

Q. And who provided you with the call signs?
A. The call signs are on a board situated near the desk, sir.

Q. Before you sent a message, was it given to you by word of mouth or in written form?
A. In written form, sir.

Q. And who was it who wrote it out?
A. LTO STEVENS.

Q. And on what did he write it?
A. On a board or a pad, sir.

Q. Do you recall what materials were being used that night?
A. He was writing with a chinagraph on a board, sir.

Q. And what was the procedure in relation to messages you received?
A. He would write the message down from the board and I would write it from the board, sir, and send it out that way.

Q. Yes, that regards sending messages. Now what happened in relation to messages which you received on the Primary Tactical Net?
A. I would inform the LTO, sir, that we had received a message and he would then relay it to the Captain and the Officer of the Watch, sir.

Q. Did you inform him by word of mouth or did you write it down?
A. I had written it down in the Tactical Log, sir.

Q. What was your practice as to the time at which you wrote down in the Log the messages you received?
A. Could you ask that question again, sir?

Q. Yes. When you received a message through the headset when, according to your normal practice, did you write it in the Log?
A. As soon as it is received, sir.

Q. Was that practice invariably followed on this night?
A. Yes, sir.

Q. Were there any messages that you did not write in the Log at the moment of receiving them?
A. No, sir.

Q. Well, now as regards messages that were sent, when were they entered in the Log?
A. First of all, sir, I would put the message out and then log it in the Tactical Log, sir.

Q. Now without refreshing your memory from the log, which you kept, can you tell us what messages you sent and received that night from about 0300 up 'till time of collision?
A. The first message we put out, sir, just after 0300, was our course, which was 260...

Q. Before you come to that, was there any message to EVANS about rescue destroyer?
A. I think it was before that, sir, that we put one out about rescue destroyer to EVANS.

Q. Yes, all right. That's what you think came first. Now what came after that?
A. We told EVANS that our course was 260, sir.

Q. In relation to that message, was it sent in plain language or in code?
A. It was coded, sir.

Q. What part of it was coded?
A. Just the numeral, sir.

Q. And who did that coding for you?
A. The LTO.

Q. Do you recall whether you received any roger for that course signal from EVANS?
A. Yes, sir.

Q. What is the next message that you recall passing between the two ships?
A. We told EVANS to take FORMATION 1. And the next signal after that, we told EVANS that she was on a collision course.

Q. Was that encoded or not?
A. That we are on a collision course, sir?

Q. Yes.
A. No, sir.

Q. Did you get a roger for that signal - you are on a collision course.
A. Not the first time, sir. I told them once and they never rogered for it, so I sent it out again and used their call sign and said, "Over". I got a roger for that, sir.

Q. How long intervened between the time you first sent it and the time you second sent it?
 A. Only about a few seconds, sir. I gave them time to roger for it.

Q. Well, what was the next signal that passed?
 A. We told EVANS that we were hard left.

Q. Was that plain language?
 A. Yes, sir.

Q. Did you get any receipt for that?
 A. EVANS rogered for it, sir, and came straight back and said that they were hard right.

Q. And in relation to the order in which those two signals went on the air, are they clear in your mind?
 A. Yes, sir.

Q. I show you the bridge log for the night of the 2nd and 3rd. Has that been entered in your handwriting?
 A. Yes, sir.

Q. You will observe that no times are entered against the two signals, "my rudder hard left" and "my rudder hard right". Can you tell us why that is so?
 A. After we told EVANS that we were on a collision course, we called EVANS that our rudder was hard right, I'm sorry, hard left, and EVANS came back and said that her rudder was hard right. Just after that the LTO told me to go up and shake the Chief Yeoman, which I did. I came back down and logged my rudder is hard left and that EVANS' rudder was hard right.

Q. And, accordingly, how long a period of time was there from when those messages were sent and received and when you entered them in the book?
 A. I'd say about three quarters of a minute, sir.

Q. In relation to messages which you send, is it your practice to log them in the book before transmission or after?
 A. After transmission, sir.

Q. And is it the same when you are given the message in writing, as when you are given it by word of mouth?
 A. Yes, sir.

Q. Or is there a difference?
 A. No, sir.

Q. In each case, whether it comes to you in writing or by word of mouth, you log it after, is that right?
 A. Yes, sir.

Q. In relation to messages received, what is your practice as to the time when you enter them in the log?
 A. I write it in the log, sir, as I receive it, inform the LTO and then write the time beside it, sir.

Q. When the LTO comes over to see what the message is do you tell him or does he read it off the log?
 A. I usually tell him, sir. Sometimes he reads it.

Q. You said earlier that you sent EVANS a message, you are on a collision course on two occasions. Do you recall that?
 A. Yes, sir.

Q. When you sent it the first time did you use the EVANS' call sign?
 A. Yes, sir..

Q. And on the second occasion?
 A. Yes, sir.

Q. Was there any difference in your transmission of the message on the first and second occasion?
 A. On the first occasion, sir, we called them up firstly using their call sign and told them they were on a collision course and I just said, "Over", sir. I didn't hear a reply and I just said again to EVANS, "You are on a collision course", and used their call sign.

Q. You mean the difference was you gave the call sign before the first occasion and after on the second occasion.
 A. Yes, sir.

Q. Apart from that was there any difference?
 A. No, sir.

Q. And how long was it before you got the receipt to the second transmission?
 A. Immediately after it, sir.

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Q. When you went to shake the Chief Yeoman, who took over your microphone and headset, if anyone?

A. The Chief Yeoman put out the signals after the collision, sir, and I logged them in.

Q. I mean during the period when you left the bridge, did you put your headset down or did someone take it up?

A. I left it there, sir.

Q. And you were away how long you think?

A. About 45 seconds, sir.

Q. When you left and put your headset down what was the relation of the two ships to each other?

A. I didn't see them, sir.

Q. Had the collision taken place?

A. Yes, sir.

Counsel for the Board (CDR GLASS): Counsel has no more questions. Does the Board have any?

Senior Member: Yes.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. JACOBS, what circuit were you working?
A. Tactical Primary, sir.

Q. Were you charged with responsibility for guarding any circuit other than Tactical Primary?
A. No, sir.

Q. Is there a standby circuit for Tactical Primary? A backup?
A. Not on the bridge, sir. In the Ops Room there is.

Q. It is not guarded on the bridge?
A. No, sir, it wasn't.

Q. Did you have any problems with hearing the transmissions on Tactical Primary Circuit from other ships during your watch?
A. Not from any ships in our division, sir. Maybe other divisions were very faint. But there was no trouble with any of the ships on our circuit, sir.

Q. By other divisions, what did you mean by that?
A. ~~Supply~~ Division, KEARSARGE Division.

Q. Is a division then, similar to a task group?
A. That's right, yes, sir.

Q. We would just like to be certain that we understand the wording of the two messages that you sent to EVANS regarding the collision course. If we understand correctly they went as follows, and if this isn't right, you tell me exactly wherein it's wrong. We will use ship's names instead of call signs.
A. Yes, sir.

Q. "(EVANS), this is (MELBOURNE), you are on a collision course, over. (EVANS), this is (MELBOURNE), you are on a collision course, (EVANS), over."
A. The second time, sir. I'm not sure that I did send a preliminary call before I said that you were on a collision course, the second time, sir.

Q. You may have sent a preliminary call out, but you are not certain?
A. I'm not certain, sir.

Senior Member: The Board has no further questions of this witness.

Counsel for the Board (CDR GLASS): TO JACOBS, you are informed that you are privileged if you wish to make a further statement covering any matter relating to the subject of the investigation that you think should be told to the Board but which has not yet been brought out by questions. Is there anything that you wish to add?

TO JACOBS: No, sir.

The witness was warned, excused, and withdrew from the Board Room.

Senior Member: The Board will recess briefly.

The Board recessed at 1504 hours, 19 June 1969.

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The board opened at 1316 hours, 19 June 1969.

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

Senior Member: The hearing is now open.

Counsel for the board (Commander 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 board room and withdraw. The board calls Acting Sub-Lieutenant Viacheslav Vorobieff.

Acting Sub-Lieutenant Viacheslav Vorobieff, 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

Q. Q. Acting Sub-Lieutenant Vorobieff, 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 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 organisation.

A. Viacheslav Vorobieff, Acting Sub-Lieutenant, Royal Australian Navy.

Q. And were you a member of the ship's company of HMAS MELBOURNE on the night of the 2nd and 3rd of June?

A. Yes, sir.

Q. And were you standing a watch that night?

A. Yes, sir, I was.

Q. When did you come on watch?

A. At 2330, sir.

Q. And remained on watch till when?

A. Until 0415.

Q. Who was standing watch with you during that time?

A. Lieutenant Lamb, sir.

Q. What other persons were there with you?

A. During the night, the Navigator was up, the Captain was up, and there were other ratings on the bridge keeping watches too.

Q. And what ships were keeping company with MELBOURNE during this period?

A. There was the CLEOPATRA, BLACKPOOL, FRANK E. EVANS, the KYE and the LARSON.

Q. You, at my request, prepared certain diagrams showing the locations of various types of lighting equipment in HMAS MELBOURNE and the locations of the switches for it. Have you done that?

A. Yes, sir.

Counsel for the board: May counsel have that plan, consisting of diagrams 3 and 4, admitted in evidence as exhibit 48.

Senior Member: We are to understand that this was prepared by the witness?

Counsel for the board: Yes.

Senior Member: Yes, it may be entered as exhibit 48.

EXAMINATION BY COUNSEL FOR THE BOARD (Con't)

Questions by counsel for the board (Cdr Glass):

Q. Does the plan marked with the numeral four show the location of the various lights of HMAS MELBOURNE?

A. Yes, sir, it does.

Q. And in particular the forward and after steaming light and the running lights on the island and on the flight deck on the port side?

A. That is correct, sir.

Q. And can it be taken that the starboard side running lights appear in corresponding positions on the other side of the ship?

A. Yes, sir.

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Q. And does this diagram also show the location of the overtaking light?
A. Yes, it does.

Q. It goes without saying that the overtaking light and the forward and after steaming light all burn white lights?
A. That is correct, sir.

Q. In relation to diagram 3 does that show a number of matters, in particular, the light panel with the board, I suppose it is, that you've labeled "Nav Light Panel" - what does the "Nav" stand for?

A. Well, this includes all the lights that could be possibly used for the rules of the road. It includes various lights that are to be switched on when the ship is carrying out various evolutions.

Q. And does the "Nav" stand for navigational?
A. Yes, sir.

Q. And in relation to this diagram 3, is attention also called to Dimmer Controls?
A. Yes, sir. That is where the dimmer controls are located.

Q. And are they located, as the plan shows, on the after thwartship bulkhead at the rear of the compass platform?
A. Yes, sir.

Q. And does this diagram 3 also show, on a floor plan, the position of the port and starboard navigation lights forward of the island?
A. Yes, sir, but only roughly.

Q. Does the board have any further questions in relation to these two plans before we move to more detailed description of the dimmer control and navigation light panel?

Question by member of the board (Captain Rusk): What is the scale of this diagram?

Questions by counsel for the board (Cdr Glass):

Q. For example, from the master switch position shown at the most forward position on the compass platform, to the dimmer control, what is the approximate distance?
A. Sir, about 15 to 20 feet would be a very rough estimation.

Q. And let's say from the extreme port end of the TO's desk to the navigational light panel what was the approximate distance.
A. Approximately 15 feet, sir.

Q. And would the dimmer control position be approximately half that distance?
A. Approximately, yes, sir.

Q. Where is the position where you normally station yourself when you are on watch?
A. Anywhere on the bridge area, sir.

Q. No fixed position - you move around as required?
A. Yes, sir.

Counsel for the board: May we have that next plan, which consists of two diagrams, 1 and 2, admitted into evidence as exhibit 49 subject to proof.

Senior Member: By whom was this prepared?

Counsel for the board: Also by the witness.

Senior Member: It may be entered into evidence as exhibit 49.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Now in relation to the diagram one, that is a floor plan is it not, seeing from above?
A. No, sir, looking straight ahead.

Q. Of course. That is what is seen on the after bulkhead of the bridge as shown in the position dimmer control in diagram three?
A. That's correct, sir.

Q. And it has 3 main sections that you've shown on there. The first is labeled change over switch for the navigation lights, about 3 feet down the dimmer control for steaming lights and just below that the dimmer control for navigational side lights. Then from there 2 feet till the deck level?
A. Yes, sir, that's approximate distances.

Q. Now taking the first part of this apparatus. Does that adequately describe its purpose - change over switch for navigational side lights. I'll withdraw that. If you happen to be using flight deck side lights is this the switch that would be used to change over to the island side lights?
A. That is right, sir.

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Q. And is there any different position that shows which side lights are in use on the board?
A. It's a two way switch and whatever direction you have the handle changed over to show whether you have got the island lights or the flight deck lights burning.

Q. So its both a control and, from its position, an indicator of what side lights are burning. You control it from there and you can tell from the position of the handle which lights are burning?
A. Yes, sir.

Q. Now in relation to the next part of the board, dimmer control for steaming lights, is that also both a control and a indicator.

A. Yes, sir.

Q. If you want to change from dim to full brilliance, what do you do at that point?
A. You twist the dial, sir.

Q. You twist the dial in which direction?
A. By twisting it clockwise you get better brilliance.

Q. Anti-clockwise it becomes dim?
A. Yes, sir.

Q. In relation to that part of your drawing you have two circles.
A. Yes, sir, that's right.

Q. Are there indications as to whether steaming lights are on dim or full brilliance?
A. Yes, sir.

Q. How do they indicate the difference?
A. By moving the dial, the lights either become brighter, or they become dimmer. This is my indication as to how dim or how bright the steaming lights are.

Q. So if the lights shown on the indicator board are dim, then the steaming lights are dim and the opposite also applies?
A. Yes, sir.

Q. Now moving further down, you have the dimmer control for navigational side lights. Does that also work in the same way to indicate whether the side lights are dim or at full brilliance?
A. That is correct, sir.

Q. Now on plan two. Do you show the positions of the switches which switch on the lights whether they be used for dim or brilliant purposes. I'll ask that again. If you want to switch on the steaming lights forward or after steaming lights, do you do it in the position shown in diagram two?
A. Yes, sir.

Q. And the same with the port and starboard island lights - they have to be switched on here?
A. Yes, sir.

Q. And would there be other switches which relate to the port and starboard flight deck lights?
A. Yes, there are, sir.

Q. And, as you have shown, there is one for the overtaking light?
A. That's right, sir.

Q. You've shown earlier a master switch. If that is at the extreme forward position of the bridge, if that is switched on, does it follow that all of the lights you've shown would be on unless they had been switched off at their individual switches?
A. That is correct, sir.

Q. What's the purpose of this object shown with four positions and labeled "working switch panel"?

A. When you are flying aircraft or doing replenishment at sea you have to switch on various lights as required by rules and regulations, and by putting this switch to the proper position you have the proper light burning on your yardarm. One position is for your "Not under Command" lights. Another one is for your flying lights, another one is for underway replenishment and the other one is just for normal steaming.

Q. Having established the position for those various controls, switches and indicators, I want to ask you some questions about what you did that night with respect to the lights in the ship. When was it you were given some instructions about lighting?

A. It was about five minutes after three o'clock.

Q. And from whom did the instruction come?
A. From Lieutenant Lamb.

Q. And had you heard anyone give instruction to him before he addressed you?
A. Yes, I heard the Captain say to switch on the navigation lights to full brilliance.

Q. And what was the condition of the navigational lights prior to that moment?
A. We didn't have any lights, whatsoever, burning.

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Q. The Captain, having said switch the navigational lights on to full brilliance, Lieutenant Lamb said what to you?

A. I can't remember exactly, but he told me to turn up the steaming and navigational side lights to full brilliance.

Q. Well now, what did you do? Firstly, did Lieutenant Lamb do anything in that connection?

A. Yes, he walked over and made the master switch.

Q. And when you say "made" the master switch, you mean what?

A. He made the switch to the on position.

Q. And what did you do?

A. I walked behind the bridge, twisted the dimmer control for the steaming lights until I had full brilliance on my indicators and I did exactly the same for the navigational side lights. Then I went into the passageway and checked which switches were made on the navigational light switch panel and I noted there were forward steaming light, the after steaming light, port and starboard island navigational side lights and the overtaking light. From there

Q. You noted what about those switches?

A. They were to the on position.

Q. So they were all to the on position and the dimmer - brilliant control was to the brilliance position, is that correct?

A. That is correct, sir.

Q. Stopping there. Were the indicators at that time in good working order - so as accurately to reflect the situation at the lights? Would you like me to rephrase that?

A. Yes, sir.

Q. Was it your experience that the indicators were correct in their indication as the state of the lights?

A. Yes, they were, sir.

Q. Nonetheless, did you make a check visually?

A. Yes, sir, as natural habit I walked out onto the starboard bridge wing and looked out over the side and I could see the starboard navigational side light on the island burning brightly. Then I walked across the passageway and looked over the Fly Co position....

Q. Looked over what?

A. Over the port bridge wing and saw the port navigational side light on the island burning brightly also. I walked back and told - reported - to Lieutenant Lamb that both steaming and navigational side lights are burning brightly, sir.

Q. Did you check visually the illumination of the steaming lights?

A. No, sir. I'm not in a position from the bridge to see either the forward or after steaming light.

Q. And what, if anything, did you observe with regard to the lights on the flight deck at that time?

A. When I was on the port bridge wing I looked back and I could see a ~~fracer~~ being moved around on the flight deck and there was some "moonlight", moon - there was some flight deck lighting on.

Q. Which part of the flight deck lighting - moonlighting was on?

A. It was aft the bridge superstructure but I cannot recall exactly where it was.

Q. Having made those observations, did you report to Lieutenant Lamb?

A. No, I didn't, sir.

Q. About the lights, did you report anything to Lieutenant Lamb about the lights?

A. On the flight deck?

Q. No, generally?

A. I did report to Lieutenant Lamb that the steaming and navigational side lights were burning brightly. That's the only report I made.

Q. Now you have told us that you had visually checked that the side lights, port and starboard were burning at full brilliance. What was the basis of your report to Lieutenant Lamb that the steaming lights were at full brilliance?

A. I never reported to Lieutenant Lamb that I sighted the steaming lights at full brilliance.

Q. No, but did you believe that the steaming lights were at full brilliance?

A. Yes, sir.

Q. What did you base that belief on?

A. Upon the indicator, sir.

Q. Approximately, when was it that the Captain came to the bridge?

A. I cannot give you a very accurate answer, but it was around three o'clock.

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Q. What was the first signal after that, that you recall?
A. I don't quite follow what you mean by signal, sir.

Q. Did you leave the bridge at any time about this period to go anywhere?
A. Yes, I did, sir. At approximately 10 minutes after 3, I was told by Lieutenant Lamb to shake the Navigator and I left the bridge at this time.

Q. When you left the bridge, had there been any message sent from MELBOURNE to EVANS?
A. I never heard the Captain or any of the Tactical Operators send any message to EVANS, but Lieutenant Lamb told me to shake the Navigator and tell him that it is 20 minutes to flying time and that EVANS has been told to take up station astern of us in Formation ONE.

Q. Now, you have told us that, as regards the steaming lights, you relied upon the indicator for your belief that they were at full brilliance, remember that?
A. Yes, sir.

Q. Did you cause anyone to go and make a visual check of their condition?
A. No, I didn't, sir.

Q. Or the overtaking light?
A. No, I didn't, sir.

Q. What did the indicator show in regards the overtaking light?
A. The overtaking light is part of the The brilliance control for the overtaking light is a part of the dimmer control for the steaming lights too.

Q. And accordingly, they were showing for it, what condition?
A. That it should have been at full brilliance.

Q. About how long were you away giving the Navigator a shake?
A. That's a very difficult question to answer, but it wasn't very long.

Q. When you came back did you see EVANS?
A. Yes, I did, sir.

Q. Did you observe her with or without binoculars?
A. I observed her first with binoculars.

Q. And what was her relative bearing from MELBOURNE?
A. She was fine on our port bow.

Q. Are you able to give us an estimate of her range at that time?
A. Under 3000 yards, sir.

Q. Did you, at or about this time, examine the radar display?
A. Yes, I did, sir.

Q. Could I interrupt this train of questioning to ask when you joined MELBOURNE?
A. On the 24th of February of this year, sir.

Q. When did you examine the radar display in relation to this visual bearing that you got of EVANS through binoculars? Let me rephrase that. You told me a moment ago you had a visual sighting of EVANS?
A. That's right, sir.

Q. How long after that did you go to the radar display - in approximate time?
A. Immediately, sir.

Q. Are you able to give us a drawing of what you saw on the radar display showing EVANS range and bearing from MELBOURNE? Can you draw what you saw on the radar display?
A. Yes I could, sir.

Senior Member: Counsel before this witness makes that drawing, could we establish what moment in time we are talking about?

Counsel for the board: (Cdr Glass) Yes, Well, I will be able to establish that by a later event.

Senior Member: Very well.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (Cdr Glass):

Q. Would you be good enough to draw a circle?
A. Yes, sir.

Q. And the center dot on the radar display represents what ship?
A. The MELBOURNE, sir.

Q. And what did you see that you took to be EVANS display on that radar screen?

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A. To begin with, we had the radar range strobe out to 3000 yards and we had the ship's heading marker painted up on the display also.

Q. That line is intended to represent what heading.
A. 260, sir.

Q. Now what did you see that represented to you the EVANS, both as regards her range and bearing?
A. I saw EVANS approximately there (indicating by a mark on the sketch) and I could see also painting up on the radar display, the wake of the ship, or I presumed it was the wake, and I could see a solid paint which to me represented the EVANS.

Q. And what did the indications on the display suggest to you as to the course EVANS was following - whether she was steady or turning?

A. When I glanced over my shoulder and saw this (pointing to the mark just below the 260 line) this represented to me that a contact had altered course to starboard, but did not necessarily mean to me that it had steadied up on a course. It could have still been turning, but that is what I saw.

Counsel for the board: (Cdr Glass); May this diagram be admitted into evidence as Exhibit 50.

Senior Member: Yes, indeed.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (Cdr Glass):

Q. Are you able to help us, Sub Lieutenant, as to the time when you made that observation of the radar display?

A. Yes, sir. Immediately after I saw this, I looked up to the bridge deck watch and saw the time to be 11 and a half minutes, exactly, after three.

Q. Which clock or watch did you consult to get that time
A. The main bridge watch - the bridge deck watch.

Q. What was the next event that took place according to your recollection?

A. I could still see EVANS, this time by my naked eye on a steady bearing still fine on our port bow.

Q. In relation to Exhibit 50, you have said that the EVANS echo showed a turn to starboard, are you satisfied that you've accurately drawn the tail there to accord with your impression, or would you like to tidy it up a bit?

A. Yes, sir.

Q. Well, I understand you to say that whatever your draftmanship, the wake you saw indicated that the EVANS was turning to starboard is that correct?

A. Yes, sir, she had turned to starboard.

Q. Could you tell us a little bit more about the manner in which the radar display shows the wake of a ship or direction in which she is moving?

A. Could you repeat that question please.

Q. Yes, you said, I think, that the echo suggested to you that EVANS was turning to starboard. Can you tell us on what you based that impression?

A. By the shape of the paint behind the echo, it suggested to me that it had turned starboard.

Q. From what you saw, were you able to tell at that stage whether the ship had steadied or whether she was still turning or couldn't you tell?

A. I couldn't tell at all, sir.

Q. Well, you told us that you looked at this time at the bridge watch and it was eleven and a half minutes after three. What was the next thing that you saw or heard?

A. After looking at the radar I could see EVANS still steady bearing fine on our port bow, then I heard the Captain, or saw the Captain studying the movement of EVANS.

Q. What way was he studying?

A. He was studying through his binoculars, very carefully.

Q. And did you hear him say anything, without giving the words?

A. Yes, sir, I heard him say something which suggested he was very distressed about the movement of EVANS.

Q. We've heard it put that he swore. Is that Does that summarize the position?

A. Yes, sir.

Q. Sub Lieutenant, I'm going to ask you if you wouldn't mind trying to give us a larger representation of what you saw of the wake of EVANS on the radar screen. Do you think you could do that in that bottom left hand corner?

A. Yes, sir.

Q. Thank you, and is the tail in proportion to the head as you recollect it?
A. Yes, sir.

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Q. Sorry I interrupted you train of thought. Can I bring you back to the point where you heard the Captain swear. What was the next thing you saw or heard done?

A. I heard the Captain say to one of the Tactical Operators, tell EVANS my course is 260. The Tactical Operator then left the bridge.

Q. Where did he go?

A. Back to his own desk, I presume.

Q. Did you see what happened at the desk or did you not?

A. No, sir, I did not.

Q. Were you continuing to watch EVANS?

A. Yes, sir.

A.

Q. And were you using binoculars or not?

A. No, sir, I wasn't.

Q. What did you see?

A. I still could see EVANS on a steady bearing coming towards me, fine on the port bow.

Q. Could you tell the aspect of EVANS which was closest to you? Could you tell whether it was port or starboard and which was closest to you?

A. I could see EVANS stern to the left and I could see her bow to my right. Yes, her starboard bow was closest to us.

Q. You said, I think, that as you watched she appeared to be on a steady bearing, did you not?

A. Yes, sir.

Q. Upon what did you base that belief?

A. Well, I was standing on the bridge, using one of the edges of the window - lining my eyesight to the edge of the window and I could see EVANS in the same position.

Q. Approximately, what was the range at this time?

A. I only glanced at the radar once, sir.

Q. But on a visual assessment what was the range?

A. I couldn't give you a visual assessment.

Q. Were any lights visible on board EVANS?

A. No, sir.

Q. What was the next thing that you heard or saw?

A. I heard the Captain say, port 30, port 35.

Q. Were two orders given?

A. Yes, sir.

Q. What was the time interval between them?

A. They were almost simultaneously.

Q. And how were they transmitted, these orders, to the wheel house?

A. By voice pipe.

Q. By who?

A. Lieutenant Lamb.

Q. What was the next thing you heard or saw?

A. Well, I heard Lieutenant Lamb say, port 30, port 35, and I heard coming up the voice pipe, port 30, port 35. Then I heard the Captain say, two short blasts, so I dashed over to the starboard entrance and pulled the lever and gave two short blasts.

Q. In relation to the orders to the wheel house, was it done by the voice pipe or by some intercom?

A. By voice pipe, sir.

Q. Did you at any time take a bearing using the pelorus to take the bearing of the EVANS?

A. No, sir.

Q. What was the next thing you noticed about the movement of MELBOURNE?

A. She was swinging to port, sir.

Q. And where was EVANS at this stage in relation to MELBOURNE?

A. After I gave the two short blasts, I couldn't see EVANS. The next time I saw her she was on our starboard bow.

Q. And what appeared to be her course? I mean was she steady or turning?

A. I'm not sure whether she was steady or turning, but I could see her - she was beam on to us on our starboard bow.

Q. At that stage what was the range between them?

A. It was very close, sir.

Q. Q. You said that after the two short blasts that you couldn't see EVANS, what was the reason for that?

A. There was a lot of movement on the bridge, sir.

Q. Movement of

A. Personnel.

Q. Where were they in relation to you and the view ahead?

A. They were all in front of me, sir.

Q. Did you see anyone taking bearings of EVANS using the pelorus?

A. Yes, sir. When I first returned onto the bridge I saw Lieutenant Lamb taking a bearing. That's the only time I saw anyone take a bearing on EVANS.

Q. Apart from you, did you see anyone using the radar display at this time?

A. I cannot recall, sir.

Q. Well, you've brought us up to the period of time when the range between the two ships was closing rapidly, did anything happen as you recall before the collision?

A. Yes, sir, we made two pipes over the main broadcast system.

Q. What were they?

A. Hands to collision stations, hands to emergency stations.

Q. What about engine orders, did you hear any of them?

A. No, sir, I didn't, sir.

Q. Did you see the actual impact between the two ships?

A. Yes, sir.

Q. What was the angle then between the two ships heads - the heading between the two ships provided what angle?

A. Well, I saw MELBOURNE still swinging to port and I saw EVANS broad on its beam literally coming into us.

Q. Can you give an estimate of the heading between the two ships at that time?

A. No, sir.

Q. Did you hear at any time the Quartermaster's voice or the Helmsman's voice on a loud speaker?

A. I cannot recall, sir.

Q. Did you hear, at any time, instructions to pass a signal, "you are on a collision course"?

A. No, sir.

Q. Was there any period of time in which you were away from the bridge, apart from when you went to shake the Navigator?

A. No, sir.

Q. Did you observe the ship's heading at any time after the impact on the compass or on the gyro strip repeater?

A. Yes, sir. 185 at the time of the of collision, sir.

Q. How close to the time of collision did you observe 185?

A. Immediately after the collision or upon collision, I glanced at the

Q. And where is the gyro strip repeater on which you read 185?

A. Situated high on the bulkhead, above the bridge windows.

Q. And as you observed that was the ship steady on that or still swinging?

A. The moment that I noted that, she appeared to be steady on that, sir.

Q. What other orders do you recall hearing just after collision?

A. I heard stop both engines, half astern both engines, but I cannot remember what order they were given.

Q. When you looked at EVANS did you have difficulty or not in determining her outline as she came on the port bow? I'll withdraw that. What were the conditions of visibility affecting EVANS when you observed her as you said fine on the port bow?

A. It was a dark night, a clear atmosphere and there was some moonlight over the sea. I could make out the outline of EVANS quite distinctly.

Q. Could you form an estimate of the course that she was steering?

A. Approximately 030.

Q. Do you recall what the base course was at the time EVANS was given the "Formation one" signal?

A. Base course was 220, sir, speed 18.

Q. Do you recall what the course being steered at that time was?

A. 260, sir.

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Q. And until the order port 30, port 35, was there any alteration in MELBOURNE's course of 260?

A. None whatsoever, sir.

Q. What was MELBOURNE's speed?

A. We had 18 knots rung up on the engine order telegraph, sir.

Q. Could you give us an estimate of the time that elapsed from the port 30, port 35 order and the collision when you observed 185 on the strip indicator?

A. Only very roughly, perhaps 3 minutes.

Senior Member: Could you repeat that question please.

Counsel for the Board (CDR GLASS): The question, sir, what was the interval of time between the time the port 30, port 35 order was given and the time of the collision?

Senior Member: And what was the answer.

Witness: I couldn't judge how much time had elapsed during this period.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the Board (CDR GLASS):

Q. What was happening during that period?

A. There was a lot of movement. The Navigator was moving to the main broadcast, I was getting out of his way, the bridge messenger was getting out of everybody's way and the Captain was on the bridge. The Officer of the Watch, I think I saw him standing behind the pelorus, and the tactical operators were moving about their desk.

Q. Coming back to the subject of lighting, when you first went to the brilliance control what condition were they in?

A. Dim, sir.

Q. And what did you do?

A. Turned them to full brilliance.

Q. If the brilliance controls are to dim and the master switch is off, what lights if any are showing?

A. None whatsoever.

Senior Member: While we are on that subject, was the master switch turned to "on" prior to the time that you turned the dimmer controls to full brilliance?

Witness: Yes, it was, sir.

Senior Member: Could you estimate the time period between the time the master switch was turned on and the time that you turned the dimmer controls up?

Witness: LT LAMB made the switch. As he made the switch, I was walking back behind the bridge to turn up the lights, so whatever time it took me to step 10 to 15 feet, that's how long I estimate they were on dimly.

Senior Member: So it was just a few seconds, is that what your answer is?

Witness: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the Board

Q. Before you or LT Lamb did anything about the lighting, did you have any visual observation as to the state of the ship's lighting?

A. Before three o'clock, I had checked the masthead obstruction lights and I do remember they were off. I also remember the starboard navigational side lights were off, but I cannot recall whether or not I saw lighting on the flight deck before three o'clock, before I was told to switch the lights to full brilliance.

Counsel for the Board: May we have a recess while we change reporters.

Senior Member: Yes we will recess for 10 minutes.

The Board recessed at 1620 hours, 19 June 1969

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The board opened at 1632 hours, 19 June 1969.

All persons connected with the board who were present when the open session of the board recessed are again present in open session. Sub-Lieutenant Viacheslav Vorobieff, Royal Australian Navy, was reminded that he was under oath and was examined as follows:

Counsel for the board (CDR Glass): The board is reconvened in open session and any persons who may be called as witnesses are required to leave the board room.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Back to the subject of lights, can I ask you this? You showed a four position switch for various other lights, not navigation lights, is that independent of the master switch or does that also depend on the master switch?

A. It is dependent on the master switch, sir.

Q. And in relation to the dimmer control you told us, I think, it is clockwise to get it from dim to full brilliance, is that right?

A. That is correct, sir.

Q. If you go back anti-clockwise from full brilliance to dim and continue going in the same direction what happens?

A. You will get dim again, sir.

Q. Is there any position that you put them off altogether?

A. No, sir.

Q. That night when you were carrying out your orders to switch up to full brilliance did you get it the right way to start with or not?

A. I kept twisting until I got full brilliance and then it went slightly dim and I just twisted it back until, to my best judgement, the indicator showed it at full brilliance.

Q. So you did have some difficulty with it. You had it on dim for a while, did you?

A. Yes, sir. I had it from dim to full brilliance to little bit less brilliant then back to full brilliance.

Q. Did you ever have them completely off?

A. No, sir.

Q. You told us that you saw the deck clock at a particular time. Did you happen to look at it at the time of the collision?

A. No, sir.

Q. From the time you joined MELBOURNE, approximately how many day and night watches have you kept up to the time of the collision?

A. I have been keeping an equal number of day and night watches. But for this exercise the watch bill came out and said that I was just keeping night watches.

Q. And what watch keeping experience have you had in ships before you joined MELBOURNE?

A. I had limited experience in watch keeping on SUPPLY, VAMPIRE, and SYDNEY during my time as a midshipman.

Q. What is your particular purpose in being in MELBOURNE at this time?

A. For training, sir.

Q. Can you tell us how many watches altogether, day and night, you had kept in MELBOURNE prior to the time of the collision, in approximate figures?

A. Approximately fifty.

Q. Approximately fifty?

A. Yes, sir. This figure may be a little high, but it is the best answer I can give you.

Q. At the time of the collision was the truck light or the red obstruction light burning?

A. I can't really recall this because during the night I was switching it on and off and I just cannot remember whether it was burning at that time.

Q. For what purposes had it been switched on and off during the night?

A. For helicopter launch and recovery operations.

Q. Was that a job that was given to you to do?

A. Lieutenant Lamb would tell me when he wanted the light on and when he would want the light off and I always did this.

Q. Where was the switch for this?

A. It was also on the navigational lights panel.

Q. The panel which is shown in Diagram 2?

A. Yes, sir.

Q. Is it also controlled by the master switch?

A. No, sir.

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Q. You can switch that on while the master switch is off?
A. That's correct, sir.

Q. Was there any occasion during your watch when the overtaking light was the only light on?
A. No, sir, but during the night I was receiving reports from the life buoy sentry on the quarterdeck and each time he reported to me that the overtaking light was not burning at all.

Q. You remember giving testimony that Lieutenant Lamb switched on the master switch at the forward end of the compass platform?
A. Yes, sir.

Q. When he did that and before you got to the dimmer control what lights did that bring on, if you are able to tell us?
A. That would bring on the forward and after steaming light, the overtaking light and the port and starboard island side lights.

Q. To what degree of brilliance? Brought them up to what level?
A. To dim, sir.

Q. Now do you base that statement merely on a familiarity with the way the lights work or upon an observation?
A. An observation of the dimmer indicators.

Q. I see, observation of the indicators, but not a visual observation of the lights themselves?
A. Yes, sir.

Senior Member: Has counsel completed?

Counsel for the board (CDR Glass): Yes.

Senior Member: Do we have expectation of a classified session from this witness?

Counsel for the board (CDR Glass): Not so far as I can see.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Vorobieff, during your period aboard MELBOURNE at night have you ever noted any occasion when an indicator light would appear to indicate that its associated navigational light was on but in fact the report was received that the light itself was not on?
A. Never, sir.

Q. Have you ever seen an occasion when an indicator light was off but the report was received that the light itself was on?
A. No, I haven't, sir.

Senior Member: The board has no further questions of this witness.

Counsel for the board: At this juncture you are informed that you may make a statement concerning any matter relative to the investigation which has not yet been brought out by questions which you think should be put on record. Is there anything you wish to add of an unclassified nature to what you have said?

LT Vorobieff: Yes, I think I said earlier that I didn't hear the bridge intercom to the wheel house being used. In fact I did hear it being used at the time of the collision. But prior to that I only saw and heard Lieutenant Lamb using the voice box. That is all I wish to say.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. When you heard it being used for what purpose was it being used during the time of the collision?
A. I heard it being used immediately after the collision.

Q. For the transmission of what sort of orders?
A. Again, I am not sure, but I heard two orders given, "Stop both engines; half astern both engines" but I cannot remember which order they were given in.

Counsel for the board (CDR Glass): Does the board have any questions?

Senior Member: No.

The witness was duly warned, excused and withdrew from the hearing room.

Lieutenant Thomas Mawson, Royal Navy, was called as a witness by counsel for the board, was sworn, and examined as follows:

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Counsel for the board: Lieutenant Mawson, you have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of the HMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you have evidence which may assist the board in their 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 that you are asked require you to disclose classified information, you are requested not to answer the question, but to advise the board that the answer would require you to disclose classified information. In those cases you will later be given the opportunity to testify as to the classified information in closed session. However, if you can answer the question either in part or in general terms without disclosing specific classified details you should do so advising the board of any desire to amplify at later closed session. Do you understand that so far?

LT Mawson: I do, sir.

Counsel for the board: Under the rules of procedure of this board no witness may be compelled to answer any question the answer to which may tend to incriminate him and he may refuse to answer any such question.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Would you please state your full name?
A. Lieutenant Thomas Mawson, Royal Navy.

Q. To what ship are you currently attached?
A. Her Majesty's Ship CLEOPATRA.

Q. And were you so attached on the early morning of 3 June 1969?
A. That is correct, sir.

Q. At that particular time were you on watch on board the CLEOPATRA?
A. I was the Officer of the Watch.

Q. Where did you have station as Officer of the Watch?
A. On the bridge, sir.

Q. At that time was CLEOPATRA in company with USS FRANK E. EVANS and HMAS MELBOURNE?
A. Yes, she was, sir.

Q. Do you recall the disposition which the group was in at that time? Without going into classified detail.

A. The disposition was a number of ships screening the main body consisting of a carrier.

Q. And where was CLEOPATRA in relation to MELBOURNE and EVANS?
A. CLEOPATRA was on the port beam of MELBOURNE and something like on the port quarter of EVANS.

Q. Going back a step, do you recall the base course of the formation during the time of your midwatch?
A. Yes, sir.

Q. What was it?
A. 220 degrees.

Q. And base speed?
A. 18 knots.

Q. Was the group zigzagging?
A. The group was zigzagging.

Q. What was the number of the plan?
A. I'm not quite sure if that is classified information. But the number of the plan was 17 Sierra.

Q. From what publication, if you recall, was that plan taken?
A. From the operation order.

Q. Whose operation order?
A. FOCASF's Operation Order.

Q. We have FOCASF's Operation Order 1-69 admitted into evidence and I ask you if that is the document from which the plan was taken?
A. That was the document, sir.

Q. Would you review the zigzag plan therein and refresh your recollection as to the plan for the board, please?
A. This is the zigzag plan that was in force, sir.

Q. By this you mean which one, if I may ask?
A. I made a mistake, in fact. The plan was 13 Sierra.

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Q. Thank you. At approximately 0300 of your watch do you recall the course on which the formation was steaming?

A. I believe it was 219 degrees.

Q. And at approximately 3:10 do you recall the course of the formation?

A. 260 degrees.

Q. At about that time do you recall a signal being sent to FRANK E. EVANS from MELBOURNE?

A. I didn't hear the signal myself, but my Ops Room told me that EVANS had been told to form column.

Q. Do you recall the distance that EVANS had been told to form column at?

A. I believe it was 1,000 yards.

Q. At that time what was your position....Let me start over. Were you at that time able to see both EVANS and MELBOURNE?

A. I was, sir.

Q. Would you state what you observed as to the motions of the two ships?

A. At the time of the execution of the signal, sir?

Q. Yes, please.

A. I looked at EVANS and EVANS appeared to have turned to starboard and was heading at about 030. MELBOURNE was steady on her course and speed for that leg of the zigzag.

Q. Can you estimate the distance between the EVANS and MELBOURNE at the time EVANS turned to starboard?

A. No, I can't, sir.

Q. After EVANS turned to starboard what was the next thing you observed or heard?

A. The next thing I heard was my Ops Room coming up on Action Information intercom and saying, "MELBOURNE has told EVANS she is on a collision course. How does it look?"

Q. And what did you do at the time?

A. I looked at the PPI and saw that the contacts were closing.

Q. Did you also make a visual observation?

A. Yes, I did, sir.

Q. What did you see by visual observation?

A. I saw both ships closing very fast.

Q. Could you tell their approximate relative bearing from each other at that time?

A. No, I couldn't.

Q. You have not indicated your position on the bridge, could you do that at this time?

A. I was standing at the pelorus, in the center of the bridge, looking through the windows out of the starboard side.

Q. Does the CLEOPATRA have an open or a closed bridge?

A. A closed bridge, sir.

Q. And what is the approximate size of the window through which you were looking?

A. About 3 feet by 2 feet.

Q. And did you have clear visibility of both MELBOURNE and EVANS?

A. Yes, I did, sir.

Q. After observing them closing, at a rapid rate, did you observe any action by either ship at that point?

A. Not at that point, sir.

Q. Would you relate then what happened next?

A. I looked back at the PPI and I saw that the contacts in fact were merging. I then looked back visually and saw EVANS' green light and there were other lights on the deck of MELBOURNE.

Q. Had you previously seen any lights on either ship?

A. No, sir.

Q. Did you see any other lights on EVANS - other than her green light?

A. No, sir.

Q. At that time what lights did you see on MELBOURNE?

A. There were a number of white lights. I can't distinguish what they were. They may have been upper deck lighting or moon lighting or something like that.

Q. Did you see any light on MELBOURNE that you could identify as navigation lights?

A. No, sir, I couldn't.

Q. Did you attempt to see such lights?

A. No, I didn't.

Q. Were you looking through binoculars or with the naked eye?

A. Binoculars, sir.

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Q. At that time, could you estimate the visibility with respect to making out the shape of a ship the size of a destroyer?

A. I could see clearly a ship's outline at about 4 to 5 miles.

Q. Was that with the naked eye or assisted by binoculars?

A. Assisted by binoculars.

Q. Were you looking through binoculars during this period that you have described?

A. I was, sir.

Q. Were you alternating your binoculars back and forth between the two ships? Is that what you were doing?

A. Yes, sir.

Q. And do you believe that through binoculars you could get a good estimate as to the course of the ship you were observing?

A. No, sir.

Q. Within what approximate accuracy do you feel that you could have determined the course of the ship you were observing?

A. About 45 degrees.

Q. Lieutenant Mawson, did you observe the actual collision between EVANS and MELBOURNE?

A. Yes, sir.

Q. And what did you see?

A. It was difficult to make out the actual impact but I saw a lot of smoke and steam at the point of impact. And saw EVANS heel over and then she was lost from my view.

Q. Did you hear any radio transmission during the period from the signal, "Take station astern" and the collision?

A. No, sir, but my Tactical Primary was being manned in the Ops Room.

Q. It was not being manned on the bridge also?

A. It was manned by a young inexperienced rating, who did not always pass the signals.

Q. Lieutenant Mawson, if I gave you a felt-tipped pen and the board behind, could you in two separate diagrams indicate for the board the relative positions of CLEOPATRA, MELBOURNE and EVANS?

A. At which time?

Q. Two times. First of all the time at which the signal was executed "form column" and secondly, just before collision?

A. Yes, sir.

Q. Lieutenant Mawson, I believe you have previously made such a drawing. If you need that drawing to refresh your recollection you may do so now.

A. Yes, sir.

Counsel for the board: Let the record indicate that a document is being given to Lieutenant Mawson solely for the purpose of refreshing his recollection.

A. This is MELBOURNE (indicated by "M"), CLEOPATRA (indicated by "C"), and EVANS (indicated by "E") at the point I noticed EVANS, after the execution of the signal to "Form column".

Q. Could you indicate approximate ranges on that diagram by dotted lines and then the figures representing the range in yards?

A. (Witness did as directed.)

Q. Could you give the approximate bearing of MELBOURNE from CLEOPATRA at that time?

A. (Witness did as directed.)

Q. Can you indicate MELBOURNE's heading at that time as you understood it, or observed it?

A. (Witness did as directed.)

Q. Can you estimate the heading of EVANS and indicate it on that drawing?

A. Very approximate (witness did as directed).

Q. Understood. Now, I understand that that is the first relative position of the three ships soon after you heard that EVANS had been ordered to execute "Form One", is that correct?

A. That is correct, sir.

Q. Lieutenant Mawson, would you write Exhibit 51 at the bottom of that diagram?

A. (Witness did as directed.)

Counsel for the board: At this time we would request the admission into evidence of that document as Exhibit 51.

Senior Member: (Indicating the affirmative by nodding head.)

Q. Now, sir, would you turn that sheet over and write at the bottom of that Exhibit 52, and at this time sketch the relative positions of the three ships at the time you observed them just prior to collision?

A. (Witness did as directed.)

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Q. Thank you, sir. You may resume your seat. At that time do you have an estimate as to the heading of the MELBOURNE and EVANS?

A. They appeared to be on reciprocal courses. I didn't see any movement on MELBOURNE so I assumed that she was on 260. EVANS was on a reciprocal course to that.

Counsel for the board: We ask that that diagram be admitted into evidence as Exhibit 52.

Senior Member: Yes.

Q. Did you at anytime during the period of this event note the time?
A. No, sir.

Q. Did you note the time of the collision itself?
A. No, sir.

Q. With respect to the lights you saw on MELBOURNE, was the entire flight deck lighted or only part of it or could you tell?

A. I couldn't tell whether the whole of the flight deck was lit, sir, but it appeared to be.

Q. Had you seen lights of this character on MELBOURNE before?
A. Not so many lights, sir.

Q. Can you tell at approximately what time, with relation to other events, that the lights on the MELBOURNE came on?

A. A few seconds before the actual collision. At the same time that I saw EVANS' green light.

Q. From your position were you able to hear any whistle signals?
A. No, sir.

Q. Was there anyone on CLEOPATRA who was in a better position than you to observe the events that you have just related?
A. I don't think so, sir.

Q. Can you give an estimate of the range between EVANS and MELBOURNE at the time you have indicated that Exhibit 52 depicts?

A. It is difficult for me to estimate a range between... Can I point?

Q. Yes, you may. There is a pointer in front of you.

A. It is difficult to estimate a range across there (witness indicating distance between MELBOURNE and EVANS) but the distance between the two ships bows appeared to be about half a cable.

Q. Translated into Americanese is that 100 yards, approximately?
A. One hundred yards, yes.

Q. Going back to the light you saw, did you at anytime see any light other than the green light on EVANS?

A. No, sir.

Q. You never saw a red light at any time?
A. No, sir.

Q. Did you see any colored lights on MELBOURNE at anytime?
A. No, sir.

Q. Lieutenant Mawson, I have what appears to be the Tactical Primary Voice Log kept on the bridge of CLEOPATRA on the night of 2 and 3 June. I would ask you if you recognize the document. I have marked it for identification as Exhibit 53.

A. This may have been the log that was kept on the bridge or the Ops Room, sir. I can only tell by looking inside (witness examined the document). This appears to be the log kept in the Ops Room.

Q. Do you recognize that document as a CLEOPATRA log?
A. Yes, sir.

Q. Does it cover the period of 2 - 3 June?
A. There is no date here, but I recognize the operator's writing.

Counsel for the board: Under those circumstances, sir, we request the admission of this document as Exhibit 53.

Senior Member: That may be admitted.

Counsel for the board: Sir, I intend to limit it to the applicable portions of 2 and 3 June and we request authority to substitute a copy at a later time.

Senior Member: Permission granted.

Q. Lieutenant Mawson, you have shown, in Exhibit 52, EVANS as fine on the port of MELBOURNE. Is that approximately like you intended?
A. This is how I saw it.

Q. At the distance you were and under the conditions of visibility, could it be possible that EVANS could have been either dead ahead or slightly on the starboard bow of MELBOURNE?
A. No, sir.

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Q. You feel confident that the EVANS was in fact on the port bow of MELBOURNE?
A. I know that EVANS was on the port bow of MELBOURNE because EVANS' waterline was below MELBOURNE's at the time I saw here.

Q. Can you estimate an approximate time between the situation depicted in Exhibit 52 and the actual collision?
A. Two or three seconds, sir.

Q. Two or three seconds?
A. Yes, sir.

Q. Lieutenant Mawson, could you indicate to the board your qualifications as a watch keeping officer?

A. I have held a watch keeping ticket since 1963. I think it was February or March of 1963. My experience of watch keeping in a ship of a frigate type has been the CLEOPATRA which has been at sea operationally since May last year. I have had experience getting my ticket in 1961 and 1962 in a destroyer.

Q. That was prior to getting your ticket, but in training as a Junior Officer of the Watch or Second Officer of the Watch?

A. Second Officer of the Watch.

Q. Since 1963, and prior to coming to the CLEOPATRA, what has been your experience at sea?
A. Driving small MFV's from Harwich to Ostend on, I think, nine occasions - weekend trips - taking juniors to Ostend for sea training.

Q. Would you explain what you mean by MFV's?
A. Motor Fishing Vessels, 90 feet in length.

Q. Would you indicate in a little more detail your experience as a naval officer from first receiving a commission in the Royal Navy?

A. I was commissioned in 1961. I spent two years in HMS CORUNNA, a Battle class destroyer.

Q. Would you spell the name, please?

A. C-O-R-U-N-A. I then went to the Commander in Chief, Plymouth Staff, for two and a half years. And then I went to HMS Ganges for new entry training. I joined HMS CLEOPATRA in December 67.

Q. And have you stood, have you kept watches as Officer of the Watch in CLEOPATRA, since December of 67?
A. Exactly, sir.

Counsel for the board: Counsel has no further questions, sir.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Mawson, you have testified, if my notes are correct, that the MELBOURNE's lights came on a few seconds before collision, is that correct?

A. I didn't see them come on, sir. I noted them there at the same time I saw EVANS' green light.

Q. You were not in fact watching when they were turned on?
A. No, sir.

Q. Have you ever had any difficulty on prior occasions in making out MELBOURNE's navigation lights from the distance you indicate, that is two and a quarter to two and a half miles?
A. No, sir.

Q. At the bearing from which you were observing MELBOURNE and given her aspect, would the port navigation light of MELBOURNE have been screened from your view or would it have been visible?
A. It would have been visible, sir, but it may have been lost in the background of the other lights.

Q. But you were in the arc of visibility of the port navigation light?
A. Yes, sir.

Q. With respect to Exhibit 52's depiction of the situation and given the aspect of MELBOURNE at that time, what would you estimate MELBOURNE's course to have been at time of impact?
A. She would be a little bit to port of that, but I am not sure that I could estimate the course, sir.

Q. How closely can you estimate the course of MELBOURNE in Exhibit 52?
A. I couldn't say, sir.

Q. You indicate that at time of impact she may have been a little bit to port of the indication in Exhibit 52?
A. Yes, sir.

Q. Could that be taken to mean that you were conscious of MELBOURNE's head moving to port?
A. I wasn't conscious of it, sir. I just have a general impression and I saw MELBOURNE and EVANS at the moment of impact. It is difficult to say exactly what heading each ship was on because there was a lot smoke and steam.

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Questions by a member (CAPT Shands): You mentioned that upon observing the two waterlines you thought it would not be possible for EVANS to be on the starboard bow of MELBOURNE?

A. That's correct, sir.

Q. Would not the relative positions of the two waterlines indicate that one ship was closer to you than the other. In this case that EVANS was closer to you than MELBOURNE - their waterline being lower, I believe you said?

A. Yes, sir.

Q. And added to that, as I understood you to say earlier, you felt that you couldn't estimate the course of the ship closer than 45 degrees, could it not be possible that MELBOURNE's ship's head was in fact further to port than indicated on your drawing at about the same range and, therefore, far enough around for her to have EVANS' fine on MELBOURNE's starboard bow?

A. It is possible, sir.

Q. It is possible?

A. Yes, sir.

Questions by the senior member:

Q. Mr. Mawson, with respect to the white lights you saw on the MELBOURNE, do you believe that you were looking at the sources of the illumination itself or at reflections from the sources of the illumination?

A. I think the majority were reflections from sources, but I couldn't be sure about that, sir. I just got the impression of a lot of upper deck lights.

Q. Did you see any red truck light?

A. No, sir.

Senior Member: Do you expect to receive classified testimony from this witness?

Counsel for the board: We do not intend to, sir.

Senior Member: The board has no further questions.

Counsel for the board: Mr. Mawson, you are informed that you are privileged to make any further statement covering the subject matter of this inquiry that you think should be a matter of record which has not been previously and fully brought out by the questioning of you. Do you have any statement at this time?

LT Mawson: No, sir.

Counsel for the board: Do you have any information which you feel should be disclosed in a classified session?

LT Mawson: No, sir.

The witness was duly warned, excused and withdrew from the hearing room.

The board adjourned at 1730 hours, 19 June 1969.

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ELEVENTH DAY

The board reconvened in executive session at 0830, 20 June 1969. During this session 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 1023 hours, 20 June 1969.

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

Senior Member: The hearing is now open.

Counsel for the board (CDR Glass): The board now being in open session, it is necessary to point out that any person who has been told he is a witness, or who may be a witness, is asked to withdraw from the board room.

Sub-Lieutenant Bryan Sidney Twyman, Royal New Zealand 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. Sub-Lieutenant Twyman, it is my duty as counsel to advise you that you have been called as a witness for this board of investigation, which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is believed that you have evidence which may assist the board in its 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 you are asked require you to disclose classified information, you are requested not to answer the question, but to advise the board that the answer would require you to disclose classified information. In such case you will later be given an opportunity to testify as to classified information in closed session. However, if you can answer the question in part or in general terms without disclosing specific classified information you should do so. You should also advise the board of your desire to amplify any classified information in a later closed session. You are also advised that you are not obliged to answer any question, the answer to which may tend to incriminate you. Are those matters understood?

A. Yes, sir.

Q. What is your full name and rank?

A. Bryan Sidney Twyman, Sub-Lieutenant, Royal New Zealand Navy.

Q. To what ship are you presently appointed?

A. Her Majesty's New Zealand Ship, BLACKPOOL.

Q. And were you in that ship on the night of the 2nd and 3rd of June?

A. Yes, sir.

Q. What watch were you keeping on that night?

A. I was the Officer of the Watch, of the middle watch - on the bridge - on the night in question.

Q. Who else was keeping that watch with you?

A. I had an assistant Officer of the Watch, who was Ensign R. A. Borrie, a junior officer under training. Also, on the bridge was the signalman and there was a full operations room crew, below.

Q. That name of the officer standing watch with you was Ensign Borrie wasn't it?

A. Yes.

Q. A full staff, I think you said, in the operations room?

A. Yes, sir.

Q. And what other signalman or other persons of that kind were with you on the bridge?

A. On the bridge there was myself, my Second Officer of the Watch, Ensign Borrie and one signalman, who was monitoring the circuit.

Q. Now what length of watch keeping experience have you had before that night?

A. I had four years experience in Royal Fleet Auxiliaries, including one year as a certificated watch keeping officer. Since this time, I've had two and a half years experience in the Royal New Zealand Navy and I've spent the last year and a half in BLACKPOOL.

Q. When did you obtain your watch keeping certificate?

A. My naval watch keeping certificate, I obtained in November of 1967. Prior to this I held...I still hold a merchant navy certificate.

Q. Which you obtained in what year?

A. In 1963.

Q. How many ships were in company with BLACKPOOL on the night of the 2nd and 3rd of June?

A. There were five destroyers in company with MELBOURNE. We were formed in an anti-submarine screen. There were three ships, three destroyers, in the immediate screen and two more were stationed further away from the carrier.

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Q. Well, which were the two which were the furthest from the carrier?
A. The USS LARSON and the USS KYES.

Q. And of the other three, were was BLACKPOOL?
A. BLACKPOOL was stationed - was the center ship of the three. I was stationed in a sector which was from....

Q. Perhaps you could tell us just which ship was on your right, and which was on your left?
A. On my right was the USS EVANS, and on my left was the HMS CLEOPATRA.

Q. You were in a sector which was defined by bearings and ranges, were you not?
A. Yes, sir.

Q. What was the range from your ship to MELBOURNE?
A. My sector was from....

Q. Not the details, just the approximate range at this time from BLACKPOOL to MELBOURNE?
A. Approximately 4000 yards, sir.

Q. At the time before EVANS was given a Formation ONE signal, what was the base course of the formation?
A. The base course was 220, sir.

Q. And what was the base speed?
A. 18 knots.

Q. And what...Was a zigzag being carried out?
A. Yes.

Q. In accordance with what zigzag plan?
A. 13 SIERRA.

Q. With a zero time or zero hour that was?
A. 2300, of the night before.

Q. Now during the period from midnight till, say, 0300, had the zigzag been continuously carried out or had it been, from time to time, interrupted?

A. It had been interrupted briefly for short periods because of helicopter operations from the carrier.

Q. What was the course upon which the formation was zigzagging at the time the formation ONE signal was given?
A. The leg of the zigzag was 260 degrees.

Q. And approximately when had the formation gone onto that leg?
A. At 0307.

Q. At the time of the Formation ONE signal, where was MELBOURNE in relation to BLACKPOOL?
A. MELBOURNE was bearing 045 degrees, 4000 yards from BLACKPOOL.

Q. And at that same time, when the Formation ONE signal was given, how did EVANS bear from BLACKPOOL?

A. EVANS was to the Northwest from BLACKPOOL, approximately 3000 yards. I did not take an exact bearing and distance.

Q. And what was the course that BLACKPOOL was steering at that time?
A. 220 degrees.

Q. For what purpose was it following this course?

A. EVANS had been told to form astern of the carrier. I wanted to make sure I was on an opening course to allow plenty of room for EVANS to come around. If she came around in my direction, I wanted her to have plenty of room to be on an opening course.

Q. Which way had you expected him to come around?
A. I expected him to come to port.

Q. And, by steering 220, did that allow plenty of room between you and the carrier for him to come down that way?
A. Yes, sir.

Q. Where were you observing the situation from at this time?

A. I was alternating my position between the bridge, and I had to go to the outside of the bridge door, to the starboard bridge door, because our view abaft of the beam is very restricted.

Q. Yes, because your view abaft of the beam is restricted from the bridge, where did you go to get an unrestricted view?

A. Out through the door onto the starboard wing, which is open and gives good visibility astern.

Q. Well, from that starboard bridge wing, were you able to observe in what way EVANS was turning to take up her position?

A. With binoculars, yes.

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Q. Of the persons who were on the bridge of the BLACKPOOL at the time, would there be anyone there who had a better opportunity to observe what was happening than you?

A. Possibly the lookouts would have a better view. However, they would not be in touch with the situation and would possibly not be looking in the right places.

Q. Do you recognize this record which I place before you?

A. Yes.

Q. Could you verify that it is the Primary Tactical Log which was being kept in BLACKPOOL on the night in question?

A. Yes, this is the bridge...

Q. That is the bridge's Primary Tactical Log?

A. Yes.

Counsel for the board (CDR Glass): That being so, counsel offers this in evidence as Exhibit 54.

Senior Member: It may be admitted, counsel.

Q. Would you examined this record and tell me whether that is the Primary Tactical Log kept in the Ops Room of the BLACKPOOL on the night in question?

A. Yes, sir.

Counsel for the board (CDR Glass): We would like to enter that then as Exhibit 55. It being understood that when a photo of the relevant pages is produced for the record, the documents may be returned.

Senior Member: Yes, this may be admitted.

Q. At any stage during the period from the signal, "Formation ONE," till the time of collision, did you see any light shown by EVANS?

A. No, sir.

Q. If lights were burning in EVANS, would you have been within the arc of visibility?

A. I would have been able to see his overtaking lights.

Q. You mentioned, Sub-Lieutenant Tryman, the shadows, as you saw it, of the ships about to collide. Do you recall that?

A. Yes, sir.

Q. Can you tell us, in perhaps a little more detail, what was the visibility and appearance of the carrier from your ship at the time of the collision?

A. At the time of the collision I could see the white mast head steaming lights. I didn't specifically look for the port side light. I was happy I was on the port bow. Without binoculars, you could make out the shape of the carrier. With binoculars, it was possible to determine, within 20 degrees either way on what course the carrier was steaming at any given time.

Q. And what would you estimate within 20 degrees margin of error, was the course of the carrier at the time of collision?

A. The carrier...I noticed that the carrier was coming left, I could see from the changing inclination. However, I was not sure of exactly what instant the collision occurred.

Q. At the time of the collision, what was the approximate range and bearing from the BLACKPOOL to the point of collision?

A. The approximate range was, by this time, about 5000 yards. I didn't take a compass bearing at this time.

Q. Relative to BLACKPOOL?

A. The two ships were on a bearing of 135.

Q. And you have mentioned at that time, that is the time of collision, you could see MELBOURNE's steaming lights, but you weren't sure about the port running light. Were there any other lights that you could see?

A. There may have been small deck lights, I cannot recall for certain.

Q. And at the time of the collision, could you see any lights on EVANS?

A. No, sir.

Senior Member: The small deck lights were on MELBOURNE or EVANS? I'm not sure which...

A. On MELBOURNE. It was possible that during some stages of the night, you could see on MELBOURNE some of their deck lights.

Admiral Stevenson: The flight deck?

A. Flight deck lights. It was possible at some times during the night.

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Counsel for the board (CDR Class): I'd like to retrace my steps and yours if I may, Sub-Lieutenant. Going back to the time when the signalman reported to you, having received the signal, "EVANS on a collision course with MELBOURNE," can you tell us what you did from the moment you received that report until the time you heard, poking your head into the bridge, the signal from EVANS?

A. When I heard the original report I was on the wing of the bridge. It is only one step, in and out. I never went more than three feet away from the bridge door. Again, the whole time I was either on the wing of the bridge or just inside - well, half in and half out. I can't honestly say at any specific moment whether I had one leg inside the door or out. I never moved more than three feet.

Q. We're trying to amplify, if we are able, what you did from the time you received that report on the wing of the bridge until the time you heard EVANS signal.

A. On receipt of the signal that EVANS was approaching on a collision course, I was on the wing of the bridge. It's hard to explain this, sir. But to hear what the signalman says you have to be half into the bridge or in the bridge.

Q. Yes. Does that mean that you have to move towards him to hear his report?

A. Yes, sir. The signalman's position is immediately inside the door.

Q. And did he report this to you by word of mouth or did he show you something he had written down?

A. By word of mouth.

Q. So you then moved towards him to hear his oral report and then what did you do?

A. I looked at EVANS.

Q. Yes, from what position?

A. From just by the door.

Q. Yes?

A. I had turned the loud speaker up. As I turned up the loud speaker, it's just inside the bridge door, as I turned the loud speaker up, or possibly I told the signalman to turn it up. The loud speaker was turned up, and it was then that I heard from EVANS, "Roger, my rudder is right".

Q. Are you still unable to give us some estimate as to the time interval?

A. It's very difficult in those few short minutes to pin point anything exactly. It was longer than I would have expected somebody to reply to a signal of that nature.

Q. You mentioned earlier you saw MELBOURNE and EVANS on a relative bearing of 135 degrees from BLACKPOOL, do you remember that?

A. On our starboard side, yes.

Q. Now at that stage what was MELBOURNE's aspect or target angle as closely as you can estimate?

A. I would say about 40 degrees on her port bow. 30 or 40 degrees on her port bow.

Q. I want to take you back before the Formation ONE signal or rather from the time you came on watch at Midnight up to about three o'clock. You had the carrier under view I suppose during that period?

A. Yes, sir.

Q. What was the condition of visibility as far as the carrier was concerned during that period?

A. At any time throughout the watch from BLACKPOOL, I could see without binoculars, the black outline of the carrier. With binoculars I could satisfy my mind what course the carrier was steering within 20 degrees either way.

Q. And her aspect with binoculars, did you have any difficulty in determining that?

A. Occasionally, yes sir. There are some views of a carrier which - some views of a carrier which are not as easy as others. My station was directly in front of the carrier on the base course, which I say would have made it easier for my ship to have an idea of the carrier's movement.

Q. Be easier for whom?

A. Probably easier than the other ships. I was right in front of the carrier on the base course about which the carrier was zigzagging. I'd probably - I obviously got more opportunity of seeing the carrier end-on and I'd say it was probably easier for me to keep a track of the carrier's movement than possibly the other ships.

Q. What was the state of the moon light during this period from midnight to 0300?

A. There was a fairly bright moon in the sky. I can't remember whether it was a full moon, but it was a fairly bright moon that night.

Q. Did you have a radar scope on your bridge?

A. Yes, sir.

Q. Did you look at it at any time when EVANS and MELBOURNE were closing?

A. No, sir.

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Q. You told us earlier about the lights you saw on the MELBOURNE. Did you see at any time any "moonlights" on the flight deck of MELBOURNE? You understand the special lights on the....

A. Yes, I saw these lights at times during the night. At the actual time of the collision and shortly before I can't honestly remember if I saw them or not.

Q. You mentioned in your earlier evidence the subject of life rafts. Are you able to tell us in regards to them, how many there were, what type and where they came from?

A. There were so many dark objects in the water. There were certainly quite a number of life rafts. I'm not able to say where these life rafts came from. They were in the water - the boats were looking into them, I think most of them in fact were empty. Most of them were empty by the time we arrived on the scene.

Q. When you arrived how many ships were present at the scene of the collision?

A. BLACKPOOL was the first ship to arrive on the scene. The CLEOPATRA was possibly a little bit further away when we arrived. The two American destroyers were still approaching the scene.

Q. So far from what you say the life rafts that were then in the water must have come either from EVANS or MELBOURNE.

A. Either from EVANS or MELBOURNE or possibly from the helicopters.

Q. Could you tell what kind of life rafts they were. Whether they were inflated or not?

A. There were several fully inflated life rafts. I did see a couple perhaps that I noticed that were not inflated.

Q. Did BLACKPOOL recover any life rafts?

A. Not during the period I was on the bridge. I was on the bridge for an hour after the collision occurred. I was with the Captain on the upper bridge. As far as I know, during that hour there were none recovered. After this I went below to record the events and the rest of the forenoon I have no idea.

Q. You spoke of recording the events. In what form?

A. Writing up the ship's log book and also making my own notes which I thought was common sense. I thought it was the common sense thing to do, normal procedure is to jot things down while they are still fresh in your mind.

Q. And have you refreshed your memory from those notes before giving testimony here today?

A. I have.

Q. During your watch, midnight to the time of collision, did any other ship enter the sector assigned to BLACKPOOL?

A. No, sir.

Q. Which escort ship would in your opinion have the best appreciation of the carrier's course when she was heading 260?

A. I would say the ship right ahead of the carrier has the best observation.

Q. That ship was?

A. That would be EVANS in this case.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. Mr. Twyman, what merchant services ticket do you hold?
... British Second Mate's Foreign Going Certificate.

Q. When did you get it?

A. In 1963.

Q. Mr. Twyman, at any time during your watch did you see any ships showing overtaking lights?

A. Not that I recall, no sir.

Q. At any time during your watch were the instructions for lighting escort ships such that they were required to show overtaking lights?

A. No, sir.

Q. With regard to the doorway on the starboard wing, which you have spoken about, what was the arc of visibility from right ahead - from as far ahead as it would go - as you could see to as far aft? What was the arc?

A. From just outside the door you can in fact see from right ahead to right astern, with the exception of one signaling lamp, which just covers a few degrees.

Q. Did you see the actual sinking of the forward section of EVANS? Were your eyes upon it as it disappeared beneath the water?

A. No, sir. I was steering 5 degrees to the left of - there were some white lights in the water - I initially steered 5 degrees away from these lights. At sometime while we were approaching, the forward section sank. I didn't see it myself. I don't think you would have seen it without peering through binoculars. We were busy getting the ship organized and I didn't actually see it go down.

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Q. And in what direction was she turning?
A. She was turning to starboard.

Q. And, in the light of that observation, what decision did you make as to BLACKPOOL's course?
A. I maintained my course of 220, sir.

Q. Did you get a report from the signalman on the bridge?
A. Yes, sir.

Q. Where were you when you received it?
A. I was at this time on the starboard bridge wing.

Q. And what was it that he reported to you?
A. He reported, "From MELBOURNE to EVANS. My course is 260."

Q. When you received that report from him, did you observe the MELBOURNE?
A. At this point, I looked at MELBOURNE to confirm that she was on this course, and I noticed at this stage that her navigation lights were burning.

Q. What navigation lights did you see on MELBOURNE?
A. I saw the two mast head steaming lights. From this, I could see I was in fact on the port bow of the carrier.

Q. In addition to the mast head steaming lights, did you see any other navigation lights?
A. I may have seen the port navigational light. I was happy that I was on the port bow of the carrier. I distinctly remember seeing the two white mast head lights, but about the red light, I'm uncertain.

Q. Very good. Now were you able to estimate what MELBOURNE's course was, at that time?
A. Yes, sir. I was happy that MELBOURNE was steering 260 degrees.

Q. What was the next report that you had from your signalman?
A. He reported, "From MELBOURNE to EVANS. You are approaching me on a collision course."

Q. At the time you received this report from the signalman, where were you?
A. I was standing by the door to the bridge on the starboard side.

Q. Did you at that time observe EVANS?
A. Yes, sir.

Q. And at that time how did she bear from MELBOURNE?

A. This, from my position, would be difficult to judge. She was - her bearing was - to the left of the carrier, but I cannot say whether she was closer to me than MELBOURNE or, in fact, further away than MELBOURNE. His bearing was to the left - that is - ahead of MELBOURNE.

Q. Did your observation permit you to confirm or deny the report that she was on a collision course?
A. It was obvious that there was danger in the situation. With my binoculars, I switched from one to the other and it looked as if a close quarters situation was developing.

Q. Can you give us an idea of the distance between the two ships at this time?
A. Not actually, no.

Q. Did you remain then on the starboard wing or did you shift your position?
A. I remained half in and half out of the bridge door, so I could see what was happening and also so I could hear the signals.

Q. Now, just investigating that a little further. From your position out on the extreme starboard wing, are you able to hear broadcasts on a Primary Tactical Circuit?

A. If you are completely outside on the bridge, you cannot hear what is going on because of the wind.

Q. Where must you go?

A. It's sufficient to just stick your head into the door, out of the wind. And providing that the loud speaker is on, you can then hear the broadcasts.

Q. And is that what you then did?

A. Yes.

Q. Had you heard any of these previous signals through the loud speaker yourself?
A. No.

Q. Did you take up that position which you described as sticking your head inside the door?
A. Yes.

Q. And in that position did you hear a signal over the loud speaker?
A. Yes.

Q. What was the speaker you heard?

A. I heard an American voice say, "Roger, my rudder is right."

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Q. At some point during your watch did you have BLACKPOOL's red truck lights or red obstruction lights buring?

A. Yes, sir. During the helicopter operation.

Q. What directions did you get for turning these on or off?

A. These - the red mast head obstruction lights were switched on in accordance with the carrier's flying operation and the carrier's movements. When the carrier said that she was about to conduct the operation, the carrier would put on her mast head lights and as soon as I saw those I switched on mine.

Q. You are speaking of her mast head red lights?

A. Yes, sir.

Q. Would she put on any other lights at that time?

A. Some flood lighting I presume, yes, sir.

Q. Mr. Twyman, you testified as I recall that the signalman told you at some point after the Formation ONE signal, that EVANS was approaching MELBOURNE on a collision course. Or that a message to that effect had been received.

A. Yes, sir.

Q. Did you happen to observe the signalman as or immediately after he had reported that to you?

A. No, sir.

Q. What is the practice of logging such signals in the signal log?

A. Each signal as it was received would be written into the log and reported to the Officer of the Watch.

Q. So it was being written as it was actually being heard over the circuit?

A. This is normal procedure, yes, sir.

Senior Member: I have no further questions of this witness in open session, counsel.

Counsel for the board (CDR Glass): Sir, the board will reconvene in closed session and members of the public are therefore asked to retire.

Senior Member: We will have a short recess.

The board recessed at 1130 hours, 20 June 1969.

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CONFIDENTIAL

The board reconvened in closed session at 1137 hours, 20 June 1969.

All persons connected with the board, who were present when the board recessed were again present. The previous witness, Sub-Lieutenant Brian Twyman, Royal New Zealand Navy, was recalled as a witness by counsel for the board, was reminded of his oath and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Now that we are in closed session, I can ask you what were the bearing and range limits of the sector assigned to BLACKPOOL?

A. My sector was between the bearings 200 and 240 from the carrier, a distance between 3000 and 5000 yards.

Q. Did you have any difficulty keeping within that sector during this particular watch?

A. At the very beginning of the watch very briefly, - not in staying within the sector - but I wasn't happy with the carriers movement. I checked, and as I suspected, I found that my zigzag clock was not synchronized with the carrier's. Once I had synchronized this, I had no trouble for the remainder of the watch.

Q. Had you received any signal to synchronize clocks before the zigzag began?

A. Well, the zigzag had commenced on the previous watch. I understand that the clocks had been synchronized at that time.

Q. Can you account for the fact that they were out of synchronization when you came on watch if they were synchronized before?

A. No, sir. I observed the carrier's movements and she seemed to be altering course about a minute and a half before she should be, in which case I checked my clock and found this was the trouble.

Q. On the subject of zigzag doctrine, where were decisions made, on the bridge or in the Ops Room?

A. In the Ops Room in this case, sir.

Q. And are you able to tell us what relevant publications the Ops Room was holding at that time?

A. They held ATP 1(A), volumes 1 and volumes 2, and the changes that were in force for the exercise. They held ATP 3 and ATP 3(A) as well, and the zigzag plans were also reproduced in FOCAF OP ORDER.

Q. And in making their decision on zigzag doctrine, are you able to say which of those publications the Ops Room resorted to?

A. No, sir.

Q. When a time check was carried out, how was it done in your ship?

A. I checked the bridge zigzag watch, which was an ordinary watch in a little wooden box. I checked this initially with my operations room, and I found that my watch was one and a half minute different from the one in the operations room. The ORO said that his watch was correct and was also tied in with the carrier's movements.

Q. Did he tell you how he had checked his watch?

A. He didn't tell me, I presume this was done over CIP.

Q. Do you mean that you believe, that you, having noticed your watch incorrect or different from the operations room, he checked that time with the carrier?

A. I can't say when he did that time check.

Q. So that you, having found trouble keeping station, you did not in fact institute a time check with the carrier?

A. I did not, sir, and I do not know if the Operations Room Officer did so at this time.

Q. When you called up the Ops Room and checked your time against his, was there then a discrepancy or did they agree?

A. There was a discrepancy of one and a half minutes between my bridge watch and the time from the operations room.

Q. Did you decide when the time came to change leg and what change to make, or did the Operations Room supply the information to you?

A. This is left up to the bridge on a normal routine zigzag. The Officer of the Watch on the bridge is directly responsible for knowing which leg the carrier is steering, and he adjusts his course so as to patrol the sector and to remain within the sector.

Q. To what extent were you patrolling the sector allotted to you?

A. We had a speed advantage of 2 knots, 18 knots for the carrier, we were doing 20 knots. This was sufficient to allow me to patrol my sector fairly vigorously as it was only a narrow sector. I was not allowed by the rules to get within 500 yards of the adjoining sectors because they were occupied. A speed advantage of 2 knots in the small sector that I had was sufficient enough to enable me to patrol this sector.

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Q. What deviation were you following from the course of the carrier?
A. Mostly courses within 20, 30.... Usually 40 degrees was the maximum from the carrier.

Q. Was the zigzag stopped and resumed during your watch?
A. Yes, sir.

Q. When that happened, was a time check given from the carrier?
A. Not to my knowledge, sir.

Q. Do you recall when it happened?

A. I cannot recall the time that it happened. It happened possibly about one o'clock or one thirty. The carrier ceased the zigzag, remained on the leg that she was on, operating helicopters, and then resumed the previous zigzagging.

Senior Member: Was this done by signal?

Witness: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (CDR Glass):

Q. Was it your understanding that a particular destroyer had been designated for rescue purposes that night?

A. Yes, sir.

Q. And what did you understand that destroyer to be?
A. The USS EVANS, sir.

Q. And how do you believe that it had been so designated?

A. This information was handed over to me by the previous Officer of the Watch during the normal handing over of the watch.

Q. Were you aware of any signals that related to that subject matter?
A. Yes, sir.

Q. What signals?

A. There was an OPGEN that had been issued, I think the previous day, which had stated that BLACKPOOL would be the rescue destroyer for the night in question. When I came on watch at midnight, I was fully expecting to be rescue destroyer for this night, and it was also handed over by my predecessor that we were not rescue destroyer, that EVANS was rescue destroyer and this was also recorded in my Captain's Night Orders.

Q. Were you given to understand by what method that change had been made from BLACKPOOL to EVANS?

A. No, sir.

Counsel for the board: We have no more questions.

EXAMINATION BY MEMBERS OF THE BOARD

Questions by the senior member:

Q. Mr. Twyman, the signal which we have discussed issued by MELBOURNE to the effect that her course was 260 was shackled, I believe as to the numerals, is that correct?

A. I understand purely from looking at the notebook, that this was so.

Q. Is the unshackling that is the decoding of the numerals in such case, done by the signalman on the bridge?

A. Yes, sir.

Q. He does not depend on Operations Room information in this regard, is that correct?
A. Yes, sir.

Q. Does the Ops Room independently unshackle it?

A. The Ops Room independently unshackles each course - each signal - and then there is a check done between the bridge and the Ops room.

Senior Member: The board has no further questions for this witness in classified session. We would like to confer with counsel before the witness is entirely released.

Counsel for the board (CDR Glass): Sub-Lieutenant Twyman this being the end of the closed session for classified information, you are given an opportunity if you wish to make a further statement of matters of a classified nature which bear on the subject of this investigation and which have not yet been brought out by questions. Is there any classified material you wish to mention?

Witness: No, sir.

Senior Member: We will recess until 1330.

The board recessed at 1154 hours, 20 June 1969.

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The board reconvened at 1330 hours, 20 June 1969.

All persons connected with the board, who were present when the board recessed, were again present. Sub-Lieutenant Twyman resumed his seat as a witness in open session of the board, was reminded that he was still under oath and was examined as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. I want to ask you a few questions about the rescue operations of BLACKPOOL. Firstly, where did BLACKPOOL end up in relation to EVANS and MELBOURNE as she came in to help?

A. Approximately 500 to 700 yards, I think it was, ahead of the carrier. It was very close to the position where the forward section had been in the water.

Q. Now you mentioned earlier that one of BLACKPOOL's boats was able to rescue two survivors, are you able to tell us where they were taken from?

A. I understand from the coxswain of the sea boat, who is a leading seaman, when the boat returned, he found two people in a life raft, an inflated life raft. He took the two people to the MELBOURNE, and I believe he took the life raft in tow. I understand that one of the passengers was an Australian Officer and the other person was seaman & seaman from EVANS.

Q. Did he by any chance tell you from what part of the EVANS this EVANS man had come?

A. No, sir.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Twyman, do you know how the Australian Officer got into the water, or into the life raft?

A. I understand, sir, that the Australian Officer had dived into the water to help support the other sailor that was in the water.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (CDR Glass):

Q. Did you learn the name of this officer and the man he helped?

A. I don't know the officer's name. I understand he was the diving officer from the MELBOURNE.

Counsel for the board (CDR Glass): Sub-Lieutenant Twyman, you are informed that you have the right now to make a further statement in relation to any matter that you think should be placed on record and has not yet been fully brought out. Do you wish to say anything further?

Witness: There is one point from my testimony which has occurred to me that should be clarified. When EVANS was told to take station astern of the carrier, the carrier was in fact astern of me. EVANS was on my starboard bow. As I also have said, when the collision occurred, the carrier was at 135 degrees on my starboard side. The only explanation I can give for this, sir, is, as I said, my Second Officer of the Watch had the comm and I had told him to stay on this opening course to 260 to give EVANS plenty of sea room. I also told him that he could alter course to 260 as soon as EVANS was clear. This, I think, he did whilst I was paying attention to what was happening over on my starboard side.

Q. So it's your belief that at some stage BLACKPOOL altered course to 260.

A. To 260. I had authorized him to do this as soon as EVANS was well clear. Whilst I was paying attention to what was happening on my starboard side, I was not consciously aware that the relative bearing of the carrier had changed. This is the explanation that I would like to offer to the board.

Senior Member: Do I understand that you would not have expected him to have reported that to you.

Witness: Yes, sir, I would have expected him to report that. In the few moments that all that happened he might have very well reported this to me. I was paying more attention to the situation on my starboard side. He may well have said, "I'm coming right to 260," and I may well have said, "Very well."

Counsel for the board (CDR Glass): Thank you Sub-Lieutenant Twyman, you are now excused, but before leaving you are requested not to discuss your evidence with anyone other than the members of the board or counsel, not to allow any witness to talk to you about your evidence or about the evidence he wishes to give and if this happens will you bring it to the attention of counsel?

Sub-Lieutenant Vorobieff was recalled as a witness, reminded of his previous oath and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Do you recall that certain evidence was given yesterday by you about the dimmer switch for the various navigation lights?

A. Yes, I do, sir.

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Q. Now in order to have the record entirely clear on this question, I ask you these following matters. If you turn the dimmer switch as far as it will go to the right what effect is produced?

A. It will go from dim to full brightness and then again to dim.

Q. When it is in the extreme right position it will be?

A. Dim.

Q. And if you turn it to the extreme position going left what effect will be produced?

A. It will become dim again.

Q. Is there any position anywhere between extreme right and extreme left where it has the effect of switching off the particular light?

A. None to my knowledge, sir.

Q. Did you in the course of switching up to full brilliance that night, turn off any of the lights altogether? I'll withdraw that. When you were given the order to turn up navigational lights to full brilliance, I think you told us yesterday that you didn't get it quite right the first time?

A. That is correct, sir.

Q. While you were having difficulty, did you at any stage turn any lights off?

A. No, sir.

Q. In order to switch off any light when the master switch is turned on what would be necessary to do?

A. You would have to go to the navigational light switch panel which was opposite the Captain's cabin and switch off the individual light itself.

Q. Is there a stage when the lights are being turned to dim by the dimmer control where the amount of light is quite inconsiderable?

A. What do you mean by....

Q. Where you get very little light at all? (pause) When the lights are at their dimmest, how much light is shown?

A. It should be barely seen.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Vorobieff, in response to the question, "Is there a position on the dimmer switch at which the lights are turned off," you said, "None, to my knowledge." Should we take from that, that it is possible that there is such a position but you don't know of it?

A. No, sir.

Q. In that case would you care to re-state your answer?

A. By turning the control in either direction you get varying degrees of brightness, but I've never seen the light on this panel go off completely, sir.

Q. Is it possible that the dimmer switch control can be placed in such a position so that the lights are off?

A. No, sir.

Q. If you start with the knob on the dimmer control at the maximum brilliance position and turn it clockwise so that as you have described, the lights grow dimmer. How many degrees must you turn the dimmer control through?

A. Approximately 90 degrees to 180 degrees, somewhere in that vicinity, sir.

Q. How far did you turn it past the maximum brilliance position?

A. Just slightly, sir, when I noticed it was going just a shade under brilliance.

Senior Member: No more questions at this time.

Counsel for the board (CDR Glass): You are excused, and it is necessary to warn you again not to discuss your evidence with any other witness or to allow any other witness to discuss his testimony with you.

The board recessed at 1407 hours, 20 June 1969.

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The board reconvened at 1412 hours, 20 June 1969.

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

Counsel for the board: The board calls LT Clark, Royal Australian Navy.

LT John Leishman Clark, Royal Australian Navy, was called as a witness for counsel for the board, was duly sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. LT Clark, you have been called as a witness for this board of investigation, which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and U.S.S. FRANK E. EVANS, because it is understood that you have evidence which may assist the board in its 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 you are asked require you to disclose classified information, you are requested not to answer the question but to 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 the classified information in closed session. However, if you can answer the 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 a 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. Do you understand what I have said?

A. Yes, sir.

Q. Would you state your name and rank please?
A. LT John Leishman Clark.

Q. Would you spell your middle name please?
A. L-E-I-S-H-M-A-N.

Q. Thank you. And to what ship are you assigned at the present time?
A. I am a member of 816 Squadron on board HMAS MELBOURNE.

Q. Were you so assigned on the early morning of the 3rd of June 1969?
A. Yes, sir.

Q. On the early morning of that day, do you recall that a collision between the MELBOURNE and the EVANS occurred? At the time of that collision, what position were you in?

A. I was in my aircraft sir, prior to starting engines. The aircraft was parked on "2-Spot" on the port side of the flight deck.

Q. What type of aircraft were you in?
A. Tracker - S2E.

Q. And what was your location in that aircraft?
A. In the pilot's seat.

Q. Is that on the lefthand or righthand side of the cockpit?
A. Lefthand side.

Q. And would you state where the aircraft was parked in terms of actual position on the flight deck rather than by numerical designation?

A. The aircraft was parked at the forward end of the angle of the flight deck.

Q. And how far would that be from the bow of MELBOURNE, approximately?
A. 160 feet.

Q. Do you recall the approximate time that you first observed FRANK EVANS, if you did observe it?
A. The time, sir, when I manned the aircraft was 0311. I manned the aircraft. As I sat in the cockpit, strapping myself in, I heard two short blasts from MELBOURNE. At that time I saw EVANS.

Q. What was her position at the time you saw her in relation to MELBOURNE?
A. She appeared, to me, to be 20 to 30 degrees on MELBOURNE's starboard bow. However, I was looking across the flight deck at this stage and this angle may have been distorted.

Q. So I understand that you were on the angle part of the deck. Is that correct?
A. That's correct, sir, which is on the extreme port side in about the center of the deck.

Q. Could you tell.... Were you able to judge MELBOURNE's relative bearing from FRANK EVANS from your position.
A. No, sir.

Q. Were you able to judge the range to the EVANS from your position?
A. No, sir. The upper outline was just indistinct. But at the time, I made no estimate of her range, and I would not like to try to do so now.

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Q. When you first looked, could you tell whether MELBOURNE was on a steady course or turning in either direction?

A. At the time I looked, sir, immediately after the two short blasts, MELBOURNE was moving slowly to port. The bow was swinging to port.

Q. And, from that time forward, would you tell the board what you observed between that time and the collision?

A. At that time, sir, it appeared to me that all was well, because I could see no lights from EVANS. And, in fact, I thought she was on a similar course to the MELBOURNE.

Q. By similar, do you mean.... Did you say similar or reciprocal?

A. Similar from where I was. However, as I have said, the outline was indistinct, and I assumed this and turned my attention back to the cockpit for probably less than 30 seconds or so. When the next occasion I looked out, I saw that MELBOURNE was still swinging to port and at this time EVANS was moving from right to left across MELBOURNE. I saw a red light on EVANS at this time. It was about this time that I realized in my own mind that there was a possibility that they were going to collide.

Q. May I interrupt at that point. Did you see any lights other than the red light?

A. No, sir.

Q. Where was that red light placed?

A. It appeared to me, sir, that it was the port bow light of the EVANS.

Q. Can you recall on what part of the structure of EVANS it was mounted?

A. It appeared that it was on the forward end of the bridge superstructure.

Q. Was it a bright red light?

A. Yes, sir.

Q. Would you then continue from that point?

A. At this point, I ordered my crew to abandon aircraft, as, at the same time, I heard hands on board MELBOURNE piped to collision stations. I then prevented my hands from leaving the aircraft because I could see that the collision was imminent. It appeared to me that EVANS was going extremely fast and was in a starboard turn. This was obvious to me because at this stage I could clearly see the stern which appeared to be skidding to port. I then just sat and watched the two ships meet. And from where I was sitting I could see down the port side of the MELBOURNE and I could see the EVANS' bow roll right over to approximately 80 or 90 degrees, and finally move off - drift off to the port side. At this stage, I left my aircraft.

Q. Did you sight the bow section after that time?

A. Yes, sir. I immediately ran forward and the bow section was just starting to move along the port side. There were no people visible. Just about that time, I heard an explosion right under the bow of the ship which I assumed to be one of the boilers.

Q. Was the explosion prior to or after the bow separated from the stern?

A. I believe, sir, that it was afterwards, but I cannot be sure of this for a fact.

Q. And this was after it had rolled over to approximately 80 or 90 degrees?

A. Yes, sir. It appeared to roll over while I was still sitting in the cockpit at the moment of impact.

Q. But you did not hear the explosion until after you had run some distance up the deck. Is that correct?

A. After I had moved out of the aircraft, and probably had gone about 10 yards up the deck.

Q. And what did you observe as to the bow section after that point?

A. Not very much, sir. It drifted off on the starboard bow - drifting aft very slowly. I looked for survivors at the time. I could not see anybody. I then turned my attention to rigging of fire hoses, as I feared that we may have split our AVGAS tank and, at this stage, the bow was getting almost out of the lighting on board MELBOURNE's deck. I then turned my attention to the stern section.

Q. Going back to the point of impact, could you describe the sensation you felt at that time, in terms of severity of impact, so to speak?

A. Very gentle, sir. Much gentler than I expected because I had ordered my crew to brace themselves as they were leaving the aircraft. But, in fact, it was very gentle, and it would have had no effect on them leaving the aircraft at all. It was rather lightly - Very gentle soaring motion.

Q. Very gentle What?

A. Soaring motion.

Q. Were you thrown against your seat belt or anything?

A. No, sir. Nothing of that sort.

Q. Did you hear any whistle signals from EVANS?

A. No, sir.

Q. Were your aircraft instruments lighted at the time of the collision?

A. No, sir.

Q. Would there have been any way for you to observe the heading of MELBOURNE at the time of the collision from where you were?

A. No, sir. Except that the bow was swinging. 282

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Q. Did it continue to swing after impact?

A. I believe it did for a little bit, sir, but it seemed to steady up very quickly.

Q. Where was the bow of EVANS the last time you saw it?

A. Probably about 200 feet out from MELBOURNE's bow, or form MELBOURNE's angle of the flight deck.

Q. Did it continue to drift aft at that point?

A. It tended more to drift at an angle of about 45 degrees aft and out from the ship.

Q. Away and astern?

A. Yes, sir. Away and astern.

Q. How long did you have the bow section of EVANS under observation? Can you make an estimate?

A. It's fairly difficult to make an estimate, sir. I saw her while I was in the aircraft and I unstrapped and left the aircraft. And I saw it on two subsequent occasions after that. I would say it was probably in the region of 2 to 3 minutes. But this is very difficult to relate as to definite time.

Q. During the time that you had it under observation, what were the changes in it's attitude and position?

A. None, as far as I could tell, sir. After the initial collision it rolled over to 80 or 90 degrees. It then appeared to return to about 70 degrees and remained there. And that was the position that it was in when I last saw it.

Q. Do I understand that you did not see it sink?

A. No, sir, I did not.

Q. In addition to being rolled over, was either the forward section or the after section more down than the other, or more tilted up?

A. Yes, sir. The after section was standing proud in the water in comparison to the bow section. At no time, did I see the anchors for instance.

Q. Were they submerged?

A. Yes, sir.

Q. But the stern portion or the part that you could see, what was--could you describe how it was out of the water?

A. Probably, the deck side of the section was standing clear of the water 8 to 10 feet.

Q. You indicated that your first action after collision was to make preparation to fight the fire. Did you take any other action following that time, with respect to rescue operations?

A. Yes, sir. We rigged approximately 5 or 6 hoses on the forward end of the flight deck. And when it appeared that there was no fire, I then turned my attention to the stern section which, at this time, was drifting abaft the bridge superstructure. At this time, there was considerable activity on the flight deck as we had to move two Trackers on deck further aft to allow us to spread Wessex rotor blades and get them airborne for the search. At this time, I took charge of moving the two Trackers aft of the flight deck to enable the flight deck crew to range the Wessex. And when this was done, I then left the flight deck area and proceeded down aft on MELBOURNE's starboard side, to assist in any way that I could with rescue operations of the stern section. The stern section had drifted all the way along the starboard side of MELBOURNE and was finally secured at the quarterdeck. When I arrived there, wires were just being passed to secure the stern section. And we had placed a steel ladder over MELBOURNE's side on to the deck of EVANS which allowed the uninjured to climb up the ladder and come directly inboard. Farther aft of that ladder were placed steel jumping nets, but these, I think, were not used because most of the sailors made their way up the steel ladder. Those injured were placed in stretchers and hoisted up to MELBOURNE's quarterdeck using block and tackle. There was little that I could do at this particular area because there were plenty of officers there and sailors. I then turned to the port side of MELBOURNE's quarterdeck where there were 4 rafts. I believe there were-with some injured personnel in them and some uninjured personnel. At this time, an officer forward was lowering MELBOURNE's port after accommodation ladder. However, this was not done at this stage. I then arranged for a tackle and stretchers and we hoisted, I think it was, 5 people from liferafts. All the liferafts, at this time, had a MELBOURNE sailor in them, who was assisting people in stretchers where it was required.

Q. Do you know where the liferafts came from? What ship?

A. They were dropped from the upper deck of MELBOURNE, sir. Almost-just after collision, sir, by the flight deck crew.

Q. Were you able to identify any liferafts from other ships?

A. No, sir. I didn't take sufficient notice. I assumed that they were all MELBOURNE's rafts, as was the one that I did see.

Q. Let me go back to the pre-collision matter for a subject that I overlooked. At the time you manned your aircraft, at about 3:11 I believe - - -

A. Yes, sir.

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Q. Would you describe the conditions of lighting on the flight deck?

A. To the best of my recollection, sir, the only lighting on the flight deck was the center group of the moonlighting system. I'm not sure concerning the after group. But it is my recollection that the forward group was off. The reason I say this is because the sailor who landed on MELBOURNE's bow, from I believe the flag deck of the EVANS-I could scarcely see him even though he was dressed in a white singlet. In fact, I didn't see him until I got well up the deck. And from previous experience, anybody standing on the end of the deck when the forward moonlighting is on is very clearly visible from down aft.

Q. And if the center group and after group of moonlighting was on, how much light would there be on those portions of the flight deck?

A. It is not terribly bright, sir. I think probably the most noticeable feature would be the reflection of light from the two Trackers that were ranged on deck. From an aviators' point of view, you have lost some night adaption as soon as the lights come on, but then again, they are not sufficiently strong that you can't look directly at them. But, at least, this has been the case in my experience.

Q. Have you observed these lights from outside MELBOURNE?

A. Yes, sir, but from the air, not from low level.

Q. Are the lights shielded so that their beams are directed downward?

A. They are, sir, to the best of my knowledge. I have not personally studied their construction. But it appears to me from my working on the deck that there is little light spilled over the side. In other words you can't see the light being reflected in the water.

Q. Do you recall when those lights were turned on? The center group that you recalled were on and possibly the after group.

A. I believe they were on when I went up on deck in the original case, sir, which would have been about 10 minutes before 3.

Q. What would be the normal practice as to turning on moonlighting for night flight operations?

A. I'm probably not the best person to ask this question, sir. However, from my experience the lights under normal circumstances are turned on when the pilots are in the aircraft and commencing their check, sir. However, there have been occasions where I have been on deck and the requirements of the maintenance personnel to complete an aircraft check prior to flight, or some maintenance prior to flight, have required flight deck lights to be on with permission of the Flight Controlman.

Q. Do you recall whether you saw any navigation lights on MELBOURNE or not?

A. When I left the aircraft immediately after the collision, I looked up and saw the port navigation light of MELBOURNE was on and burning brightly.

Q. The red side light?

A. Yes, sir. The red side light.

Q. In your earlier testimony, you mentioned the man from EVANS on the flight deck of MELBOURNE. Could you give a more detailed account of that encounter?

A. I was very surprised to see him there, sir. When I went forward on the deck, I could see a white shape which I was not sure of what it was and then at about the same time two other sailors and myself heard him cry out. I then recognized a white singlet shape sitting on his haunches on the flight deck. He was in considerable pain and I believe afterwards that he had a broken leg above the knee. However, when I arrived there he was, I would say, almost in a state of collapse. And fortunately, the sick berth attendant who is present at all flying stations, was coming up the deck at the time and I left him in his care.

Q. Do you recall the man's name or did you ever learn the man's name?

A. No, sir, I did not.

Q. Singlet is a term that is unfamiliar to me. Would you describe what you mean by that?

A. White sweatshirt, sir.

Q. We call that a white T-shirt?

A. T-shirt, yes, sir.

Q. Thank you. And did he have trousers on-white trousers or dungaree trousers?

A. I believe he had dungarees on, sir. However, I think if I remember correctly they were torn.

Counsel for the Board: Counsel have no further questions of this witness.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Clark, when you were seated in your aircraft on the flight deck prior to collision, was the aircraft in a normally used spot?

A. Yes, sir.

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Q. Would it be possible then to precisely describe that spot so that we could locate it on a plan view of the ship?

A. In actual distances and measurements, sir?

Counsel for the Board: Mr. Clark, we have, in Exhibit 43, a picture of HMAS MELBOURNE. Perhaps you can mark with an "X" the point where you were, when you were in your aircraft.

The witness did as directed.

Counsel for the Board: And you were on the catapult?
LT Clark: No, sir. The catapult is here.

Counsel for the Board: I see.

Questions by the senior member (Cont'd):

Q. What was the orientation of the aircraft in respect to the ship's center line?

A. At about 30 to 40 degrees pointing to starboard. In other words, across the flight deck from the port side.

Counsel for the Board: Let the record reflect that LT Clark has marked an "X" on the first aircraft on the angled deck of the picture in Exhibit 43.

Questions by the senior member (Cont'd):

Q. Sitting in the seat of your aircraft, positioned as you have indicated and looking directly ahead, what would you see of MELBOURNE's superstructure?

A. Looking directly ahead out of the aircraft, sir?

Q. Yes.

A. Looking straight ahead from the position that my aircraft was parked in, I was looking slightly to the left of the starboard bow corner.

Q. You said that having manned the aircraft at 0311, you sat in the left front seat. How did you happen to determine that time?

A. At the time on the flight deck broadcast, there was a call to man planes or to man aircraft. I looked at my watch to determine how long I had before launch. This is normal practice, sir. I know just how long I have.

Q. And at the time the call went out, where were you?

A. Standing right next to the aircraft sir - pre-flight having been completed.

Q. How long did it take to get into your seat?

A. No more than 20 or 30 seconds.

Q. When you first saw the EVANS, how much of the ship did you see? Could you see all of her, all the way down to the waterline? Or if not, what portion was visible to you?

A. It appeared that the upper portion of the superstructure, the mast and what appeared at the time to be a fine angle of the ship, whether from astern or ahead I didn't know. That's all I could see.

Q. If you had a photograph of the ship in front of you, do you think you could identify the portions visible and distinguish them to some extent from the portions which were masked from your view?

A. I think it unlikely, sir. It was, after all, only an outline. I was not directly concerned. And I thought at the time, as I said, that she was going on a similar course to us.

Q. But you did at one point see a red light?
A. Yes, sir. This was sometime afterward.

Q. So that portion of the superstructure that you saw
A. At that time, I could perhaps recall it, sir.

Q. At the time you saw the red light, you might be able to recall? Is that correct?

Senior Member: I ask counsel to show the witness a photograph.

Counsel for the Board: Counsel is showing the witness Exhibit 41.

Questions by the senior member (Cont'd):

Q. Mr. Clark, after examining that, would you bring the photograph over and show the Board what you think you were looking at?

A. At the time, sir, I saw the red light. I was looking at the superstructure from approximately here (indicating) all the way down to the stern, which seemed to be quite clear to me, because I did notice at the time that it was skidding to port.

Counsel for the Board: Could the record reflect that when he used the word "here" that the witness pointed to a point just forward of the bridge structure.

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Questions by a member (RADM Stevenson):

Q. How high ... What is the height of your eye above the deck when you are sitting in the cockpit?

A. Nine feet, sir.

Q. Nine feet.

Questions by the senior member:

Q. Mr. Clark, you have indicated that you were not able to see that portion of the ship forward of the bridge structure - roughly?

A. I'd prefer to say that I'm not sure whether I saw it or not, sir. But in subsequent recollection I don't remember seeing any of the turrets. My initial impress ... Well, my final impression was of the superstructure and the red light, the after stack and the stern.

Q. What I'm trying to establish is whether they were masked from your view by MELBOURNE's structure along your line of sight?

A. No, sir, definitely not in this case.

Questions by a member (RADM Stevenson):

Q. Were you looking straight ahead when you saw that, in the aircraft?

A. Slightly out to the starboard.

Questions by the senior member:

Q. Could you indicate on the photograph the height of the lights on the upper deck of the ship?

A. It appeared to me, sir, that the light would be just about where it is now. It was below the level of the bridge, sir. So it appeared to me, sir. It appeared to be aft of the forward end of the bridge. To my experience, sir, it looked exactly like a port steaming light.

Counsel for the Board: May I describe for the record where he pointed, sir? He pointed to a point on the port side of the bridge structure. Just aft of and on a level with the emblem painted on the side of the bridge visible on Exhibit 41.

A. It appears to be the bridge and above the front of the bridge and I would say right where that is.

Counsel for the Board: Yes. The description is accurate.

Questions by a member (RADM Stevenson):

Q. Did you check your watch before this particular flight?

A. Yes, sir. We had a time check at the briefing which is one hour before launching.

Questions by the senior member:

Q. In order to permit us to understand better the flight deck lighting, would you say that the moonlighting turned on at the time you described provided enough light for you, the pilot in the cockpit at this number 2 spot, to read by?

A. Yes, sir. The co-pilot on the right-hand side of the aircraft, by turning the check list directly toward the light, is able to read the check list without the assistance of a torch.

Questions by a member (RADM Stevenson):

Q. You did say, didn't you, that you couldn't remember things right down to the waterline except at the stern?

A. Yes, sir, I don't remember it, to be honest.

Questions by the senior member:

Q. Can you recall where the moon was at that time?

A. My best recollection, sir, was that it was on the starboard quarter of the ship. But I'm not certain of that.

Q. You said that the moonlighting did not shine on to the water or does not spill over off the flight deck to any appreciable degree or something along those lines. Could you refresh my memory on what was said?

A. That is true, sir, limited to my experience as being on deck at night time. I have not noticed them reflecting from the water.

Q. Is the S2E aircraft in which you were sitting essentially identical to the S2E aircraft in use by the USN, generally, especially with respect to the height of the pilot's eye when he is sitting in the left hand seat on deck?

A. Almost exactly I would say, sir, having flown in both types.

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Q. Did you have any sensation of your aircraft moving as the result of impact of collision?
A. No, sir. The brakes were on, chocks were in and tiedowns were still on, and there was no sensation or movement at all. In fact to me it did not appear - the collision did not appear so heavy as to even cause the aircraft to move.

Senior Member: The Board has no further questions.

Counsel for the Board: Counsel has no questions of this witness in a classified session. LT Clark, you are informed that you are privileged at this time to make any further statement covering anything related to the subject matter of the investigation that you think should be a matter of record in connection therewith which has not been fully brought out by previous questions. Do you have any additional statement?

LT Clark: No, sir.

The witness was warned, excused and withdrew from the Board Room.

Senior Member: We will have a brief recess.

The Board recessed at 1455 hours, 20 June 1969.

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REF ID: A61451
REF ID: A61451

The board opened at 1507 hours, 20 June 1969.

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

Lieutenant Commander Colin John Patterson, Royal Australian Navy, was called as a witness for the board, was sworn and examined as follows:

Counsel for the board (CDR Glass): Lieutenant Commander Patterson, you have been called as a witness for this 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 which may assist the board in its 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 to advise the board that the answer would require you to disclose classified information. In such case, you will later be given an opportunity to testify as to classified information in closed session. If, however, you can answer the question either in part or in general terms without disclosing specific classified detail you should do so, and advise the board of your desire to amplify in later closed session. Is that clear?

LCDR Patterson: Yes, sir.

Counsel for the board (CDR Glass): 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 a 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. Finally, might I ask you to speak as loudly, clearly and distinctly as possible, bearing in mind that these microphones do not help the board to hear you as they go directly to the tape and this gentleman, here, has the task of repeating every word you utter.

LCDR Patterson: Yes, sir, I'll do my best.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Would you please state your full name and rank?
A. Colin John Patterson, Lieutenant Commander, sir.

Q. Were you attached on the night of the 2nd and 3rd of June to HMAS MELBOURNE?
A. I was Flight Deck Officer, sir.

Q. And as Flight Deck Officer, what duties were you called upon to perform?
A. The normal flight deck organization, wherein you range the aircraft that are required to be flown off and organize the maintenance and the striking down of u/s aircraft - unserviceable aircraft that is. And we also combine the duties of Catapult Officer with those of Flight Deck Officer, so that you do the launch as well. This is not U.S.N. practice.

Q. Is there provision for the illumination of the flight deck by what has been called "moonlight"?
A. That is affirmative, sir.

Q. How many positions are there from which lights of that kind may be shed on the flight deck?
A. There is only one position, that is on the masthead. Then it's divided into three groups.

Q. Three groups?
A. Yes, sir.

Q. And those three groups illuminate what sections of the flight deck?
A. Forward, midships and aft, sir.

Q. Is it possible to have any one or all of the three switched on together?
A. Yes, sir.

Q. What degree of illumination do they provide when the light is switched on, on the flight deck?
A. There are spotlights, or a group of spotlights, for each part of the ship. In the center of the spots you can read a newspaper normally.

Q. And as you move away from the center towards the....
A. It dims very rapidly. They are quite directional.

Q. It does what?
A. Dims.

Q. How much of the lights spill over the edge of the ship, in your observation?
A. I have never been over the edge of the ship to see it, sir. I don't imagine there would be very much. It is quite dark over in the catwalks.

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Q. What observation have you had from the deck of the ship of the surrounding water when moonlighting was on?

A. I've done that, sir, in that I have searched for articles in catwalks and things like that from the deck edge and the moonlighting doesn't illuminate them to any great degree.

Q. Have you ever observed the amount of light shed by these arrangements from outboard of the ship?

A. Not that I can recall, sir.

Q. Who is the person, who, under the normal system of work, has the responsibility of switching on the moonlighting?

A. The Flying Control Officer authorizes it to be put on - orders it to be put on. Generally, it is at my request, but we have gradually worked around to a scheme whereby we've got set times, applicable to launch or recovery, when the moonlighting will be on.

Q. Does that mean that on occasions the Flying Control Officer will switch it on, on his own initiative?

A. Affirmative, sir. Yes, he does.

Q. Let's go over that again. You say you sometimes tell the Flying Control Officer you want it, but sometimes he switches it on on his own initiative?

A. Yes, sir. I ask him can I have them.

Q. Whether it is called for by you or by him, who is the person that actually switches it on?

A. It is relayed down to the Aircraft Control Room Officer who sends one of his messengers to actually operate the switch.

Q. When, under normal practice, is the moonlighting switched on for purpose of flying operations?

A. With a fixed-wing launch, it would come on just before we were due to start up so that I could physically, or visually, check the clearance and that everybody was clear of propellers and jet pipes. That is when they normally come on in that situation.

Q. And when were flying operations due to begin this night about the time of the collision?

A. They had been going on all night, sir.

Q. When, according to those operations that were in progress, would it have been necessary or usual in accordance with normal practice to switch on moonlighting?

A. About the time of the collision, sir. It would be around that time.

Q. Did you at that time ask for the moonlighting to be switched on?

A. No, sir.

Q. Did you, yourself, observe whether it was on before the collision?

A. No, sir.

Q. Did you observe whether it was on after the collision?

A. There was light everywhere after the collision, sir.

Q. Including moonlighting?

A. Yes, sir.

Q. Are you able to say when the moonlighting was switched on?

A. Only from what I have heard, sir.

Q. According to what you were told, who switched the moonlighting on and when?

A. Naval Airman Loane switched it on, sir. He is a messenger who works in the Aircraft Control Room. He switched it on and turned to walk away and he heard the two blasts on the siren. He had only switched on the midships group.

Q. From whom did you gain that information?

A. Naval Airman Loane.

Q. Is he here?

A. No, sir.

Q. Is that spelled L-O-A-N?

A. L-O-A-N-E, sir.

Q. Where is he now?

A. On MELOUNCE, sir, in Singapore.

Q. When was it that he told you he switched it on, just before the two blasts and that he switched on the middle section only?

A. That would be the Friday morning after the accident, while we were steaming into Singapore, sir.

Q. When was it that you first became aware that something was pending that night?

A. In reference to the collision, sir?

Q. Yes.

A. When I heard the two blasts.

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Q. Where were you when you hear the two blasts.
A. At midships, just outboard of the island.

Q. And what were you doing at the time?
A. I had walked across to the aircraft. There was one Tracker that we were about to launch. I had walked across to it and had a look in the cockpit to see if the aircrew were in there. They were, and I came back to get some fireman and the director because it was just on start on time. And that is where I was when the siren went.

Q. When you heard it what did you do?
A. I walked forward, sir, and looked forward.

Q. How far forward did you go?
A. Just forward of the forward lift. That would be about 120 feet.

Q. And that placed you how far back from the bow of the ship?
A. I'm calculating distances....

Q. Approximately?
A. About 100, 150 feet, sir.

Q. And where were you in relation to the midline?
A. Slightly to starboard.

Q. At that point, were you able to observe any other ships in the vicinity?
A. Yes, sir. I saw a shadow or silhouette of a ship just off our starboard bow. We were turning to port at the time.

Q. You say the MELBOURNE was turning to port at the time?
A. Yes, sir.

Q. Are you able to fix when that turning movement began?
A. No, sir.

Q. At the time MELBOURNE was turning, you observed what on the starboard bow?
A. Just a dark shadow. I thought at the time that it was a ship going in the same direction as us. Its heading would be slightly to starboard of ours. That was my initial reaction to it..

Q. It was going in the same direction slightly to starboard?
A. Yes, sir.

Q. And are you able to give us any estimate of the relative bearing and range to this outline that you saw?
A. I tried to fix these things in my mind at the time. Green 10, 150 yards is the closest.

Q. That is the best you can do?
A. Yes, sir.

Q. What did you observe happening from that point of time on?
A. I have a slight lull in what I saw then, sir. The next thing I really recollect is seeing the other ship, when it was only yards away, coming into the front of MELBOURNE.

Q. That is the next time that you can recollect?
A. Yes, sir.

Q. Can you recollect the angle between the heading of the two ships as the collision occurred?
A. I would say that it would within 5 to 10 degrees of a "T". It was 5 or 10 degrees to our port side if anything.

Q. Say 90 degrees plus or minus 5 degrees?
A. Towards our port side.

Q. And what sort of violence, if any, was associated with the impact?
A. Apart from sound, I imagine the deck of the MELBOURNE came up about six inches to a foot, as we seemed to ride on top of the ship.

Q. Did it affect your footing on the deck at all?
A. No, sir.

Q. Did you hear anything announced at about this time?
A. Before that, sir? Well before that, I heard, "hands to collision stations" - only heard it once.

Q. Are there any lights on the flight deck, additional to the moonlighting, which you described?
A. Yes, sir.

Q. What are they?

A. For flying operations we have a series of crash lights which are rectangular lights at the level of the 03 deck. They are only switched on when I really need them - when I need a floodlighted deck or if we have some trouble or something like that.

Q. Do you know if they were switched on that night?
A. They weren't as far as I can recollect, sir.

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Q. If they were switched on how much light do they throw outboard of the ship?
A. I would imagine they would throw quite a bit, sir.

Q. Are you able to say in relation to them that they were not on within your knowledge or, as far as, you know they weren't on?
A. They were not on, sir.

Q. In the normal practice which prevailed in the ship how long, how many minutes, before a given launch time are the moonlights switched on?

A. It varies with types of aircraft. It would vary with natural lighting that was available and it would vary with who was in Flying Control at the time. An estimate as to a S2E Tracker would be 15 minutes.

Q. If you had been deciding the moment when the moonlights should have been switched on that night, when would you have directed that be done?

A. I was in the habit of leaving it to FLYCO to switch them on. If they didn't come on and I felt that they were needed then I would ask for them on the Mickey Mouse Circuit.

Q. Had it occurred to you at any stage before the collision that they were needed?
A. No, sir, we didn't need them. We were doing no movements or that stuff.

Q. In the position that you have described from which you observed the ship on the starboard bow, were you able to observe any lighting in MELBOURNE?

A. No, sir.

Q. Were you in a position from which you could see navigational lights?

A. Yes, sir, I should have been able to see the port navigation light. That's on the island port.

Q. Do you have any recollection, one way or the other, as to whether it was on?

A. No, sir. I might notice if it was off but that would be about the only thing.

Q. Did you observe any lights shown by EVANS?

A. No, sir, none at all.

Q. At any stage?

A. No, sir.

Senior Member: I have a question.

Counsel for the board: Yes.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. You indicated that you may have noticed if the port running light of MELBOURNE had been off?
A. Yes, sir.

Q. Did you notice at any time in the two or three hours, just prior to the collision, it having been off?
A. No, sir, that's why I put the "might" into it.

Q. Were you on the flight deck an appreciable time between the period of midnight and the time of the collision?

A. I was on the flight deck, except for a couple of visits to the ACR which is just off the flight deck, from about 2340 until the collision, sir.

Counsel for the board (CDR Glass): May I observe this to the board, that Lieutenant Commander Patterson has some evidence to give on the subject of post-collision events. Would it be convenient to receive it from him in this session?

Senior Member: Yes.

Counsel for the board (CDR Glass): Shall I go on with it now or come back later?

Senior Member: Just one moment, please.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Are you able to say, from your experience, how much light is shed on the forward part of the flight deck by the steaming lights when they are burning?
A. I can't remember them ever shedding any light at all. However, they must shed some.

Q. Are you able to form any opinion, from what you saw on the flight deck ahead of you, as to whether the steaming lights were burning or not?
A. You couldn't tell that without seeing them.

Q. Now, in relation from the period of 2340 on, were you on and about the flight deck?
A. Yes, sir.

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Q. Were you there from that time until the time of the collision, or were you turned in part of the time?

A. Oh no, I was there, sir.

Q. The whole time?

A. Yes, sir.

Q. Now, during that period which was 2340 until the time of the collision, did you see any bright white lights showing on MELBOURNE?

A. I don't recall any, sir.

Q. In your position where you normally do your work - how is that placed in relation to the steaming and the running lights?

A. The only running light I would see is the port running light on the forward part of the island. If we divide the deck up I suppose I would be in a position to see that about fifty percent of the time. The white lights are above me and you never ever look up - hardly ever. I can never remember seeing them there, as I recall.

Senior Member: Please proceed with the other portion of the testimony.

Counsel for the board (CDR Glass): Yes.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Can you tell us what you observed immediately following the impact? Firstly, did you see the forward section of EVANS at any stage?

A. Yes, sir. We seemed to roll the EVANS over and when she righted herself, the forward section, in my recollection, didn't right itself to the same angle as the after section. The after section more or less came upright again and the forward section remained with a list to starboard.

Q. And at the time that you are describing it, where was the forward section in relation to MELBOURNE?

A. It was still ahead.

Q. Still ahead?

A. Yes, sir.

Q. How would you describe the way in which the forward section was sitting in the water at that stage?

A. With a list to starboard of about 40 degrees, sir.

Q. Was there any difference between the forward and after section of the forward half?

A. I didn't notice that, sir.

Q. You didn't see whether it was down on one end or the other?

A. No, sir.

Q. And what did you next observe in relation to the forward half?

A. It seemed to drift away from MELBOURNE, and that is all that I can recall on the forward section, sir.

Q. Now what was the total length of the period of which you had it under observation?

A. For a broken period of say three minutes. It is hard to estimate the time. I'd say three minutes.

Q. What were you doing during the time when your observation of it was interrupted?

A. Well, I assumed that we had a fire hazard forward and I was calling some of my people to rig fire hoses forward, which they did.

Q. What did you do in relation to the after half of EVANS?

A. It was staying with MELBOURNE, so I was following it. I followed it right down our starboard side.

Q. And how long after the collision did it take to get down to the MELBOURNE's starboard quarter?

A. I have little idea, sir. I would say four minutes and that is a wild guess. She was coming around and finally touching us every now and again as she would go down. She touched at the forward AVCAT point and crushed it in and we put foam on it. I didn't see it touch again until I went around the after end of the island and saw her come away there.

Q. At this stage was MELBOURNE completely without way?

A. That I don't know, sir. I would say the ship was relatively still in the water.

Q. And when the starboard half of the EVANS got to the MELBOURNE's quarter, did you do something?

A. Well, it hung up on the, it seemed to hang up. I discovered subsequently that they got ropes across from the quarterdeck. A few of us went over on the safety nets on the deck head of the hangar deck of EVANS. We also got some Wessex cargo nets and rigged them as scrambling nets along our starboard quarter.

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Q. And with the aid of the ladders and the nets, what transfer was made of the EVANS survivors?
A. There were a lot of survivors down on the after end of the EVANS. We got them moving up over the hangar deck part of the ship and over onto the flight deck of the MELBOURNE. And sometime after this I saw a separate ladder. They had a ladder down from the quarterdeck of MELBOURNE and so we channeled them half and half from then on.

Q. How long was it before they were all brought on board?
A. I have no idea, sir. I would say ten or twelve minutes.

Q. And what did you then do?
A. We carried out a search, where we could, with four other personnel.

Q. Who is we?

A. At the time I knew I had on board Chief Heeres, who is my Flight Deck Chief, Naval Airman Hartley, who is one of the naval airmen handlers, and a Naval Airman Sternbeck, who is in the same category.

Q. How did you get down onto EVANS?

A. We swung on the safety nets, the safety nets on MELBOURNE down on the deck head, the hangar deck.

Q. Who directed the efforts of this party?
A. I did, sir.

Q. What directions did you lay down?

A. I had my Mickey Mouse helmet on, as did the Flight Deck Captain, and I was shouting to the others to get the sailors moving up the part that we had come down. That was about the only accurate direction that I was giving. I might have been saying get that....

Q. Directions for getting the survivors on board MELBOURNE?
A. Yes, sir.

Q. And that was still going on as you got on to EVANS? Was it?
A. Well, that is when we started to do it.

Q. I was really asking about your - the efforts you directed to search through EVANS?

A. When the survivors had narrowed down, I think there were only three or four milling around rear the ladder to the quarterdeck and the after part seemed to be clear, then I said, "Have a look around."

Q. Who did look around?

A. I can remember meeting Sternbeck and Hartley, the two naval airmen, on the weather deck part. They were going into the passageways and knocking on doors and opening things up. I can remember Chief Ayers. I wanted the hangar cleared and I wanted him to determine if there were any people left there, and he shouted something like, "There's armament here." I then told him to secure it. I don't know what I intended him to do with it. I was mainly worried about the torn portion of her. There was a lot of debris around there and someone could easily be missed. I searched in amongst that, sort of climbed over and roamed around there for quite a little while. I met the Commander of MELBOURNE at about this stage and we did a search through together again. I'd found a trunking open on the starboard side about midships of the section that was left which was the only access I could find to the lower decks. I climbed down there and knocked and it was dead quiet at this stage. I came up again and searched, and basically just carried out what compartments I could get into. I went in and just looked in different places where I thought people might be.

Q. Approximately, how long did you spend on this search?

A. I would estimate that I was on there twenty minutes. If we'd take ten minutes for moving them, then ten minutes for the search.

Q. Could it have been more extensive - the search you made?

A. I was happy in my mind, that there was nobody left alive there or injured.

Q. What was it then that you did?

A. I'd met my naval airmen again and told them to get off. I saw Chief Heeres and yelled at him to get off. At this stage there was one seaman whose name I don't know and myself left on board - where the ladder was coming down from the MELBOURNE's quarterdeck. The Commander was up above the ladder and he said just wait right there until we are ready to cast off and you can let go the foreline, which is what we did, the naval airmen and myself. Then we went back on board the MELBOURNE and I carried out a muster of my flying division to make sure I hadn't left any or there.

Q. How many of your flying division were on board EVANS, do you think?

A. I know that there were three on board. I heard and suspected that there were quite a lot more.

Q. Do you know of any EVANS survivors that took part in this search throughout the ship?

A. At one stage I met two people whose names or rate I don't know but they... I kept banging into those two. They were rushing around, and I asked them if they had done a complete bottom search. They said, "Yes, there was no one down there." I saw them again later when most of the survivors had gone. I asked them again, "Have you got any more people that you know about," and they said, "No" again and that is the last I saw of them.

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Q. Were there any particular acts of heroism that you wish to commend in relation to the search or the rescue operations generally?

A. The only person who came under my direct notice, in this category was Chief Heares. I kept having to warn him to get off several times, and when I got off myself, I wasn't sure where he had gone because I came up the quarterdeck and not over the hangar deck. He had in fact come back on board at this stage. I don't know what he had done about the armament that he found.

Q. About the...?

A. Armament that he found. But he was a tower of strength all the way through. He is a very, very good man.

Q. Could you tell us what Chief Heares was wearing?

A. He'd been wearing the same rig as I had on, sir. Yellow skivvy, khaki trousers, probably black boots, and a Mickey Mouse helmet.

Q. Coming back to the movement of the EVANS after section, can you help us to determine its backward motion by telling us whether you had to walk or run to keep up with it as it drifted aft?

A. If I had stayed with it or paralleled it down the deck, I would have been walking very slowly. This is because at this stage, while I was coming back through the people on the flight deck - we were at emergency stations then and there were a lot of people on the flight deck - I had time to tell my off watch - my petty officers - to muster their hands and carry on with the helicopter movements that were taking place then or to help them. So it would be a slow walk.

Q. Slow walk?

A. Slow walk.

Q. Now is there anything in particular which you wish to mention in relation to the helicopter flying after you got back on deck?

A. No, sir. Just kept on going.

Q. For how long was it continued?

A. Until last light or dusk.

Q. Which occurred approximately when?

A. Around 1730 or 1800. I don't know the exact time they finished.

Counsel for the board (CDR Glass): Counsel has no further questions.

Senior Member: The board has no further questions for this witness.

Counsel for the board (CDR Glass): Counsel does not believe that it is necessary to examine this witness in closed session.

Counsel for the board (CDR Glass): I invite you to make any further statement relating to the subject matter of the investigation which you think should be recorded, but has not been brought out by questions. Is there anything you wish to add?

A. No, sir.

The witness was duly warned, excused and withdrew from the hearing room.

Senior Member: A brief recess.

The board recessed at 1554 hours, 20 June 1969.

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The board reconvened in closed session at 1630 hours, 20 June 1969.

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

Lieutenant Commander Richard James Arthur Tagg Arundel, Royal Australian Navy, was recalled by counsel as a witness, was reminded of his previous oath and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Mr. Arundel, this is again a closed session. The room is cleared only to the classification of Confidential, so if you must go beyond that classification would you advise us so that we may adjourn to other facilities.

A. I understand.

Q. Lieutenant Commander Arundel, I believe we established at your prior appearance before the board your qualifications as an expert in the field of communications. At that time, through you, we introduced into the board's records Exhibit 27, a collation of signals sent and received in Task Group 472.1. Is that correct.

A. That is correct.

Q. At that time, do you recall that the board requested additional work?
A. Yes sir, that is correct.

Q. Have you since that time conducted such additional work, using Exhibit 27 as a basis for that work?

A. Yes, sir. That is correct. I have, with Lieutenant Borman from USS KING, with his assistance, I've added in a certain amount of information to try to make the document, Exhibit 27, a little more explanatory.

Q. Would you describe the nature of the changes you made in Exhibit 27?

A. Yes, sir. First of all the logs were examined to establish whether any signals appeared in other logs which were not recorded in FOCAP's Log, as FOCAP's Log was used as the base document. I can explain the reason for that if it's required. Along side the collation were added the actual signals in signal form as they appeared in FOCAP's Log. An additional column was added to establish, in our opinion, whether the signals were procedurally correct. A further examination of the logs to establish times was also made. There were one or two minor changes but in essence the same document holds.

Q. I have placed before you a copy of a document that is marked for identification on its outside cover as Exhibit 27 (Revised). Is that the document which you prepared and have been discussing?

A. Yes, sir. This is the document, sir, we have been working on.

Q. Have you used any additional resources or documents in preparation of this particular document in addition to those used in the preparation of the other record?

A. No, sir. No additional documents were used to establish any details in this Exhibit. However, we did examine other documents in connection with other possibilities.

Q. As I recall, the previous document did not have CLEOPATRA's transmissions recorded. Is that correct?

A. Yes, that was correct. That document came to my attention on the morning I was called with Exhibit 27. Subsequently, entries from CLEOPATRA's Log were checked and a column has been completed indicating whether CLEOPATRA's Log agreed or disagreed with the substance of FOCAP's Log.

Q. Now there are a number of terms used within this document which, at this time, I would like to ask you about. In each case the exact text as recorded in FOCAP's Log is indicated in the left hand column. Is that correct?

A. Yes, sir.

Q. The heading of the next column, does that indicate that the FOCAP transmission of the signal was procedurally correct or whether it was procedurally correct as logged. Can you explain that, sir?

A. It means whether it is procedurally correct as logged.

Q. Whoever has sent the message?
A. Yes, sir.

Q. Now the next column is ZULU time. Does this indicate the time recorded in FOCAP's Log?
A. Yes, it does.

Q. And where there is a difference in the time recorded in other logs, is that indicated anywhere on the sheet?

A. That is indicated on the column - the respective column for other ships in the Task Group. That is on the right hand side in order.

Q. How much of a difference was required to have you make an entry that the time did not agree?
A. If it was more than one minute, except on the last page where I put in every message which disagreed, whether it was one minute or two or three.

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Q. Now the term "agree" is used throughout this in many places. Could you state the exact meaning of the term "agree" as used in this document.

A. It's meant to infer that the signal as recorded in another ship's log agrees exactly in text, but it will not indicate whether there is, for instance, detail - procedural detail.

Q. For example? Could you state an example where there might be a disagreement which would not show up in this collation?

A. Really procedurally, sir.

Q. Would call signs be an example - or "rogers" or something of that nature?

A. By procedurally I mean an indication of receipt. This is all a matter of detail I feel. If the message itself has been correctly addressed and is recorded in these logs as correct according to the FOCAF Log, the basic log, then there's no disagreement. Now there is an example of one disagreement which may give an example, sir.

Q. Would you point that out to us?

A. On page 4-3, under comparison with MELBOURNE's Log, three from the bottom, it would appear that there was an operator error in recording an incorrect call sign. The call sign in question was ZULU FOUR and it was recorded by MELBOURNE, who originated the message, as ZULU FIVE. That's an example, if I may so, it is rather nit-picking, but I felt it necessary to try and balance the exactness of the record. Also, on page 5-3, right hand column, the very last entry. A signal which was initiated by COMDESRON, there appeared from the logs to be a disparity in EVANS' as it happens, station. It is not recorded in the same manner in four logs. It, however, is of no consequence.

Q. At any time there was a disagreement as to a part of the text, as I understand it, that was recorded.

A. That is so. There are other points that I would like to mention in connection with tactical signals. May I proceed, sir.

Q. May I ask a couple more specific questions as to this document first. You indicate that BLACKPOOL maintained two logs?

A. Yes.

Q. How have you indicated the difference between them?

A. Where there was a difference, I recorded CIC Log. It was the CIC Log in a couple of instances.

Q. On the last page of the document, the third note states "BLACKPOOL has one log only which shows EVANS making my rudder right". As I understand the situation from documents which are in evidence, BLACKPOOL had two logs, only one of which had this entry. Is that the intent of that statement in your document?

A. Yes, sir. Only one log, the bridge log, was complete in that both signals were recorded.

Q. This entry does not mean that BLACKPOOL has one log only, but rather that only one of the two logs contained this entry. Is that correct?

A. Yes, that's quite correct sir.

Questions by the Senior Member:

Q. In that connection Mr. Arundel, do we know if both of BLACKPOOL's logs record EVANS message with respect to her rudder being right or going hard right or right full?

A. Your question as I understand it, sir, was whether the one log recorded EVANS signal of going right. The answer is, there was only one log - one of the two logs which shows the signal.

Q. And in that one, the note here applies?

A. That's correct, sir.

Q. I'd like to propose a rephrasing of this note concerning BLACKPOOL's Log on page 8-3. "Only one of BLACKPOOL's Logs has any entry regarding EVANS, quote, my rudder right, unquote. The one log which does contain such an entry has the entry apparently made after the event, as the entry is between the lines". Is that a correct, but lengthier statement?

A. That is a correct interpretation, sir.

Questions by the counsel for the board (Cont'd)

Q. Mr. Arundel, in addition to the answers to the questions I have asked, you have some general comments on this document. Would you make them at this time?

A. Well, sir, there are some comments in note form on the fourth page of the very last page. I'd like to point out that this is merely a translation of the record, and this assumes that the record is correct. However, tactical signals might also have been sent by light or by flag, semaphore, and, in fact, one signal is recorded as having been sent by light. Many of these signals may have not been recorded in the tactical log. The reason I used the FOCAF Log is not because I was supervising it, but because I thought myself it was in an Operations Room and it was away from the noise of the bridge, and I felt that the operator had little requirement to use his hand set, therefore drop his pencil, and I thought it would provide the most complete log. I find that it is just as complete as MELBOURNE. I would just like to emphasize again, sir, that the only logs that I was able to obtain confirmation of receipt or repetition was in fact FOCAF and/or MELBOURNE's Logs. This information is not held in other logs. I think it is necessary to have this if you want a complete study of what went on in Tactical Primary.

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Question by senior member:

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Q. And does this compilation show all such repetition?
A. Where such repetition has occurred, it has been noted, sir.

Counsel for the board:

Q. May I clarify that. Where repetition occurs, by that you mean when it was logged it has been noted, is that it?

A. Yes, where it was logged and repetition There's an example of that on page 2-1, four from the top. I'd like to mention, sir, that I observed from hearsay that there could have been some call signs which were incorrectly used and this was examined with some concern. I found no cases where MELBOURNE used incorrect call signs. Where she might have used a better call sign I have noted or the record has been noted, such as page 8, at the very end, when she used her CTU call sign. For example, "MIKE COMDEN ZULU UNIFORM UNIFORM LIMA." She might have used MELBOURNE's call sign, and that would have been more appropriate. But in general there were very few procedural errors that were obvious. I found that KYES received instead of COMDESRON in a number of occasions. Again, this is a very small point. Again, MELBOURNE or the CTU often started a zigzag directing MELBOURNE to receipt, which of course is the same operator, and I pointed out here that it would have been better to have received the receipt from another unit. I found that there was no clear indication that a signal made on page 2-1, namely a direction from COMDESRON to EVANS to assume the duty of rescue destroyer had, in fact, been received. There was only one log in which this receipt was evident, and that was in BLACKPOOL CIC Log. But again the CIC log was not complete, and I rather felt the operator was making the sign for a receipt automatically, and my feeling was that no receipt was in fact given by EVANS.

Questions by the senior member:

Q. On page 2-3 opposite this message to EVANS, "Assume duty of Rescue Destroyer," there are four log columns which say "agree". May we take it that they record in each case the signal text BRAVO ALFA, but that in no case do they show a receipt?

A. That is correct, sir.

Q. And BLACKPOOL's is the exception as you have noted?
A. Yes, sir.

Q. Apparently it is not a convincing record of receipt?
A. That is so, sir.

Q. Of course we have BLACKPOOL's log for this period of time in the record.

Counsel for the board: Yes, sir, we do.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board.

Q. Do you have additional remarks, Lieutenant Commander Arundel?
A. On communications, sir?

Q. On this document, explanatory of this document?
A. No constructive comments to add to the document, sir.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. I have a question. On page 8-3 the first note with a single asterisk referring to the 022013 entry, under MELBOURNE Log, and the text of the note is "Tactical Operator is sent to shake Chief Yeoman and log is incomplete." Is that note a quote from MELBOURNE's log.

A. No, it's not a quote, sir.

Q. From what source is that information derived?
A. I'm afraid that is my knowledge in that I noticed that the log was not complete when the logs were put together, sir. The actual entry was "JULIET SEVEN THIS IS MIKE TWO YOU ARE ON A COLLISION". Obviously there was something missing and in my interrogation I found that the operator at that time had been sent to call the Chief Communications Yeoman.

Q. Would you say again what the actual entry for the 022013 transmission is as shown in MELBOURNE Log?

A. The entry is shown in MELBOURNE's log is "JULIET SEVEN THIS IS MIKE TWO YOU ARE ON A COLLISION". And the next entry commences with "I AM GOING HARD RIGHT"

Q. Now on page 8-1 for that same transmission we read, "JULIET SEVEN THIS IS MIKE TWO YOU ARE ON A COLLISION COURSE, OVER, JULIET SEVEN ROGER OUT." Does that appear complete in FOCAF's Log as stated here?

A. Yes, it does.

Q. In my view we should not receive in this document, the information shown in the footnote to which I have referred on page 8-3, with the single asterisk, with the exception of that which is receiveable from an expert witness. Namely, "the log is incomplete". May we have this footnote so changed?

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Counsel for the board: It will be so done sir.

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Questions by senior member (continued)

Q. I have one question if we are through with discussion of this table itself.

Counsel for the board: The witness, I believe has stated he had no further comments on this document. But as a communications expert and the Communications Officer on FOCAF's Staff, we had intended to have him make a few remarks as to communications procedure generally during the operation before the board, if the board would like to hear them?

Senior Member: Yes.

Counsel for the board:

Q. Would you do that at this time Lieutenant Commander Arundel?

A. A comment on tactical communications in the task group in question. Again on ~~hearsay~~ I was concerned that there may have been some disparity in tactical communication. I was unable to find any support in going through the tactical logs that in fact communications were poor. Namely through repetitions also non-receipts. I do believe that on some occasion Commonwealth units did speak a little too rapidly, whereas all communications from American units were very clear. However, I thought that tactical communications were of a very high standard. Additionally, I thought that tactical communications in force, covered communications, the broadcasts and the Task Force Broadcast and the Task Force Calling Circuit were becoming very efficient. In fact there were no backlogs on these circuits. And I do believe that communications were of a very high standard. It is of interest that we received, or MELBOURNE received, a signal from EVANS either the day or two days prior to the accident in which she commented on communications procedures and how well the broadcasts and the Task Force Calling Circuit, which MELBOURNE was controlling, were in fact turning out. I had also formed the impression that EVANS was probably the best radio communications unit - USN unit that was in the group.

I had also heard, again this was hearsay, that there could have been some confusion over the MIKE CORPEN ZULU UNIFORM UNIFORM LIMA, but I understand now, that is of no consequence. I did feel some time ago that it could have been misconstrued in that the ZULU UNIFORM could have been written down rather badly and looked like NOVEMBER VICTOR, in which case another course could have been derived such as 160. Because, NOVEMBER VICTOR was a group.

I've also been aware that there has been some discussion about zigzags and the authority for zigzags and I thought it might interest the board if I mentioned that in February it was obvious that the draft OP Plan did not include ATP 3, the zigzag. A signal was sent by FOCAF to DIREPRS PK 39, Bangkok, asking for this publication to be inserted in the list of publications in Annex Golf. The reply was that ATP 3 was not cleared for SEATO and that we should, FOCAF should, photostat extracts from ATP 3 and include them in his Op Order, as we did in the previous exercise, exercise SEA GULL. This in fact was what was done. I have only today noticed that - or seen a copy of ATP 3(A) which has been used in the USN and it is different from ATP 3 in that the instructions for ceasing the zigzag, that is instructions whether to cease the zigzag automatically when there is a change in formation such as one unit moving from one station to another. The difference is that ATP 3, which it is possible that some units were using, says that the zigzag is not to cease automatically. Whereas ATP 3(A), which might have been used by other units, says that it is to be ceased automatically. And I think this brings out a point, that we had as a guide for the zigzags, ATP 1(A), Vol 1 to change 4. This said that the zigzag was not to cease automatically. Whereas ...

Senior Member: Did not cease automatically under what conditions?

A. When there is a change in the formation. Now this would have meant that a number of units that were used to ATP 1(A), Vol 1 to change 6, these units would have to have gone backwards and relearn their doctrine. And I suggest that it is possible that there may have been some confusion here. And we find that ATP 3 which is what the Commonwealth units would in fact have used if they had been using it, was compatible with ATP 1(A), Vol 1 to change 4. Which incidentally, correction, ATP 3 has a British supplement which says that the zigzag does cease. Then again for units that were using change 6 of ATP 1(A), Vol 1, this document would be compatible with ATP 3(A). I'd like to point out too that Commonwealth units would only have in the last week have received change 6. I'd like to mention, too, that when the decision was made that ATP 1(A), Vols 1 and 2, change 4 - the decision was made that these publications would be used for SEA SPIRIT, comments were asked as to whether this was acceptable. FOCAF signalled that this was a retrograde step. He felt that this was a retrograde step and could lead to a dangerous situation. Of course in SEATO, it's ATP 1(A), Vols 1 and 2 to change 4, and no ATP 3. So that the missing piece of information for zigzags is the definition for zero hour. I think that's all I have to say, sir.

Counsel for the board: Counsel has no further questions, sir.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. Mr. Arundel, do you have or can you produce a copy of the message you referred to from FOCAF which suggested that the use of ATP 1(A) with change 4 for this SEATO Exercise was a retrograde step?

A. I do not have it with me sir. I do believe it could be obtained very speedily.

Q. Could you explain the basis for that comment in light of the further fact that you just mentioned, if I understand it correctly, change 6 to ATP 1(A) is only now, post exercise, being distributed to Commonwealth units?

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