



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Occurrence #: _____

Statement no.: _____ Date: 18/04/2007

Statement of

Name of witness: STUTZ, Stanley John

Date of birth: 28/11/1972 Age: 34 Occupation: Doctor

Police officer taking statement

Name of police officer: CAMPBELL, Gary Colin

Rank: Detective Sergeant Reg. no.: 6690

Region/Command/Division: Northern Station: Townsville Criminal Investigation Branch

Statement:

Stanley John STUTZ states:

I have previously provided a statement to the Queensland Police over the death of Christina Mae THOMAS @ WATSON. THOMAS @ WATSON died at the site of the Yongala Shipwreck on the 22nd day of October 2003.

I also exchanged a series of emails with Detective Sergeant Gary CAMPBELL of the Townsville Criminal Investigation Branch in relation to this death during October 2004.

On the 16th of January 2006 I spoke with Detective Sergeant Brad FLYNN in Boston Massachusetts. I was interviewed on video tape by FLYNN. During this interview I acknowledged the statement I had previously provided to police on the 22nd day of October 2003. I also acknowledged the previous emails I had exchanged with CAMPBELL.

On the 18th day of April 2007 I attended to the Providence Police station. This was at the request of CAMPBELL. I took up with CAMPBELL and KNOWLES from the Brisbane Homicide Squad. I had a conversation with CAMPBELL and KNOWLES.

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: STUTZ, Stanley John

I was asked by CAMPBELL to demonstrate with KNOWLES the position that I saw diver 1 and diver 2 when I had them under observation. I would point out that the two divers I saw were in a horizontal position. Diver 1 was facing towards the surface and diver 2 was facing towards the ocean floor. I have referred to these divers in my previous statement and interview. Diver 1 was the deceased female who I knew as Christina Mae THOMAS @ WATSON.

CAMPBELL took two digital photographs of the position that KNOWLES and I were in. I can say that they are an accurate representation of the embrace that I saw divers 1 and 2 except to say that they were in a horizontal position.

During my interview with FLYNN I was asked additional questions at the request of CAMPBELL.

I can say that the person I refer to as Diver 1 in paragraph 29 of my statement with the blonde-brownish hair was the deceased.

In paragraph 12 of my statement I indicated that Diver 1 and 2 were part of a larger group prior to their separation. I can say that I probably saw about four or five people together. I assumed at the time that they were all in a group. My impression at the time was that they were probably about five or ten feet apart. Not close enough to be touching.

When diver 1 and 2 were together my belief at the time was that they were about 10 feet away from the other persons that appeared to be in their group.

I believe it is possible that the other persons in this group were not conscious or aware of the presence of diver 1 and 2. By that they would not have been conscious that one of the divers was in distress.

In paragraph 13 of my statement I referred to Diver 2 cradling diver 1. I can say that diver 1 was the deceased as I actually assisted in attempting to revive her on the surface. I could also see her face quite clearly and I also saw her blonde brownish hair. I can not say that diver 2 was the husband. However diver 2 struck me as being a male person and that he was bigger in height and width than diver 1.

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: STUTZ, Stanley John

When I saw diver 1 I was in a line of divers descending on the drop line towards the wreck. I was one of the last divers in that line of divers. When I looked down and saw diver 1 and 2 it was down and to my left. While descending that drop line I was swivelling around a lot on the actual line. This was due in part to the actual current and bumping into the other divers and also trying to avoid the other divers from the Jazz II.

When I saw diver 1 my belief was that she was in distress. This was conveyed to me by her movements initially. Her arm and leg movements were disorganised and this is what caught my peripheral vision. I believe that my training as an Accident and Emergency Doctor enabled me to recognise that she was in distress. I did a lot of diving when I was younger and this coupled with my training as a physician left me in no doubt.

I then focused on divers 1 face. I saw fear and distress on her face. The look on her face was awful and I had the belief that she knew that she was in danger. Her eyes were wide open.

When I first saw diver 1 her head was furthest away from me and her feet were closest to me. When I first saw diver 2 he was about 10 feet away from diver one and approaching her from her left. Diver 2 moved on top of diver 1 and was basically a mirror image of her body position. Diver 2 was facing towards the ocean floor and diver 1 was still facing towards the ocean surface. This is the position that I re-enacted in the photographs with Detective KNOWLES however we were standing upright.

The arms of diver 1 were outstretched to her sides and her legs were moving flapping slowly up and down. The arms of diver 2 were circling the torso of diver 1. I am not in a position to say what the hands of diver two were doing behind her back. The arms of diver 2 were circling the torso of diver 1 under her armpits.

The two divers seemed to be in this embrace for about 30 seconds at the maximum however most likely it was less and maybe even as little as 10 seconds.

When the two divers separated diver one's limb and body movements did not change. There did not seem to be any organised structure in her body movements. When they separated diver 2's ascended. While I had diver 2 under observation he did not change his direction of swimming and did not go after diver 1.

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: STUTZ, Stanley John

While diver 1 descended I was able to maintain visual contact with her after the separation of the two divers for a short time. While I had diver 1 under observation after their separation she did not start swimming nor was there any change in her body movements. From my perspective diver 1 was becoming progressively weaker as she was descending. From this position at this time I could not see the ocean floor. Diver 1 essentially disappeared into the blackness.

As I have said previously while I had diver 1 under observation I do not recall any bubbles trails from diver 1. This is to say I can not comment one way or other.

While I had the two divers under observation I observed no interaction between the two where either of the diver's masks or regulators came loose or appeared to come loose. At no stage did I observe diver two behind diver one.

I do not recall anything about their dive suits or dive gear that caught my attention. I do not recall while the two divers were under my observation any hand signals between the two of them.

After diver 1 disappeared from view I accelerated my descent past the other divers in my group to catch up with my dive instructor. I did this by going hand over hand down the line. I caught up with my dive instructor and started communicating, 'Did you see that, did you see that' in reference to the two divers separating and diver 1 falling to the ocean floor.

After diver 1 disappeared from my view it was somewhere between 30 seconds and a minute when I saw the third diver appear with diver 1. Diver 1 appeared lifeless, the third diver was holding diver 1's regulator in her mouth, and there was vomit coming from her mouth.

I then pointed out diver 1 and 3 to my dive instructor and communicated that I should go to the surface to assist as a doctor. My dive instructor instructed me to remain with the dive group.

When I observed divers 1 and 2 I would have been at about the five metre mark from the surface. I could not see ocean floor at this point. Apart from this one observation of divers 1 and 2 I did not see those two divers together at any other time. While divers 1 and 2 were in my field of vision I could not see any part of the wreck. While I was on the drop line diver 2 did not pass me at any time.

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Police officer's signature)

CONTINUED STATEMENT OF: STUTZ, Stanley John

Towards the end of the dive, when I was about five feet from the surface, my dive instructor approached me and indicated for me to surface. I surfaced and the instructor told me that I was needed on the back of the boat. I went over to the rear of the boat and observed the deceased who was diver 1. I have covered in my first statement what efforts were made to try and resuscitate the deceased.

To the best of my recollection the current was flowing down along and parallel with the wreck on the day of the death.

Stanley John STUTZ

Oaths Act Declaration

OATHS ACT 1867 (DECLARATION)		
IStanley John STUTZ..... do solemnly and sincerely declare that:		
(1)	This written statement by me dated 18/04/2007 and contained in pages numbered 1 to 6 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 Providence, Rhode Island.....		
this.....18th.....day ofApril.....2007..		
Witness		
Justice of the Peace /		
Commissioner of Declarations		
Other (Please State)		

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Police officer's signature)