too expensive—and I knew that there were heaps of other ultra-marathons, so I thought I would just wait for one of them. But then one of the ladies rang me up two weeks before the event and she said that as I was a local of Kununurra, would I like to enter.

The CHAIRMAN: How did they find out about you?

Miss Pitt: I had registered before then.

The CHAIRMAN: So you gave them a mailing—you were active as a volunteer for St John Ambulance, were you?

Miss Pitt: Yes, that is correct.

The CHAIRMAN: Had you entered running events around Kununurra before?

Miss Pitt: Yes; I did a half-marathon, which was 21 kilometres.

The CHAIRMAN: When you signed up for RacingThePlanet, did you know anything about them, their organisation or the event in 2010?

Miss Pitt: I did not live there in 2010; I only moved up at the beginning of last year. I remember when I told some of my friends about the race, they said that previous year a lot of people had suffered from dehydration.

The CHAIRMAN: And that did not put you off?

Miss Pitt: It did a little bit, yes, so I spoke to my brother for a long time about managing dehydration.

The CHAIRMAN: You recognised the issue and addressed it the best you could.

Miss Pitt: Yes.

The CHAIRMAN: You know the conditions up there.

Miss Pitt: I had only been living there for eight months, so I was not really that familiar with it.

Mr Hull: I compete for the personal challenge. I am not an elite runner; I am just a guy who goes out there and enjoys pushing himself. I have had 20 years in exercise through iron man triathlons and this was a logical next progression to start competing in ultra-marathons. I have done a lot of ultra-marathons over the last 10 years, both within Australia and overseas.

[10.40 am]

I have completed the four desert series run by RacingThePlanet. That is their 250-kilometre race series. They hold three of them annually and one biannually—the Gobi Desert in China, the Atacama Desert in Chile and the Sahara in Egypt, and the biannual one is in Antarctica. It covers all conditions—the hottest, driest, wettest et cetera deserts in the world. It is a personal challenge to achieve those milestones. I also competed in the 2010 race in the Kimberley, as the once-off race, which they have each year. I was invited to compete in last year's 100-kilometre race two weeks prior. I was actually in England about to commence a 100-mile race through a trail over there when I got an email from the race organisers saying would I be interested to come and compete in this year's event. They said there was a lot of media coverage, they wanted to do a documentary and it was part of a plan to have this as an annual event run up in the Kimberley. I said if I pulled up okay from the 100 mile in the UK two weeks prior, I would commit to entering this race and assisting where I could, so I fulfilled that commitment.

The CHAIRMAN: I assume you pulled up all right.

Mr Hull: Yes.

Mrs M.H. ROBERTS: So it was complimentary—you did not pay.

Mr Hull: No, I did not pay. I understand a lot of other runners did not pay as well. I think they were trying to get the numbers up. It is the most expensive ultra-marathon in the world, without a doubt. As Kate said, most marathons that are ultras are between \$300 and \$500. This was \$1 600 for the experience, plus, on top of that, the travel cost to get there and accommodation. So it is an expensive day in the sun.

Mr W.J. JOHNSTON: How much did you pay to enter the 100-mile race you did immediately before in England?

Mr Hull: I paid £99 for that—around the \$300 mark.

The CHAIRMAN: What was your experience with RacingThePlanet in the other five events?

Mr Hull: I have had no problems with them in terms of their organisational ability and what they have done for the competitors. These other ones are different races. They are 250 kilometres over six days. The entry fee for those races is \$3 000. Like this event, you had to be self-supported, so you would take all your food with you. What they did was provide you with a tent each night and boiling water. You provided all your own food. They had medics there for blister management et cetera or any other injuries that may happen in the course of the week. They were run in fairly remote locations around the world and harsh conditions. I personally had no problems at all with how those races were conducted.

Mr M.P. MURRAY: Do you get a preview of the course or any condition of the course before you go out there?

Mr Hull: Never. In other ultra-marathons, you receive information. For both the two races that Kate mentioned—the North Face 100 and also the Great North Walk 100 in Sydney and on the central coast—you get topographical maps detailing exactly where all the checkpoints are. You know the terrain by reading the maps. If you cannot get access to train on the course, you know where you are going. The tracks are very, very well marked, specifically the North Face 100 in the Blue Mountains; that is an excellent well-marked map.

Mr I.C. BLAYNEY: Would it be fair to say that none of these four deserts would carry a fire?

Mr Hull: I have never experienced a fire or anything like this. It is a desert environment. In the Sahara, there are no trees.

Mr I.C. BLAYNEY: So you could not have a fire there?

Mr Hull: No. In Antarctica there is nothing; it is ice. Atacama is the driest place on earth. There are no trees, no foliage, no nothing; there are salt pans. The Gobi Desert was just dirt and dust. This environment is totally different from anything else that I have competed in.

Mr W.J. JOHNSTON: When you were doing the one in Antarctica, or the other ones, what medical evacuation arrangements were you aware of?

Mr Hull: I was not aware of any. In fact, in my first race in 2007, I specifically remember on day 3 in the Gobi Desert, it was a 40-kilometre stage. It was up a mountain pass and down a mountain pass. The instructions were that if you got into trouble that day, the only way they could get you out was a donkey. That appeared to be their emergency evacuation plan for that particular stage of that event.

The CHAIRMAN: Two things stand out with those four races. One is that they are extremely isolated places that actually have minimal state-based or otherwise emergency assistance.

Mr Hull: Yes; correct.

The CHAIRMAN: Secondly, they are all varied. There are two things. First, did you talk to people about what would happen if things got in trouble, and they would vary from place to place? Second, do you think each place would throw up different types of risks—Antarctica versus Gobi Desert?

Mr Hull: Yes, everything is different. You put your trust in the organisers. You pay a lot of money. It is up to us to get to the level of physical fitness we need to complete that. You rely on them to provide the proper medical facilities, any evacuation, the staffing of the event, the volunteers et cetera. As you said, there is no fire risk up there. In the Kimberley, there was no real warning of fires as well. They have not had to do it at any of the other events.

The CHAIRMAN: At those other events, did they have medical people running with you or as volunteers?

Mr Hull: There are medical people on as volunteers. They are generally at various checkpoints along the way. It is not every checkpoint; you may get one at the first checkpoint and one at the third checkpoint. There is obviously somebody at the end of the race. There is always a medical tent set up at the end of each stage that you will go in if you need some management for assistance.

Ms A.R. MITCHELL: Can I just confirm, Michael, are they specific medical people or are they general medical people?

Mr Hull: As far as I am aware, they are generally doctors from hospitals in the United States. In terms of their exact qualifications, I do not know. You get introduced to them at race briefings and they introduce themselves as Dr Brandee Waite and she is the head doctor and assisting her will be another doctor and there would be volunteers. There are generally two or three doctors in those staged vents.

The CHAIRMAN: Is it true in your experience that RacingThePlanet concentrates its activities on places where there is no safety backup, so you have no choice but to be on your own, if you wish? That is not the case for Kununurra.

Mr Hull: Yes, it is. They promote it as a self-supported event, so it is up to us individuals to get ourselves from A to B and to the finish line as best we possibly can. They will help where they can, but it is not encouraged to go to the medical tent. If you have got blisters, you have got your own medical kit with you, which is mandatory equipment to take. They encourage you to look after your own blister management, which is the general type of injury you get out there. For anything more

severe, like sprains, breaks, nausea or dehydration, you would go to the medical tent and they would look after you with IV fluids et cetera.

The CHAIRMAN: Do you detect any difference in terms of preparedness and risk assessment and care for the participants with RacingThePlanet versus other marathons or similar events that you have run in?

Mr Hull: Yes, I do. There are more resources available in other events. RacingThePlanet seems to run on a skeleton staff. Remember, a lot of them come from overseas, so it is a cost to bring the people in. Volunteers go to regions where they do not know the area, whereas in other races you always get the community involved. There is the volunteer bushfire brigade, Lions and Rotaries. There are local running clubs and local sporting clubs that also typically benefit in some way, shape or form by offering their volunteers and support for those events. There are more staff. Yes, there is a big difference.

The CHAIRMAN: Were you involved in the Gobi Desert race where someone was severely injured?

Mr Hull: No, I was not.

Mr I.C. BLAYNEY: I am curious. Did you say you had done the one in the Antarctic?

Mr Hull: Yes.

Mr I.C. BLAYNEY: Obviously, all I know about the Antarctic is what I have read, but you can get these huge storms that come in—horrific conditions.

Mr Hull: Yes, absolutely.

Mr I.C. BLAYNEY: Howling winds, snow—a blackout, virtually.

Mr Hull: Yes, white-outs.

Mr I.C. BLAYNEY: I think “white-out” is an aviation term, but when the snow storms come in. To me, it just seems amazingly foolhardy to go down there for seven days to walk that particular distance when you read what the early explorers went through down there. In reality, your situation is not really much different from what it was for them.

Mr Hull: It is a lot different. We are not on the ice all the time. Unlike the other races, for the one in Antarctica, you are on an icebreaker. It was over seven days. The icebreaker would go to a certain location, you were shipped to shore via Zodiacs and then the race organisers would typically map out a course. It would be no more than a kilometre and you would do laps of that course. So you are running in a course. It was up to the actual captain of the vessel to determine when it was safe to go on and when it was safe to come off because of the weather patterns. So he would say, “Okay, we have got stage 1 today. You’ve got four hours: you’ve got to get on and off within four hours.”

[10.50 am]

Mrs M.H. ROBERTS: Presumably he has access to satellite technology and —

Mr Hull: Yes. They have all the mod cons. Yes; it is a harsh environment down there and it is the captain of the vessel who really runs the show down there. RacingThePlanet did not have any jurisdiction to challenge him in terms of saying, “No we’re going to stay for eight hours.” If he said four hours to get on and get off, you had to go. And there were dangers when we could not actually race because the conditions were such that he would not allow us on there.

The CHAIRMAN: Did you consider the conditions you were exposed to in Kununurra when you ran the 2010 event harsher or different—they were different, but were they harsher than the other races that you have run with RacingThePlanet?

Mr Hull: Oh, very much so. A good indication was that the other races that I competed in took around 40 hours: it took me 60 hours to do the 2010 race.

Mr M.P. MURRAY: I see one thing here that you may be able to fill me in on. My understanding is that in endurance horse racing the animals are vetted every so far. If they have an elevated heart rate they are rubbed out. If they have a slight lameness, they are rubbed out. What checks are put in to say that you cannot go any further—as per that race?

Mr Hull: It is really up to the individual. I mean, I have never been stopped and asked simply am I okay? Do I want to continue? Or whatever. If someone was clearly in a visibly bad way, I would expect that the medical person at a particular checkpoint would stop them and say, “No, you can’t go on unless you have water; unless I see you urinate,” or whatever the case may be to indicate levels of hydration.

Mr M.P. MURRAY: But there is no compulsion that —

Mr Hull: There is no compulsion.

Mr M.P. MURRAY: — or anything on the entry form for anyone whatsoever —

Mr Hull: No.

Mr M.P. MURRAY: So you could go on until you just —

Mr Hull: Until you drop.

Mr M.P. MURRAY: Yes.

Mr Hull: I was not there in 2010 in the Gobi, but I believe that is what happened to that competitor.

Mr M.P. MURRAY: Okay.

The CHAIRMAN: But that is not unusual in ultra-marathons or marathons, which I have run. There are always a few people dropping on the wayside—collapsing or struggling.

Mr Hull: I think that if you look at the sheer volume of numbers you can have 3 000 people in a marathon and that is 42 kms, and there are checkpoints every two kilometres.

The CHAIRMAN: Yes.

Mr Hull: So it is totally different and it is in a commercial environment so I do not think there would be a fair comparison between them.

Mr W.J. JOHNSTON: Can I just ask: was the medical kit that was required of you by RacingThePlanet different from each of the four other races —

Mr Hull: No; every racing kit is the same and it is basically a blister management kit. You generally have—oh, there was only one additional thing that we had to have in both Kimberley races, and that was a bandage for snakes.

The CHAIRMAN: A bandage?

Mr Hull: Yes, it was a compression bandage, basically. Other than that you can buy the medical kit, which meets all the mandatory requirements, off the website and it includes blisters, second skins, some Betadine, bandaids et cetera.

Mr W.J. JOHNSTON: In respect of that, if they have asked you for the Kimberley races to have a compression bandage in case of a venomous snake bite, what did they tell you in the briefings regarding venomous snake bites?

Mr Hull: Just how to bandage your arm if you were bitten. That was it.

Mr W.J. JOHNSTON: What about how they were going to extract you if you were bitten?

Mr Hull: There was nothing about extraction. There was nothing about—you know, even in 2010 they warned of crocodiles. They said, “If you see a crocodile, run the other way. Don’t go near it:

it's common sense." They mentioned in this one about how to bandage in case—you know, where to bandage from; just basic first aid. There was no mention of any other threat in terms of bushfires or anything. If you fell and broke your leg, what do you do? There was no information relayed to the athletes around what they should do in case of an accident like that.

Mrs M.H. ROBERTS: Clearly, there are some threats to you as an individual that you are responsible for—your own level of fitness, your capacity for endurance, your training and so forth. But it seems that the factor at play here was something that was external to anything that you could do anything about, and I note that you have commented that in the Antarctic there was somebody making a decision about whether you could proceed with a certain stage or a certain part of the event, and for how long you could do it. Are you aware of anyone who, in the circumstances of the Kimberley, made the call whether the race should start or not? I mean, knowing that there are fires in the area, potentially someone has to make the call: should this race go ahead? And when you are talking about that you might advise me if you are aware of any events that have not gone ahead. And then, from stage to stage, if information came to hand—as it would appear that it did from the gyrocopter pilot—that there was a fire that was likely to cross the course in two hours, who was it from RacingThePlanet that you think could make a call in that regard to say, "Look, we are closing the race off at stage 2; we don't think runners should go from stages 2 to 3." I note that Mary Gadams was participating in the race herself, so I personally do not see how she could have done that. But was there a course director or somebody, given that she was involved as a competitor, who could make the call on behalf of these people—looking at the external factors of dangers like fire or flood or whatever—who could say, "We're cancelling the race from the start" or "We're now not allowing runners to proceed from stage 2," or stage 5 or whatever.

Mr Hull: Wow! That is a long question.

Mrs M.H. ROBERTS: Yes.

Mr Hull: I think that if you go back to the briefing, it is the race director and at every race the race director is the person in charge on the day. It is their call whether you go or do not go and on what happens during the course of the event. One of the issues that we had in this instance was that there appeared to be a lack of communication; that is, the satellite phones did not work. So how were they going to communicate between checkpoints and the course designer and the race director about what should happen; when it should be cancelled; where it should be cancelled; what they do with the competitors on the course; and how do they get them off? It is a fundamental flaw in terms of basic race director and basic race organisation—that the sat phones did not work. Therefore, the knowledge transfer between the group looking after us was not there. So if Sam Fanshawe, the race director, wanted to make the call to cancel the race, how would she do it?

The CHAIRMAN: Did that same problem exist in the other races that you went through with RacingThePlanet?

Mr Hull: No.

The CHAIRMAN: They had better communication?

Mr Hull: Yes. And they blamed the geography, but, I mean, this is nowhere near as harsh as some of the other places.

The CHAIRMAN: What about in 2010 when they ran in basically the same area?

Mr Hull: Fine—had no problems with communications—not that I was aware of. There was no issue with communication with checkpoints. There were people coming to us on, I remember, stage 1, which was the day when everybody got dehydrated. Volunteers were leaving checkpoints and coming to us to give us water to assist us between the stages. They obviously had communication out there; that is, runners who were getting to the end of stage saying that there were guys and girls in a bad way who needed some extra water because they are not making it to the checkpoints.

The CHAIRMAN: And that is the basis—do you think that if you would have experienced the problems in 2010 that you experienced in 2011, without the fire, that you would have gone on that 2011 race?

Mr Hull: Look, I always like a personal challenge but if I thought that at some stage I would be at risk in 2011 I would not have gone. And just to go back to Michelle's other question in terms of other races that have been cancelled because of fire and stuff —

The CHAIRMAN: Yes.

Mr Hull: There are a lot of races around the world. This race had 41 people signed up to do it. The Western States in the US has, you know, 800 or 900 people who have qualified to get there. That was called off the day before the race because of the threat of bushfires in the general area. There was a race in France called the UTMB—a 100-mile event. It was called off 20 kilometres into the event and that has 2 000 people in it. So it is not unprecedented that a race gets called off. There was an ironman triathlon two weeks ago in New Zealand that was called off and then postponed to the next day because of the wind and rain conditions.

Mrs M.H. ROBERTS: Can I just ask one quick follow-up on that then? Are you aware whether, as course director, Sam Fanshawe actually made a decision to go ahead with the race? You know, looking at the start of the race, was that actually a consideration to go ahead or not? Are you aware whether she actually formally made a decision in that regard and whether or not she made any decision that the race should continue despite advice that there were potentially hostile —

Mr Hull: I am not aware of what Sam's thoughts were or discussions that she had with Mary prior to the event or —sorry.

[Conferring with counsel.]

[11.00 am]

Mr Hull: Just in relation to that, there were two people. There was obviously Carlos, who was the course designer. He was out on the course all day, the same with Sam. But look, to refer to Carlos's statement here, in terms of whether Sam had or was going to call it off at any stage, there is some conjecture around the timing and when they were or planning to discuss calling it off, because in Carlos's statement he says when he arrives at checkpoint two, which is the last checkpoint we left before going into the gorge, he received a message from the media helicopter that a fire was coming towards that checkpoint and it would be there within two hours. He goes on to say that he arrived at that checkpoint at 11.00 am. So from 11.00 am someone in power had knowledge that things were going to go bad within the next two hours and nothing was done about it, whether that is because he did not take it seriously or he did not contact Sam.

Mrs M.H. ROBERTS: What time were you at that checkpoint?

Mr Hull: I think we went through there at around 10.30 am, I am not sure, but the records would indicate—you have to get checked in and get checked out at checkpoints; it started at eight o'clock. I am thinking around 10.30 am to 11.00 am we were there. Is that about right?

Miss Sanderson: I think I left checkpoint two about midday or something like that.

Mr Van Der Merwe: If I could interject, there is actually a photo with the time on it. It has Kate, Turia, myself and my father in there, so you will be able to get the exact time.

Mrs M.H. ROBERTS: Michael, we are told it is 11.18 am, according to the records.

Mr Hull: 11.18 am we left that checkpoint.

The CHAIRMAN: You did.

Mr Hull: So they knew about it then.

The CHAIRMAN: Did you see Carlos at that checkpoint when you arrived or before you left?

Mr Hull: I do not recall seeing Carlos there.

The CHAIRMAN: Did anybody discuss with you before you left checkpoint two?

Mr Hull: Not at all. In Carlos's statement he says, "I could also see the fire from here and wanted to keep an eye on it", so he was there and he could see it coming but nothing happened. It was just a general checkpoint. You go in, get your water and you go out. No one had said, "Look, guys, wait; there is a fire coming. We are aware that you are going to get into trouble if you go through there." That was not mentioned to myself, and I am assuming—I do not know about the girls as well.

The CHAIRMAN: We would like to ask Shaun the same thing.

Mr Hull: I have taken up enough time.

The CHAIRMAN: I would like to come back to that last question for everybody.

Mr Van Der Merwe: I suppose I will just start by, on behalf of my father—he would just like to say thank you for the treatment he received from RFDS as well as Royal Perth Hospital. It certainly saved his life.

I have been competing in ultra-marathon/adventure racing events since I was 16 years old. I compete mainly with my dad. Generally the two of us would compete together as a risk mitigation strategy—you have always got a buddy to call on if you get into strife. The longest ultra-marathon event I have raced in would be 90 kilometres, Comrades Marathon. I consider that to be a very well organised race.

The CHAIRMAN: Where is that?

Mr Van Der Merwe: That is in South Africa. It is a very well organised race in terms of monitoring competitors for dehydration and so forth. I competed in numerous Avon Descents in Australia, which come with their own level of risk. The Avon is probably the best organised white-water event I have raced in in the world. I suppose the allure of entering the RacingThePlanet event, which is my first, was the ability to run through sections of Australia's landscape that your average man in the street would not lay his eyes on.

I was introduced to RacingThePlanet events through—they actually had a documentary on *Trans World Sport* on the Antarctic race, which by all accounts appeared to be very well organised. It left a perception in my mind that, wow, these guys must be fairly organised for them to organise a race in such harsh conditions and have everyone finish the line in a safe manner, and so I extended the invite to my dad. Basically, would you like to come and compete with me? We were on our way to New Zealand to the Rugby World Cup.

The CHAIRMAN: Who were you cheering for?

Mr I.C. BLAYNEY: What is that?

Mr W.J. JOHNSTON: You diverted up to the Kimberley instead of going over to New Zealand, did you?

Mr Van Der Merwe: No, we were going to enter the race just before we went to the Rugby World Cup. Yes, anyways.

The CHAIRMAN: So have you run many events in Africa in isolated conditions like this?

Mr Van Der Merwe: This would certainly be classified as my first adventure race, but I consider myself well versed in the bush. We have hiked through various terrains. I have fly-fished some pretty remote and isolated places, so, yes, I am no fool when it comes to hypothermia, risk of a snake bite and stuff like that.

The CHAIRMAN: You are a mining engineer.

Mr Van Der Merwe: I am, yes.

The CHAIRMAN: Who do you work for?

Mr Van Der Merwe: I work for Xstrata Nickel.

The CHAIRMAN: On a remote site?

Mr Van Der Merwe: I am actually Perth-based now, but I was for seven years based out in the outback.

The CHAIRMAN: You understood maybe not the Kimberley but other areas in Western Australia and the issue of fire?

Mr Van Der Merwe: Yes, absolutely. Also I was quite well aware of dehydration risk and that sheer heat that you can encounter up there. It is quite a common event for me to go for a training run after work out in the bush. So, yes, I was well aware of snakebites, how to treat them. I suppose the other advantage I had was, as part of mines rescue for five years, I had a very good first aid knowledge.

The CHAIRMAN: Your father is in the mining game, too, I take it.

Mr Van Der Merwe: He is, yes.

The CHAIRMAN: A mining engineer?

Mr Van Der Merwe: No, he is a human resources practitioner.

The CHAIRMAN: And he has worked in Australia, or he is in Ghana now.

Mr Van Der Merwe: No, he has not worked in Australia, but he has visited us quite frequently.

The CHAIRMAN: Just going back to the question that Mrs Roberts asked of Michael, have you heard of other events that have been cancelled? I guess the related issue is: before you came in, were you assessed of the risks and what to do along the race in case some unknown risk popped up? Were you comfortable with the way they had organised communication of risk and responded to risk in terms of RacingThePlanet and this event?

Mr Van Der Merwe: I suppose being a mining engineer, one thing I am acutely aware of is risk management. It is one thing to have a risk management plan but a very different thing to actually effect on that risk management plan and have an adequate decision analysis so that, if things do start getting out of hand, you make the call when to stop.

In terms of races, I can only recall one occasion in South Africa where a race was cancelled due to risk of lightning and, I suppose, starting a bushfire out of that; not only that, just people getting struck by lightning. That race was called off. That was after numerous competitors had travelled a fair few hundred kilometres to get there. I do not have intimate knowledge of RacingThePlanet's history of events. I actually was not aware that they have had a fatality in the Gobi event. Sorry, am I heading off track here or am I answering the question?

The CHAIRMAN: No, it is good. How did you hear about RacingThePlanet?

Mr Van Der Merwe: Basically through an online program that was hosted by *Trans World Sport*.

Mr W.J. JOHNSTON: This is probably relevant to all competitors, but were you aware of the sponsorship of the event by Tourism WA?

Mr Van Der Merwe: I was aware of it to the point that Eventscorp were forming it. Actually my father and I had been asked to, post-race, just attend an interview where they would ask us why we compete in these event together.

Mr W.J. JOHNSTON: That was done by Eventscorp before you started the race?

Mr Van Der Merwe: We were contacted through RacingThePlanet. I was not aware that there was a sponsorship agreement. I thought Eventscorp, Tourism basically wanted to capture the race.

The CHAIRMAN: You attended the briefing beforehand. What did they talk about? What kind of issues did they raise—risks or other—responses that you could take and back up that they were providing to you?

Mr Van Der Merwe: Again, similar to what Mike reiterated there, Brandee basically discussed dehydration with us, which I think every single competitor in that event is well aware of, given the conditions they are in. Snakebite; if you are in a country with the top 10 most venomous snakes in the world, you are a fool if you are not aware of that. There was a very brief discussion on spot fires being observed in the general area.

[11.10 am]

The CHAIRMAN: There was?

Mr Van Der Merwe: Yes. Sam Fanshawe stood up and said that she was aware that there were some spot fires in the area—again, you know, “Guys, common sense applies; if you see them, steer well clear of them; don’t go running towards them”. But I suppose the one point I would like to touch on is there was no mention of the fact that fire had actually burnt across the track and burnt some of the markers off, which of late we have become aware of throughout the proceedings. So to me that would have certainly flagged alarm bells that these fires are actually a lot closer than they are letting on.

The CHAIRMAN: You have mentioned a decision tree in your business. Was there any discussion as to if an issue happened, would you stop, would you wait, would you wait for the authorities—the organisers—to make a decision?

Mr Van Der Merwe: They did not explicitly discuss what they would do at the checkpoints. I made the assumption that the checkpoints were obviously there to, first, check on your wellbeing throughout the race. I was not aware that they had satellite phones, either—they had not discussed that with us—but they obviously had some mode of communication between the various checkpoints. So I made the assumption that if you are suffering from dehydration or something has gone horribly wrong, they would stop you at a checkpoint.

The CHAIRMAN: When you were running the whole time, was there a group of people with you? Were you running in a pack? You were not strung out too much, were you?

Mr Van Der Merwe: No. My dad and I were running just the two of us most of the time.

Mrs M.H. ROBERTS: Can we get Bill’s question answered by the other competitors too?

The CHAIRMAN: Yes; we are going to go on now to Kate.

Mr M.P. MURRAY: Can I ask a question here as well? In hindsight, having seen and analysed what happened and what was done, do you think this event was run on the cheap?

Mrs M.H. ROBERTS: Bill’s question was about Eventscorp and WA Tourism.

Mr W.J. JOHNSTON: Did you have knowledge that Eventscorp was a sponsor of the event beforehand?

Miss Sanderson: Yes, I did—not when I signed up. It was probably eight to 10 months before the event, but, yes, well aware that they had sponsored it.

The CHAIRMAN: Did that have any impact on your decision?

Miss Sanderson: No. I just thought it was great and it made me feel more secure and the event was more hyped up.

The CHAIRMAN: Could I go through the same question that Michael and Shaun have gone through?

Mr W.J. JOHNSTON: Yes, whether the others knew about it.

Miss Pitt: No, I did not know.

Mr Hull: I did not follow the race at all. I had no intention of entering the race at all. I was not aware of any sort of sponsorship through Eventscorp. The first I was aware of the event was when Sam contacted me and said they are doing a documentary, and she mentioned Beyond Productions was the company that they had an agreement with to do a documentary.

Mrs M.H. ROBERTS: And then you agreed to wear a camera?

Mr Hull: That is correct, yes. I had no knowledge of the Eventscorp sponsorship.

Mr M.P. MURRAY: Can I get an answer about whether people think it was done on the cheap, in hindsight? You have been to other events and you will have seen the equipment there, you will have seen how well the organisation was done and the number of people used. Do you think it may have been done on the cheap?

Miss Sanderson: You never know how good a race is until you have finished, you see what food is there, what help is there. We never got to that point. But one thing I did see was just staff—the ratio. There were more volunteers from the area and things like that, but normally there is a great deal more staff out there. I also think a big emphasis is put on risk, where we are stupidly putting ourselves in these situations. Risk is kind of a small factor. It is the challenge. It is the experience of going through the Victorian Alps and all the different places in Australia. The risk is there, but it is not supposed to be a huge thing, because you have put your trust in the organisers. I did not know about communications or whatever because it is nothing really that we should have an issue with. We just assume that everything is taken care of. The only thing I would say that I noticed on the cheap was the lack of staff.

Miss Pitt: It was hard for me to notice when I got there because I did not really have anything to compare it with, but when I hear about all the problems they had with communication and stuff like that, that highlights to me that it was on the cheap.

Mrs M.H. ROBERTS: Turia, you are a St John Ambulance service volunteer.

Miss Pitt: Yes.

Mrs M.H. ROBERTS: We heard evidence last week that for some events, St John Ambulance is advised and they are on standby for events or they even attend events —

Miss Pitt: That is true.

Mrs M.H. ROBERTS: — and especially they attend at no charge for some charity events.

Miss Pitt: Yes. When there was a triathlon held in town, St John Ambulance was there.

Mrs M.H. ROBERTS: Given that St John Ambulance is one of the few medical services available in the area, do you think that St John Ambulance should have been advised or involved or in fact potentially paid to be on standby?

Miss Pitt: Yes, they should have.

Mr Hull: RacingThePlanet runs this as a business—a profit business. You only have to look at the logistics and the costs involved in setting this event up and the lack of competitors and the lack of competitors who paid—they were going to lose a lot of money on this. So they were looking at minimising loss from a revenue perspective. I am sure without the support of Eventscorp and the sponsorship, the event may not even have gone ahead from a purely commercial perspective. So they were looking, in my opinion, to minimise the potential loss to them.

The CHAIRMAN: Michael, you are the one who has run in other RacingThePlanet races. It appears, further on that topic, that the organiser, Mary Gadams, was a participant.

Mr Hull: Yes.

The CHAIRMAN: Was she a participant in other races?

Mr Hull: She has competed in other races, yes.

The CHAIRMAN: In other races, did they have enough people to cover their costs?

Mr Hull: I have competed in races where—I think the smallest one was the Atacama in Chile, which was 80 competitors, Sahara was 120, and Australia was 220, I think, from memory.

The CHAIRMAN: That was the 2010 race?

Mr Hull: Yes. We were paying \$US3 300 and there were 200 of us, so you just work it out from there. In Antarctica, we paid an entry fee of \$US10 000 per person.

The CHAIRMAN: How many people ran that?

Mr Hull: Twenty-five that year. And then they changed the rules to make qualification easier so that more people could come along.

The CHAIRMAN: Clearly a number of the people were freebies.

Mr Hull: Yes, absolutely.

The CHAIRMAN: Such as yourself?

Mr Hull: I was free, yes.

The CHAIRMAN: Do you know how many people were freebies?

Mr Hull: I do not know everybody in the race, but I do know of six people who were freebies.

Mrs M.H. ROBERTS: Have you subsequently become aware that the committee has received evidence that there was a \$20 000 payment?

Mr Hull: Yes, if they made over 40 people. So there was a financial incentive for them to do that. Were they doing it on the cheap? I think you can make the assumption that it was.

The CHAIRMAN: Kate, can I just go through the issue. You were there at the briefing beforehand, and you are an experienced runner. What did they discuss at the briefing in terms of the risks and in terms of responses to risks, and what was your feeling about the preparedness, recognising this was your first race with this organiser?

Miss Sanderson: The risk was always focused on dehydration. They realised how hot it was out there so they gave us bottles of water and at every checkpoint you had to refill and basically leave with nearly three litres, so that was great. Then they just briefed on things like snakes and crocodiles. What I remember of the fires was them saying there are spot fires out there so just be aware of those and take care, and they then briefed on to something else.

The CHAIRMAN: What did they say about that? Did they talk to you about what to do about fires, how to take care, how to react, and whether or not there was potential for a decision about stopping the race; or how do you communicate—if you see the fire, how do you talk to other people? What kind of decision tree did they make for fires?

Miss Sanderson: What I remember of it, there was nothing about the fires; it was a couple of sentences and they moved on to something else—yes, absolutely nothing. The maps we had were printed and laminated, and there were a few points like snake bites; if someone is hurt, you have to stop and help them. There was nothing about fires. The mobile phones did not work out there. All we held was a whistle so that we could contact people.

[11.20 am]

The CHAIRMAN: Did they tell you that when you got to a checkpoint, you had to check in and communicate issues, and did you do that? Did you ascertain or see if they had communication at checkpoint 2 in particular so as to communicate with each other, if not yourselves?

Miss Sanderson: I was not aware of that. I was just running my own race. I did not even see the fire or the smoke or anything until I was in a valley and it was too late; it was just there.

The CHAIRMAN: From checkpoint 2, physically it is unlikely you would see the smoke.

Miss Sanderson: I did not until I was right in front of it. No, I was not aware of any of the communication issues or anything.

The CHAIRMAN: Do you think the preparation for this was similar to the races that you ran over in the eastern states in terms of organisational structures and whatnot?

Miss Sanderson: Again, I am not too aware, but I would assume you pay a lot of money and communications are vital. Normally they would have a plan—at least to test the satellite phones beforehand and also have a backup plan if they did not work. Again, I am not really aware of the preparation.

Mrs M.H. ROBERTS: I believe the race was originally supposed to be going from Kununurra to El Questro. At some point it was changed to going from El Questro to Kununurra. Do you know when that was? When did you first understand what direction the race went and when did you first have any proper knowledge of the actual route that the race was taking?

Miss Sanderson: The route was—the briefing night we got the map. Can you repeat the question again, Michelle?

Mrs M.H. ROBERTS: I think you originally believed the race was going from —

Miss Sanderson: That is right; sorry. The week before I had gone up with another competitor and a friend and we were going to spend a week after it at the Bungle Bungles and Emma Gorge. The original document that had all the bits and pieces in it at the introduction had us finishing at Emma Gorge, so we booked accommodation at Emma Gorge and then we got the updated introduction and all of a sudden it did not say that the course had been changed; I just looked at it and it had the finish line at Kununurra. I think I emailed someone and said, “How come it’s changed”, because we had booked accommodation at the other end. They did not give an explanation. They just said they had changed the course. I do not know why.

The CHAIRMAN: Turia, if we go through the same questions, you can explore it if you have any comments in respect of the questions put to the other participants. Have you done very much—I guess the issue is when you got asked to participate, did you have any knowledge of other races—of these ultra-marathons—of the reputation or otherwise of RacingThePlanet? Did any alarm bells go off when you got the briefing by RacingThePlanet at the start of the race or into the race through, let us say checkpoint 2, about the preparedness?

Miss Pitt: Start with the first question.

The CHAIRMAN: Were you aware about any of the other conditions of any other races being cancelled or otherwise in the ultra-marathon events around the world?

Miss Pitt: Was I aware of any other ultra-marathons that had been cancelled?

The CHAIRMAN: Yes.

Miss Pitt: No.

The CHAIRMAN: You attended the briefing at the start of the race the day before, I believe. Did they talk to you about fire at that time?

Miss Pitt: Yes, there was some mention of—they told us to avoid the fires if there were fires, but it was more just like a passing comment. The main thing they were focusing on was dehydration, snake bites and crocodiles.

The CHAIRMAN: When you got to checkpoint 2, was there any mention to you at that time of fires in the front?

Miss Pitt: No.

The CHAIRMAN: Or accentuated risks of fire?

Miss Pitt: No. Nothing at all.

The CHAIRMAN: Nothing at all.

Miss Pitt: I got to the checkpoint, I sat down and had something to eat and I had some water and then they were like, “Yeah, you’re right to go.”

The CHAIRMAN: Okay, so they told you—so you checked in, you got refreshed and then they said, “Okay, ready to go”?

Miss Pitt: No, they did not say that, but there were more people coming to the checkpoint, so it was sort of like—yes.

The CHAIRMAN: Were you running with someone else?

Miss Pitt: No, I was running by myself.

The CHAIRMAN: You were running a 50 kays one. Where were you going to stop on the 50 kays?

Miss Pitt: At checkpoint 3.

The CHAIRMAN: At checkpoint 3; okay. Any other questions?

Shaun, just to make sure we go through—at checkpoint 2, you arrived. You were running with your father. Was there any indication from the organisers or other participants that there was an issue up front—the fires—we can see smoke or otherwise? Was there any communication to you to accentuate the risk of fire at checkpoint 2 going forward?

Mr Van Der Merwe: No, not at all. I suppose I would like to draw the committee’s attention to a particular photograph that I took; it is in your packs. That photo was taken midway between checkpoints 1 and 2. I took a photo of it because I thought it was a little bit bizarre that we were running along the gravel road at that stage and just out of the blue there was an isolated spot fire.

The CHAIRMAN: That was after checkpoint 2?

Mr Van Der Merwe: No, this was between checkpoints 1 and 2. I found it a bit strange that there was an isolated spot fire like that. How does a fire the size of a rugby field start right next to a road? It was a bit odd to me. Anyway, I meant to bring it to the attention of the—I think there were two committee members at the checkpoint.

Mr Hull: Two volunteers.

Mr Van Der Merwe: But it slipped my mind and I did not mention to them that I had run past the fire.

The CHAIRMAN: At checkpoint 2, did the organisers indicate to you a heightened concern or a response—a potential response—to fires going forward?

Mr Van Der Merwe: Not at all. The only thing that was said to me was just beware of your footing going through the gorge.

Mr Hull: That was the same for me. There is a photo here where we are all—I have just left the checkpoint but it is Turia, Kate, Martin and Shaun there and the two volunteers there. On the table there are forms of communication, whether they are sat phones or whatever they were, but there is definitely evidence on that table of communication available to those checkpoint operators.

The CHAIRMAN: These photographs were taken by your camera, physically?

Mr Van Der Merwe: Yes.

Mr Walsh: Committee members, I think it is about the fifth photograph; it is this one.

Mr Hull: You can see the cables on the table and the communications facilities. I do not know exactly what they are but there was nothing communicated to us that moving forward there would

be any danger. As the girls said, it was just, "Have your water and when you are ready to go, off you go", so that is what we did.

Mr M.P. MURRAY: I would like to ask a couple of questions, Mr Chair. One is the spot fire. You are saying it was quite bizarre. We have had some people say that there may have been fires that were lit that day. There was some evidence that was provided that maybe someone walked out of the bush after lighting some of those fires. We have not been able to verify that, but do you think it looked like it had not come off somewhere else or it looked like someone had purposely lit that?

Mr Van Der Merwe: The one I ran across on the road, yes, most certainly a question arose in my mind whether someone had flicked a cigarette butt out there, but all you need is a small piece of glass and sunlight to concentrate on the spinifex; it was that dry it could go up.

Mr M.P. MURRAY: The second question I have to all the people is: at the checkpoints themselves there has been some talk of communications problems because people did not have a basic grasp of English, to say the least, and there were some problems there communicating. Did anyone else in this room have those problems at the checkpoints?

[11.30 am]

Mr Hull: Not that I am aware of. I had no issues with language at checkpoints. We only went to two checkpoints, remember, so at checkpoint 1 we communicated through those people there. I do not know who they were. I do not remember them to be non-Australians. At checkpoint 2—there is a photo there—they looked to be okay. There were no issues with communication whatsoever.

Miss Sanderson: The only thing RacingThePlanet staff were saying was, "There's a waterfall 50 metres away, and you're going to really enjoy it and have fun and all that." That was the only thing that I remember them saying.

Mr I.C. BLAYNEY: Shaun, you said you had run that race in South Africa, is that the one on the east coast near Durban?

Mr Van Der Merwe: The Comrades?

Mr I.C. BLAYNEY: Yes. Is that the one you were talking about?

Mr Van Der Merwe: Yes, it is run from Pietermaritzburg to Durban.

Mr I.C. BLAYNEY: Yes. When you were running in that race, what was the terrain like? If it was fire prone like the Kimberley at that time of the year, are there any specific measures obviously in place in case of a fire?

Mr Van Der Merwe: Not at all. The Comrades is a road race, so you run through fairly developed areas and I would not consider it to be a fire risk at all.

Mr W.J. JOHNSTON: You all ran on the Gibb River Road did you not?

The Witnesses: Yes.

Mr W.J. JOHNSTON: But the route was 20 metres or something to the left, sort of thing, as I understand it?

Mr Hull: Yes, left to the right.

Mr W.J. JOHNSTON: Everyone made the only intelligent decision, which was to run on the road.

Mr Hull: Yes, exactly.

Mr W.J. JOHNSTON: Nobody is going to run just off on the grass, are they? Was that an understanding by all the competitors, or did you just follow the bloke in front of you?

Mr Hull: I can speak for myself. I was following the guy in front. He was running on the road; I was running on the road. I did not want to run in the bush and risk doing an ankle five kays in.

Miss Sanderson: Yes.

The CHAIRMAN: There was a drainage area there.

Mr Hull: Yes.

Miss Sanderson: If you have the option of uneven terrain or a road, you take the road.

Mrs M.H. ROBERTS: I would like to ask questions about the medical treatment and so forth and, at some point, the actual fire. I appreciate that we are on one line of questions at the moment and I also appreciate that we could run out of time at some point.

Mr Walsh: Mr Chairman, I wonder if we could have a break for five or 10 minutes?

The CHAIRMAN: We are going to have a break now.

Hearing suspended from 11.31 to 11.39 am

Mr Van Der Merwe: I would like to draw the committee's attention to that photograph, which shows my father standing on a slope, heading out of the gorge.

Mrs M.H. ROBERTS: How far in is that one?

Mr Walsh: Do you know which number it is—maybe from the back, Shaun?

The CHAIRMAN: How far along the gorge is it from checkpoint 2?

Mr Van Der Merwe: It is page 18. Mr Chairman, I can only sort of guess that we crossed that point at roughly 12.00 pm.

The CHAIRMAN: About a half hour into the walk through the gorge?

Mr Van Der Merwe: Yes. In the background and on the digital version of this photo you can see quite clearly that there is a plume of smoke in the background.

The CHAIRMAN: Yes.

Mr Van Der Merwe: I suppose that looks like—as far as the eye can see—it would be about five or six kilometres away. My father and I certainly noticed it at that point and commented on it. I would also like to bring your attention to point 3 in Carlos Prieto's statement.

The CHAIRMAN: Is that Carlos Garcia?

Mr Hull: Yes.

Mr Van Der Merwe: Point 38 states —

We travelled about three or four kilometres when I observed a lot of smoke in the area between checkpoint 2 and 3.

Checkpoint 3 was known as the Barrels, and that is the area we were running into. We had just come out of the gorge and could obviously see that big plume of smoke. I think in my own personal statement I have said at point 40 —

My father and I then continued running, travelled about another one and a half kilometres before we decided to stop and have some lunch. It was at 12.30 pm. Whilst having lunch Kate, Turia and a fellow by the name of Michael Hull ran past. At some point another athlete by the name of Hal Benson passed. After lunch we continued running and had only travelled about five or six minutes when we witnessed all four standing and looking out at something. As we got closer, I saw they were looking at a large fire in front, which was travelling to them from an east to north eastern direction.

The front looked to be about 500 metres away at this stage. We all had a quick discussion on what we should do and decided that it was definitely travelling to us quite quickly. We worked out we wouldn't be able to run around it because of its speed and we couldn't run back into the gorge because the bushland was thick, and basically a lot of grass as fuel, so we eventually decided to run around to the right and up the slope. We then only managed to

run for about another five or six minutes and when we were about half way up the hillside realised the fire was only 50 metres behind us at that point.

That gives you an idea of how quickly the fire travelled over that distance. I suppose one question I have to ask of Carlos when RacingThePlanet is if they were aware of a fire between checkpoints 2 and 3 why did he not tell the committee members at checkpoint 2 to stop us because it caught up on us real quick.

[11.40 am]

The CHAIRMAN: We have that evidence from a number of sources. Thanks for the chronology and the organisation of it. Were you aware of the communication devices available at the various checkpoints for the organisers? This is a key issue. There is evidence that clearly Carlos Garcia identified a fire, and an increasing fire, coming into the gorge. They are experienced enough to know that gorges accentuate and it might hit flammable material. The key issue is: was that communicated effectively to checkpoint 2 and therefore to the participants; and, if not, there was concern whether someone was stationed along the way between checkpoint 2 and 3 to warn participants or to respond to the rising risk of fire—did you see anybody between checkpoints 2 and 3 who were of an organisational nature?

Mr Van Der Merwe: No.

The CHAIRMAN: No response was made to you, an accentuated warning, or anybody else at checkpoint 2 about the fire up the gorge into which you were running?

Mr Hull: No.

The CHAIRMAN: Communication devices: when you went into checkpoint 2, did you see if they were working at all? Did you see anybody on the phone, or what can you recall?

Mr Hull: No, not that I am aware of. Our goal is to get in and out of the checkpoints as soon as we can to rehydrate, not sit around and talk to volunteers and stuff. They were clearly evidently there. Whether they were working or not, I was not aware at the time.

The CHAIRMAN: Did they at any time tell you what to do when fire approached? It is not unusual in that area for fires, we are told.

Mr Hull: I think in the race briefing there was nothing told to us if we did encounter that situation if we faced ourselves in—what to do, how to act, where to go, what to do. There was no knowledge transfer. I think that was also because they just passed it off as a general comment in the race briefing.

The CHAIRMAN: For instance, they did not warn you not to run up the hills because it accentuates the speed?

Mr Hull: No. As I said, there was no discussion at all in the race briefing about what actions we should take as competitors should we be forced to do something in that situation.

Mr Van Der Merwe: I vaguely recall that part of the discussion between the six of us, when we were all standing there, was which way to run. We had no options. We could not run back into the gorge, we could not run left, so we were pretty much forced to run up the side of the hill.

The CHAIRMAN: Why could you not go left?

Mr Van Der Merwe: Because it appeared to be travelling in that direction.

The CHAIRMAN: What about lying in the creek bed?

Mr Hull: What creek bed?

Miss Sanderson: What creek bed?

Mr Van Der Merwe: There was no water so —

Mr Hull: You have to remember we follow a course of pink ribbons. Our heads are down, our bums are up, because it is quite dense scrub. One of the things that you are always told in these events is not to go off the course because of the risk of getting lost and they do not know where we are. You have no way of communicating with us once we are out there. We would not be aware if there was a waterhole 200 metres to the left or 200 metres to the right. The only water that we observed was in the ponds after we left checkpoint 2. There was no physical way possible we were able to get back to checkpoint 2 to water.

The CHAIRMAN: You had no topographical information?

Mr Hull: We had a map that my 16-year-old daughter could probably draw better. There was no information that we were provided with to indicate the terrain where we were as if there was water available.

Mr W.J. JOHNSTON: Can I just ask a question about the two photos with the helicopters in them, near the end. These are actually two different helicopters, are they not?

Mr Van Der Merwe: That is correct, yes.

Mr W.J. JOHNSTON: The first one shows a helicopter in flight with a camera on the front. The second one, is this actually a photo of the extraction of Turia and Kate?

Mr Van Der Merwe: The white helicopter, I believe, is the one that collected Turia. The blue helicopter collected Kate. It was pretty impressive piloting skills.

Mr W.J. JOHNSTON: It was actually one helicopter that collected both.

The CHAIRMAN: He landed and came back.

Mr W.J. JOHNSTON: With witnesses, nobody ever gets everything 100 per cent right. We have talked to the pilot; it was a fascinating discussion.

Mrs M.H. ROBERTS: There was no room on that one with the camera—no room internally or externally. We are told that Paul Cripps took Kate, landed her in the lower point, and then came back and got Turia, and then collected Kate again and then went on to Kununurra.

Mr W.J. JOHNSTON: What I was going to go to then is the photo of the white helicopter, as you have described it: it has one skid on the ground. It is actually hovering with one skid on the ground. That is an incredible feat of airmanship. It is about three hours later, is that right, between the fire going through and the —

Miss Sanderson: Three to four is my guess.

Miss Pitt: I would say more four.

Mr W.J. JOHNSTON: Obviously Kate and Turia by this stage have been severely burnt. Were you in intense pain? What happened? Perhaps if it is all right, Mr Chairman, I will get Kate to describe what happened from the fire until the extraction?

[11.50 am]

The CHAIRMAN: I have just one more question on communication. Kate, in your evidence you indicated that there was a prohibition on the use of hand-held devices and phones. Do you know whether any competitors had their phones or whether they worked there? Was there some means of bringing personal communication devices in to communicate along the way?

Miss Sanderson: No, I do not think there was.

Miss Pitt: There was no reception out there.

Miss Sanderson: I do not think anyone had phones because there was no reception and we had no way of contacting anyone.

The CHAIRMAN: You were totally reliant on the communication devices of RacingThePlanet?

Miss Sanderson: Yes, and the map. When this all happened, we had a map and we were trying to find out where the nearest road was so someone could go and get help, but the map was just useless.

Ms A.R. MITCHELL: Just going back a little to the briefings and your experiences with these sorts of events, I noticed that some runners had earphones in, listening to music or whatever else. Is that normally acceptable in difficult conditions?

Miss Sanderson: It depends. Each event is different. Some events specify that no devices like that are allowed at all. If it is not specified, you assume that you can use them. It is probably 50–50 in the events that I have done. Some specify no media devices or anything, GPSs or iPods, because you are running on the road or something like that. If you are running through the bush, they do not have any problem with letting you use them.

Mr W.J. JOHNSTON: Kate, perhaps if you would not mind starting, if it is all right, to describe what happened from the time of the fire. Shaun has been describing how you were trying to get away from the fire but then what happened? You got overcome by the fire?

Miss Sanderson: Yes. First off, I know John Storey said something like we should never run up a hill. We did not have an option. There was a rocky outcrop on the hill. We thought that if we get to that, the fire will go around. I remember that that is what we discussed. To us it was the only option. Once the fire hit me, about five seconds afterwards, I heard Turia scream like I had screamed. I just stood there in shock and Hal came down and looked at me. I did not even look; I just knew I had been badly burnt. We all regrouped and some of us were burnt and some were not. I had my merino top on, which is why I was probably last up the hill; I stopped to put it on. We all regrouped. I was burnt on my butt. When I tried to sit down and get comfortable, I could not so I just kept getting up and sitting down. When I stood up, I felt like I was going to faint. Then I would go all white so I would sit down but my butt hurt. It just felt like eternity until help turned up. When it did, there was no pain relief.

Mrs M.H. ROBERTS: That was Dr Brandee. I do not want to interrupt you much but can we just be clear how long it was before Dr Brandee arrived?

Miss Sanderson: I do not know.

The CHAIRMAN: Kate, after you were burnt, did the medical people or otherwise of RacingThePlanet address your issues, put you in a safer spot, shield you from the sun, cool your wounds or give you pain abatement?

Mrs M.H. ROBERTS: They were not there in the first instance.

Miss Sanderson: The only thing I remember is the boys put up tarps over me and Turia to shield us. I did not think it was Brandee that turned up; it was another lady. When she turned up, I saw her look at us both and she just said, “Shit” under her breath; she realised it was pretty bad. I remember her trying to put a drip into Turia and she could not get it in. She came to me and she put a drip into me. I do not remember a lot after that.

The CHAIRMAN: Can you remember how long it was before the doctor from RacingThePlanet showed up?

Miss Sanderson: No.

Mr Van Der Merwe: According to my records, it was about two and a half hours before the first medical help arrived. Obviously, there was myself, Trent and Wade first aiding the two girls.

The CHAIRMAN: You were up there for three hours. So about an hour after the incident happened, the medical people from RacingThePlanet showed up?

Mr Van Der Merwe: For two and a half hours we were up there on our own.

Mr W.J. JOHNSTON: Did you send somebody off to get help?

Mr Van Der Merwe: We did; we sent the youngest cab in the rank to try to run back to checkpoint 2.

The CHAIRMAN: We met him. You were up there on your own for two and a half hours before medical assistance from RacingThePlanet addressed the issue?

Miss Sanderson: It was a long time. I do not remember the time frame. It was just eternity.

Mr Hull: I remember that the helicopter got there at 4.30. The girls got lifted off at 5.15, so they had medical help for 45 minutes. By that time, Martin, Shaun's dad, and I had been helped down to the floor where there was another helicopter. I remember the girls left in a helicopter at 5.15 and Martin and I were in another one at 5.30. The fire happened at 1.00 pm, so you have to look at that time frame.

The CHAIRMAN: The helicopters were around but you had no way of communicating with them.

Mr Hull: No; that is correct.

Mr W.J. JOHNSTON: Did they overfly you after the fire?

Mr Van Der Merwe: We communicated in a rather rudimentary manner. We put a space blanket out on the edge of the rocky ledge so they could see the reflection. The media chopper flew past at the time and waved how many people were down on the ground.

The CHAIRMAN: And you signalled to it?

Mr Van Der Merwe: Yes.

The CHAIRMAN: But not by radio; it was rudimentary.

Mr Van Der Merwe: The chopper sent us a signal that he understood.

Mrs M.H. ROBERTS: About what time was that?

Mr Van Der Merwe: That was before the doctor arrived, so it was probably at the two-hour mark.

Mr M.P. MURRAY: What time did the paramedic reach you?

Mr Van Der Merwe: The paramedic arrived towards the end, I think. The first female doctor was there. I do not recall the paramedic coming in until the very last stages.

Miss Pitt: They were there at the very end.

The CHAIRMAN: Where was the RacingThePlanet doctor when the accident happened, to your knowledge, and how did you communicate to her that there was an issue?

Mr Van Der Merwe: I had no idea where she was. We communicated to the media chopper and I assumed that they went and fetched her.

Mrs M.H. ROBERTS: Turia, you were not running with Kate; you were running by yourself.

Miss Pitt: Yes.

Mrs M.H. ROBERTS: Can you explain what happened from your point of view?

Miss Pitt: When I noticed the fire, I got really scared and I turned back and I sort of met up with everyone—Kate and some of the boys. They were sort of discussing what to do. I knew that fire travels faster uphill but we could not go anywhere else so we went up the hill. At some point I said to Martin, "I'm really scared." He said, "Don't worry; the fire will just pass over us." About halfway up the hill—actually, I do not know how far up the hill; sorry—I was really puffed, so I stopped and put my jacket over me to protect me from the flames. As the fire approached, it got hotter and hotter and I could not stay there any more. It was so hot. I jumped out and tried to run away and that is when I got burnt.

The CHAIRMAN: Did the fire go up the hill? Did it come back at you and were you trapped there at all because of the fire in the area?

Miss Pitt: Not to my knowledge, no; we were not trapped. It was like the fire just passed over us. After the fire had gone, everything was black and hot.

The CHAIRMAN: Did it inhibit the rescuers or the communications with the organisers to you?

Mr Van Der Merwe: It had been through the valley well and truly by then. I took a photo, photo 10. There is a gorge over there. That is the gorge that I ran to and lay in the open scree, basically just like a sitting duck waiting for it to burn up over the ridge line and burn past the front of me before I went anywhere because I figured I would be safe there. I was just too tired to get up and run anywhere else at that stage. It had burnt well through the valley by that stage.

[12 noon]

Mr W.J. JOHNSTON: After the fire had passed—you had been following pink ribbons, as I understand it, as the route markers—what happened to the route markers?

Mr Hull: They were burnt. I mean, that was one of the concerns of Carlos from going from checkpoint to checkpoint, in his statement—sorry, we are going off course a bit now; I know we are talking about other stuff. Carlos was more concerned in his statement about runners getting lost on the course due to not being able to navigate because the pink ribbons were burnt, as opposed to the actual fire itself, which seems quite odd to me that —

The CHAIRMAN: Just further to that, the evidence we have received from the emergency services of various types was that the first message coming out was that there were a number of people lost; that is, they did not know the conditions and issues at the site. Did you have any communication with anybody to indicate that people were injured, not just lost?

Mr Hull: No, we had no—there was just the six of us there. We had no communication, no form of communication; you know, we had no sat phones, we had no radios, we had no—you know. In some events, like the MDS in the Sahara, each athlete is given a flare in case of distress. If we had a flare in that situation, they would have known where we were exactly.

The CHAIRMAN: Yes.

Mr Hull: So we had no communication.

The CHAIRMAN: One of the issues that inhibited the rescue people from accentuating it to a number one priority was what was going on; they understood there were some runners lost on the trail.

Mr Hull: Yes, and that is just an indication of poor communication as well. We were not lost, we knew where we were; we were on the course. And the fact was that when the helicopter flew down the gorge, it saw us straightaway. We did not see it go off into the yonder and think, “Oh my God, there’s our chance to get rescued.” Shaun and the guys put the—what is it called?

Mr Van Der Merwe: Space blanket.

Mr Hull: The space blanket out, and there were two space blankets covering the girls. And because of everything being burnt, we were quite visible, and we were up high as well. So he was not looking on the valley floor for us.

Mr W.J. JOHNSTON: If I can go back to the medical attention. There was one doctor who put Kate on an intravenous drip about 2.5 hours after the fire. What treatment was provided to you, Turia, from RacingThePlanet?

Miss Pitt: None. She tried to put the drip in, but she could not. The only medical attention I received was that one of the boys gave me a Panadol.

The CHAIRMAN: What was provided in your medical kit, obviously, that you were provided was grossly inadequate?

Miss Pitt: It was a blister kit.

Mr Hull: It was a blister kit with ibuprofen. In terms of pain relief for the girls and myself and Martin for that period of time, the boys—Shaun and Hal—handed out ibuprofen, and what little water we had was just rationed around.

Mr I.C. BLAYNEY: Can I confirm that none of you were carrying any matches?

Mr Hull: No.

Mr I.C. BLAYNEY: The reason I ask is that in the bush, if you are ever in a situation where you might get trapped by fire, you start a fire and get onto the burnt ground.

Mr Hull: Yes, exactly.

Mr I.C. BLAYNEY: So a simple box of matches might have helped.

Mr Van Der Merwe: To my knowledge, my father was carrying matches. He actually contemplated burning a firebreak in front of the rock ledge, but, (a), ran out of time, and, (b), had the other runners in mind.

Mr W.J. JOHNSTON: We understand there were three or four doctors as part of the RacingThePlanet team, but there was only one doctor that ever turned up at the site of the fire.

Miss Sanderson: Yes, to my knowledge.

The CHAIRMAN: So, you are on the ledge and the helicopter came in and rescued both Kate and Turia. Did they brief you on the site after that, after the helicopter, which was basically doing it gratis along with St John Ambulance? When did the RacingThePlanet people show up and address the situation? Did they cancel the race at that time?

Mr Hull: I do not recall seeing anybody from RacingThePlanet at the specific site—either Carlos or Sam or anybody. In terms of when the race was called off, it is my understanding, through talking to other competitors, that the race was not called off until approximately 6.30 pm that night.

The CHAIRMAN: The organiser, Mary Gadams, was with you, was she not?

Mr Hull: Yes, she was, yes; she was behind us.

The CHAIRMAN: She was injured. She was the organiser; did she take charge of the events—the emergency?

Mr Hull: I only saw Mary when I was helped, with Martin, down to the floor of the valley, and she was sitting down beside a tree, so.

The CHAIRMAN: So she is the organiser, and she did not start making decisions—or was she incapacitated?

Mr Hull: She had a bandage, I think, on both of her hands—her fingers, from memory—and I do not recall her actively taking charge and instructing anybody to do anything because there was just myself, Martin and Mary down there. Then a short time later a troopy car—a four-wheel-drive troopy—bush-bashed through; in that there was a medical doctor, but I do not know where that medical person was from, whether it was from the Royal Flying Doctor Service or St John Ambulance, or wherever it was.

The CHAIRMAN: The young man you sent back—the youngest—he was a volunteer, was he not; a local guy?

Mr Van Der Merwe: Wade was —

The CHAIRMAN: He was a runner?

Mr Hull: A competitor.

The CHAIRMAN: You sent him back to communicate. Did you talk to him after the event? Did he get back in time? Did he get a hold of somebody at checkpoint 2, which I assume he went to?

Mr Hull: I did not speak to Wade; I was in hospital.

Mr Van Der Merwe: We actually never asked him that question, because whilst he was on route we obviously made contact with the media chopper and alternative means had been —

Mr W.J. JOHNSTON: Before the white helicopter turned up, did the other helicopter pilot come along? Did they have to clear any space to let the helicopter —

Mr Van Der Merwe: Yes, we did; we broke some tree stumps down to sort of open up a clearing.

Mr W.J. JOHNSTON: So that was you, and perhaps Michael?

Mr Hull: No, it was not myself; it was the other guys, Hal —.

Mr Van Der Merwe: It was myself and Trent and Hal and —

Mr W.J. JOHNSTON: And the other helicopter pilot was involved in that, was he?

Mr Van Der Merwe: I recall one chopper pilot running back up the slope; he was not confident he could land in the clearing we had made. So, in the meantime, we started discussing how we were going to construct a stretcher to basically evacuate Turia first and then Kate second.

The CHAIRMAN: What would have happened if the helicopter could not have landed or —

Mr Van Der Merwe: We would have built a stretcher and carried them down the slope.

The CHAIRMAN: Was it a very difficult thing to do, especially given the time of day?

Mr Van Der Merwe: I think to build a stretcher we could have used our creative minds, but, yes, certainly the terrain we would have been walking down and trying to limit to further injury would have been a high-risk activity, but we —

Miss Pitt: I think it was getting dark.

The CHAIRMAN: How many people were there who were not injured?

Mr Van Der Merwe: There was myself, Hal, Trent, Wade and Brad; there were five.

Mrs M.H. ROBERTS: Turia is right; the helicopter pilot said that he was not licensed to fly at night.

Miss Pitt: Yes, so that means that they would not have been able to land and we would have been stuck there. I think that me and Kate might have died or something, because it was going to get cold and because we were already burnt. I do not —

The CHAIRMAN: You had no medical treatment?

Miss Pitt: No, we had no medical treatment. I do not think we would have lasted the night.

Mrs M.H. ROBERTS: As I understand it, the only burn aid that was actually applied was once the St John Ambulance fellow got there and you got taken away in the helicopter.

Miss Pitt: Yes. I remember that, before then, some of the boys, like, washed my feet and legs with water. They just trickled the water over my legs and feet, but there was not any —

Mr W.J. JOHNSTON: In terms of actual attempts to dress wounds, nothing happened until the St John Ambulance paramedic arrived?

Miss Pitt: Yes, and that was not saying anything bad about the boys, because they did the best they could.

Mr W.J. JOHNSTON: And they are neither skilled nor equipped to handle the situation.

Miss Pitt: Yes.

Mrs M.H. ROBERTS: We have been told that it would be really inadvisable for fit, uninjured competitors to be traversing that course at night.

Miss Pitt: Yes.

Mrs M.H. ROBERTS: So—I do not know whether you have a different view—I cannot see how you could get a stretcher out of there under darkness.

[12.10 pm]

Miss Pitt: That is why I think we would not have made it, because it would have been dark and we just would have been really tired.

Miss Sanderson: I just think we thought it was the only option, because if the helicopters could not land, we would not have even known which way to go, but it was just the best we could come up with.

Mr W.J. JOHNSTON: It is a great photograph, Shaun, because it clearly shows that the helicopter has actually only got one skid on the ground. It has not actually landed. It is a remarkable effort by the pilot. Without that, the rescue could not have been effected in any sort of timely manner.

The CHAIRMAN: Michael, what were your injuries?

Mr Hull: I was burnt to my legs, arms, hands and ears.

The CHAIRMAN: How did you get out?

Mr Hull: I was helicoptered out as well with Martin. So, both Martin and I sustained about the same amount of burns.

The CHAIRMAN: You came down the hill?

Mr Hull: Trent and Brad and Wade both got Martin and I down the hill. We waited on the gorge bottom until the second helicopter pilot had finished assisting the girls and he came and flew us back to Kununurra hospital.

The CHAIRMAN: That is the one with the film equipment in it?

Mr Hull: That is right, yes.

The CHAIRMAN: You then went to Kununurra hospital?

Mr Hull: Yes.

Ms A.R. MITCHELL: Can I just ask Michael and Shaun—you may want to answer on behalf of your father—the extent of your injuries. Have they had an impact on your life and would you be able to run these sorts of events or things like that again?

Mr Hull: Over time I can run it.

Ms A.R. MITCHELL: Over time?

Mr Hull: It is just mental. I mean, you have got to do things like you cannot go in the sun. Right, so obviously what you do in an ultra-marathon is you run in the sun outside. So, my ability to do those has been limited over the last seven months. But, I mean, my next appointment is on 7 May back at Royal North Shore in Sydney. So, I am hoping to get the all clear to take off my pressure garments and start to, you know, with caution.

Mrs M.H. ROBERTS: You are wearing compression garments now?

Mr Hull: Yes.

Mrs M.H. ROBERTS: Do you mind me asking for some detail? What part of your body or —

Mr Hull: Arms and legs. On the front of my arms and up to my thighs. I had SKINS on, tights on, underneath my running shorts and then I had compression SKINS socks on as well. So, my burns were sort of from halfway down my thighs to my ankles and that is where the compression SKINS on my calves were burnt to my legs. Martin had those on as well. He pulled his down. I did not even think of it. I just left mine up and mine were burnt to my legs. You can only really see on the

mountain there just my legs and arms and hands. So, I think, you know, I was just lucky on the day really not to be in the same condition as the girls are, because we were all running away from it. The temperature was that intense. It is hard to describe unless you were actually up there. The roar and the sound of the fire were just brutal. It was like a road train coming towards you. So, you know, obviously, we were all scared for our lives. I was running away with Martin and we only got maybe three or four metres away from where the girls were and the heat was just at our backs, and so I knew in my mind that I had to do something. If I did not do anything, I would just be part of the inferno and part of the fuel of the fire. So, in an instant—I do not know why—I turned and ran back through the fire. So, that is where I ended up—in between the two girls. I saw Kate and she virtually had all her clothes burnt off her body just about —

The CHAIRMAN: Did Martin do the same thing?

Mr Hull: Martin did the same. The only difference was Martin fell as he was going through and he sustained some fairly significant additional burns to his right hand. Then we just stayed there. And within three minutes or so Hal was back and then shortly after that Shaun was back. It was just really the six of us initially who was up there and it was the guys —

Mr W.J. JOHNSTON: The situation was you had two people who were almost —

Mr Hull: Critical.

Mr W.J. JOHNSTON: — 60, 70 per cent burns, two people who had significant burns —

Mr Hull: Incapacitated, yes.

Mr W.J. JOHNSTON: — and two who were relatively uninjured.

Mr Hull: Yes.

The CHAIRMAN: After the event, you went to the hospitals and separated. Has RacingThePlanet debriefed you, assisted you, been in communication with you to address your various issues?

Miss Pitt: They have been in communication with my partner Michael and Mary sent him an email. She sent an email to Michael asking how I was and if she could meet up with the family and Michael replied, “Yep, that is fine. I can organise that. You can meet the professors and see Turia at the burns unit,” and he also said, “Are you going to help Turia and support Turia?” She wrote back, “I cannot meet up on that basis.” So, she did not help or support us at all.

The CHAIRMAN: Anybody else?

Miss Sanderson: I got a card in hospital and just a letter that I was not aware of until after I got out of hospital—sort of like a statement of how they did everything they could and they are comfortable there was nothing more they could do. Also, there have been statements by Mary that she has offered to meet with my family and me and support us and none of my family has ever heard from her, so I do not believe it.

The CHAIRMAN: Michael?

Mr Hull: The same. Martin and I both received a little bag of goodies, like chocolates and biscuits, in the hospital. The first communication I had with Mary was approximately three weeks after it and it was via email and she had obviously been back to Hong Kong and came back and she went up to Kununurra to visit some of the helicopter pilots et cetera to meet with them and the email basically said, “Look, I’m in Perth. I know you’re in Perth. Can you come and meet me at the airport? I am leaving at three o’clock this afternoon.” To which my response was, “No, I can’t”. During subsequent months there has been a couple of follow-up emails inquiring as to how my health is and wishing me all the best, but no genuine offers of support for myself or my family at any stage.

The CHAIRMAN: Kate, in your evidence, in your submission, it has a statement relating to RacingThePlanet —

We also provide emergency coverage through an insurance policy for the duration of the event.

Article 9.1 of the rules and regulations then states —

RacingThePlanet has taken out insurance to cover emergency evacuation for each competitor in the Events.

Has any part of your evacuation or subsequent transit flights been covered by RacingThePlanet?

Miss Sanderson: No.

The CHAIRMAN: Turia?

Miss Pitt: No. I think we got a bill sent to us for the ambulance from Sydney Airport to Concord Hospital.

The CHAIRMAN: Michael?

Mr Hull: No, I received a bill for transportation from Kununurra to Perth, which I paid personally.

The CHAIRMAN: One of the conditions of Tourism WA's support for this event was existence of insurance. That was supposed to be sighted. And you have not received any communication from RacingThePlanet's insurer or from RacingThePlanet about insurance coverage?

The Witnesses: No.

Miss Sanderson: I did receive a \$70 000 bill for getting me down from Kununurra to Darwin to Melbourne. Luckily, that was reneged because I am in Ambulance Victoria and they did not realise, so otherwise I would have had to pay.

The CHAIRMAN: Who sent you that bill? The provider?

Miss Sanderson: I think it was either St John Ambulance or Ambulance Victoria.

Mr I.C. BLAYNEY: Michael, you were flown from Kununurra to Perth?

Mr Hull: Yes.

Mr I.C. BLAYNEY: On the RFDS?

Mr Hull: Yes.

Mr I.C. BLAYNEY: And they sent you a bill for that?

Mr Hull: Yes, they did.

Mr I.C. BLAYNEY: RFDS is free, is it not?

Mr W.J. JOHNSTON: Every flight is billed.

Mr I.C. BLAYNEY: I have spent half my life raising money for them.

The CHAIRMAN: Did you have insurance yourself to cover these events?

Mr Hull: I have my own personal medical insurance-type cover. Included in that is ambulance cover. I did submit that as a claim to my medical provider. They deemed that it was not an emergency flight. Therefore, I had to pay for it.

The CHAIRMAN: How much was that?

Mr Hull: \$432.

The CHAIRMAN: Kate?

Miss Sanderson: I have my own insurance, yes. I have health insurance, but also as a back-up I have also got Ambulance Victoria, because I am just paranoid if something happens. I did not claim on any of it and the bill I got was absorbed. I think they realised that I ended up having cover and they said, "We are really sorry for sending you the bill; don't worry about it."

[12.20 pm]

Miss Pitt: I have got private health insurance, but they have not covered anything. So, what they can do is they give you five free physio visits a year. But I have to go to the physio five times a week, so it is not much of a help.

Mrs M.H. ROBERTS: Mr Chairman, I was wondering if we could hear from each of the injured competitors what impact this has had on them since the race, medically. You have spent varying amounts of time in hospital. You will have been conscious some of the time, and potentially spent periods of time unconscious. Also, what will the ongoing impact be on your future life, as you see it now?

Miss Sanderson: For me, I was in hospital for a week short of six months. I had to learn to walk again. I had part of my left foot amputated. I have had my licence taken off me. I have had to give away one of my dogs because I just cannot walk him. I cannot work. I cannot do things like turning on taps and doing up my shoelaces. I am sort of housebound until my wounds heal, so I can get a prosthetic so I can walk. The Alfred designed a boot for me so I can walk, but I cannot walk by myself. Every weekend I was outdoors doing mountain biking or orienteering or something, and I cannot even walk at all. So, my life has just gone from what it was to nothing. I just sit at home all day and my life consists of appointments and it costs a lot for physios and occupational therapists and scar tissue management and the travel to hospital every week. And, yes, my life has been destroyed.

Miss Pitt: I was in hospital for five months. The impact it has had on me—I am really lucky because I have got a great partner and great family, but I have lost all my fingers on my right hand, so I will only have one hand in the future, which still needs to be fixed. I was a mining engineer, so I was earning pretty good money doing that, which I cannot do for the next couple of years, I think. My partner cannot work either because he has to do everything for me because I cannot bend my elbows. The burns caused ossification in the elbows, so I cannot feed myself, wash myself, dress myself.

The CHAIRMAN: And the issue is a lack of income in the household for both you and your partner.

Miss Pitt: Yes. People at home have done fundraisers for us, which has been really good, but we have just got Centrelink now. We have spent about 20 grand of our own money so far.

Mr Hull: Physically, obviously, I am significantly more able than the girls. Long term, I can resume doing everything I had been doing, so there are no issues there. It is more for me just mentally—just dealing with it on a daily basis.

The CHAIRMAN: We have only a few minutes. What I would like just to reiterate is article 9 of the rules and regulations of the race state clearly the insurance is provided by MEDEX Global Group Incorporated and covers your official start time of the event to the conclusion of the event and any evacuation. You have not received any assistance for the evacuation from that insurance firm?

Miss Sanderson: No.

Miss Pitt: No.

Mr Hull: No.

The CHAIRMAN: Also, has there been any counselling? I think you have already answered that. I just want to reiterate: in terms of after the race, has the organiser or their agents counselled you or kept in touch with you to find out what your issues are?

Miss Sanderson: No.

Miss Pitt: No.

Mr Hull: No.

The CHAIRMAN: Have they debriefed you? They run events around the world. When you get a crisis the first thing you do, I think, as Shaun would know, is you find out what happened and you get a record of it so it never happens again. Have they been in touch with you for debriefing about what happened and the issues of the day?

Miss Sanderson: No. We received a letter, which, again, I did not know about, just stating that they had reviewed everything and they were happy with what they had done. It seems to be that they just pull any bad publicity off their website. They have shut down the website; it is just blank. You cannot get on. We used to be able to log in and get information; it has been wiped. I also know Lisa Tamati, the New Zealand runner for the 2010 race, has got her own website page and she criticised RacingThePlanet and they demanded she take it down. Just any bad publicity, they just seem to just remove anything.

Mrs M.H. ROBERTS: Mr Chairman, we did not hear from Shaun. Shaun, obviously, you have not got the physical injuries that the others have got, but you were placed in a terrifying situation. You witnessed terrifying things and awful injuries, so I am wondering what the impact is on you.

Mr Van Der Merwe: I suppose at first I thought I was fairly hardened to deal with emergency situations because of my mines rescue background. But as time has gone on, I have realised that it has had an impact on my life, probably for many good reasons and just as many bad. I probably will never enter an event like this in my life again without having my own checks-and-balances list and satisfying myself that everything has been covered. But then also I feel it has broken down that spirit of adventure to a degree. It is quite tragic looking at the nature of the two girls' injuries.

The CHAIRMAN: What would your views be if you knew, or now know, that RacingThePlanet did not coordinate with the various risk management authorities in the area—SES, FESA —

Mr Hull: I would not have even started.

The CHAIRMAN: — St John Ambulance, the helicopter back-up, police, hospitals—no —

Miss Pitt: I would not have gone out; I would not have gone in the race.

The CHAIRMAN: And you, especially, Turia, were involved in that; you were a volunteer. We had found out that basically none of them really clearly knew that this race was on or therefore had links with them, briefed the people, identified the issues and were on-call ready to address any issues that came of it. Would you have participated in this race?

Miss Pitt: No.

Miss Sanderson: No.

The CHAIRMAN: You did in Gobi Desert, because there was not any back-up.

Mr Hull: Yes, that was in 2007; it was a totally different event.

The CHAIRMAN: But you would expect it in Western Australia where they exist?

Mr Hull: Absolutely, yes; I expect in every event I go in. This is a professional organisation. We paid top dollar to go in this. We run; we do not expect to be nearly burnt alive in a bushfire. Running is not a high-risk sport; you have got more chance of tripping down a gutter and breaking your leg out on the pavements here. This is what their job is; they are not part-timers.

The CHAIRMAN: That is what they were paid to do.

Mr Hull: Yes. They are career professionals and they have made a lot of money out of doing this over the last sort of eight years. So, you put your faith and trust in them to do what they are supposed to do on their side of the fence, as they did for us on our side of the fence in terms of us being prepared medically and to be as fit as we can be to compete in these events.

The CHAIRMAN: The event was sponsored by Tourism WA. Tourism WA funded the filming and some other aspects of it.

Mrs M.H. ROBERTS: Eventscorp is part of it.

The CHAIRMAN: Tourism WA; Eventscorp is a subset of it. Do you think they did not know that there was a fatality in the Gobi Desert race in 2010?

Mr Hull: I could not answer that question on their behalf. You can make the assumption they have done their due diligence, but maybe that did not happen; I do not know.

The CHAIRMAN: Do you have any comments about the Tourism WA sponsorship of this, even recognising they are not experts in the management of this?

[12.30 pm]

Mr Hull: I think at a higher level you can look at it and understand what they are trying to for the Western Australia state and bringing in tourism. It is their mantra to do that, so they were probably trying to do their job as best they could, but they have got to have the checks and balances as well.

The CHAIRMAN: Who do you think is ultimately responsible for the lack of preparation for the event in this case?

Miss Sanderson: I am not sure. I really hope the committee find their answer. Tourism WA put out all these brochures and media releases about how great this event was and then when it went bad, they could not run fast enough; they just did not want anything to do with it. Minister Hames kept saying that there was no possible way for an inquiry, and I know he was told about ways that it could be done, but he just wiped his hands of us.

Miss Pitt: I reckon RacingThePlanet, because Tourism Western Australia were trying to support them, but RacingThePlanet said that they had insurance and everything like that, so I do not think Tourism Western Australia have anything to do with it; I think it is RacingThePlanet.

Mrs M.H. ROBERTS: Eventscorp, Tourism Western Australia, required certain things of RacingThePlanet as part of contract, things like having a risk-management plan, having insurance put in place and so forth, and yet that was only sighted the day before the race.

Miss Pitt: Okay; I did not know that.

Mrs M.H. ROBERTS: So, you might contemplate whether or not you think that is appropriate.

Miss Pitt: I did not know that at all.

Mr Van Der Merwe: Can I just say one thing? I think, to come back to my earlier point, it is all fine and well having a risk-management plan and a risk assessment, but it was extremely apparent to me out on the hillside that day that they had no idea how they were going to evacuate any single one of us. That plan was evolving as it happened; it was more by chance than preparation. So, I think it is a clear lack of homework that was done there up-front.

The CHAIRMAN: But Shaun, as Michael said, this is a very experienced professional, in terms of charging, for event organisers. This is not the first event; they have been doing this for a number of years. There are people you can hire to provide you with advice on risk management and to actually carry things out. Do you see a gap? Even if they had a risk-management strategy there were some significant lacks and absences in evacuation and communication—communication longer out and communication between checkpoints and whatnot—were you surprised at the lack of structure and backup?

Mr Van Der Merwe: Yes, I was, certainly. I think all the points you raise there are valid. There was no communication, which is fundamental in evacuation strategy. Like I said, there were such limited first aid we could effect to the two girls from Michael and my father out there, but imagine if we had not had a few crepe bandages, water and some ibuprofen to limit the swelling, they may

well have lapsed into shock and died up on the hillside. We were just so lucky to get out of the whole experience alive. When I turned to look for Turia—I heard a scream so loud, I turned around—two metres behind me all I could see were flames and I just realised, “Wow, this is probably the end.” I sprinted as fast as I could. It was only about five days later, when I looked at my polar heart rate monitor—I had a GPS on—that I realised I had run 100 metres at about 13 seconds through that terrain to escape it. I was extremely lucky being young and fit to get away with it.

The CHAIRMAN: Adrenaline does magnificent things.

Mr Van Der Merwe: Yes, absolutely. But there was just a clear lack of a game plan on their behalf on how to evacuate us, and that is unacceptable.

Miss Sanderson: I think that extended to all competitors. When they arrived at checkpoints there was confusion. They had to wait for hours. They had no way of ferrying people back to the start. People were hitchhiking; people were getting lifts with locals. There was just no backup plan to ferry 40 people back to the start.

Mr Hull: You have got to remember this is a relatively small event. If this had happened 12 months prior when we had 200-odd people in there, it would have been a catastrophe.

Getting back to the question that Michelle raised before in terms of blame and all that sort of stuff. Solely on the day, RacingThePlanet were negligent in their absence and what they did and did not do. But then you could also argue on the other hand that if Eventscorp had done their due diligence, the race may not even have started. On the day we looked to RacingThePlanet to provide a safe environment, and they were neglecting that in my mind, and therefore the blame for what has happened is solely on RacingThePlanet.

Mrs M.H. ROBERTS: Michael, we were told by FESA, the fire authority here, that had they been consulted, they would have recommended the race not start. You have got RacingThePlanet that could have, of their own volition, consulted them. You have also got Eventscorp that could have checked that the consultation that they had supposedly recommended actually did occur.

Mr Hull: I think also, Michelle, that because of the sponsorship involved, it was an attitude that the show must go on. There was a lot of money involved and they did not want to—I mean this is a three-year plan for them; it is not a once off event. Someone had grown and developed this. And that documentary and the sponsorship was a multiyear thing.

Mrs M.H. ROBERTS: And there was potential for that footage that was taken to be used continuously—

Mr Hull: Yes, globally.

Mrs M.H. ROBERTS: — globally in promotion of the event and of Western Australia.

Mr Hull: Absolutely.

The CHAIRMAN: Michael, the 2010 event had 200 participants, why did this one only have 41 and struggling at that?

Mr Hull: The cost; I mean it is ridiculous. RacingThePlanet have built their business on these 250-kilometre multistage events, so it is well known, well respected and people want the challenge of it. This is a 100-kilometre race in Australia for \$1 600, that is why.

The CHAIRMAN: What was the 2010 cost?

Mr Hull: It was \$3 300, which is the standard cost for all the 250-kilometre events, with the exception of Antarctica.

The CHAIRMAN: So they basically priced themselves out of the market; they struggled to get attendance and that might have impacted the whole event.

Mr Hull: Absolutely.

The CHAIRMAN: Are there any other issues that you want to raise?

Mr Hull: There was one thing. We had a question or issue around the waiver that we were made to sign, the mandatory waiver. That has not come up yet at all.

The CHAIRMAN: When did you sign that waiver?

Mr Hull: In the briefing.

The CHAIRMAN: Before the race?

Mr Hull: So, we were in a room, a hot room. There is a process you go through in terms of registration: checking your mandatory gear and that sort of stuff, handing in the documents and then signing the waiver. That is in a binder like this; you do not get that prior to the event like you do the other forms. It is like sign, sign and sign, initial and move on to the next phase of the registration.

As Greg just mentioned to me, because of the mandatory terms of that, it is like, if you do not sign it, you do not race. And that is at the last minute; you have spent the money to get there.

Miss Pitt: Yes; once we had already got there.

The CHAIRMAN: So, let us get this straight: did you know about the existence of the waiver and its details before you put your money across?

Mr Hull: No; I had not seen the waiver pertaining to this race. Mind you, I did not join the race —

The CHAIRMAN: But you flew there so there is —

Mr Hull: Yes; I knew there were documents. There were mandatory documents that they sent to me via email, which I took with me to the start of the event, to registration. But it is not a document you get to peruse and read, and to run by your legals prior to it and ask why it is in the British Virgin Isles—is it the government and the legislation?—versus doing a race in Western Australia.

The CHAIRMAN: Do the other RacingThePlanet races have the same waivers?

Mr Hull: There is a waiver that needs to be signed for each event.

The CHAIRMAN: Did you get that in advance?

Mr Hull: I think we did for Antarctica, but I do not recall getting it in advance for the Kimberley race last year.

The CHAIRMAN: These waivers, do they exist of a similar nature for other non-RacingThePlanet races? Do you know?

Mr Hull: There is an entry form, an entry form has usually got some terms and conditions on it; it is just one document. I guess that would encompass some sort of waiver as well.

Miss Sanderson: Can I say that I have signed many waivers with the events I have done and it is always a risk—risk of hypothermia, sprained ankles and whatever—and you accept that. If you were in terrain like we were and you had a sprained ankle and you had to wait three hours, you accept it, because that is part of it. You do not expect to be faced with life-threatening injuries, especially when you were there and it could have been avoided. A waiver is just something you accept at races, but never did you ever think that we would face what we did.

The CHAIRMAN: When did you usually sign those waivers for your other races?

Miss Sanderson: Probably when you are there, at the start of the race. And it is the same whether you are orienteering or rogaining; it is the same sort of thing.

Mr Hull: I agree with Kate there; in some races there is only an online entry, so you would do that in advance.

The CHAIRMAN: I am going to close it up now unless you have another issue you want to raise. I will read a closing statement.

Thank you for your evidence before the committee. I want to thank you all for coming and for the effort you put through today. It is very important and useful. Just as a technical issue, a transcript of the hearing will be forwarded to you for correction of minor errors. Please make these corrections and return the transcript within 10 working days of the date of the covering letter. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be introduced via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on a particular point, please include a supplementary submission when you return your corrected transcript of evidence. Thank you again for your evidence.

Hearing concluded at 12.41 pm