



QUEENSLAND POLICE SERVICE

TRANSCRIPT OF INTERVIEW

Person Interviewed:	Stanley John STUTZ	Date of Birth:		
Place of Interview:	Boston Massachusetts	Date of interview:	16/01/2006	
Interviewing Officer:	Brad FLYNN	Rank/Rego:	Establishment:	Townsville CIB

Persons Present:

FLYNN

STUTZ

5

10 FLYNN: This is Detective Sergeant Brad Flynn with the - ah - Helena Alabama Police Department. We're - ah - assisting the Queensland Police Service in the Coronial Investigation into the death of - ah - Christina May Thomas Watson. Um. Ah. The day is January the 16th 2006. I'm in Boston - Massachusetts - ah - interviewing - ah - witness - Dr J Stutz. Um - Dr Stutz can you tell us the ah - the time - the day - the place and the people that are present in the room please

15

STUTZ: Ah - it's - ah - January Sixteenth 2006 and my name is ah - J Stutz - or my full name is Stanley John Stutz - and um - you're Detective Flynn

20 FLYNN: Alright. And can you also confirm that we are video-taping - ah - this interview please

STUTZ: I can confirm we are video-taping

25 FLYNN: Okay. And can you also please confirm that you are the same person that provided the ah - typed statement to the Queensland Police Service on the Twenty-Second of October 2003

STUTZ: I can confirm that - yes

30

FLYNN: Alright. And I'm going to - ah - also - have a copy here of your statement - and - (indistinct) I would like bring you to - ah - please sign

35 this - confirm that was the statement that you gave to the Queensland
Police Service

STUTZ: Do you want me to re-read it all

FLYNN: No. No - it's not necessary - as long as you can confirm that - you can
40 just ah

STUTZ: That's my statement

FLYNN: Alright. You can sign and date it please - there on the top

45 STUTZ: Ah - each page

FLYNN: Ah - just ah - let's see - um - each page - yes - please.

STUTZ: (Indistinct) sign it all

50 FLYNN: (Indistinct) there. Alright. And I want you to sign these as well. Alright.
And - ah - one additional thing - I'd like for you to - also look at these
copies of this - um - these emails that you and Detective Sergeant Gary
Campbell of Queensland Police Service - ah - exchanged on Saturday
55 the Thirtieth of October 2004 - if you could - confirm that

STUTZ: Sure. (Indistinct)

FLYNN: Alright - if you could sign and date them as well

60 STUTZ: Sure

FLYNN: Alright. Here's one additional copy of the statement that we didn't sign

65 STUTZ: Sure

FLYNN: That's just the last page of your statement. Alright. Alright. That's -
um - what we're gonna do - is I'm going to - basically we're gonna go
over - ah - your ah - go over the emails - that ah - that you and
70 Detective Sergeant Campbell exchanged - and just to clarify some of
your answers as well as - ah - um - if you had anything new that you
might - could ah - interject - that'll be - that'll be great too. Um - let's
see - ah - just to confirm that you were on the - ah - vessel - the JAZZ 2
- on the date of her death which was October Twenty-Second 2003 - is
75 that correct

STUTZ: That's correct

80 FLYNN: Okay. And - basically give me a little background on the JAZZ 2 as far as the ah - ah - whatever your ah - your plans were for that day

85 STUTZ: Um - my plans were - ah - I was with a group of - ah - divers who were all getting our Advanced Open Water PADI Certificate - and our plans were to - ah - dive the Yongala and - ah - that was for deep dive in the last part of our - ah - um - certification. Um. Our plans were to - dive the wreck and get certified

90 FLYNN: Okay. Um - and we're going to clarify that - um - the persons - ah - we're gonna go ahead onto the interview - or go into the reviewing of the - ah - the emails - um - did Detective - Detective Campbell ask you to clarify the person that you refer to as Diver 1 in your statement - ah - that you gave to the - ah - Queensland Police Service - ah - any comment if - ah - the person you identified as Diver 1 - in that statement is the same - ah - diver that you refer to in Paragraph 29 of your statement - that the female diver with the blonde-brownish hair - or are you unable to say

95 STUTZ: Ah - I can clarify that was the same diver - okay

100 FLYNN: Alright. Um - in Paragraph 12 - ah - of your statement - you appear to indicate that Diver 1 and 2 - were part of a larger group - ah - this is prior to their separation - with the result - of one ascending and one descending. How many - were in this group in total - across how much of an area was this group spread - are we talking a tight bunch that can touch each other - or individual persons separated by several metres

105 STUTZ: Um. Ah - well I saw probably about four or five - people together. Immediately when I saw them - I assumed they were all in a group. They looked to be in a group

110 FLYNN: Okay

115 STUTZ: Um - they were spread out - ah - not by metres - ah - probably - phew - I would say probably about five or ten feet apart - not close enough - ah - that they were touching.

120 FLYNN: Okay

125 STUTZ: Um - close enough- so that they were together as a group but they could still swim freely

FLYNN: Okay. Alright - um - the next question - ah - when Diver 1 and 2 were together - how far away was the next closest diver that you can recall. Were they below or above the group - or tell you what - let's go ahead and ah - there's several questions in this

STUTZ: Mm-hmm

130 FLYNN: You tell me how Diver 1 and 2 were together – how far away was the next closest diver

STUTZ: I can't still recall

135 FLYNN: Okay. You put in your statement – ah – and your answer – the closest diver was approximately ten feet away – would that be

STUTZ: Yes - that was prob

140 FLYNN: That was approximate – yep – okay. Alright. Um. Were Diver 1 and 2 – were they above or below this group – or – can you recall

STUTZ: Ah – as I recall Diver 1 and 2 were - in the group

145 FLYNN: Uh-huh

STUTZ: Um – and – - ah - um – yeah – they were in the middle of the group

FLYNN: They weren't above or below. I mean there were some divers who were above them

150 FLYNN: Mm-hmm

STUTZ: Clearly – ah – but – ah – I think there were divers from below them too

155 FLYNN: Alright. Ah – would it be possible that the rest of this group were not conscious of the two divers and that the group was ahead or above them or would it be possible that the rest of the group - not being conscious of one cradling the other – or when they separated

160 STUTZ: Yes, I think that's possible

FLYNN: Ah - you think it's possible they were not aware – not conscious – aware of their presence

165 STUTZ: Yeah – correct

FLYNN: Alright. In Paragraph

170 STUTZ: I don't know – I – they – they may have known – known that we were there – but I – I don't necessarily – I think it's possible that they didn't know that there was a distressed diver

FLYNN: Okay. Alright. In Paragraph 13 of your statement you refer to Diver 2
175 cradling Diver 1

STUTZ: Mm-hmm

FLYNN: I'm trying to -- to establish if this pair of divers are one and the same as
180 the deceased and her husband. Can you comment on the heights and
builds of those two divers in relation to each other

STUTZ: Ah -- Diver 2 -- ah -- I don't know if it was her husband but ah -- that diver
-- ah -- was bigger than Diver 1 -- ah -- struck me as a male -- um -- and --
185 that's about all I can say. Um - so

FLYNN: The Diver 1 - you -- there's no doubt in your mind that was the deceased

STUTZ: Definitely

190 FLYNN: Okay. Alright. Alright -- when Diver 1 was being cradled by Diver 2 --
can you be more specific about how Diver 2 was holding onto Diver 1

STUTZ: Sure. I saw Diver 2 -- um -- come into the picture -- ah - initially after I
195 saw Diver 1 -- on -- basically on her back looking up -- ah -- at -- I would
imagine her view was a line of us going down

FLYNN: Mm-hmm

STUTZ: So she could probably look up and see us along a line

200 FLYNN: Mm-hmm

STUTZ: Um -- ah -- we did eye contact and I could see she was in distress -- and I
205 saw him come into the picture. Ah -- he was probably initially -- I don't
know -- maybe ten feet away from her

FLYNN: Mm-hmm

STUTZ: Ah -- but the same depth in the water -- ah - he came -- to her -- ah -- and
210 came sort of on top of her -- ah -- put his arms around her

FLYNN: Mm-hmm

STUTZ: Ah -- and they were together -- ah -- for ah -- probably what seemed like
215 maybe thirty seconds

FLYNN: Mm-hmm

220 STUTZ: Hard to judge exactly. Um – and then – ah – they split apart. He - went to the surface – relatively quickly

FLYNN: Mm-hmm

225 STUTZ: Ah – and – ah – she – um – basically was not neutrally buoyant - and sunk to the bottom – and – I lost eye contact with her and I – couldn't – couldn't see where she actually went – into the dark

FLYNN: It's okay. Did uh – when you say that he came up and - ah – was on top of her – was he facing her or was he around behind her

230 STUTZ: He was facing her

FLYNN: He was facing her. Okay. Ah – and at anytime could you tell where his hand placement was – when he was facing her or on top of her

235 STUTZ: I recall his hands being around her back

FLYNN: Around her back

240 STUTZ: Both of his hands being around her back

FLYNN: Okay. Alright. But at no time – did you ever see him – behind her – at any time

245 STUTZ: Never

FLYNN: Okay – so he was – just to clarify – she was on her back – looking up

STUTZ: Looking up – yep

250 FLYNN: You know – kinda floating.

STUTZ: She was - that was the surface of the water

255 FLYNN: Okay

STUTZ: She would have been on her back with her arms held like this (indistinct) and moving her arms like she was in distress

260 FLYNN: Uh-huh

STUTZ: With a look of fear on her face – and moving her legs in a similar manner – um and then he came – he swam over to her – came on top of her – um – and was face to face with her

265

FLYNN: Mm-hmm

STUTZ: At no time was he behind her

270 FLYNN: Okay

STUTZ: Um – and then – he cradled her – put both hands around her – ah – and they were together for a short period of time – and split apart

275 FLYNN: Okay. Alright. Could you tell if there were any – or do you recall if there were any oxygen bubbles coming from Diver 1

STUTZ: I don't recall

280 FLYNN: Don't recall. Okay. Ah – do you recall if there were any bubbles – ah – coming up from her when you saw her descending towards the bottom

STUTZ: Don't recall

285 FLYNN: Okay. Ah – do you recall the type of mask Diver 1 had or anything in particular about the diving rig of either diver

STUTZ: No. I don't. I just remember them wearing black dive suits

290 FLYNN: Okay. Alright. Um – as far as us – um – our communication – you mentioned that you saw her – ah – ah – when she was – ah – floating towards the bottom – was she still moving

STUTZ: Yes

295 FLYNN: Okay – was this before or after – there was contact with her

STUTZ: After there was contact

300 FLYNN: After there was contact – okay. Was it – ah – like thrashing or was it just

STUTZ: No – it was – what initially caught my eye was that I could tell that she was in distress of some kind because she wasn't moving normally – she wasn't like thrashing – she was – um – not thrashing in the sense that she was like very strong and actively moving – she looked – in distress – and fearful – and moving her arms and legs. He came – on top of her – ah – after they split – and – and went in their different directions – she was still moving – but sort of – ah was moving less and less

305

310 FLYNN: Okay

STUTZ: I know as she was floating to the bottom I can mimic it

315 FLYNN: Yeah

STUTZ: It went something basically like this – and her leg was doing basically the same thing

320 FLYNN: Okay. Alright. It's good enough. Ah – can you give an approximate timeframe - from when Diver 1 and 2 separated and the third diver came along and picked up Diver 1

STUTZ: Ah – well I think they were together – relatively – ah – transiently – and there was probably thirty seconds. Ah – and then – like I said Diver 1 went to the surface relatively quickly and Diver 2 – still fairly quickly but somewhat slower than him going up – fell into the depths

325 FLYNN: Okay

STUTZ: Um. It struck me as – less than a minute – probably more like thirty seconds – but it seemed very quickly that another diver – ah – dove down

330 FLYNN: Mm-hmm

STUTZ: Ah – that other diver – ah – basically dove stroat – dove straight to the bottom

335 FLYNN: Mm-hmm

STUTZ: Ah – but – yeah

340 FLYNN: Okay. Alright. Um. Was the group you were refer to earlier that they were a part of – or somewhat separated from – still around when the possible third diver picked up Diver 1

345 STUTZ: Ah – did you mean were they still in the water

FLYNN: Yeah

350 STUTZ: I don't remember seeing any other diver. I remember basically I'm so focused on those two

FLYNN: Mm-hmm

355 STUTZ: Ah – but I don't remember seeing - I mean there certainly weren't any other divers involved – in – when Diver 1 and Diver 2 were together – there was no other diver – divers involved. Ah - when the split apart – they were no other divers that came into the picture – and when that –

360 when that other diver went down to rescue her – ah - he was the only diver that was involved at that point too

FLYNN: Alright – do you – ah – do you recall which diver access point you descended on – I have a – ah – a copy – of the - ah – access points – right there. Can you recall which one – where you came in

365 STUTZ: I believe it was this one. I can't say that with a 100% certainty but I do believe this is the one

FLYNN: Okay. Alright. If you could - ah – just sign that right there - and date that

370 STUTZ: Sure

FLYNN: You're not 100% certain but that's where you think it might have been

375 STUTZ: I - I do – I – I – my recall – my recollection is that – I mean looking at this – what I do remember is that diver access point where we went in on

FLYNN: Mm-hmm

380 STUTZ: Ah – I recall that end of the ship being higher than the other

FLYNN: Okay

385 STUTZ: And that's what it looks like to me here

FLYNN: Okay

STUTZ: And then – yeah – okay – so -

390 FLYNN: Uh-huh

STUTZ: (Indistinct)

395 FLYNN: Right. That's good enough. Alright. Alright – um – before Diver 1 and 2 separate – ah – can you comment on whether Diver 1 or 2 had any problems with their masks – regulators – or appeared to have been grabbing or grappling each other's masks or regulators

400 STUTZ: Ah – I never saw any grabbing of the masks

FLYNN: At no time - did you - ever see Diver - ah – I - which was on the bottom facing up – grabbing at the – at Diver 2's equipment

405 STUTZ: No. No way

FLYNN: Alright. Alright in Paragraph 16

410 STUTZ: I'm sorry, Diver 1 was -- from my perspective she was becoming progressively weaker

FLYNN: Mm-hmm

415 STUTZ: Um -- throughout -- throughout that period of time and so -- I don't know if she would have had the strength to do that anyways -- um -- that's just my perspective

FLYNN: Alright. In Paragraph 16 you refer to the other diver ascending with Diver 1 -- how far away from you -- were -- when he (indistinct)

420 STUTZ: At the closest -- it may have been -- fifteen or twenty feet

FLYNN: Okay

425 STUTZ: That's feet

FLYNN: Okay. Yep.

STUTZ: And it's definitely feet not inch

430 FLYNN: Okay. In Paragraph 12 you refer to distance of twenty feet in the second (indistinct) -- are you sure in Paragraph 12 -- and we'll go clarify that. You say it was -- you're just past the five metre mark - "and I saw a bunch of divers coming up towards the surface. About twenty feet away from me in this group of divers I also saw a diver in front of another diver"

435 STUTZ: Mm-hmm

440 FLYNN: "I will refer to them as Diver 1 and Diver 2 but they were not from the JAZZ 2"

STUTZ: Yep

445 FLYNN: So if you're -- ah - confident that was twenty feet

STUTZ: Yeah -- and I'm confident it was the five metre mark -- and that I -- I am -- I would suspect the reason I chose those terms -- 'cause you know - I'm American -- sure I - I naturally speak in feet when I'm thinking about distance -- and I probably chose five metres because we were diving in Australia and the five metre mark was -- how we were taught in dive terms -- does that make any sense

450

455 FLYNN: Yes - it makes perfect sense

STUTZ: Alright - but yeah -- it was twenty feet

460 FLYNN: Did you see any other pair of divers that day that may have separated or did you see any situation where one diver was towing the other by holding on to their hands or vest

STUTZ: Well again - I saw when - the -- the rescue diver -- went to get her

465 FLYNN: Mm-hmm

STUTZ: Not 1 or 2 but that - that third diver

FLYNN: Mm-hmm

470 STUTZ: When he went to get her and he was towing -- he had his arms around her -- he was towing her up -- that was the only

FLYNN: At any time did you see Diver -- ah - 2 -- with Diver 1 -- ah -- holding on to her hand or towing -- or attempting to tow her

475 STUTZ: No

FLYNN: Okay. Have you had any other information from any source -- ah -- that may help in this investigation

480 STUTZ: Ah -- the only other thing -- ah - that -- ah -- that I know of the situation and I -- um -- wasn't at the time -- was that I had -- after the resuscitation I had spoken to -- the ER doctor from Chicago

485 FLYNN: Mm-hmm

STUTZ: And he said that he thought that before the dive -- um -- 'cause I asked him -- what he thought happened -- and he -- you know -- he said that -- she - he was in her group and he thought that she seemed -- ah -- out of sorts and nervous and didn't want to dive that day -- that's what he thought

490 FLYNN: Okay. And that was the ER doctor from Chicago -- the one that was attempting resuscitation prior to you surfacing

495 STUTZ: Mm-hmm

FLYNN: Okay. Alright. I'm going to go on to another -- few more series of questions in reference to ah -- your statements. Um -- can you confirm -

500 which safety line – um – that you descended on – the one at the bow of
the Yongala wreck or the one of which the JAZZ 2 was moored – and
again we'll refer to the copy

STUTZ: It was the one on the bow

505 FLYNN: On the bow

STUTZ: Yep. Correct

510 FLYNN: Alright – and just for the record – we'll show the mooring and that the
JAZZ 2 was moored on – ah - Mooring Number Nine Zero Four – so –
we'll say – this is the – obviously the stern – and there's the bow. This is
the JAZZ 2

515 STUTZ: Yep

FLYNN: And this is where you descended

STUTZ: Mm-hmm. That's correct

520 FLYNN: Alright. If you could just sign that

STUTZ: (Indistinct)

525 FLYNN: Yeah

STUTZ: If I could – if I could just – you know that little map that I was looking at

FLYNN: Yes

530 STUTZ: This actually helps me a little bit here

FLYNN: Okay

535 STUTZ: And – whi – this is – which one is the bow – line

FLYNN: Right here

STUTZ: Ah – this one here

540 FLYNN: Yes

STUTZ: Yeah – this – this is where I remember – 'cause I remember getting out –
we were moored here – and I – and we had to swim over – to the descent
545 line – which was at the bow

FLYNN: Okay

550 STUTZ: So yeah -- that's

FLYNN: Alright

STUTZ: And I just don't know if that's -- but it's then clear -- looking at this
555 picture -- I don't know if I mis-labelled the other one (indistinct)

FLYNN: Yeah. Yeah. That's fine. (Indistinct) can you just expressly show on
there that that's where you descended

STUTZ: Do you want me -- just circle the (indistinct) line

560 FLYNN: Yeah

STUTZ: (Indistinct)

565 FLYNN: (Indistinct)

STUTZ: This is - right -- okay. This is where the ship was -- right here

FLYNN: This is where you went -- this is where you descended

570 STUTZ: This is where we descended -- okay - this is where the ship was

FLYNN: Alright

575 STUTZ: Ah -- you going to write on there

FLYNN: Yeah -- that's fine

STUTZ: And this is -- ah -- ship mark

580 FLYNN: Yep (Indistinct)

STUTZ: (Indistinct). Yep -- okay -- definitely

585 FLYNN: Alright. Now can you also -- ah -- to the best of your recollection -- can
you recall which way the current was flowing -- that day

STUTZ: I -- I believe it was going down the ship

590 FLYNN: Going parallel with the ship

STUTZ: Yeah -- I think it was -- yeah

595 FLYNN: Okay. If you could just put some kind of notation in there saying that you show the current flowing along the path – along parallel with the ship

STUTZ: I believe it was going like this

600 FLYNN: Okay

STUTZ: And the reason – one of the reasons why is that there was a period of time where – um – when we were going down the descent line

605 FLYNN: Mm-hmm

STUTZ: Where I mean – I – it was like a split second where I – I – lost contact with the line and I was like – the current was enough that – it pulled me away from the line

610 FLYNN: Okay

STUTZ: And I remember – you know the line being at this kinda angle and I was being pulled – away this way

615 FLYNN: Okay

STUTZ: Do you know what I mean

620 FLYNN: Yes. Yes

STUTZ: I can certainly remember that – and swimming back towards the line

FLYNN: Okay. Can you just write

625 STUTZ: Can I write - right there

FLYNN: Sure. Alright. Now – in giving this – ah – this rough map of the area

630 STUTZ: Mm-hmm

FLYNN: Can you recall – or – approximately place yourself where you saw – ah – Diver 1 and Diver 2 as far as you – in relation to your position

635 STUTZ: Yep. Let's see. It's – now this is five metres we'll say

FLYNN: Mm-hmm

640 STUTZ: Um – see we would be hanging on the line like – like this roughly. Um – they were down and to my left. They would be down - in this area here – roughly – and they were coming across – my field of view

FLYNN: Mm-hmm

645 STUTZ: Like that. So they were coming across like this – and at the time I didn't know whether they were descending or ascending – because I just saw a group of people – four or five people together

FLYNN: Uh-huh

650 STUTZ: And – basically below me to my left coming across – and um – yeah – that's about right – and – um – yeah – I saw a smattering of people – and then I saw that one diver in distress – down like that

655 FLYNN: Yeah

STUTZ: So about right there. I don't know if that's a good enough - drawing

660 FLYNN: Yeah – yeah – that's fine. So – I'se – I'm just trying to clarify – um – with roughly where you were. Now obviously there's going to be some – you know – some flexibility – give and take as far as exactly

STUTZ: Yeah

665 FLYNN: Where they were

STUTZ: Yeah

FLYNN: Just an approximate guess

670 STUTZ: (Indistinct)

FLYNN: Yeah – okay – alright

675 STUTZ: You know - pretty - I was in the water for an hour

FLYNN: Yeah. Yeah

STUTZ: It's kinda hard to tell

680 FLYNN: Alright – um – so you commented on the direction – ah - that it was – ah – flowing along with the wreck – um – alright – specifically with Question 2 from the email and Paragraph 12 from the Statement – there was reference to a group of divers which included Diver 1 and Diver 2

685

STUTZ: Mm-hmm

FLYNN: This is prior to the separation- of Diver 1 and Diver 2

690 STUTZ: Mm-hmm

FLYNN: From which position did you observe this couple

STUTZ: Um – they were both – I was above them – they were down to my left

695 FLYNN: Okay – so above them and down to your left. Alright

STUTZ: When I was holding on the line looking at them they were

700 FLYNN: Okay

STUTZ: Down – here

FLYNN: Can you comment – alright – so comment more on the angle of the

705 observation – which you just did – and the possible distance bearing in mind it's a three dimensional thing

STUTZ: Mm-hmm. Mm-hmm. Yep. That was about twenty feet – twenty (indistinct) three dimensional (indistinct)

710 FLYNN: Alright - ah

STUTZ: Where was – the water was very clear but – I mean we were close enough – I could see her face

715 FLYNN: Yeah

STUTZ: You know – I mean

720 FLYNN: Okay

STUTZ: I could see the expression on her face

FLYNN: Okay

725 STUTZ: So

FLYNN: Alright – um - just below -- can you comment on whether it was off to his left or right – which you did – you commented that it was off to your left - and – ah - were you facing the wreck or away from the wreck – if it was

730 his left or right

735 STUTZ: I'm not quite as clear but – what I remember – I don't remember when I was looking at them – seeing the wreck - in my visual field – with them beneath it

FLYNN: Mm-hmm

740 STUTZ: I remember the wreck being – above and to the right now

FLYNN: Okay. Alright. Ah – let's see. With reference to the divers

STUTZ: When you're looking – very simply – if I was to look at this as the surface

745 FLYNN: Yes

STUTZ: Then I was looking down – at the whole down the line – I remember them being here – and the wreck being

750 FLYNN: Okay

STUTZ: Right – it's right here

755 FLYNN: Um – let's see. You commented that they were both facing – ah – facing each other and not both facing the same direction – alright. Now specifically the Question 5 from the email and Paragraph 13 from the Statement – this is in prior to separation again of Diver 1 and Diver 2 – with Diver 2 cradling Diver 1

760 STUTZ: Yep

FLYNN: Is this a further reference to the statement and the previous question. Can this position be demonstrated with the – I think we've pretty much – ah – demonstrated that – in the fact that they were facing each other

765 STUTZ: Yep

FLYNN: Diver 2 was on top on Diver 1

770 STUTZ: Yep

FLYNN: And Diver 1 was on her back

775 STUTZ: Yep

FLYNN: Facing the surface

STUTZ: Yep

780 FLYNN: *Alright. Alright. Would they then of similar height - or one higher than the other - or can we be more specific*

785 STUTZ: *I mean they were roughly basically the same depth in the water and then they came together and when they came together - her being on her back and he was - I mean I would say a little bit higher than she was*

FLYNN: *Okay. Alright - there's a reference to one or two hands behind the back of Diver 1*

790 STUTZ: *Mm-hmm*

FLYNN: *Can you make reference to where on the back they were*

795 STUTZ: *I remember the hands being underneath - arms*

FLYNN: *Okay. Alright. Ah - can you make reference - I'm sorry - ah - what were the hands doing more towards her waist or towards the top of the tank*

800 STUTZ: *I - don't know - I don't recall*

FLYNN: *Don't recall. Okay. Was there any distance between the two divers prior to their separation - i.e. - holding the first diver away - or more of a hugging position*

805 STUTZ: *It was a hugging position*

FLYNN: *It was a hugging position. Alright. Alright - specifically with Paragraph 14 from the Statement - this is the separation of Diver - 1 and Diver 2. On their separation - how long did you - have them under observation for*

810 STUTZ: *Thirty seconds*

815 FLYNN: *Okay*

STUTZ: *If that*

820 FLYNN: *Okay. When they separated - did Diver 2 attempt to go after Diver 1 as she sank*

STUTZ: *No*

825 FLYNN: *Okay. How far did Diver 2 rise - when he was under your observation*

830 STUTZ: I mean he was all the way to the surface -- so whatever that distance was -- I mean they were twenty feet down more to my left. I don't necessarily think that they were -- they may have been twenty feet deeper than me -- but -- plus the five metres I was -- deep -- so -- you know -- that's roughly thirty-five feet maybe -- or less

835 FLYNN: Alright. Can you comment on the posture or position of Diver 1 as she sank. Obviously we've already covered that. You said she

STUTZ: (Indistinct) actually thirty-five -- so maybe fifty --

FLYNN: Fifty

840 STUTZ: But probably less than that

FLYNN: Okay

STUTZ: 'Cause of their angle

845 FLYNN: Alright. When Diver 1 was sinking -- we confirmed that -- or you confirmed that she was on her back -- ah -- arms kinda outstretched -- slowly moving

850 STUTZ: Yep

FLYNN: Okay. Ah -- did their separation cause you any concern at the time

STUTZ: Yeah. Absolutely. I was -- I was really worried because I could see that -- I knew that something was wrong -- I mean -- she had a look of panic on her face

855 FLYNN: Mmm

860 STUTZ: And then when they separated and he went to the surface -- and she sank

FLYNN: Mm-hmm

STUTZ: I mean she went into the blackness -- I was really concerned. You know

865 FLYNN: Ah. When the two divers separated -- can you comment -- where the wreck was -- in relation was it -- it was below and off to the side

STUTZ: Yep

870 FLYNN: Yep. Okay. If below the divers -- ah - can he estimate -- can an estimate be made of the distance between the wreck and the two divers

875 STUTZ: Ah – the distance between the divers and the wreck was a lot farther than the divers and the surface

FLYNN: Okay. Alright

880 STUTZ: A lot farther

FLYNN: Alright. Um – at any time did you – um – come in contact or examine any of the deceased’s diving equipment – when you surfaced

885 STUTZ: Um. No

FLYNN: Okay

STUTZ: I don’t – yeah – no – I didn’t

890 FLYNN: Okay. Um – did you see her equipment at all - or – or – at any time when it was on the boat

STUTZ: No I didn’t

895 FLYNN: Okay. Did you hear or see any other person making any examination of the deceased’s diving equipment

STUTZ: No. I didn’t

900 FLYNN: Okay. If you so can recall – ah – well that - that doesn’t pertain – ‘cause there was no examination. Alright. On leaving the deceased - you went over to the spoilsport – did you have any conversation with the deceased’s husband

905 STUTZ: No

FLYNN: Okay. Ah – specifically – was there any conversation – ah – ah – between other passengers as to what happened that led to her – ah – death

910 STUTZ: Well the only conversation that happened immediately after her – ah – pronouncing her – was - yeah – her position

FLYNN: Mm-hmm

915 STUTZ: ‘Cause he was in our group

FLYNN: Yeah

920 STUTZ: And I - said that - you know - I was extremely upset - and asked him what he thought was - just struck me as - you know - I would - just - the lady died

FLYNN: That's right

925 STUTZ: So

FLYNN: Alright - um

STUTZ: Didn't - I didn't have any other conversation

930 FLYNN: Okay

STUTZ: When I was

935 FLYNN: Alright. Did the deceased's husband make any comment as to any medical condition that the deceased may have suffered at any time

STUTZ: Never talked to him

940 FLYNN: Never heard anybody else make any comments or talk to him - okay. And did you hear from anybody else or third party that the deceased's husband was making any comments -- as to either the current or any other incident that had happened under water

945 STUTZ: No

FLYNN: Okay. Did you ever meet the - ah - deceased prior to her death

STUTZ: No

950 FLYNN: Okay. Did you ever meet the deceased's husband prior to her death

STUTZ: No

955 FLYNN: Alright. Did you - I think you said you - you did not - meet the deceased's husband

STUTZ: I never met him

960 FLYNN: After her death - alright. Um - have you had any communication - any form with the deceased husband after the death of her

STUTZ: No

965 FLYNN: Have you had any contact with anybody – outside of myself and Detective Sergeant Campbell

STUTZ: Never

970 FLYNN: With reference to this case. Okay. Alright. Think – and um - are you prepared to return to Australia and give evidence in Court in relation to this matter – bearing in mind that the Australian – ah – Government will travel – cover your travel accommodation costs if necessary

975 STUTZ: Yes - correct

FLYNN: Alright. Is there anything else that you think may be pertinent to – ah – the investigation that you want to add at this time

980 STUTZ: No

FLYNN: Okay. Alright. We will end the interview – ah – on January 16th 2006 and the time is – ah – 10.24 - am - Eastern Time

985 INTERVIEW CONCLUDED

INTERVIEW RECOMMENCED

990 FLYNN: Alright - the time is 10.25am – post – ah – off-the-record interview – ah – with Dr Stutz. We's - ah - we're discussing an incident – where some other statement that we would like to add on to the original recorded statement in reference to any kinda body language or – ah – motion or gestures between Diver 1 and Diver 2. Um - Dr Stutz you can elaborate on that

995 STUTZ: Sure. I saw no – ah – body language at all between those two. Essentially – ah – from my perspective they came together but there was no communication between them except him – ah – coming on top of her – cradling her – there was no body language – there was no hand motions that I saw

1000 FLYNN: Nothing of him – ah – trying to – ah – ah – motion to her to maybe inflate her – buoyancy compensating device to inflate her to the surface nothing like that

1005 STUTZ: Nuh – huh. I did not see

1010 FLYNN: Did you ever see at any time – ah – his mask come off

STUTZ: Um

1015 FLYNN: His regulator come out

STUTZ: No

FLYNN: Okay. Ah - have you - in your perspective - do you think if that would
1020 have occurred during that stand of time that you would have seen it

STUTZ: I can't say that I definitely didn't see it

FLYNN: Okay

1025 STUTZ: And I saw no equipment - dislodged

FLYNN: Okay. Alright. We just wanted to add that to the official - ah - statement
and we'll end the interview at 10.26am

1030

INTERVIEW CONCLUDED