



Headquarters  
New Zealand Defence Force  
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Private Bag 39997  
Wellington Mail Centre  
Lower Hutt 5045  
New Zealand

OIA-2023-4813

15 September 2023

[REDACTED]  
[REDACTED]@stuff.co.nz

Dear [REDACTED]

I refer to your request of 1 September 2023 seeking, under the Official Information Act 1982 (OIA), the following information:

*a transcript and any recording of the communication between the HMNZS Wellington and the Norwegian yacht the Berserk, prior to the sinking of the Berserk off the coast of Antarctica in 2011...Can I also please have any photos or video captured by any crew of the HMNZS Wellington, of the Berserk and its crew.*

You have also noted that a former Stuff reporter, [REDACTED], made the same request that was declined. The decision remains the same as no recordings of any communications exist. Copies of the email responses to [REDACTED] are enclosed as is a copy of a photograph taken of the *Berserk* and its crew.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review this response to your request. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that responses to official information requests are proactively released where possible. This response to your request will be published shortly on the NZDF website, with your personal information removed.

Yours sincerely

**AJ WOODS**

Air Commodore  
Chief of Staff HQNZDF

**Enclosures:**

1. Email replies
2. *Berserk* image

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From: [Vale, Tony](#)

Sent: Fri, 12 Nov 2021 02:24:06 GMT

To: [REDACTED]@stuff.co.nz

CC: [@Media](#)

Subject: unclassified

Hi [REDACTED]

Answers below which have been provided by Captain Simon Griffiths, then CO of the Wellington, noting that at the time of the events described he was a Lieutenant Commander. We are seeing if we can release the Report of Proceedings. Also, I should let you know that 10 years after the event, we don't have any voice recordings of conversations between the vessels. Do let me know if you have further questions.

Best, Tony

1. Can you give me an overview of why Wellington was in the Southern Ocean in early 2011?

HMNZS WELLINGTON, one of two Protector-class Off Shore Patrol Vessels, was commissioned into the Royal New Zealand Navy on 6 May 2010. Both ships were built with ice-strengthened capabilities that were intended to allow them to operate in both the lower Southern Ocean, and ice-covered Antarctic waters.

The ship completed resupply and support tasks for the Department of Conservation, in the Sub-Antarctic Islands in early February 2011. On completion of these tasks, and a port visit to Dunedin, WELLINGTON sailed south to commence its inaugural passage into Antarctic waters as a part of planned Antarctic and Southern Ocean sea trials.

1. How many were crew onboard?

58

1. When were you first made aware that Berserk was in the Southern Ocean / McMurdo Sound?

We were first aware of the Norwegian flagged sailing vessel Berserk being in McMurdo Sound when we sighted it anchored in a corner of Backdoor Bay on the morning of Monday 21 February 2011.

HMNZS WELLINGTON entered the ice-covered waters of McMurdo Sound at 0330 on Monday 21 February 2011. It then passaged south and arrived in the vicinity of Backdoor Bay at approximately 0730. The bay is situated on the western side of Ross Island, is approximately 18 nautical miles north of McMurdo Station, and is the location of Shackleton's historic Nimrod Hut. As the ship approached the bay the crew of Berserk called the ship using VHF radio.

1. What did /do you think about their independent voyage to Antarctica?

No comment on this question.

1. What communication did you have with Berserk's crew? What was the nature of that communication?

The initial communication with the crew of Berserk was via VHF radio. They initiated the call, and offered greetings. During the call they also asked if we had any spare cigarettes that we could share with them. No cigarettes were available, but one crew member offered to provide them with a cigar.

1. Why did you meet Berserk? Whose idea was that? What was said?

HMNZS WELLINGTON was operating in the vicinity of Backdoor Bay, as part of a planned activity to land personnel ashore to visit Nimrod Hut. At 0900, one of the ship's RHIBs (Rigid Hull Inflatable Boat) was launched to transfer the first group of personnel into the bay.

In the period between the VHF call and the ship's boat being launched, Berserk weighed anchor and was underway. As the ship's boats transited into the Bay they visited the yacht. Both vessels stopped in the water, with our ship's boat coming alongside the yacht. Our personnel greeted the three crewman on the yacht, and took the opportunity to pass over the cigar. The meeting was short and informal. On completion our boat continued into Backdoor Bay, and Berserk continued motoring south and away from the area.

1. Can you describe how the Berserk crew were? Did they board Wellington? Did Wellington crew board Berserk? Did Berserk seem capable of being in Antarctica with winter approaching?

Our interactions with Berserk, both in person and over VHF, were warm, jovial, and informal. At no stage did the crew of Berserk board our RHIB, nor did any of our people climb aboard the yacht. Neither the crew of the yacht, nor any of our personnel in the RHIB, expressed any concern about the seaworthiness of the yacht.

1. When did you learn that the storm was coming?

The Radio Operator at Scott Base overheard our VHF conversation with the crew of Berserk. Shortly after that conversation, the Radio Operator called the ship and advised us that they had an updated weather forecast that indicated storm strength winds were expected the following day (Tue 22 Feb 2011).

1. Did you notify Berserk's crew about the storm? How were things left with them? Did they tell you what they intended to do during the storm? Did they ever discuss going ashore?

The weather forecast we received from Scott Base was verbally passed on to the crew of the yacht, when our RHIB went alongside them enroute to Backdoor Bay. At that stage the yacht was already underway and the crew advised our personnel in the RHIB that they were heading south and further into McMurdo Sound.

1. Did you - or anyone else in New Zealand Navy - instruct Berserk to leave Backdoor Bay?

At no stage was any instruction or recommendation given to the yacht by any person from HMNZS WELLINGTON. As previously noted, the Berserk weighed anchor and got underway shortly after our initial conversation. They were already underway when our RHIB came alongside them.

1. How far was Wellington from Berserk when the emergency beacon was activated?

After operating in McMurdo Sound until early evening Monday 21 Feb 2011, HMNZS WELLINGTON started to head north and away from the area. By early morning of Tuesday 22 Feb 2011 the ship was beginning to be battered by fast deteriorating weather conditions.

At 1940 on Tuesday, 22 Feb 2011, we received a Mayday relay from the New Zealand Rescue Co-ordination Centre (NZRCC), via our Global Maritime Distress and Safety System (GMDSS), stating that a 406MHz Emergency Position-Indicating Radio Beacon (EPIRB) had been activated from the yacht Berserk. At that time, the activation point was 30 nautical miles west south west of HMNZS WELLINGTON's own position.

1. What were the conditions like?

By 0800 on Tuesday 22 Feb 11, the wind was up to 60 knots from the southeast with visibility down to less than 2,000 yards and wind chill temperatures as low as minus 25 degrees Celsius. By the time we received the Mayday relay at 1940 that evening, the weather had seriously deteriorated with winds of over 100 knots and waves 8-10 metres high (sea state 6).

1. You described it at the time as the worst storm you had seen in 19 years. Have you ever seen a storm as bad since? If so, when and where?

No. It remains the worst conditions I have experienced in my 30 year career.

1. What damage was done to Wellington during the storm?

At the height of the storm, the conditions were so violent that we ended up losing overboard four (of six) life rafts, we lost the use of all windscreen wipers for the bridge windows, and had two VHF radio aerials damaged. In addition we suffered considerable superficial damage to fittings on the upper deck (e.g. lights and brackets), and estimated that the ship built up 7-10 tonnes of ice on the ship's upper decks and superstructure.

1. Given the length of time it took to reach the site of the beacon activation, why did Wellington search for such a short amount of time?

At the time of the EPRIB activation, HMNZS WELLINGTON was to the north of Ross Island. While the position of the beacon was only 30 nautical miles from WELLINGTON, the extreme wind and sea conditions at the time made it impossible for the ship to alter course and passage directly towards that position. The location and environment of the ship also meant that icebergs (of all shapes and sizes) and sea ice were present, and were a threat to the ship if struck.

Instead the ship continued to passage into the wind and sea, and closer towards the lee of Ross Island. Once conditions reduced enough (in an area north of Ross Island, partially sheltered from the violent winds) to manoeuvre the ship safely perpendicular to the prevailing conditions, the ship altered course west and towards the last known location of the beacon.

From the time the alert was received on board WELLINGTON it took eight and a half hours for the ship to reach the beacon activation point. The ship searched around the last known position of the beacon for four hours, before searching an area downwind of the datum for a further 10-12 hours. The search continued for as long as we safely could in the persistent storm conditions. In that time no further EPRIB signals were received, nor was there any sign of the yacht or its crew.

1. Did you have a helicopter? If so, why was it not deployed?

The ship had no helicopter on board for this deployment.

1. Why did Wellington not communicate directly with the Sea Shepherd vessel Steve Irwin?

Owing to the high latitude location of the area, our communications during our time in the lower Ross Sea were reduced. During the storm and the search we were limited to intermittent iridium cellular coverage. While I was aware that Sea Shepherd vessels were operating in the Southern Ocean, I was not aware of their involvement in the later stages of the search until after we had left the Ross Sea.

1. Why did you not inform Steve Irwin that Wellington had lost a liferaft? They say they wasted time recovering it.

While I was aware that Sea Shepherd vessels were operating in the Southern Ocean, I was not aware of their involvement in the later stages of the search until after we had left the Ross Sea. I am also unaware of a Sea Shepherd vessel recovering any of our missing life rafts. We were informed after we got back to New Zealand that they had recovered the Berserk's life raft, and that it showed no signs of having been occupied.

1. Who called off Wellington's search? In hindsight, could Wellington have done more?

Noting the violent weather and sea conditions, in ice-covered waters, and the loss of key safety equipment the decision to call off our search was made by myself, with the support of the RNZN Maritime Component Commander in Wellington.

1. Do you feel that you and/or New Zealand Navy was complicit in the death of the three men?

No

1. They were a highly experienced crew, why do you think they left Backdoor Bay?

I am unsure, as they never provided us any information on that matter.

1. Is it an incident you have reflected on in the years since? If so, why is that? What do you think?

Any loss of life at sea is distressing, and I still think about the loss of the Berserk. We did what we could in appalling conditions, and in a very remote and extreme environment, but ultimately my primary responsibility was to the safety of HMNZS WELLINGTON and its crew.

**Tony Vale** (*he/him*)

Deputy Director - Ngā Take Tūmatanui a Te Ope Kātua | Defence Public Affairs

Te Ope Kātua o Aotearoa | New Zealand Defence Force

Mobile: 021 241 5534

[www.nzdf.mil.nz](http://www.nzdf.mil.nz)

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From: [Vale, Tony](#)

Sent: Tue, 23 Nov 2021 23:16:04 GMT

To: [REDACTED]@stuff.co.nz

CC: [@Media](#)

Subject: unclassified

Hi [REDACTED] how's it going?

Further answers as requested in response to your OIA.

Best, Tony

Hi Tony,

Just checked the OIA and although most Qs have been answered (very fully), some haven't. I'd still be keen to receive replies please.

Cheers,  
[REDACTED]

Can you please provide me with all communication between HMNZS Wellington and the yacht Berserk, between January 20 and February 23 2011. Preferably this would be audio recordings but, if need be, could be transcriptions.

If this is not possible can you please explain why.

This part of your request is declined in accordance with section 18(e) of the Official Information Act 1982 (OIA). A summary of communications has been provided to you. As we previously said 10 years after the event we have no voice recordings.

What further contact was had? On what times and dates?

The response to this part of your request is provided in answers to your questions 5 and 6 which were sent previously.

How does New Zealand Defence Force respond to allegations that New Zealand Navy instructed Berserk to leave safe anchorage in Backdoor Bay, knowing a fierce storm was approaching?

As per our answer to your question number 10 in the previous response there was no instruction from anyone on HMNZS Wellington.

Has New Zealand Defence Force withheld any aspects of its involvement with Berserk from the public? If so, why?

The NZDF is not aware of any instances where aspects of its involvement with the Berserk have been withheld from the public.

Why did the crew of the Wellington not find any of the debris from the sunken Berserk, as the crew of Steve Irwin did when it later arrived?

An explanation of the movements of HMNZS Wellington and the conditions in which the ship was operating was provided in our previous response to you.

Where did Wellington go between leaving McMurdo Sound and arriving in Dunedin?

After the search for the Berserk ended HMNZS Wellington left the area and proceeded to Dunedin.

You can request the Ombudsman review this decision ([www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)).

**Tony Vale** (*he/him*)

Deputy Director - Ngā Take Tūmatanui a Te Ope Kātua | Defence Public Affairs

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[www.nzdf.mil.nz](http://www.nzdf.mil.nz)

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