



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Statement No.:	One	Date:	22.10.2003
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Statement of:

Name of witness:	Uzi BARNAI	Date of birth:	19/8/1970	Age:	33
Occupation:	Photographer				

Police officer taking statement:

Name of police officer:	Ian TAYLOR	Rank:	PCSC	Reg. No.:	9622
Region/Command/Division:	NORTHERN	Station:	TOWNSVILLE JAB		

Statement commenced at the JAB office, Townsville 22/10/2003 @ 18:10 hrs.


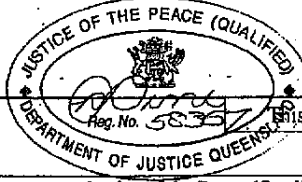
I Uzi BARNAI State,

1. I work for Mike BALL dive expeditions. I live at unit 4, to 88 Birch St, Manunda. My mobile phone number is 0413003136. Home is 0740532824.
2. I have worked for Mike BALL since November 1998 as an underwater Photographer.
3. I am a master scuba diver trainer. I have had my Scuba Instructors certificate since 1994.
4. At about 8:00pm last night on the 21st of October 2003 people started to board the Spoilsport dive boat. We departed Townsville with about 29 people on board.
5. After they boarded we had a compulsory safety briefing. Before the briefing all the passengers have to produce their divers license. The trip director then gave his briefing, the skipper then gave a safety briefing for the vessel. The trip director then gave another briefing. I also gave a briefing regarding my role.

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		Witness
	Justice of the Peace (Qual) / Commissioner of Declarations	Police Officer

CONTINUED STATEMENT OF: Uzi BARNAI

6. We left Townsville and headed straight to the Yongala dive wreck.
The passengers went to sleep.
7. I recall events of the 22nd day of October 2003.
8. I got up about 7:00am or so. I was working on the passenger photographs. I then helped out on the deck after that.
9. The trip director 'Wade' then gave a diving briefing about everything to do with the dive, about diving safety and how we operate.
10. After that 'Wade' gave the Yongala wreck briefing.
11. My job was to help on the deck to get passengers set up.
12. I know the girl who passed away. Her name is Tina. She was on the Spoilsport with her new husband.
13. Tina's dive buddy for the trip was her husband.
14. At about 10:00am or so Tina and her husband left the boat with a few other divers in a dinghy. The dinghy was driven by one of the Spoilsport staff. They were dropped off ahead of the boat near a bouy in front of the Yongala wreck.
15. After about 10 to 15 minutes or so both of them came back in the dinghy.
16. Tina was sitting on the deck and I said "You tired"
17. She said "No, the computer is not working "

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		Witness	Police Officer
	Justice of the Peace (Qual) / Commissioner of Declarations		

CONTINUED STATEMENT OF: Uzi BARNAI

18. Her husband said "The computer's not working. It usually starts to work in about 1 foot of water "

19. They were referring to a dive computer.

20. I asked "Did you dive "

21. He said "No the computer wasn't working so we came straight up after a few feet."

22. He said "Can I have a coin "


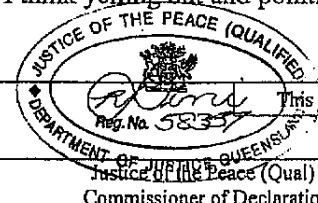

23. I said "Sure". I went and got him a 5 cent piece. I continued back on the deck to make sure every thing else was all right with other divers to help them get ready for their dive.

24. I'm not sure how much time went by after I had given Tina's husband the coin but I remember that I heard "Emergency"

25. I grabbed my fins and mask and put my diving gear on. I ran straight to the diving platform at the back of the boat, got on a dinghy and said to one of staff 'Bruce', "What I am going for". I think Dave the first mate of the Spoilsport got on after me.

26. I saw Tina's husband on another dinghy about 10 to 15 metres away from me with a few other people. He said something like "Quickly, Quickly, we were together and the next thing she went all the way down. I went up and she went all the way down." He was screaming and pointing down.

27. Bruce started to drive the dinghy toward the wreck. I then heard Brian I think yelling out and pointing "There, there "

 Witness		This is Page 3 of a Statement comprising 7 Page(s).
	Justice of the Peace (Qual) / Commissioner of Declarations	 Police Officer

CONTINUED STATEMENT OF: Uzi BARNAI

28. When I looked forward again I saw another diver dragging a diver toward another of the main vessel' which was at the Wreck. I'm not sure of the name of that vessel.

29. That boat was really close to the front bouy of the Yongala wreck.

30. I ripped all of my equipment off and dived straight into the water.

31. I swam over and knew it was 'Tina' at that stage. I could see a lot of foam coming out of her mouth.

32. I knew we had to pick her up and get her out of the water.


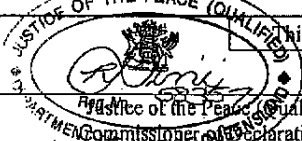

33. I got out of the water on the back of the boat and pulled her straight out with the help of another diver. I think he was the skipper of the other vessel.

34. I started taking her BCD off. I opened up her jacket, opened up her long johns. I tilted her head and cleared the foam out of her mouth. I also saw a lot of water and a little bit of blood come out of her mouth as well. I started giving her mouth to mouth resuscitation straight away and foam from her mouth hit my face.

35. I remember that Wade the trip director was right beside me.

36. I concentrated on Tina's mouth to give her oxygen. Wade was doing chest compressions. Every now and then foam would come out of her mouth. Someone said 'You want someone to take over and you clean your face'

37. I would leave for a short while and clean my face. Someone else took over while I was away. I then came straight back and gave her oxygen again. I don't know who it was that replaced me while I

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		Police Officer 

CONTINUED STATEMENT OF: Uzi BARNAI

cleaned my face. Wade and another diver with a beard were taking turns doing chest compressions. I think there may have been a third diver also helping out.

38. Every 3 minutes or so I was asking 'Check for pulse'

39. Someone asked me if I wanted a pocket mask. I took the pocket mask, put it on Tina's mouth. I also put a tube of oxygen in the side of her mouth, which was connected to a oxygen tank. I continued doing mouth to mouth.

40. Minutes later a doctor arrived. He put an airway tube in her mouth and put the mask back on her mouth.

41. I think someone was on a radio talking to someone else.

42. I saw a doctor injecting Tina with some needles just below her neck line. I couldn't see exactly what was happening as I had to keep doing mouth to mouth and listen for the count for the CPR.


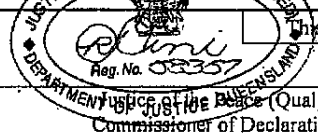
43. The doctor was saying out aloud what he was doing.

44. The only change I saw in Tina was her chest slowly becoming blue. Every time I tilted her head a lot of foam came out of her mouth.

45. Toward the end a doctor helped me hold the mask so I could concentrate on giving Tina mouth to mouth.

46. I heard from a few people that we were doing mouth to mouth for about 40 minutes, but I'm not sure.

47. A second doctor came on board. Our doctor of the Spoilspport told that doctor, ~~exactly what he~~ did in medical terms. The second doctor

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CONTINUED STATEMENT OF: Uzi BARNAI

did some checks on Tina. They asked exactly how long we did CPR for and both of them agreed to stop CPR.

48. I took of the pocket mask and airway tube. I cleaned her face with a towel. I think the second doctor asked us to move Tina inside the boat. I helped pull her along. I cleaned her face again as more foam was coming out of her mouth.

49. I asked the doctor "Should I take out the last needle ", as there was a needle in her neck.

50. He said "Yes"

51. I asked a female who works on another boat to get a needle container. She came back with the container and then I took the needle out of her neck and put it in the disposal container.

52. I put a towel underneath Tina's head.

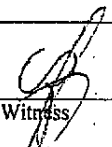
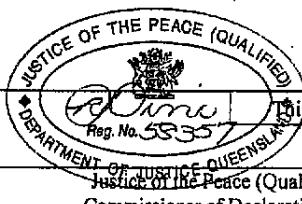
53. I cleaned her again and covered her face. The same girl put another towel over Tina.

54. I sat there for a while. Craig gave me a body bag.

55. I washed the carpet as someone told me Tina's husband was coming over.

56. Myself, the girl and the skipper remained on board while all the other passengers were taken of the vessel.

57. Myself and another 2 others put Tina in the body bag.

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CONTINUED STATEMENT OF: Uzi BARNAI

58. I cleaned her face again and changed to a clean towel. I closed the bag and waited for the husband to arrive.


59. When I saw the husband coming I cleaned Tina's face.

60. The skipper asked us to both go upstairs.

61. After about half an hour we put Tina on a dinghy and took her to Spoilsport. The crew there helped get her on board.

62. I helped out putting the other diver's equipment back on the dinghy's to go back to their vessel.

63. I had a shower. Wade gave us a briefing and we headed back to Townsville.



Uzi BARNAI

OATHS ACT 1867 (DECLARATION)

Uzi Barnai do solemnly and sincerely declare that:

(1) This written statement by me dated 22/10/2003 and contained in pages numbered 1 to 7 is true to the best of my knowledge and belief; and

(2) I make this statement knowing that if it were admitted as evidence, I may be liable to prosecution for stating in it anything I know to be false.




and I make this solemn declaration conscientiously believing the same to be true and virtue of the provisions of the Oaths Act 1867

..... Signature

Taken and declared before me at Townsville.....

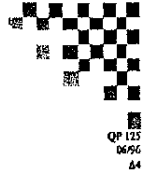
this...22nd...day of October, 2003.

Witness
Justice of the Peace / Commissioner of Declarations / Other (Please State)

		This is Page 7 of a Statement comprising 7 Page(s).
Witness	Justice of the Peace (Qual) / Commissioner of Declarations	 Police Officer



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Statement No.:		Date:	
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Statement of:

Name of witness:	Uzi BARNAI	Date of birth:	19/08/1970	Age:	37
Occupation:	Photographer				

Police officer taking statement:

Name of police officer:	K J GEHRINGER	Rank:	DSC	Reg. No.:	10581
Region/ Command/ Division:	Northern	Station:	Townsville CIB		

ADDENDUM STATEMENT

Uzi BARNAI states:

1. On the 22nd of October 2003 I provided Police with a statement in relation to a diving incident at the Yongala Wreck.
2. On the 3rd of August 2004 Detective Senior Constable GEHRINGER contacted me and as a result I attended the Townsville Police Station to provide further information.
3. I remember that when Tina came back to the boat she was sitting on the dive deck. I asked her if she was tired and she said "No I'm okay". It was at this time that she mentioned that the computer was not working.
4. To me she appeared a little tired but otherwise she appeared to be normal and the same as she had been from the beginning of the trip.
5. This is the time that her husband mentioned to me that he had a problem with his computer. I told him that I can not help him with his computer as I am not certified. I mentioned to him that if he had a problem he could use another one. I said that because we have equipment like that for hire. He said that he knew the problem and I then left them and attended to checking the dive deck.

Witness		This is Page <u>1</u> of <u>3</u> Statements comprising <u>3</u> Page(s).
		Reg. No. <u>49770</u>



CONTINUED STATEMENT OF: Uzi BARNAI

6. A couple of minutes later he then came up to me and asked me for a coin which I got for him and again left him.
7. The last thing I remember is that he told me the computer is okay, I cannot actually remember seeing them leave.
8. At no time did Tina or her husband ask me about needing more weights for their belts nor did I see them put any extra weights on.
9. In August 2007 I was again contacted by GEHRINGER who explained that the addendum statement I had signed on the 3rd August 2004 had not been Oaths Acted. As a result I later attended the Cairns Police Station and signed this statement.

Uzi BARNAI



Oaths Act Declaration

OATHS ACT 1867 (DECLARATION)

I **Uzi BARNAI** do solemnly and sincerely declare that:

- (1) This written statement by me dated 30/8/2007 and contained in pages numbered 1 to 2 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that if it were admitted as evidence, I may be liable to prosecution for stating in it anything I know to be false.

and I make this solemn declaration conscientiously believing the same to be true and virtue of the provisions of the Oaths Act 1867


.....Signature

Taken and declared before me at CAIRNS

this 30th day of August 2007

Witness C. Zappale

Justice of the Peace /
Commissioner of Declarations
Other (Please State)



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Witness	Justice of the Peace (Qual) / Commissioner of Declarations	Police Officer