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-THIRD DAY-

The board reconvened in executive session at 0830 hours, 12 June 1969. During this session the board reviewed and approved the prior day's transcript and made executive decisions as to future proceedings of the board. At the conclusion thereof the board convened in open session at 1100 hours, 12 June 1969.

All persons connected with the board who were present when the board adjourned were again present.

Counsel for the board: Let the record reflect that this is an open session of the board.

Commander Albert S. McLemore, U. S. Navy, was recalled as a witness by counsel for the board, reminded that he was still under oath and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board:

Q. Commander McLemore, at yesterday's session you were asked as to the events of the evening of 2 June for the task group to which you were assigned. Do you recall what those were? I'm thinking particularly of an exercise called the SAGEY. Do you recall that exercise?

A. Yes, sir.

Q. Do you recall about when that terminated, if that had terminated prior to your retiring?

A. It had terminated prior to my retiring. It was after dark. To the best of my recollection it was between 2000 and 2100. To say terminated, I'm not sure that's the term I want to use. But an action had taken place which seemed to me to be the end of it.

Q. Upon the end of the exercise how were the escorts of your task group disposed? I will rephrase the question. Into what type of screen were the escorts placed upon termination of the SAGEX?

A. When they returned from the SAGEX?

Q. Yes.

A. They were placed in a sector patrol screen.

Q. Without disclosing classified details, what was your station, the EVANS' station?

A. I was on the right wing.

Q. Had you taken that station prior to your retiring?

A. Yes, sir.

Q. During the course of the evening, had the MELBOURNE conducted flight operations at any time?

A. Yes, sir.

Q. Do you recall who was assigned rescue destroyer duties during those flight operations?

A. I was.

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Q. Do you recall how many times and approximately what times?

A. One time. I honestly don't recall whether it was before the SAGEX ships rejoined or whether it was after, but it was in a period of say 2000 to 2200. Maybe 1900 to 2200.

Q. You indicated yesterday that you had received MELBOURNE's Flight Operations Plan for that night. Is that correct?

A. Yes, sir.

Q. Do you recall when it called for flight operations?

A. No, sir, not off hand. But I have it if I can look it up.

Q. Yes, you may refresh your recollection.

A. Without looking at it, I do know that it calls for flight operations in the early morning. (The Commander refers to his notes).

Q. Are you ready?

A. No, sir, I am not. As a matter of fact I'm faced with what we commonly call a garble in the communications business.

Q. Does it give any information on this subject that would refresh your recollection as to any part of the schedule?

A. Yes, sir. There are some times that I can't read here without recourse to other means. It appears that about 2300 there were flight operations and they were again scheduled around 0330.

Q. Do you recall if prior to your retiring, any other escort in the group had performed rescue destroyer duty during that evening?

A. Not that I am aware of.

Q. We also heard testimony from you yesterday concerning your Night Order Book. Do you recall that?

A. Yes, sir.

Q. And we received into evidence Exhibit 13 which is a marked-up copy of the standing Night Orders. Could you clarify - I'm sorry, let me start over. You indicated that the only substantive change made by pen and ink correction which would have been incorporated into the next revision, was the statement that officers of the deck did not need to call you for course and speed changes incident to patrolling station. Is that correct?

A. Yes, sir.

Q. And you also indicated, I believe, that that instruction had been promulgated orally to the Officer of the Deck. Is that correct?

A. Yes, that's correct.

Q. Can you give the approximate date that that had been done?

A. We had been doing sector patrol screens for probably three months prior to this time.

Q. Had you allowed the officer of the deck to change course and speed incident to patrolling for that entire period?

A. Yes, sir.

Q. Was there any other exception to that rule that you recall?

A. Yes, there was one other.

Q. Would you state it please?

A. Could that question be asked in closed session, please?

Q. Does it require a classified answer?

A. In my own mind - I don't know maybe I can phrase it this way. When DESRON 23 operated as an entity with the KEARSARGE and COMASWGRU ONE, we

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utilized a sector patrol screen and the squadron commander had a system of assigning rescue destroyers which have the rescue duty to a destroyer normally stationed astern of the CVS. The requirement then for moving into rescue destroyer station was simply one of closing slightly, and then when flight ops were over, opening slightly. The flight operations cycle on the KEARSARGE was sometimes short. So the ship might frequently go to rescue destroyer station. As long as we were in this station, which was practically in the rescue destroyer position, the officer of the deck could move to it.

Q. Is that the only exception of which you are aware? Other than the one we have already discuss?

A. Yes, I believe so.

Q. I believe you said that flight operations scheduled for the night of 2 and 3 June called for flight operations at about 0300, or thereabouts?

A. About 0330, sir.

Q. Would your Night Order Book have - let me start over. Do you recall any special instructions that you may have included in your Night Order Book for the night of 2 and 3 June?

A. Not with respect to flight operations, no sir.

Q. Would you state your reason for not including such instructions?

A. I think that this is adequately covered in the Standing Night Orders.

Q. Based on the flight schedule was it your expectation that you would be called to rescue destroyer station at about 0300?

A. I had no particular feelings either way. It could have gone to any ship.

Q. Had you had such advance notice would you have made special provision in the Night Orders?

Senior Member: Counsel, before the witness answers that question, would you confer with me please?

(Counsel approaches the Senior Member and speaks with him for a minute and then returns to his seat).

Q. I think I would like to rephrase the question. I think I have asked you a hypothetical question and that's not appropriate for you. Let me ask you in positive terms. Was it your normal practice to be on the bridge when your ship was acting as the rescue destroyer at night?

A. Not necessarily.

Q. The question was somewhat imprecise, I think it should read, was it your practice to be on the bridge when your ship was taking station as rescue destroyer at night?

A. Again, not necessarily, sir.

Q. I have no further questions as to the pre-collision procedures.

Senior Member: The board has some questions.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

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Q. With respect to the MELBOURNE's flying operation schedule message, which you hold Commander, can you indicate the number of flight operations scheduled between sunset and 0400? Let's assume that sunset was about 1900 on the 2nd of June.

A. No sir, not at this moment, I cannot. The question as to why I cannot Admiral - this message has some garbles in it. I'm sure it can be broken, but I can't here.

Senior Member: Counsel will obtain copies of the flight operations schedule.

Counsel for the board: I think it's important at this point to ask him a clarifying question in that respect. May I?

Senior Member: Yes.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Commander McLemore, where did you obtain the copy you are using now?
A. I believe this copy was obtained from the LARSON.

Q. Do you recall whether the copy you had in hand on the night of 2 and 3 June on board EVANS was garbled?

A. No, I can't. I'd like to go back for a moment. I don't want to give the board the impression that I unequivocally recall having this message in hand prior to the events. I believe that I saw it, but we got flight operations schedules from two different ships on a daily basis and this particular date-time for this particular message I can't state particularly that I did see this. However, as a matter of course if a message did have transmission errors in it, every effort was made to clear them before it was routed to me.

Q. Routed to you?
A. Yes, sir.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Commander McLemore, do you recall what the specified course had been for the carrier launch just prior to your retiring for the night?
A. No, Admiral, I don't.

Q. Do you recall the approximate time of the carrier launch or recovery prior to your retiring?

A. I stated in general terms a minute ago, that to the best of my recollection it was between 1900 and 2200. This schedule would indicate that my recollection is in error.

Q. On the occasion for flight operations prior to your retiring for the night, whatever time it was, did your ship move from its screening station to the rescue destroyer station?

A. I'm sorry, sir, I don't believe I understand the question, Admiral.

Q. Prior to your retiring there were some flight operation at the time which we have been at this moment, unable to establish.

A. Yes, sir.

Q. On that occasion, whatever the time, whether it was between 1900 and 2100, as you recollect, or whether it was approximately 2300, as may be indicated by the schedule. Did your ship move from screen station to

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rescue destroyer station?

A. Yes, sir, it did.

Q. I would like to examine that particular move. Were you on the bridge?

A. I believe I was on the bridge for at least part of the period. I am not certain that I was on the bridge at the start and the finish of the evolution.

Q. Do you recall the means, including the text of any signal which may have accomplished this, by which you were ordered to proceed from Screen station to rescue destroyer station?

A. In this specific instance, to recall specifically the signal, no sir, I don't. But I can tell you what the normal signal was.

Q. No, I just wondered if you had recollection of this particular incident.

A. No, sir. My tactical logs are not available.

Q. Was there anything in that section of your Night Orders that you are referring to as Daily Night Orders in which you review the status of the force in company, including the formation, the course and speed itself, etc., indicating that MELBOURNE would be conducting flight operations that night?

A. No, sir. I think your question requires an answer in two parts. For the status of the formation at the time the Night Order is written, this of course is reviewed. The stationing assignment, the course and speed and who the OTC is, and many other items of detail. Now these of course can change in the course of the night and as a tactical situation progresses. The flight operation schedule is not a normal part of the Night Order Book.

Q. Did any portion of your Night Orders for the night of 2-3 Jun refer to an expected flying operation by MELBOURNE or anticipated stationing of EVANS as a rescue destroyer.

A. Not that I can recall, Admiral.

Senior Member: The Board will recess for five minutes.

The board recessed at 1126 hours, 12 June 1969.

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The board opened at 1140 hours, 12 June 1969.

All persons connected with the board who were present when the board recessed were again present.

Counsel for the board: The board in previous open session has asked that witnesses or prospective witnesses in this case should withdraw when the board is meeting. I make the same announcement at this time. Anyone who believes that he is a witness or a prospective witness in this investigation should at this time withdraw.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board.

Q. Commander McLemore I have several more questions. Between 1900 on the 2nd of June and the collision, on how many occasions do you recall the EVANS being moved from one station to another?

A. Only once. This was of course two moves. One into the plane guard station and then back to the screen formation position.

Q. Were you on the bridge when the order was given to take plane guard station.

A. I don't believe I was.

Q. Do you recall whether you went to the bridge during that evolution?

A. I believe that I stated that I was on the bridge for at least part of it, but I don't recall if it was for all of it.

Q. Do you recall if you were on the bridge at the time the order to return to screening station was received?

A. No, sir, I don't.

Q. Were there any occasions when you were not on the bridge when you were informed that EVANS was ordered to change station?

A. Oh, most certainly.

Q. During the period I am talking about, from 1900 till the time of the collision?

A. I don't believe that there were any station changes during that time.

Q. Other than the one you mentioned, is that right?

A. To and from.

Q. To and from?

A. I'm searching back into events that should be clear but based on subsequent events, I'm not sure about some of them.

Counsel for the board: I have one or two questions on a slightly different subject. Does the board have any further questions on this specific subject?

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. On the one occasion, Commander McLemore, when you recall that you were ordered to rescue destroyer station and then returned to the screening station, did you return as a result of a signal to the EVANS?

A. Yes, sir. This is, if I might, the procedures which MELBOURNE uses for controlling a rescue destroyer, are clearly stated in the escort hand-

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out. I don't have a copy of that here but I'm sure the board has ~~access~~ to it. A destroyer will not move back to the station without being directed by the MELBOURNE.

Q. Do you recall about what time these evolutions occurred? That is, we're speaking now solely within the time frame 1900 to the time of the collision. On one occasion during that period, you have recalled moving from the screen to the rescue destroyer station and back to the screen. Do you recall the times approximately of any of these events?

A. No I don't. I think I've stated a time frame of 1900 to 2100, to the best of my recollection and I simply can't do any better.

Q. During the period 1900 to the time of the collision, were time checks directed by the OTC, one or more time checks?

A. I don't know.

Q. Do you recall what voice radio call signs were being used by the OTC during this period?

A. I do not, sir.

Q. You have testified that, quote, "our speed 18 knots", unquote, referring presumably to ship's speed. Is that correct?

A. No, sir, I think I said base speed was 18 knots.

Q. Base speed 18 knots?

A. Yes, that was my intent. We normally patrol at something above that.

Q. Does the commanding officer specify the speed at which the ship will proceed when patrolling?

A. No, sir. The Officer of the Deck is given a certain amount of latitude unless it becomes necessary because of changing of course and speed. I normally don't like to patrol above four knots over base, for reasons which I think you are well aware of.

Senior Member: Counsel, Commander McLemore has mentioned an escort handout. Is it counsel's intention to enter this into the record?

Counsel for the board: Yes sir, it is. We can enter it at this point. We had intended to enter it through it's author, the MELBOURNE's Commanding Officer, but there's no reason why we can't do it now, sir.

Senior Member: I would like to have it entered at this time and determine whether Commander McLemore can identify it as identical to anything he may have had aboard his ship.

Counsel for the board: I will ask the reporter to make this Exhibit 17 for identification.

EXAMINATION BY THE COUNSEL FOR THE BOARD

Questions by the counsel for the board:

Q. Commander McLemore, I hand you a document marked for identification marked Exhibit 17, and ask you if you recognize it?

A. Yes sir, I believe this is the same handout I had aboard.

Counsel for the board: Counsel will offer this as Exhibit 17 subject to further proof as to authenticity by later witnesses' testimony.

Senior Member: You may so proceed.

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EXAMINATION BY THE BOARD

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Questions by the Senior Member:

Q. Commander McLemore, had a stationing speed been established for use in the formation of which EVANS was a part and effective during this time frame from 1900 to the time of the collision?

A. A stationing speed and a normal speed and an operational speed had been promulgated. However, these were not useable speeds because the base speed was above that, which was considered normal for the promulgated speed.

Q. Are you saying that the base speed in effect, which has been established as 18 knots, was higher than the prescribed stationing speed?

A. I'm saying it was higher than the prescribed normal speed.

Q. Normal speed?

A. Yes.

Q. Do you recall any reports from your officer of the deck during the night from 1900 until the time of the collision with regard to turns, zig-zags or speeds or changes of these?

A. I was on the bridge intermittently during this period until the time that I retired, and, yes, there were telephone reports and personal reports from the officer of the deck and of course my own observation during the time I was on the bridge. From the time I retired until the time of the collision - is in the time frame we are still talking about?

Q. Yes.

A. I do not recall receiving any reports, sir.

Q. Are any of these reports sufficiently established in your mind that you could say precisely what they were?

A. No, sir.

Q. Commencing with the transit phase of the exercise in which you were participating which we have been told started on the 30th of May, was it practice at night for the rescue destroyer to move from screening station to rescue destroyer station direct?

A. No, sir.

Q. What was the practice?

A. Normal practice was for MELBOURNE to order the rescue destroyer into station or into Formation ONE.

Q. And then?

A. And then after they settled on the flight course, move her into rescue destroyer station, whichever one she elected.

Senior Member: The board has no further questions on this particular topic.

Counsel for the board: Counsel has at least one, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Question by counsel for the board:

Q. Is the board to understand from your last answer that the procedure for rescue destroyer stationing and moving to and from station, had been consistent from 30 May when the exercise began until the time of the collision?

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A. The procedure for doing it - You mean as far as the signals given to the rescue destroyer?

Q. Yes, I will restate the question to make it more precise. Had there been any changes in the manner of stationing rescue destroyers during night time hours at any time between 30 May and the time of the collision?

A. Yes, sir.

Q. Would you state what those changes were and when they occurred?

A. In one of the previous answers that I had given I had said that it was standard practice when working with ASW Group ONE and DESRON 23 and KEARSARGE at night to normally station an escort in a position aft of the carrier where she could easily move into rescue destroyer station. This was established in the initial screen after the transit phase commenced and then was disestablished.

Q. Was the destroyer in the after part of the formation actually a part of the screen or did he take some other station during the time that procedure was in effect?

A. No, I think we are touching now on areas that concern screening doctrine and probably should not be....

Counsel for the board: I understand. I take by that, that you mean that it would be classified?

A. It might well be, yes, sir.

Q. One additional question. You were asked if you had received any reports between the time you retired and the collision. I would broaden that term slightly and ask if you received any calls, notifications or reports or any other communications from the officer of the deck during that period, to your knowledge?

A. From the time I retired until the time of the collision the general circumstances of which we described yesterday, of which I described yesterday, I recall no interruption.

Counsel for the board: That's all the questions we have, sir.

Senior Member: Do you have another subject that....

Counsel for the board: That was the subject.

Senior Member: We will recess until 1330.

The board recessed at 1200 hours, 12 June 1969.

The Board reconvened in open session at 1330 hours, 12 June 1969.

Persons connected with the board who were present when the board recessed were again present.

Counsel for the board. Be seated Commander McLemore. I again state that any person who thinks he may be a witness in this investigation or has been notified that he is a witness in this case should not be present and should at this time withdraw from the room.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Commander McLemore, prior to the recess we discussed events leading up to the collision. You had very briefly indicated your first notice of an unusual event, in that you thought the ship had received a bomb or some such phrase. Would you again repeat the answer you gave to the question as to the first notice you had of anything unusual and begin from that point as to your actions and what you observed?

A. We are now going back to testimony of yesterday morning, are we not?

Q. Yes, yesterday afternoon.

A. You want me to start with my first recollection?

Q. Yes, please.

A. The first recollection was a flash of light and a violent movement and a complete disorientation. I don't think at that point that I really had any thoughts, except, "What happened?" I'm fairly sure but not completely sure at this point, that I was still in my sea cabin. It was dark, completely dark, of course, even though there was moonlight outside. Inside the ship there was no lighting. I saw an area of light, it was a hole that wasn't large enough to get through. I was able to bend some metal aside....

Q. Would you repeat that, able to bend some metal?

A. Yes able to bend some metal, I believe it was a strip of joining metal, which is the lightweight metal that is used in many parts of the ship for nonstructural purposes.

Q. Would you continue?

A. Well, I was able to squeeze through this hole and as I recall my arms, shoulders and chest went through, but I had a great bit of difficulty getting my hips through the hole, and I thought that this was somewhat odd. At about this time I was almost clear and water started to pour in. I got free of this particular area and started to move again through wreckage towards light. I could see some people, I don't know how many. One for sure moving ahead of me. I worked up onto the exterior of the ship and I can recall seeing the ship lying over on her beam ends, in particular the mast lying almost flat to the water.

Q. Would you define the term beam ends?

A. Yes. The ship lying on her side, 90 degrees from her normal position. It was quiet, I could hear a few people's voices and about this time there was a great deal of action in the water and I was still, except for having seen the mast, and at this time I believe I was on the port side. This section of the ship started to move quite violently. I called for anyone in hearing distance to jump clear as I thought the ship was going, and I then jumped clear.

Q. Did you regard that order as an order to abandon ship?

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A. I don't think I thought of it that way in particular, I really think the time for an order to abandon ship in the classic sense was past. I think at that point it was just get off and get clear before the suction gets... I couldn't see any other part of the ship at this point and I swam clear and stopped I guess, its hard to say 30, 40, 50 feet away. The water had oil, more lubricating oil I think, than fuel oil. My eyes were burning and there were some people in the area, I called to them to join me and then saw a pneumatic fender, which is a rubber device used for placing between ships when mooring. It is roughly 3 feet long and 24 inches in diameter and has a great deal of buoyancy and has lines at either end and these were stowed on the port side of the main deck in a rack. I went to this pneumatic fender and other people immediately joined, I reached out and pulled a couple to it but I had no indication that anyone that was in this area was serioudly injured. We held onto the line....

Q. May I interrupt for a moment. Can you identify the ones you pulled to it?

A. No, I can't at this point identify anyone who was at the fender with me.

Q. How was the visibility at that time?

A. Well I think the sky was clear. The water was quite disturbed, I think, because of the motion of the ship in the immediate area. It was dark, of course, moonlight but being so low in the water with essentially the head out of the water. I really don't know what my radius of visibility was, it wasn't too awful far. I recall at about this point seeing a carrier, brightly lighted and appeared to be dead in the water. And my first reaction was that it was KEARSARGE and my thought was that the war was started. Why is she sitting there like that, I don't know why I thought this. In any case I was still concerned about anyone else. I was looking around to see if there were anyone else I could see. I don't have any idea what the time span was here between the collision and the time I'm now talking about. About this point there were at least two helicopters with bright spot lights in the air moving around and some of the people saw a boat and they started to call for the boat. I ordered the people with me on the fender to be quiet because obviously we had some security and the boat seemed to be moving around purposefully at some distance away, and I thought that our chances, particularly with the helicopters moving around with their lights, were probably excellent. I would guess that we were probably in the water for 15 minutes until a motor whaler from MELBOURNE came directly to us and picked up the people at the fender along with me.

Q. Following your pick up by the motor whaleboat where were you taken?

A. I was taken to the, one quarter of MELBOURNE, I don't recall. I believe it was her port quarter and the people on the boat embarked on the MELBOURNE by a wire ladder and I embarked on MELBOURNE by the same method.

Q. How did you let your presence on the MELBOURNE be known?

A. There were officers in the area where the boat was. The first thing that happened was, as I recall, a blanket was thrown over me. I then identified myself to an officer that was present as the Commanding Officer of the EVANS and asked to be taken to the bridge. As I recall, and these events are not perfectly clear, they said you're hurt, you should go to sick bay. I don't believe it was called sick bay or possibly it was, but I recognized the term in any case and I said please I would like to go to the bridge and I was taken to the bridge. I saw Captain Stevenson momentarily. He then suggested that, well, I, as I recall, he was on the bridge, I came on the bridge and one of the officers walked over to him and said the Captain of EVANS is here. He walked over to me. We were very close and I think essentially we said, if not exactly along the lines of, I'm sorry, but I can't again say unequivocally that those were the exact words. I was then escorted to Captain Stevenson's cabin, given an opportunity to dry off and put some clothes on. I believe this was the sequence, or possibly first I was taken to sick bay for examination, I don't recall which of the two events took place first. I don't know who could clarify this. But very quickly I believe I was taken to Captain Stevenson's cabin first and was given an opportunity to take some of the oil off, to get some clothes which consisted of shorts, shirt and a pair of sandals and then ask to see my crew. Well, I had asked to see my crew before that, but they insisted that I should

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do this. I was then taken to sick bay and immediately taken under tow by our squadron doctor, the COMDESRON 23 medical officer, who by this time was in MELBOURNE and who did a little bit of fast repair work.

Q. Could you describe your injuries?

A.

Q. What action was taken on your request to be taken to your crew?

A. I was taken to my crew, but my crew was assembled in the area of sick bay and when the squadron doctor saw me he just said, come here, I want to fix that head and there was some discussion as to whether or not they should sew my knee and after flipping coins they decided no that probably wasn't necessary. I was then taken down to the area where the crew was. Well, before I was taken down to see the crew I asked if there were any injured and they said yes there were, and I asked to see them and was taken into the area of sick bay where they were working on the injured people. I recall seeing Rodriguez.

Q. Could you identify Rodriguez?

A. Rodriguez was the man who I understand was thrown from the Signal Bridge of FRANK E. EVANS to the flight deck of MELBOURNE and suffered

I had no idea what the extent of his injuries were at that time except that they were working on him.

EXAMINATION BY THE BOARD

Questions by Senior Member.

Q. Excuse me counsel, I would like to give Commander McLemore an opportunity to review what he said about the medical decision with respect to suturing his knee. There may be some medical people who might not agree as to how the decision was arrived at.

A. Let me revise that, the doctor examined the wound and decided the suturing would not be necessary.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (continued).

A. I was then escorted down to the mess deck area, I believe it was the mess deck area of MELBOURNE, where a large part of the crew was assembled. I had in the meantime, and I don't know exactly where, I think very early after boarding MELBOURNE, been met by George McMichael, my Executive Officer who expressed a great deal of surprise at my being there. by the time I got down to the mess deck area I believe that most of the crew were aware that I was a survivor.

Q. What actions did you take with respect to your crew at that time?

A. Just said hello to them, asked how they were. I asked how they were being treated and if there was anything they needed. They assured me to a man that they were being taken care of excellently and that the crew of MELBOURNE was looking after them very well and that they needed nothing further at the moment.

Q. Did you have a chance to observe the medical treatment while you were in sick bay?

A. It seemed to me that.... no, not really, some of the burned people I observed in bunks in MELBOURNE's sickbay, bandaged and obviously, I shouldn't say obviously, but seemingly under medication. Rodriguez was the one that was being worked on and there were surgeons, I don't, I'm quite confident that he was not conscious at this point. The people appeared to be in the best of hands at that point. Other people were being run through for minor abrasions

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and scratches and so forth.

Q. You indicated that you observed a motor whaleboat apparently searching the area and two helicopters. Were you able to observe any units other than the helicopters and the motor whaleboat?

A. I, as I say, my radius of visibility was very small.

Q. Were you able to observe after you went on board MELBOURNE?

A. Yes, I think that.... I don't know how many whaleboats MELBOURNE carries but there were several boats in the water, by this time there were more than two helicopters by far and I'm sure there were more than two at the time I saw two.

Q. Did you see any other ships from the formation in the vicinity?

A. Oh yes, yes.

Q. How many?

A. LARSON, KYES, BLACKPOOL.

Q. What would you estimate to be the time lapse between the time you saw that, between the time of the collision and the time you saw the other units in the area?

A. Well I observed MELBOURNE dead in the water with rescue activity going on just as soon as I was clear of the ship and able to see. As I said my first thought was that she was KEARSARGE and that there was obviously an effort going on. I didn't mention one thing in my previous discussion with this. At some point and I think it was after I cleared the sea cabin and not yet completely cleared the wreckage of the ship, I was pulled under water I don't know how far under water probably not too far and I was hung on my T-shirt and when I pulled free and came to the surface, I had already said, "Get out of here". And when I came up, I swam in a direction that I thought was clear and evidently was. I looked back over my shoulder and could see the bow section of the ship and at that point I didn't know it was the bow section, capsized and I was looking at the port bow, I'm quite certain I was looking at the port bow in the air.

Q. Were you advised at any time after you arrived on MELBOURNE as to what had occurred? I refer specifically to the fact that the bow had sunk and the stern was still afloat?

A. No, it was probably.... I can recall that while in the boat that we must have boarded MELBOURNE on her port quarter, seeing the stern of a destroyer alongside MELBOURNE and there were only two destroyers that had this particular configuration in our group, USS WALKE and myself, and my thought was how did WALKE get here so quickly because she wasn't with our group and of course it turned out this was my stern section lying alongside MELBOURNE, but I simply didn't recognize it. I guess I had already accepted in my own mind that something catastrophic had happened to the ship and that she had gone down.

Witness: May I ask the counsel a question. Before lunch I had some notes and you said you would take care of them, you evidently did. I had some in there that I had made up as soon as I got to KEARSARGE which were my best recollection of the events that occurred, I think I would like to review those.

Counsel for the board: Counsel suggests a five minute recess so we may have a short discussion and return the witness' notes.

Senior Member: Very well we will have a short recess.

The Board recessed at 1415, 12 June 1969.

The Board reconvened in open session at 1420, 12 June 1969.

All persons connected with the board who were present when the board recessed were again present.

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Counsel for the board: Commander McLemore you are reminded of the oath which you previously took. All persons who may have any information which would lead them to believe they are witnesses in this case are asked to withdraw from the board room.

EXAMINATION BY COUNSEL FOR THE BOARD

Q. Commander McLemore in order to develop this evidence in a logical way, the board would like to terminate the opening part of your testimony at a point at which your personal recollection of your own rescue and immediate actions end and before the actual start of a search and rescue and salvage or recovery of records operations begins. So, I would like at this time to give you the opportunity to complete your personal recollections of that phase and then I will ask you a couple of clarifying questions and then we will terminate that particular part of the interview with you. Do you have any further recollections within the framework I have indicated to you?

A. Well I have reviewed the notes that I made and have nothing I think of consequence to add. I would add that on return to KEARSARGE which, as I recall, about 10 o'clock in the morning when the survivors were transferred from MELBOURNE to KEARSARGE, that, at about 10 o'clock in the morning, the....let me go back just a moment please. The injured had been transferred previously by helicopter from MELBOURNE to KEARSARGE, and I went down to sick bay to visit these men. At this time the senior medical officer from KEARSARGE, whose name I should recall, but can't at the moment, asked to look at my injuries, particularly with respect to, well he gave me a quick run through, physical is what it amounted to. He also asked at that time if I would give him my recollections and he explained this along the lines that it's the same type of routine he would put a pilot through immediately after an accident, to get fresh impressions and I gave him my impressions and I am sure that he took them down on paper, whether or not they are of interest to the board is your decision.

Q. Could you identify the person you gave those recollections to?

A. Yes, the senior medical officer of the KEARSARGE.

Q. Commander McLemore, you indicated that you remained afloat by hanging onto an inflatable fender. Did you see any of EVANS liferafts in the water?

A. After I was aboard MELBOURNE, I saw liferafts in the water. I don't think there was any particular marking that would identify them to a particular ship.

Q. What type of liferafts did EVANS carry?

A. She carried inflatable 24 man liferafts. These are automatically released from the ship and when they come to the surface they automatically inflate.

Q. Did you see any of them in the water?

A. Not during the rescue operations. I have ideas on this, it's conjecture of course, and I don't know if you want it as testimony or not.

Q. Not at this time.

A. Yes, sir.

Q. One other question. You indicated that you thought it might have been the KEARSARGE when you looked up at the carrier. Do you have any explanation for that thought going through your mind?

A. Only that I've operated so long with KEARSARGE that I think she is our home base so to speak and it was obviously a carrier and I think from the quarter MELBOURNE and KEARSARGE look quite similar.

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Counsel has no further questions at this time.

Senior Member: The Board has no questions for Commander McLemore at this time.

Commander McLemore we ask that you remain available as the board intends to resume questioning in closed session.

Senior Member: The Board at this time will proceed to visit USS BUCK DD 761. The purpose of this visit is to acquaint the members of the Board with the physical layout of certain spaces in the ship. This ship was chosen because she is closely similar to USS FRANK E. EVANS. The Board will be accompanied on this tour by the Executive Officer of USS FRANK E. EVANS LCDR McMicael.

The Board recessed at 1420 hours, Thursday, 12 June 1969.

At 1456 hours, 12 June 1969, the board including counsel and appointed reporter, visited USS BUCK (DD 751), which had been determined to be of the same class and modification as USS FRANK E. EVANS (DD 754) for the purpose of inspecting those parts of the bow section of the ship which sank following the collision. The board was escorted by LCDR George L. McMichael, who, after being duly sworn, pointed out particular features to be noted by the board. Spaces visited were the following: bridge and pilot house, captain's sea cabin, CIC, sonar room, signal bridge, O1 level in the vicinity of the expansion joint, life raft stowage stations forward, radio central, chart room, division commander's stateroom (Commanding Officer's in port stateroom), wardroom area, executive officer's stateroom, crew's messing spaces, CPO Quarters, forward fireroom, forward engine room. The board completed its inspection at 1555 hours, 12 June 1969, and entered into executive session at 1615, after which it adjourned until 0830 hours, Friday, 13 June.

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-FOURTH DAY-

The board reconvened in executive session at 0830 hours, 13 June 1969.

The board recessed at 1215 hours, 13 June 1969.

The board reconvened in executive session at 1330 hours, 13 June 1969.

During these sessions the board reviewed and approved the prior day's transcript and planned future proceedings of the board. At the conclusion thereof the board reconvened in open session at 1437 hours, 13 June 1969.

All persons connected with the board who were present when the board adjourned were again present.

Senior Member: The hearing is now open.

Counsel for the board: The board now being in open session, it is pointed out by counsel that any person who is to be called as a witness or may be called as a witness should leave the board room and withdraw. The board calls Captain Stevenson.

Captain J. P. Stevenson, Royal Australian Navy, was called as a witness by counsel for the board, was sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Captain Stevenson, you have been called as a witness for the board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence that may assist the board in this investigation. You are advised that the evidence is being received in open session of the board and that disclosure of classified information is not authorized during open session. Should the answer to any question which you are asked require you to disclose classified information, you are requested not to answer the question but you must advise the board that the answer would require you to disclose classified information. In such cases you will later be given the opportunity to testify as to classified information in closed session. However, if you can answer a question either in part or in general terms without disclosing specific classified details you should do so advising the board of your desire to amplify in later closed session. Under Australian law it is necessary to warn you that you may refuse to answer any question the answer to which may tend to expose you to any penalty or forfeiture. It will be for you to raise the objection and for the board to decide whether you must answer the question or not. Will you please state, sir, your name, rank and present command.

A. J. P. Stevenson, Captain, Commanding Officer, HMAS MELBOURNE.

Q. And since when have you held your present command?

A. October the 8th, 1968.

Q. What training did you have which led up to your being commissioned in the Royal Australian Navy?

A. I joined the Royal Australian Navy in 1935 at the age of 13 and went to the Royal Australian Naval College where I spent four years as a cadet. At the end of 1938 I went to sea, again as a cadet, in HMAS CANBERRA for a short period of time and early in 1939 went to continue my training as a cadet and later as a midshipman in the Royal Navy cruiser SHROPSHIRE which was serving in the Mediterranean at the time. I stayed there and was in the SHROPSHIRE when war broke out, served in her until August 1940, when I went on training courses in England. As a result of those training courses, I received my commission.

Q. Could you tell us what duties you have performed, in general terms, from the time you were then commissioned until the time that you assumed command of HMAS MELBOURNE recently?

A. At the end of 1940 I went to the Australian destroyer NESTOR and served in her between 1940 and 1942 in the Atlantic-Mediterranean. When she was sunk in the Mediterranean, I was transferred to the HMAS NAPIER, a similar destroyer, serving in her until 1943 when I went to England and joined the SHROPSHIRE, which was then transferred to the Australian navy and joined her as the HMAS SHROPSHIRE. In her we came out to Australia and joined the combined American-Australian task force serving in the Solomons-New Guinea area. I stayed in her until early 1944 when I went to England for training for a Radar Specialist Officer.

Q. Stopping you there, Captain, what was the nature of the duties you had performed in those various ships up until the time that you went back to England?

A. In the NESTOR I was the Navigating Officer for the first year and then the Gunnery Officer for the last period. In the NAPIER a Watchkeeping Officer, in the SHROPSHIRE again a Watchkeeping Officer, line officer.

Q. Well, during what period of time were you trained in England, when you went there?

A. That initial period of training lasted about five months. In war time the courses are somewhat shortened.

Q. I mean the period after the ~~way~~ to which you had come after you left SHROPSHIRE.

A. I hadn't got after the war yet, we are still in it.

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Q. You are still in it. I'm sorry. Well, would you continue, five months in 1944, yes.
A. In 1944 I went to England for this radar training course which lasted six months. At the end of that time I went out to rejoin the SHROPSHIRE which was then further up in the Pacific war and served on the Admiral's Staff as Squadron Radar Officer for this combined American-Australian Squadron. When the war ended, we were in Subic Bay and we moved up to the surrender in Japan. At the end of that time I transferred from SHROPSHIRE, - that was the end of the war - to be the Radar Training Officer at our Radar Training School in Sydney. I served there for a year. And in 1947 I was given the option of becoming a technical officer or remaining as a line officer. I chose to remain a line officer and went to England in 1947 and I did a year's training to become a specialist, navigation and aircraft direction officer. At the end of that training I went to the Far Eastern station in the Indian Ocean serving in a Royal naval Frigate, HMS LOCHQUOICH as Navigating Officer. And from there I went to HMS FLYING FISH as First Lieutenant and Navigating Officer. That was in '47 and '48. At the end of '48 I went back to England, having done some experience as Navigating officer, and I went back to more training, where I attended a six month's course which qualified me then for navigation and handling of major war ships and also for control of CIC of major war ships. At the end of that time I served in HMS VENGEANCE, a Royal navy aircraft carrier, for a short period. And in 1950 came out to Australia in HMAS SYDNEY, which was then an Australian aircraft carrier. After a brief period of time in Australia I was given command of the Frigate BAROO, a DE type. I served in her in '50 and '51. And at the end of '51 I transferred to command of HAWKESBURY a similar type of frigate. In 1952, I went as Navigating Officer of the heavy cruiser AUSTRALIA. And in 1953 I went as the Navigating Officer of the SYDNEY, the aircraft carrier. I stayed in her from 1953 to 1954, during which time we came up to the Korean show. In 1955 I was promoted to Commander and went as Director of Plans in the Navy Office. I stayed there a year and then went to Manus Island as executive officer, a shore establishment. In 1956 I went as equerry to the Duke of Edinburgh for the opening of the Olympic games, spending about five months on the Royal yacht. After that I went in command of the destroyer ANZAC. We spent most of that time which was 1957-1958 up here working with U.S. and British forces. From ANZAC I went to the United States Naval War College at Newport, Rhode Island, for a year. I served from '58-'59. At the end of that time I went as the Services Attaché in Bangkok, Thailand, from 1959-60. In 1961 I went to command the Navigation School in Sydney, HMAS WATSON, spending a year there. In 1963 I took command of the destroyer VENDETTA, which also was the Commander of the TENTH Destroyer Squadron. Again we spent most of 1963 up in the Far East working with U.S. and British forces. In 1964 I took command of the HMAS SYDNEY, a similar type to the MELBOURNE, which was actually doing trooping activities at that time, rather than operating aircraft. At the end of 1964 and the beginning of '65 I went - was promoted to Commodore and went to Commodore Superintendent of Training and Naval Officer-in-Charge of VICTORIA in the southern part of Australia, where I spent 1965 and '66. At the end of 1966 I went to the United States as the Naval Attaché in Washington, where I remained until I took command of MELBOURNE in October 1968.

Q. Is there anything that you would care to say about your particular experiences of problems of destroyers maneuvering in company with carriers as seen firstly from the carrier's standpoint and secondly from the destroyer's standpoint?

A. You are asking for my experience?

Q. Yes.

A. I've had no difficulties in a destroyer, providing a careful watch is kept on the carrier. Not at all. Because....

Q. I'm sorry to interrupt you, but those experiences you have described, what length of time would you have had in destroyers operating in company with carriers?

A. ANZAC and VENDETTA both carried out plane guard duties quite frequently with carriers. I wouldn't care to say just what period of time.

Q. And in which of the ships you have mentioned do you have experience of carriers operating together with destroyers?

A. The SYDNEY, VENGEANCE, SYDNEY again frequently, particularly around the Korean time with U.S. screen that we normally had. Again, when I was in the United States, I spent a week in the USS HANCOCK and a week in the Canadian carrier BONAVENTURE. So again, I saw quite a bit recently.

Q. Where was HMAS MELBOURNE when you assumed command?

A. She was in Sydney at Garden Island Dockyard.

Q. And what was being done to her?

A. She had been carrying out what is known as a half-life conversion to fit her for a new suit of aircraft, a lot of new machinery and equipment, really modernizing her for the next ten years of her life.

Q. And how long in all did that refit take?

A. Twelve months.

Q. And when was it completed?

A. It was completed on December the 23rd, 1968.

Q. What in your opinion was her condition as to naval readiness on completion of the refit?

A. Nothing more than she had completed refit. From then we went into a series of sea trials, the gradual workup process, some amendments to the work that was done as the result of the sea trials. And we commenced shakedown and workup exercises in February.

Q. And what did those shakedown and workup exercises include?

A. I think the board would be pretty familiar with the normal process of working up a ship's complement into an efficient team. You start off slowly with individuals, you work up sections of the ship in groupings, and finally work the whole ship together as a team through a series of

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complicated exercises and battle training problems, until I was happy that the ship could operate her aircraft effectively.

Q. And how did the ship and her company respond to those tests?

A. They responded very well indeed. I wouldn't say though that we were completely happy with some of the operations of the aircraft until we reached Subic Bay. We hadn't had a great deal of chance to operate the helicopters. We had concentrated mostly on the fixed wing.

Q. At this point could you describe the nature and the number of planes with which the ship was equipped?

A. We carried four A4G Skyhawks, six S2E Trackers, and 8 Wessex anti-submarine helicopters.

Q. Could you describe in brief terms the nature of the ship?

A. The ship is a 22,000 ton escort type aircraft carrier, light aircraft carrier, designed - well the role it was playing was an anti-submarine type CVS aircraft carrier.

Q. And what are the details of the ship's maneuverability?

A. If you wish me to read that, I've got the turning data here, if you wish that as evidence.

Q. Yes, if you believe it to be true.

A. I think rather than going into great detail with maneuverability, that is the turning data of a similar ship.

Q. And does this publication which has no classified rating set out the relevant data for this ship's turning circles, diameters and things of that kind?

A. Yes, it does.

Counsel for the board: Counsel offers that document into evidence as Exhibit 18.

Senior Member: Permission is granted to receive that document.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (CDR Glass)

Q. Can you tell us in your experience, how long it takes for the ship to take to respond to movement of the rudder, say of 20 degrees?

A. It varies a great deal, depending on the energy of the quartermaster, the stiffness of the wheel, which MELBOURNE's is quite stiff. I would say to put on 20 degrees of rudder, from the time of giving the order would take between 8 and 10 seconds.

Q. And thirty degrees?

A. You are asking to put on from 20 to 30 degrees?

Q. To get on 30 degrees starting from....

A. Could I refer you to the document to be accurate in that.

Q. Very well. Now you mentioned Subic Bay. When was it that MELBOURNE sailed from Sydney for Subic Bay?

A. On the 5th of May.

Q. And when did she arrive?

A. On the 15th.

Q. And what exercises, if any, were carried out en route?

A. We carried out a constant series of exercises all the way, flying both fixed wing and helicopter, but more fixed wing than helicopter en route, and a series of continuous operational type exercises within the ship until we reached Subic Bay.

Q. And from the time of your arrival until the commencement of the Sea Spirit Operation, what was done?

A. We spent the 16th and 17th in Subic Bay. From the 18th to the 22nd we carried out a comprehensive series of exercises using the Subic Bay facilities. And again shaking down the ship and working her up after that sea passage, until we then on the 22nd went into Manila and anchored.

Q. Now when you commenced this operation, were you aware of the problem involved in a destroyer taking up its position as plane guard to a carrier?

A. Very well aware.

Q. Were there any particular events which brought your attention to that problem?

A. Events of recent note or do you wish me to go back in time?

Q. Events of recent character of a notorious kind?

A. Well I was very well aware of the MELBOURNE-VOYAGER collision which was very much in the forefront of my mind all the time. I was fully aware of the effect it would have on the Australian navy and the Australian government for that matter if a similar accident ever occurred again.

Q. Had you taken any particular precaution directed towards preventing any recurrence of that nature?

A. Yes, I think the escort handout that I produced for the staff was slanted very much towards preventing a recurrence. I emphasized safety and care at all times in that handout. And a reminder

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more lengthy procedure for bringing a destroyer into station astern before going to plane guard duty.

Q. When you say, that handout, are you referring to this document which is in evidence as Exhibit 17?

A. Yes, I am.

Q. And are there any particular parts of it that you would say that referred specifically to that problem?

A. Yes, I would.

Q. Do you care to identify it?

A. Can I borrow that from you for a second? Would you like me to read them out?

Q. If you please.

A. "RESDES operations will be conducted in accordance with the provisions of ATP I(A) Vol. 1 Chapter 15 unless otherwise directed with the following exceptions. The rescue destroyer will only proceed to and from the rescue destroyer station when ordered". This was applicable I think, when I didn't want him to move until I was ready for him. "Station. The main consideration in the control and operation of rescue destroyers is that they should remain abaft the beam of MELBOURNE whenever possible in order to provide freedom of movement commensurate with maximum safety and efficiency." There is one other section in here which is rather in signalese indicating that the destroyer will always follow astern until she is ordered to go into the rescue destroyer station.

Q. And to what ships has that handout been distributed?

A. Every ship before she takes over as or is likely to take plane guard duty with MELBOURNE, gets this handout. And the five ships of the screen for Sea Spirit had the handout.

Q. And did they include FRANK E. EVANS?

A. Yes, they did.

Q. Now, in addition, had you had any discussion of this problem, inter alia, with the commanding officers of the ships working with you?

A. Yes. On the night of Sunday the 25th in Manila, I had all the commanding officers of the screen on board for dinner, with exception of the commanding officer of BLACKPOOL, whom I previously talked to on the subject. I then laid down in no uncertain terms my concern with the previous accident that the MELBOURNE had had, emphasized the need for great care, and stated that I didn't want any doubt with signalling. There is always doubt in signalling, but they could watch the ship with great care. And so long as they watched it there could be no problem. Watch and keep clear.

Q. In your view, what precaution should be adopted by a destroyer which is directed to assume plane guard or rescue destroyer position?

A. So long as she keeps well clear of the carrier in moving to take up her station. That's the only precaution I would demand.

Q. Do you recall precisely when it was the first phase of the Sea Spirit Operation began?

A. Yes. On the morning of the 29th.

Q. Of May?

A. Of May.

Q. And what was that first phase called?

A. It was a departure from - an opposed departure from Manila Bay. I'm sorry, I don't know if you wish me to go back to the training period of the....

Q. No, no, departure.

A. Yes.

Q. And when you left Manila Bay, this was actually to be the beginning of the transit phase?

A. That's correct.

Q. Perhaps I should ask, what period of time was occupied by the earlier phase?

A. It was a four day training period in the Subic Bay area.

Q. What exercises were carried out during that period?

A. Oh, I would draw your attention to the exercise orders. They are quite a comprehensive series of exercises. In fact a very comprehensive series which got us all familiar with each other and I think our group made a point that whenever the individual groupings of exercises were over, we got back together again and steamed at night in company as much as possible.

Q. Well, coming back to the point where the force left Manila Bay at the beginning of the transit phase, what ships were in company with MELBOURNE when she left?

A. JAMES E. KYES, FRANK E. EVANS, EVERETT F. LARSON, CLEOPATRA, and BLACKPOOL. That's actually associated with that unit. There were numerous other ships which left the harbor at the same time.

Q. I think that it can be taken that the transit phase actually began on the 30th of May and that it continued, did it not, until about the 2nd of June when it was interrupted for replenishment?

A. Right.

Q. Now, during that period, the first half of it, during transit, you mentioned destroyers in company with you. Did they form themselves in a screen, without identifying it?

A. Yes, they were formed into a screen.

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Q. And were....

A. If I could stop you once, I think the replenishment was on the first.

Q. Oh?

A. I've been scratching on my mind here, first or second, sir? I'm sorry. It was the second of June.

Q. Well, there is no particular importance attaching to dates. But I am directing your mind to the period from departure to replenishment. Screen was provided, you say, and flying operations were carried out?

A. Yes.

Q. And did they involve the use of a plane guard destroyer?

A. At night, yes.

Q. And during that period did that role fall upon EVANS?

A. Yes, it did.

Q. Can you recollect how often in that period that EVANS was plane guard?

A. She had one night of duty, but during that time she was tucked in astern the whole time. We didn't send her out to the screen and back.

Q. Well, was there, perhaps you will just answer to this in the affirmative, some incident on the morning, somewhere between the 30th and the 31st of May? Is that right?

A. Yes.

Q. And did that involve a destroyer of the screen?

A. Yes, it did.

Q. And at the time of the incident, what maneuver was being performed?

A. The destroyer was moving from the screen to plane guard.

Q. And did you see this operation yourself?

A. Yes, I certainly did.

Q. And was it in your opinion safely conducted?

A. No, it was not.

Q. And what was the closest distance that the destroyer came to the carrier?

A. I think probably 150 to 200 feet. Something in that nature.

Q. Well, now, after that incident, was any change made with respect to the screen or the plane guard before replenishment?

A. Before replenishment?

Q. Yes. After the occurrence of that incident and before the replenishment took place, was there any change in the system with respect to plane guard destroyers?

A. I believe the change took place after replenishment exercise.

Q. Well, during the night of the 31st to the 1st and the 1st to the 2nd, how was the plane guard stationed?

A. The EVANS - it was only one night and the EVANS was stationed astern and stayed there.

Q. Stayed there all night?

A. That's right.

Q. Now, during the replenishment period were you present at any discussion which took place on the subject of stationing the plane guard?

A. Only briefly. The - I knew that COMDESRON 23 was coming across to see the admiral, but we were replenishing at the time from a tanker. The admiral brought Captain Doak up to see me while I was on the bridge handling this replenishment and we had a few words, just was he happy with the way we were handling things and he said, yes, he thought things were going fine. And then he went on his way.

Q. Did you hear any discussion between him and Admiral Crabb with respect to the placement of the rescue destroyer?

A. No.

Q. When was it that you got underway after replenishment?

A. I'd be guessing a little bit here, it would be available in the logs. I would think about 1700; 1600 or 1700.

Q. On the 2nd of June?

A. On the 2nd.

Q. And when you got underway, did you notice any changes in the screen of destroyers compared with those which had been in operation before replenishment?

A. I had already discussed with the admiral what he was going to do, what changes he was bringing into force to....

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Q. Well, what were the changes you observed?

A. The destroyers on the inner screen were moved out to a minimum distance of 3000 yards....

Senior Member: Excuse me. Is this a classified area, counsel?

Counsel for the board: Yes, it is. I was about to stop when my attention was distracted. I think I mis-stated the position in talking about getting underway after replenishment. It was conducted while the ship was underway, was it not? Is that not so?

A. Yes, it was.

Q. Well, now the screen disposition was changed?

A. Yes.

Q. The nature of the change we can deal with in closed session. And where was the rescue destroyer drawn from?

A. From the wing of the screen.

Q. And where was EVANS stationed in the screen?

A. On the wing, starboard wing.

Q. Had you promulgated the carrier's flying program for the period which was in progress?

A. Yes.

Q. Do you have a copy of the signals by means of which that was being done without identifying date time group?

A. Yes, I have, and one minor amendment to it.

Q. May I have the signal and the amendment, please?

(The witness did as directed).

A. You might want them to check on times.

Counsel for the board: Counsel offers this signal and the one amendment in evidence as Exhibit 19.

Witness: The amendment was just to bring in Wessex choppers which we wanted to bring in later on.

Senior Member: (Nodded in the affirmative indicating the document was accepted in evidence as Exhibit 19).

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (CDR Glass):

Q. Captain Stevenson, do you wish this document before you? Do you?
A. I would like that, yes. If you are chasing times of flying operations.

Q. What period of time is covered by that flying program?
A. Six o'clock on the morning of the 2nd to eight o'clock on the morning of the 3rd.

Q. During that evening was there - the evening of the day of the 2nd of June, was there an exercise held?

A. Yes, there was a particular type. We were exercising the whole time. There was a particular type, a night encounter type.

Q. Yes. What was the designation of that exercise?
A. Surface attack group was going to move in on the convoy.

Q. And approximately when did it begin and end?
A. They detached during the day. Well, it began at dusk and lasted until about 2230.

Q. Now I ask you about the period before that exercise began, and after replenishment was completed. Were flying operations performed during that period?
A. Yes, they were.

Q. Are you able to recall which destroyer was given the role of rescue destroyer during that period?
A. Yes, EVANS was rescue destroyer.

Q. During the period of the Surface Attack Group Exercise, was flying continued?
A. Yes, it was.

Q. Was a plane guard still used?
A. Yes, it was.

Q. Was any zig-zagging performed?
A. Yes, most of the time.

Q. Was there any discontinuance of the zig-zagging that evening or night?
A. Yes, as we detached from the convoy we discontinued until - well we didn't start it until we had broken well clear of the convoy. And when the surface threat was paramount and I wanted to

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get away from the surface threat, I stopped the zig-zag while I moved clear to eastward. I didn't resume it until I was back in contact with the screen again who had gone out to meet that surface threat.

Q. Did you at some stage on the night of the 2nd of June, assume or take over command from Admiral Crabb?

A. Yes, I did.

Q. Approximately when did that take place?
A. Between 2230 and 2300.

Q. And of what command was transfer made?
A. The command of task unit 472.1.0.

Q. And in what manner was the transfer made?

A. It was made on a personal level from the admiral to myself, then to the unit as was indicated by call sign. I used my call sign as CTU and the admiral's call sign was no longer used as CTG.

Q. From the conclusion of the Surface Attack Group Exercise, what was the objective of the force for the rest of the night?

A. I had intelligence that one submarine was near by, lying in wait for the convoy and I was going to mount an allout effort to locate and destroy that submarine.

Q. And what vessels did you have in company with you?

A. I had the same five escorts in company with me that I related before.

Senior Member: We will recess for five minutes.

The board recessed at 1519 hours, 13 June 1969.

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The board opened at 1528 hours, 13 June 1969.

All persons connected with the board who were present when the board recessed were again present. Captain Stevenson was reminded that he was still under oath and resumed his seat as a witness.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR GLASS):

Q. Before the recess you mentioned the objectives that the force was pursuing during the night of the 2nd and 3rd, after the discontinuance of surface attack group exercise. Was it your practice to keep a Night Order Book?

A. Yes, it was.

Q. And would you produce that book?

A. Yes.

Q. Would you be good enough to read your entry for the night in question?

A. It is headed exercise Sea Spirit. Course 220. Speed 18. Zig-zag 13 Sierra. With a zero time of

Q. Leaving out date time groups or any classified information.

A. Five ships screen on, augmented by helos. Force operating offensively against submarine 30 to 40 miles ahead of convoy. Ships darkened, no navigation lights. Keep a very careful watch on the screen and give me good warning of approaching merchant shipping, 12 miles or more. Call me as usual, twenty minutes before flying and at 0500.

Counsel for the board (CDR GLASS): Counsel offers that document into evidence as Exhibit 20.

Senior Member: Very well.

Q. I have asked you earlier about the stationing of the rescue destroyer for flying operations, was that done for helicopters, fixed-wing aircraft or both?

A. Only fixed-wing.

Q. You mentioned earlier that the zig-zag was discontinued for sometime during the surface attack group exercise. Can you tell us by whose authority that decision was made?

A. When it was discontinued?

Q. Yes.

A. Admiral Crabb.

Q. Was the zig-zag resumed sometime on the night of the 2nd and 3rd?

A. Yes, it was.

Q. Can you tell us approximately when that was?

A. It would have been shortly after 2300. The time would be shown in the signal log.

Q. And before that was ordered what direction was given to the force in regard to its course?

A. It was ordered on a base course of 220.

Q. When a zig-zag was ordered from what source was it selected?

A. It was selected from the exercise orders, orders for the transit.

Q. What was the designation of the particular zig-zag It had a particular designation did it not?

A. Yes, it did.

Q. In connection with zig-zaging what steps were taken to check the synchronization of clocks?

A. The clocks would have been synchronized shortly after the zig-zag was started. Again that should show in the log.

Q. What was your practice in regard to synchronizing the clocks of ships in the force?

A. If the ships stayed of the same type, if we didn't change ships around at all I would do it about four times a day, if we continued zig-zaging.

Q. And what was your practice with regard to synchronizing the individual clocks in MELBOURNE?

A. They were synchronized once a day in the morning.

Q. Did you give any consideration to abandoning the zig-zag during the flying operations that night?

A. Yes, I did.

Q. And what was your decision?

A. I decided not to because of the submarine. I was quite sure that the submarine was within 20 miles of me at the time.

Q. Yes. Were there any other reasons which influenced your decision not to abandon the zig-zag?

A. It was a clear night, you could see quite a long way, good visibility. This leg of the zig-zag was quite a long one which I assessed would give them time to get back into station or pretty close to it. And I was quite confident with the state of the ships, they worked up quite well together, and I felt that we could handle this problem.

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Q. During the period which commenced at the end of replenishment and midnight, how many times was a destroyer directed to assume plane guard station?

A. I believe that it was four times, but you can check that from the log.

Q. What destroyer was so directed?

A. The EVANS on each occasion.

Q. Was any other destroyer given plane guard duties between replenishment and midnight?

A. No.

Q. At midnight between the 2nd and 3rd of June what was the state of the weather?

A. At that time practically no wind, very good visibility, good moon, clear sky, about 3/8's clouds.

Q. What length of visibility was there for fully darkened ship?

A. Using glasses you could see them at 12 miles, see a destroyer at 12 miles.

Q. Did any change in that weather occur up to the time of the collision?

A. No, it did not.

Q. During the middle watch during the night in question, what was the state of the ship as regards darkness, the carrier?

A. We were fully darkened and no navigation lights.

Q. What was the state of readiness?

A. The flight deck was operating in two watches, the operations crew in three watches, like the rest of the ship practically in three watches.

Q. What officers were on duty on the bridge?

A. On the bridge was the First Officer of the Watch and an Assistant. That's on the bridge.

Q. Well, stopping there can you tell us who they were?

A. The Officer of the Watch was Lieutenant Lamb and assisted by Sub-Lieutenant Vorobieff.

Q. And to your knowledge what degree of watch keeping experience had Lieutenant Lamb had?

A. Lieutenant Lamb was a very experienced watch keeping officer. I believe that he had his ticket about four years. In fact I believe I gave it to him when he was serving in VENDETTA, with me.

Q. And the Sub-Lieutenant, Vorobieff?

A. He was a youngster and he hadn't got his ticket yet.

Q. Who else was on the bridge during the middle watch that night?

A. There would be a leading signalman by the name of Stevens, and a signalman by the name of Jacobs.

Q. What lookouts were there?

A. Two lookouts and a lookout supervisor up on the gun direction platform above the bridge.

Q. Were they all there, the two lookouts and the supervisor?

A. There might have been four lookouts and the supervisor but a minimum of two.

Q. Was there an Operations Room Officer on duty during that watch?

A. Yes there was. Lieutenant Commander Mooney was Operations Room Officer and he had a chief petty officer as an assistant.

Q. Were there other officers on watch at or about the bridge that night?

A. There was a Staff Duty Officer, Admiral's Duty Staff Officer in the Operations Room or on the Admiral's bridge or one of the two, and there would be people in Damage Control and the Engineroom.

Q. You have before you, sir, the signal giving details of the proposed flying operations. Are you able to tell us whether those operations were carried out in accordance with the program up until the time of the collision?

A. Very close. The 2359 S2E, the one that was due on at 2359, matter of fact we brought him on at the 2300 time. We combined two operations into one because the surface action group had been checked out by them.

Q. Apart from that was the program carried out as planned?

A. Not entirely, there was an additional launch of 4 A4's for strike during the night which would have been at about 2130. That was the strike on the surface group.

Q. Would a destroyer have been stationed in plane guard position in connection with that?

A. Yes it would.

Q. What destroyer was that?

A. EVANS.

Q. Is that included in the four that you mentioned or in addition?

A. That is included because one goes out and one comes in on the program.

Q. Well, shortly before the collision do you recall a signal being made?

A. I think you would have to amplify that.

Q. Yes. Well what was the last time that plane guard position was required before the collision?
A. Are you looking for the signal which brought him back into station? When I was called and came on the bridge for this flying operation, having seen the situation, since I was ready, I sent the signal "Formation One" to EVANS.

Q. "Formation One" translated into ordinary language means?
A. That EVANS was to form 1,000 yards astern of the MELBOURNE.

Q. Is that the signal which is ordinarily given as part of the operation of stationing a plane guard destroyer?
A. Yes. One that I used and have used. This is the practice we have been in.

Q. What is the next stage in the operation after the destroyer has taken up his position astern?
A. Once he has taken up his position astern we turn to the flying course which has previously been signaled to the force. We turn together, but the plane guard destroyer is ordered to follow around in the wake of MELBOURNE. There is a signal group for that. Once we are close to into wind then send him telling him to take up his rescue destroyer station and he moves out to ~~five~~ on the port quarter.

Q. Well, now on this night, what was the approximate time when you were called to the bridge?
A. I think that it was between five and ten past three, ~~when~~ I went out myself on this occasion as I was awake.

Q. And when was it that "Formation One" was signaled to EVANS?
A. It was signaled to EVANS soon as we were steady on the leg of the zig-zag.

Q. And approximately when was that?
A. I think that it was either eight or nine minutes past three. Again, this should be in the log.

Q. And was it given in a form to be obeyed instantly or was a preparatory signal?
A. Preparatory signal.

Q. When was the signal to execute given?
A. Fairly soon after that, a matter of half a minute after that.

Q. So that would make it about when?
A. I would say nine minutes, ten minutes, past three.

Q. In what manner is your order transmitted?
A. I tell the leading signaller what I want, he translates it into signalese and puts it out through his "TO" on the actual microphone.

Q. So there is the signaller who makes the translation and the "TO" standing for?
A. Tactical operator.

Q. And he makes a voice transmission?
A. That's right.

Q. And when that signal to execute was given in that way, what was the course of MELBOURNE?
A. 260.

Q. She had been on that course since when?
A. She had turned to that course at seven minutes past three. I should think that we had got on to it, it was a forty degree alteration as far as I recall. We would have been on it at eight minutes past.

Counsel for the board (CDR Glass): Any further questions about that we will keep for a classified session.

Q. On that course of 260, what was MELBOURNE's speed?
A. 18 knots.

Q. At the same time that the signal to execute was given, where was FRANK E. EVANS, relative to MELBOURNE?

A. Between about 15 and 25 degrees on my port bow and between three and three and a half thousand yards. These are all estimates, I didn't actually go to the compass or check the radar to see.

Q. And what is your estimate of her course at that time?
A. She was parallel to MELBOURNE, about 260.

Q. After that signal had been given, did you observe FRANK E. EVANS?
A. Yes, I watched him closely through glasses. He didn't move for what I thought quite a period of time. I wouldn't want to say how long. It seems like a long time when you are waiting for him to go. Probably a half a minute to a minute.

Q. Did you do anything on that account?
A. I had already switched my navigation lights up to full brilliance and signaled him my course.

Q. Was that signal passed in the same way that you have described?
A. Through the leading signaller, yes. The course would have been coded.

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Q. And your course was?
A. 260.

Q. What was your particular reason for passing that signal for your course?
A. The incident that you referred to previously was where we had a near miss with another destroyer. In discussion with her commanding officer, their Officer of the Deck had made an error in the zig-zag and had their course wrong. I wanted to avoid any repetition of that sort of thing and to be quite certain that there was to be no mistake I sent him my course.

Q. Now you mentioned your lights being put up, when was that done?
A. That was done before we turned.

Q. And what lights were turned on?
A. The two masthead steaming lights, the red and green side lights and a overtaking light. These white lights are five miles or more visibility.

Q. Did you give any thought to the effect of switching on those lights in relation to a submarine?
A. Yes, I did. The night of that nature was so clear that the submarine would have no difficulty seeing us. I was relying on the zig-zag to effectively keep him out of getting into an attacking position. The fact that he could see me was not all that important.

Q. Did you continue to observe the EVANS?
A. Yes, I did.

Q. What did you notice?
A. He started to swing to starboard.

Q. And how far did he swing to starboard?
A. He swung right around to starboard to a collision course which in our parlance was an inclination of 160 right. In other words, he was coming about 20 degrees across my course. ^{About}

Q. And your course then was?
A. 260.

Q. And his bearing to you then, relative bearing?
A. Which was about Red 20, something like that.

Q. And at that stage what was the approximate range?
A. About 3,000, just a little in excess of 3,000.

Q. What was the next step that you took?
A. I swore at him in actual fact, I recall, and then sent him a signal, 'Watch it! You're on a collision course.'

Q. Was that sent in plain language?
A. Yes, it was.

Q. About what time was that sent?
A. Guessing again I would think about 11 minutes past three.

Q. Same manner of passing it?
A. Same manner of passing.

Q. Was there any change in your course?
A. None at all.

Q. And at the time that you sent that signal what would you estimate the range to have been reduced to?
A. About two and a half thousand. Again, I am guessing I think this is fairly difficult to assess ranges. From the time he turned things happened very quickly.

Q. No doubt you continued to observe him?
A. Yes, I did.

Q. What did you see?
A. I saw no change at all, except that he continued to close on a collision bearing.

Q. And what was it at this stage?
A. It was getting a little finer as he came down, to a crossing, well a point of impact.

Q. It was getting finer. Did that continue?
A. That continued.

Senior member: Will counsel clarify the meaning of "finer"?

Counsel for the board (CDR Glass): Yes, sir.

Witness: From Red 20 to Red 10. It was getting closer, the bearing was getting closer to the bow.

Q. Did it seem to you that the destroyer would pass port to port?
A. There was very little chance of it. There was a faint chance, but very, very little. No.

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at that stage I didn't think any chance of it. I'm sorry, there is no chance in the world of a port to port, no.

Q. What was the state of EVANS' lights?
A. They were not on.

Q. Did you consider going astern?

A. Yes, I considered it. But to swing the engines to astern on a ship of this nature is very ineffective. The only chance you have really got is to swing her from one side to the other, is the only effective way of avoiding anybody.

Q. What was your judgment as to the best thing to be done?

A. Well the only thing that seemed possible was to, it seems to, --- have in mind to continue across my bow. The only thing that I could see when we were finally in a stage where the collision could not be avoided to my mind unless I took action, I went to port.

Q. How much port or left rudder did you order?

A. I ordered 30 degrees of left rudder, which is as good as full left rudder.

Q. Did you take any other action in the ship?

A. I sounded two short blasts on the siren and sent him a signal saying my rudder is hard left.

Q. Did the ship respond?

A. Yes, in the normal fashion that it does. It takes time before it moves.

Q. Was there any alteration in the course of EVANS before MELBOURNE began to move left?

A. At about this stage, this is the first time I took my glasses off of her while I had this action going, by the time I had looked the signal had come through from her that her rudder was hard right and by the time I got my glasses on her again she was starting to come right or so indicated that she at that stage was going to pass down my starboard side if she had stayed on the heading that she was on.

Q. At the time EVANS started coming right, was MELBOURNE moving left?

A. She was starting to move.

Q. If EVANS had continued on a steady course what would have happened?

A. I think my aerials might have clipped her stern, but I think we would have cleared her basically.

Q. In what manner did EVANS start turning right?

A. She spun to the right very quickly.

Q. Were you able to judge at what speed?

A. No I wasn't.

Q. What was the approximate range of EVANS when she started coming right?

A. Do you want me to sort of guess at this?

Q. If you can only guess, sir, we don't, only if you have an informed estimate.

A. No informed estimate. It would be only an estimate of my own judgment. I doubt if that is going to be accurate enough for you in trying to reconstruct.

Q. What was the angle between the two ships heads when the collision occurred?

A. I think she was about 60 degrees angled down toward my stern. In other words, the angle between her bow and my stern was about 60 degrees.

Q. If I give you this pencil, sir, could you illustrate the angle between the two ships at different points of time by drawing on the chart to your left?

A. I have done this, I think it will help.

Q. Well, firstly, could you show the relative bearing of the two ships at the time the signal was given to execute the flying order?

A. Right.

Senior Member: Would counsel rephrase the question. It is somewhat imprecise in that it refers to the time in executing the flying order.

Q. I'm sorry. I meant to say that the time the order was given to execute and take up plane guard position, the time of the signal, formation ONE. Is that what you're doing sir?

A. That's about the time of the "Formation ONE", the "my course" and the navigation lights.

Q. Yes. Well now, the larger outline at the top of the plan represents the carrier, can you put "M" on that? And could you put "I" underneath it, leaving space for another drawing underneath that?

A. Yes.

Q. Now at the time you signaled to EVANS, "My course is 260," had the relative positions of the ships changed or not?

A. Comparatively the same.

Q. At the time when you signalled to him "you are on a collision course," will you draw the ships at that point of time, please?

A. Yes.

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Q. Would you put --- oh, you have "E" on EVANS, yes.

Senior Member: May I review. What time does number 2 represent?

A. The time would have to be from the log, sir. I would think it a minute and a half to two minutes after the signal was executed.

Q. The question was asked in terms of the relative position at the time you signalled "You are on a collision course," whenever that was.

A. Beg your pardon.

Q. This represents the relative position at the time you signalled, "You are on a collision course," whenever that was. Is that correct?

A. That's correct.

Q. Now could you --- Now what do those dotted lines represent?

A. That's the bearing, that is EVANS.

Q. The lower dotted line represents the bearing of EVANS from MELBOURNE, and the upper one represents her course. Now could you turn that page up so ----

Senior Member: In diagram number one, Captain would you clearly show EVANS' head by an arrow?

Counsel for the board: Anything further from the board before we turn it over?

EXAMINATION BY THE BOARD

Q. Captain Stevenson, in both these drawings the bearing appears to be approximately the same. That is 20 to 25 degrees?

A. Yes.

Q. Despite the fact that in one diagram he has turned through a considerable course angle.

A. Sir, I can only give you to my mind, I can do some juggling in my mind as to how much his transfer would be from an alteration of course. But it would be quite untrue to say I could assess any better. To my mind he was about 20-25 before his change and roughly in that same position when he ended it. I could assess to you that because of his turn he would come around two degrees off a bearing because of that, but it wouldn't be any use....it's only reconstruction after the event. To my mind he was up there as I looked through my glasses about 20-25. I don't want to try and reconstruct an actual thing back from the point of impact. You'd get an entirely different story out of it.

Q. At the time of drawing 2 the signal was given "You are on a collision course," how did you determine that that was the case?

A. Purely by the fact that he was angled across my bow on his bearing. By saying that you are on a collision course, he was on a dangerous course, he was angled over my bow or he was going to be very close to me if he continued on his course. Purely visual through my glasses. There was no question of seeing that he was on a steady bearing, his move was too dangerous to waste time on checking whether his bearing was steady or not.

Q. Did you have a source of information with respect to his bearing from moment to moment and if so, what was it?

A. I didn't take his bearing at one time. I just watched him through my glasses. I believe that the Officer of the Watch at sometime took his bearing. No, I did not check his bearing.

Q. And I take it that to the best of your knowledge no one else did?

A. I think the Officer of the Watch did. It is of no use to me, the report, if he had taken it.

Q. Was anyone providing you with information with respect to his range?

A. No, sir.

Q. Was anybody on your bridge measuring his range?

A. No, sir. Again it would have been of no use to me. I was just going to keep him away from me that is all.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Sir, when the page has been turned over would you make figure 3, an illustration of the relative position of the two ships at the time you started going hard left?

Senior Member: Will counsel restate the time of this?

Counsel for the board (CDR Glass): At the time when you gave the order, "turn hard left".

The witness drew a diagram on the board.

Q. Now the dotted line running from the bow is the EVANS' course, is it not?

A. Yes. It is very hard again but the angle seems to be a little broader, it seemed about 40 degrees when he crossed my track.

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Q. Could you mark that Figure 3, please?
The witness did as directed.

Q. And lastly for Figure 4 could you draw the angle between the two ships heads when they came together?

The witness drew a diagram on the board.
A. This again is estimates on course.

Q. And you estimate that the course of MELBOURNE at the time of collision was?
A. I think we got around about 20 degrees. It's pretty hard to assess this.

Q. Could you mark that Figure 4, please?
The witness did as directed.
A. This angle between the two came to about 60 degrees across ~~the~~ ✓

Counsel for the board (CDR Glass): Counsel offers those four diagrams in evidence as Exhibits 21 and 22. Plan 1 and 2 is Exhibit 21 and Plan 3 and 4 is Exhibit 22.

Witness: May I point out that they are not to scale in any way.

Q. What orders were given at about the time of collision with respect to ships engines?
A. The engines were stopped just before impact and put full astern in a sort of one two step.

Q. What did you observe was the effect of the collision on EVANS?
A. She was cut in two.

Q. And what happened to the two halves?

A. I didn't see the port half. The starboard half came down my starboard side and I went out on the starboard side of the bridge and watched it to assess what I should do with the engines and I managed to get the way off the ship by the time, just before she reached my stern. A little bit of a kick on the port engine to kick my stern into her. By this time I could see the nets going over to her from aft and with an occasional touch astern we kept them that way.

Q. Were any other means adopted to keep the after section of EVANS alongside?
A. Yes, lines were put across from us.

Q. What pipes were sounded to tell the ship's company what to do?
A. Well, shortly after I went hard over and heard that she had gone hard right I sent hands to collision stations and assumed Damage Control State 1 Zulu, this is the highest state we have got. At around the point of impact we went to emergency stations which is slightly different. There is no real station of collision stations except to warn people that something is happening. We then went to emergency stations and shortly after the impact I piped out all boats let go liferafts and life-buoys, and punched the bells to let go the life buoys.

Q. What was done to get aircraft into the air?
A. We had two helicopters in the air and in fact I immediately started bringing up the other helicopters from down below and respotting the deck and we had another three helos on deck shortly and ready to be airborne within ten minutes. We then kept three airborne for a time then reducing to two and flew two all around the clock.

Q. During the rescue operations which ensued, where did you station yourself?
A. I stayed on the bridge to take reports.

Q. Sir, that is another phase of the inquiry which we may not pursue at this time. May I, reverting back to the earlier questions, ask you these questions? What was the base course of the force during the events leading up to the collision?

A. 220.

Q. What was the flight course to be assumed when the time came?
A. It probably would have been the leg of the zig-zag that we happened to be on at the time. There was no wind. I was waiting for EVANS to get back into station before I started building up the speed, since she was astern we would have built up speed depending on the leg of the zig-zag that we were on at the time we probably would have flown on that leg. But I would not have set the flying course until I could have seen where we would be.

Q. With respect to synchronizing clocks of the force, who would have made that signal?
A. I would have made that signal shortly after starting the zig-zag.

Q. In whose name?
A. In my name.

Q. And your name in that connection?
A. CTU.

Q. At this stage what was the direction in which the destroyer screen was oriented?
A. 220.

Q. Had there been any change in that orientation during the night?
A. Oh yes, we had been changing it quite frequently.

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Q. No doubt the details of that would fall in the classified area?

A. Well, they certainly would be in the logs. I wouldn't be able to give you great details of them at the moment, but we were endeavoring to keep in a certain position ahead of the convoy which required me to steer slightly broader legs across the front of the convoy.

Counsel for the board (CDR Glass): Would that be a convenient time to take a recess, sir?

Senior Member: Yes

Counsel for the board (CDR Glass): Well then, Counsel have no further questions.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. My recollection is that you said perhaps between 2230 and 2300, tactical command of the MELBOURNE group with her screen was transferred from the Admiral to yourself.

A. Right, sir.

Q. And you used the term "transferred on a personal basis"?

A. Yes, sir.

Q. Could you elaborate on that, please?

A. The Ops room is just below the bridge on the MELBOURNE. The Admiral was in the Operations Room and I was on the bridge. I got a message from the Fleet Operations Officer that the Admiral wished to transfer tactical command to me. I said, "Fine, ready to take it now"; that would be give me any particular instructions that he has ~~had~~ me to the Operations Room Officer to pass up. The Operations Room Officer came up shortly afterwards with a note from the Admiral on the basis wishing me to remain 30 to 40 miles ahead of the convoy acting in a support role. I think that there is a record of the note that was conveyed.

Q. Is this a hand written note?

A. A hand written note, yes, sir.

Q. By whom was this written?

A. I believe that it was dictated to my Operations Room Officer or Fleet Operations Officer and brought up to me by the Operations Room Officer.

Q. Did you regard it as coming from the Admiral?

A. Yes, sir.

Q. Did it say anything about the transfer of tactical command?

A. I would like to check back on that note. Whether it did or not, sir, I was in no doubt that I had tactical command.

Q. As from what moment did you have tactical command?

A. I couldn't give you the exact timing, sir, but I was quite happy to take it from about 2230.

Q. Is there a record as to the moment that you assumed tactical command?

A. Any change of call signs which you see in the log, well at the moment it would have been shortly afterwards. When the call sign of CTU was used, that would be about the timing.

Q. Did you issue a signal to the ships in company stating that you had assumed tactical command?

A. No sir, I did not.

Q. Turning now to the moments after EVANS had been ordered to station in "Formation One" - do you know whether or not anyone in the operations room was observing intermittently or continuously the range and bearing of EVANS with respect to MELBOURNE?

A. No, sir, this was not the role of the Operations Room to keep an eye on the screen at all. The control of the screen remained on the bridge. The Operations Room had more of a distant picture, but just might be on the Local Operations Plot for the tracking of one or two of the screening ships. I doubt if they would keep them all. The MELBOURNE was given the particular task of keeping track of the screening ships by radar or reporting them. That was the Officer of the Watch's task and mine when I came out on the bridge.

Q. If I understand you correctly then, upon the development of a potentially dangerous or unusual situation involving the screening ships you would not expect the Operations Room to observe this or call your attention to this?

A. That is correct, sir, I would not.

Q. Does the Officer of the Watch on the bridge have available to him a radar, source of radar information?

A. Yes, sir. You have the radar picture right beside him and drawn on the face of the radar are the boxes, the sectors in which the ships are operating. He could tell at a glance when one is out of the sector. So he would keep a visual watch and check the radar scope to see whether they are in or out of their stations. This is reported to me if anybody is out of their sector.

Q. Is the Officer of the Watch expected to do this personally?

A. Yes, sir.

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Q. Is anyone else expected to do this?

A. He and his assistant work it together, sir. Doing a task at a time they both keep a, not a continuous watch, but a casual watch on it. It is not something where you expect something to develop rapidly. A screen unit might wander off, and he would bring him back to his senses. Once a change of station is taking place then everyone is on the alert and everyone is watching. It is something that you can track down. It is a different story if you are an escort, then you will be watching the radar very closely to see if your station is off.

Q. You have stated that a zig-zag turn in due course was made at time 0307 and that the new course at that time was 260.

A. Yes.

Q. Do you recall what the next zig-zag turn was?

A. 20 degrees to port at minute thirteen, sir.

Q. So that at time thirteen the new course would be 240?

A. Should have been, yes, sir.

Q. Would have been?

A. Would have been if the ship had altered to it.

Senior Member: We will now have a five minute recess.

The board recessed at 1624 hours, 13 June 1969.

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The board reconvened in open session at 1643 hours, 13 June 1969.

All persons connected with the board who were present when the board recessed were again present.

Counsel for the board (CDR Glass): The board now being in open session, it is pointed out by counsel that any person who is to be called as a witness or may be called as a witness should leave the room and withdraw. The board recalls Captain Stevenson.

Captain J. P. Stevenson, Royal Australian Navy, was called as a witness by counsel for the board, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board (CDR Glass):

Q. Captain Stevenson, sir, you mentioned a hand-written note with respect to transfer of command, would you look at this document produced to you please?

A. Yes.

Q. Is that the note to which you referred?
A. That's the note to which I referred.

Counsel for the board: Counsel offers that document in evidence as Exhibit 23.

Senior Member: Permission is granted to receive that document into evidence.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Q. In your evidence sir, you mentioned that between the position indicated in figure two when the relative bearing was 20 to 25 degrees of EVANS from MELBOURNE and figure three the relative bearing became finer, do you remember saying that?

A. Yes it's an impression but of course -- yes it's an impression.

Q. And the angle between the heading of EVANS and the heading of MELBOURNE had opened up to 40 degrees as you show?

A. Yes, again it's an impression, it's the impression at the time, it seemed to be, trying to cast your mind back sir, I can see the picture of it in my mind, I can see the picture of it in my mind now. It's that or even perhaps broader but there is no impression in my mind of her coming down on a collision course of that distance, ~~from~~ ^{eye} ~~but~~ She crossed my bow. Then she seemed broad when she was across it.

Q. What would her relative bearing from MELBOURNE have been in figure three as shown by you?
A. Well pretty much the same, pretty much the same.

Q. And in figure three, it is the starboard side of EVANS which is exposed to MELBOURNE, and in figure four it is the port side. What was the transition between those two figures?

A. She had crossed my bow before I had turned or she was across my bow, and if I hadn't turned I would have cut her in two. And as I went over she had skidded around.

Q. Well that skidding around operation was a turn by EVANS to her -
A. To her starboard.

Q. And was that a gradual or a
A. Oh no, it was a very sharp turn. You could see the kick of the water sideways, her stern swung, you could see the ship ^{swinging} as she was coming in close.

Counsel for the board: Counsel has no further questions at this stage.

EXAMINATION BY MEMBERS OF THE BOARD

Questions by the senior member.

Q. Captain Stevenson, you listed the persons on the bridge just prior to the time of the collision.

A. Yes, sir.

Q. Can you say when, can you say where was the navigating officer at that time?

A. He was on the bridge at the collision. He came onto the bridge about two or three minutes after I did. We normally get up together for any operations or activities. I would say he was on the bridge by the time or probably between the time I told her to come into station astern and the time I said you're on a collision course. I would think he was on the bridge about the time I said you're on a collision course. He played a very big part in helping me in all activities from thereon. There was a great deal of interchange of information between us. We work pretty well together. He worked the siren, and suggested engine movements and so on and we worked back and forth.

Q. From the moment of the transmission of the signal "Formation One" until the moment of collision, do you recall seeing any lights of any character on EVANS?

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A. Yes, I had a slight feeling that she had dim side lights, but it was not borne out by any subsequent conversations I had with people. I had a vague feeling, I discussed it with my navigator on the bridge immediately after the collision, and he didn't feel she had any side lights.

Q. Did you direct or request EVANS at any time during this period to turn on side lights?
A. No, sir. I could see her clear as daylight.

Q. During this period was the bearing of EVANS from your bridge at any time observed to be on your starboard bow?

A. Yes, just prior to the collision.

Q. Was this before, you ordered left rudder?

A. No, when I ordered left rudder, I would say her ~~stem~~ was about crossing my track and up ahead from port to starboard. This was the occasion when I went over and sent the signals, By the time that activity was over and I looked up again we had started to swing and was on my starboard bow swinging into me, that was the next thing I saw.

and rounded the
blasts.

Q. During this period from the moment you transmitted the signal "Formation ONE" till the time of collision, how many messages were transmitted from MELBOURNE to EVANS?

A. From the time of "Formation ONE" till the time "you're on a collision course?"

Q. No, from the time of the completion of the signal "Formation ONE", the execution of it, 'till the moment of collision, would you review the signals?

A. Just the two signals, "You're on a collision course," and "My rudder is hard left."

Q. Was there not a signal in which you stated what your course was?

A. That was before, sir.

Q. That happened before?

A. Yes sir. Before he, in my memory of it, without checking back on the logs, "Formation ONE" was executed. I beg your pardon, before he ~~ordered~~, the "My course 260" was sent, but before he had moved, there was the "Formation ONE", the execute, before he moved "My course 260", and the lights went on.

Q. And then two more after that?

A. Two more after that, the collision course and my rudder hard left.

Q. At the time that you ordered left rudder, I believe that you said it was 30 degrees. Could you see EVANS complete down to the water line, down to her water line?

A. Yes, sir, I believe so.

Q. So that to the best of your knowledge at that time she was far enough away to be completely out of your shadow area?

A. Yes, she was out of my shadow, sir.

Q. Can you estimate her distance from MELBOURNE at that time?

A. Again pretty hard sir, I would say, I'm guessing at 5 cables.

Q. Captain, since this is a combined board may we also put that in yards?

A. I'm sorry, sir, a thousand yards.

Q. One thousand yards?

A. About a thousand yards. Might have been a little more or a little less, again it's pretty hard to assess, in my mind the only thing I would act on at this stage was to say is that with no alteration by either ship the collision would have occurred. I don't think the distance or guessing of distances is going to help much, my judgment of this case was that if nothing had happened, we would have collided.

Q. And at the moment that you put on, that you ordered thirty degrees ~~rudder~~ and you estimate that her distance was 5 cables or a thousand yards....

A. That's a rough estimate, yes.

Q. What was her bearing?

A. Her ~~stem~~ was about to the line of my track. Again, it's an estimate of her inclination, 10, 5, between 10 and 5, sir.

Q. Red or green?

A. Red.

Q. And at that moment where were you physically situated?

A. Standing right in front of the compass with my glasses on, sorry just to port of the compass, between my chair and the compass.

Q. Can you assist the board in determining the exact time of the collision?

A. No, I can't sir. I didn't look at any clocks at this time, things were happening pretty fast, sir. I would hope it would be recorded in the operations room or the engine room, the exact time. But it would be roundabout, I mean I have looked at logs and talked after that, I would think about 0315. I couldn't go any closer than that.

Q. During the period from the time of execution of the signal formation ONE until the time of collision, did you hear anyone within your presence, or any voice on the bridge at all, say anything about range of EVANS from MELBOURNE?

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A. I think at one moment I asked the Officer of the Watch for a range. This again is... but I don't think that by the time he got it, it was any use to me and I wasn't paying any attention to it. Things were moving, and I don't recall ever getting an answer. I'm not even certain I asked it. Its just something in the back of my mind that I may have shouted for a range.

Q. Did you during this same period, instruct anyone to take EVANS bearing, to watch the bearing or it's trend?

A. No, I had it personally, I was watching it myself, not the bearing, but I was watching the ship. I'm fully aware of when a ship is on a steady bearing and a dangerous one.

Q. Was anyone taking bearings using the bearing circle on the pelorus?

A. Yes, I believe the Officer of the Watch had a look at it a couple of times, Lieutenant Lamb.

Q. Captain, in diagram number two, your estimates of the bearing of EVANS is such that she was 20 to 25 degrees on your port bow. In the next diagram the same angle is labeled, and again I'm sure it's an estimate, 40 degrees.

A. ~~No~~ That's a 40 degree angle across I'm trying to imply there (witness illustrates by pointing to the diagram) this is the 40 degrees, I'm just trying to give the inclination of the ship across my track, not the bearing of it, but the angle between her track and my track, her inclination across ~~me~~. I don't know if that's clear or not. I'll write inclination on there.

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EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. That 10 degree angle that you've shown in figure three, what bearing does ~~it~~ represent?

A. That's the line of sight, the bearing between our track and her bearing relative to my track. Does that help or confuse the issue, sir?

Q. That relative bearing of EVANS ~~to~~ MELBOURNE is indicated by a dotted line and the angle is 10 degrees. Is that right?

A. That's right.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Captain, would it be possible for you to clarify in any more detail the motion of EVANS relative to MELBOURNE during the period of time between diagram 3 and diagram 4?

A. (Answer was illegible to court reporter)

Counsel for the board (CDR Glass): For the record Captain, could you just repeat the answer you just gave in answer to the Senior Member?

A. I can't quite remember what I said except that it would be a very rough estimate as to what I could recall. I took my eyes off the ship during this period.

EXAMINATION BY THE BOARD (Cont'd)

Questions by the senior member:

Q. Captain, may I make one observation before you proceed? In MELBOURNE your station is over on the starboard side....

A. Port side, sir. Do you mean the island? Yes, sir, the island is on the starboard side, yes sir.

Q. And that is where you were situated?

A. Yes sir.

Q. In a close in situation this might make some difference in any estimates one could make of bearings with respect to ships ahead. You could take that into account in the diagrams you are about to draw.

A. I don't believe it makes a very big difference, sir, in anything under a few cables. (Witness draws diagram) I believe it is something like that.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Captain, in that diagram does the dotted line represent the projected course of the carrier if she had not altered course to left?

A. Yes.

Q. And the heavy line crossing it is the line of the path of the destroyer after collision?

A. Yes, an attempt at it sir. It's difficult to assess. It's an impression that she crossed my bow, and came onto the other side of me. I'm not sure that's a great deal of help.

Q. Could you number that diagram five please, sir?

EXAMINATION BY THE BOARD

Questions by the senior member:

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Q. During the period from the execution of the signal "Formation ONE" until the time of collision, did you hear anything that may have been a sound signal except those made from your own siren?

A. No sir. To be fair, sir, I don't think I would hear it. We're a closed bridge.

Q. Did you see a plume of steam or other evidence that EVANS may have sounded a whistle?

A. No sir.

Q. Did any lookouts report any sound signals?

A. No sir.

Q. Did anyone else report any?

A. No sir.

Q. As I see diagram number five, Captain, it appears that just prior to collision EVANS was wholly to starboard of the projected track of MELBOURNE?

A. No, I've drawn it wrong then. That's not the impression I want to give. The impression in my mind is that she got wholly to starboard when I was a little bit to port. My feeling and my judgment was we would hit her. I got a little to port of her so she was to starboard of me. When I was a little to port of her, she spun hard in, but by an alteration.... yes, then she was to starboard of me as soon as the ship started to swing.

Q. Captain, during the exercises in which the MELBOURNE crew had been engaged, was it customary to order cease zig-zag prior to flight operations?

A. Yes, several times, sir. Usually we were very rarely on a zig-zag unless there was a submarine environment. I think probably 2 or 3 times.

Questions by a member of the board (Captain Anderson):

Q. Captain, one question. Between your diagram 2 and 3 you indicated a change in inclination of EVANS from about 20 degrees across your course to about 40 degrees across your course. Did that indicate anything to you at the time?

A. Not at the time.

Senior Member: The board has no further questions at this time and I suggest that we proceed with the classified portion of testimony of Captain Stevenson.

Counsel for the board (CDR Glass): Could I, sir, just complete one matter. Captain, would you be good enough to put "M" on the track of the MELBOURNE and "E" on the track of EVANS? Counsel offers that last plan in evidence as Exhibit 24, and I ask one question in relation to one matter previously dealt with. At any time before MELBOURNE started moving left, how far towards her starboard bow did EVANS come?

A. I'm not sure I really understand the question. I think it's apparent from the sketches that at the time MELBOURNE started to come left her stem was about on the line of my track.

Q. Did she ever get across onto the starboard side from the point of view of your track before you turned left?

A. At this time I had ceased looking at her to take action. By the time I next looked the ship was on the move and she was on my starboard bow.

Q. At that stage how much had you moved left?

A. 10 degrees maybe.

Counsel for the board (CDR Glass): I don't think, sir, that you've reacted to the application of this diagram in evidence as Exhibit 24.

Senior Member: Let it be admitted into evidence as Exhibit 24.

Counsel for the board (CDR Glass): This open session is now concluded. The board will reconvene in closed session. Will spectators please retire. (All spectators who were present in open session have left the room. Only members, counsel, witness, and the court reporter are present).

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Counsel for the board (CDR Glass): The board is now in closed session.

EXAMINATION BY COUNSEL FOR BOARD OF INVESTIGATION

Questions by counsel for the board (CDR Glass):

Q. The first question sir is directed to the zig-zag plan which was in operation. How may that plan be identified?

A. Zig-zag plan 13 SIERRA.

Q. And how was it distributed to the members of your force?

A. All members of the force were to have a document known as ATP 3, the anti-submarine evasive screening book, this one (indicating subject publication) and also the extracts were put in this CTF 472 OPORDER 1/69 just to rather restrict us to a few zig-zag patterns in case we were operating with ships who didn't have this particular book.

Q. Was it your understanding that publication ATP 3 applied to these operations?

A. Yes, it was.

Q. How was that brought into force for purposes of SEA SPIRIT operations?

A. I think only the fact that it never went out of force, it's an allied publication that we use for zig-zagging. When you use a signal out of the ACP 175, the Signal Book, it refers you back to this document for a means of starting and stopping zig-zags.

Q. How was the force informed that 13 SIERRA plan was brought into operation?

A. By signal on tactical primary sometime after 2300.

Q. And what was the zero hour given?

A. 2300.

Q. When are you due under that plan to make the next zig-zag alterations?

A. You mean after the alteration at 7 minutes past?

Q. No, you've mentioned that that was the next one, seven minutes past --

A. There was an alteration at seven minutes past three.

Q. And after that the next one was due?

A. To 240 at 13 minutes past three.

Q. And what alteration was that?

A. That would have been 20 degrees to port that would have taken you to 240.

Q. Was that alteration in your opinion ever executed by MELBOURNE?

A. Not by MELBOURNE, I had already signalled that my course was 260. I was staying on that until the escort got astern.

EXAMINATION BY THE BOARD

Questions by senior member:

Q. Counsel, may I interpose a question at this point. With reference to your last answer Captain, at the time just after the execution of "Formation ONE," you informed EVANS that your course was 260. Did you then or at any time tell him that you intended to stay on that course until he got astern?

A. No, I didn't sir. I hoped he would clear, well clear of me at this stage. It wasn't in my mind that I would have to. I wanted him to know what course I was on at that time hoping that he would then get well clear of me. He would be aware of the next stage of the zig-zag, but as, in fact, he came down on a dangerous course, there was no time to tell him anything else except to tell him he was on a collision course and to leave him to draw his own conclusions to take actions. I could not take actions at that point until the situation was gone.

Q. Were there any formal or informal instruction to EVANS that in such a situation where you were in the course of zig-zagging that you would withhold the next turn specified by the zig-zag plan until such time as he may get past the stern of you?

A. No, sir. In fact if he had gone well clear of me, I would have continued the zig-zag as I had hoped he would have done, would have got cleared, well out of the way knowing I was going to turn to port. I would have hoped he would have gone either the long way down to port or if he had been further over to have cleared my bow and got out to starboard to leave me clear to maneuver. A 20 degree alteration is a very small one.

Q. Where was the next escort to the left of EVANS?

A. I can show you the screen sir.

Senior member: Captain, I believe counsel would like to offer a screen diagram to which we may have reference.

Counsel for the board (CDR Glass): Yes.

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EXAMINATION BY THE BOARD (cont'd)

Witness: Well you can see from that, sir, that there was one to the left of her. Each destroyer was instructed to keep 500 yards clear of the limits of her sector so that no destroyer can be closer to another one than a 1000 yards, would have allowed her plenty of room to turn.

Counsel for the board (CDR Glass): Having identified this as the board in the ship showing the sector screen ~~enforce~~ I offer that in evidence as exhibit 25

Senior member: I would like to confirm that the witness has so identified it.

Witness: Yes sir.

Senior member: Then it is admitted into evidence as exhibit 25.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. For purposes of clarification, is it not a fact Captain, that this is a replica of the one kept on the bridge which is fixed in position, this being as it says, taken from the operations room?

A. Yes, that's correct. Could I read in one section of what I stated before on the 500 yards from the limits of the sector on the instructions.

Q. Your drawing out a part of the MOP are you?

A. Yes.

Q. Which paragraph?

A. Instructions for sector screens, annex DELTA, its on page D4 to annex DELTA.

Q. You're referring to --

A. ...b(1) in which it says, "A ship is not to close nearer than 500 yards to the boundary separating its sector from one occupied by another ship."

EXAMINATION BY THE BOARD

Questions by senior member:

Q. Referring to the exhibit which has just been admitted, exhibit number 25, was the ship in the sector adjacent to EVANS to the left of EVANS, was it BLACKPOOL?

A. Yes sir.

Q. Can you give us any information on BLACKPOOL's location or movements from the moment of execution of Formation ONE until the collision?

A. No sir. All I can tell you is that as I came past the radar screen onto the bridge, I could see that BLACKPOOL was over well clear of EVANS. That's all I can say, she was in plenty of room, distance I wouldn't say but she was over towards the port side of her sector.

Q. Captain you have stated that you cannot assist us in precisely determining the time of the collision, can you say whether it was before or after 0314?

A. Well as closely as I could say it would be about 0314, between 14 and 15, I know it had passed the time of 13 the time of the alteration of the zig-zag.

Q. If the zig-zag turn to the left 20 degrees to 240 which was due at time 0313 had been carried out by MELBOURNE, what would have then been the resulting position?

A. I think you're putting me in a bit of a hypothetical question here sir, I was in no position to turn with a collision situation on my hands. I had a green light on my port side, I could not turn. I could guess at where she would be, but it doesn't arise. I couldn't tell.

Q. Captain you had previously stated that you saw no lights. Your usage of the term "green light" should be clarified?

A. Right sir, her starboard aspect.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Captain, the arrangement of the screen shown on the board which is in evidence as exhibit 25, from what time had that been present?

A. From what time had that been in force?

Q. Yes.

A. I would say from about 2245, 2250, sometime around about there, which again will show in the logs, from the end of the SAG action.

Q. What sort of screen had you had after replenishment had been completed?

A. Same one, without the helicopters.

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Q. What sort of screen had you had before replenishment?

A. Before replenishment we had one ship less, because one ship was astern. It was a four ship sector, to my memory. There was four ships in the one sector of range with one ship astern.

Q. And who was responsible for deciding what sort of screen should be provided?

A. Up until the time I took control of the unit, Admiral Crabb. From the time I took over it was my responsibility.

Q. Did anyone else have responsibility for it?

A. The screen commander could change the screen as he wished, but normally wouldn't do so without discussion.

Captain Shands: I think we're getting into a bit of difficulty with terms here when you say type of screen.

Senior member: Would counsel rephrase the question to specify the arrangements of ships in the screen rather than the type?

Q. The question is intended to raise the arrangement of the ships in the screen and whose responsibility was that?

A. The screen commander had responsibility for screening MELBOURNE. If I wished to over-ride him I could have.

Q. What was the operating effect of the type of screen that was being used that night so far as patrolling in sectors was permitted?

A. The ships had to patrol their stations. Can I quote again? "Units are to patrol widely throughout their sectors choosing their speed to make best use of sonar in the conditions prevailing."

Q. The quotation you make is from what publication?

A. "Maritime Operating Procedures," page D-4.

Q. Which is Exhibit 2 to these proceedings. According to your understanding, by what method are the sectors within which each destroyer may patrol fixed?

A. They are fixed by the method,... they are signalled. They are fixed by range, the inner limits and outer limits in thousands of yards, and by a lettered sector which they cover. There are letters indicating a section of 360 degrees at 20 degree sections.

Q. And apart from the inner and outer limits how are the size of the sectors determined?
A. By the letter.

Q. Which lays down a bearing from what axis?

A. From North, I believe. Hold on, let me have a quick check on this. Yes, North.

Q. And what were the distances and bearings which determine the sectors in the screen on that night?

A. Do you wish me to go through them, or could we not refer to this, which lays them down on the sketch which has been submitted.

Q. Are they correctly shown in Exhibit 25, the Operations Room maneuvering board?

A. Could I just check it again, please. I could put the signalling on or I could give you a sketch which gives you the signalled letters to read in if you wish. This has the signalese on it as well, if you wish.

Counsel for the board (CDR Glass): May counsel offer in evidence as Exhibit 26, this maneuvering form showing the sectors of the screen with some additional information in relation to them. In support of the tender, can I ask you this, Captain. Whose document is that, who compiled it?

A. My Communications Officer compiled that from the screen that was ordered that night.

Q. And on whose direction?

A. On my direction.

Senior member: When was it compiled?

Witness: The day after the collision, the day of the collision when I was making out my report.

Counsel for the board (CDR Glass): And are you satisfied that it accurately represents the screen that was in force that night?

A. Yes, I am.

Senior member: Very well, it will be admitted into evidence as Exhibit 26.

Counsel for the board (CDR Glass): Sir, it's half past five. There are not many more questions that counsel wishes to ask in closed session. There is one that we might prefer before it is raised to discuss with you, but I must point out that by over sight, Captain Stevenson, was not given the opportunity in open session to say if he had anything to add of his own accord to the evidence he has given, and for that reason I would suggest we would have to go into open session tomorrow for that purpose.

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EXAMINATION BY THE BOARD

Questions by senior member:

Q. I have one or two clarifying questions if I may for this session. With respect to the zero hour of the zig-zag, Captain, by what means was the zero hour which you stated was 2300 established?

A. It was established by ordering the zig-zag, sir, by signal. When you send the signal to establish a zig-zag, the zero hour is the hour preceding the time the signal is sent, and this zig-zag was instituted between 2300 and midnight.

Q. So that the zero hour in this instance was established by procedural doctrine?
A. That's right, sir.

Q. Rather than by explicit signal?
A. That is the only explicit signal to establish the zero hour for a zig-zag sir. I withdraw that. There is another method, but the normal method of doing it is by procedural doctrine.

Q. What was the normal method of selection of the rescue destroyer for a given moment?
A. It was selected by the Admiral's Staff, sir, for a period of 24 hours.

Q. How was that selection made known to others in the force?
A. By signal sir. By OpGen Alfa.

Q. Is there a signal which so designates EVANS?

A. I haven't been able to lay my hands on it, sir. I believe there is, but I haven't had access to the signal log since the time of the collision. There was certainly no doubt in my mind from the start that the EVANS was the rescue destroyer for the night.

Q. How did you establish in your mind that EVANS was the designated rescue destroyer for the night?
A. The Operations Room handles the details in this direction. It was a combination of the Admiral's Staff and the Operations Room who told me who was the rescue destroyer. I can't factually say to you now such and such told me at such a time that it was, but I was instructed that EVANS was the rescue destroyer.

Q. So that to recapitulate. There is no signal available to you at the moment which designated EVANS as rescue destroyer for this period of time just prior to the collision, even though the normal method was to have a signal?
A. Yes.

Q. You felt confident that EVANS was the rescue destroyer?
A. Yes.

Q. In your capacity as the task unit commander and having been given tactical command, did you feel free to select whatever ship you wanted to select for rescue destroyer for a particular occasion of flying when a destroyer was needed to be stationed as such?
A. Yes sir, certainly, because if EVANS had been sent off as a SAU, I would have had to select another one, but I would not normally do so.

Q. On the particular occasion of most interest, did you give consideration to selection of a destroyer other than EVANS for rescue destroyer?
A. No, sir, I didn't.

Q. Would there have been, in your opinion, any advantage in selecting, say, the ship on the left wing of the inner screen under the particular conditions which then existed?
A. No, sir. I don't think so under the particular conditions at the time, which weren't difficult, there was just no reason at all. The other one would have had a long way to come. I saw no reason for it everyone concerned was completely switched on and tuned in. We had done this so many times previously. EVANS was a very switched on ship. It never crossed my mind.

The board has no further questions for this particular closed session.

Witness: Could I possibly read items into this closed session?

Counsel for the board (CDR Glass): Well, you'll have an opportunity, sir, to state in closed session those matters which you feel have not been adequately brought out, and this is now a chance to do so.

Witness: Just in the question as to why I was zig-zagging, the circumstances. I feel there is some criticism on this point. I would like to quote Annex K of the Maritime Operating Procedures, page k-1, para 4, which states, "Evasive steering will be employed whenever possible providing the speed of advance permits, and the selection of zig-zag plans will be provided in OPORDERS". I would like that read in if possible, and the other one is ATP 1.

Counsel for the board (CDR Glass): Just stopping there, sir. You are referring to Annex K, paragraph 4, of Maritime Operating Procedures which is already in evidence as Exhibit 2.

Senior member: Before proceeding any further, Captain Stevenson, I'd like to make it very clear to you that the fact that the board asks questions on any particular point should by no

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means be interpreted as meaning that they have criticism of you or anyone else with respect to any matter.

Witness: No, I know that sir. I still feel I would like these in if possible.

Senior member: I certainly have no objection to you entering into the record anything that you think is relevant. I was simply wanting to set the record straight with respect to perhaps the reason why you wanted them.

Witness: Thank you, sir. The other one is ATP 1(A), Volume One, Article 1526, which states, "Prolonged periods on a steady course into the wind may be dangerous and unacceptable from the ASW point of view; therefore, if there are delays in flight operations it would be wise to order temporary alterations from the landing or launching course. The OTC is to be informed at once of the estimated duration of any appreciable delays." Those are the two I wanted to read in, sir.

Counsel for the board (CDR Glass): Is there anything you wish to say relating to classified topics?

A. No, thank you.

Senior member: We will now adjourn until tomorrow. The board will meet in closed executive session at 0830, and we will make the determination prior to that time what will be the next order of business.

Counsel for the board (CDR Glass): Before excusing you Captain, the board would like to instruct you that you are requested not to discuss your testimony with anyone other than members of the board and the counsel.

The board adjourned at 1745, 13 June 1969.

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