

DECLASSIFIED

- THIRTEENTH DAY -

The board reconvened in executive session at 0830 hours, 23 June 1969.

During this session the board reviewed and approved the transcript taken on the 21st of June 1969 and made executive decisions as to future proceedings of the board.

The board's executive session adjourned at 0943 hours, 23 June 1969.

The board reconvened in open session at 0948 hours, 23 June 1969.

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

Counsel for the board (CDR Glass): The board is convened in open session. Any person who may be called as a witness is asked to withdraw. The board calls as its first witness today, Able Seaman Davies.

Able Seaman Weapons Mechanic Thomas Lester Davies, RAN, was called as a witness by counsel for the board, was sworn and examined as follows:

Counsel for the board (CDR Glass): 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. 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 of 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?

Witness: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Will you state your full name and rank?
A. Thomas Lester Davies, Able Seaman Weapons Mechanic.

Q. And you are a member of the ship's company of HMAS MELBOURNE, are you not?
A. Yes, sir.

Q. Were you standing a watch on the night of 2nd and 3rd of June?
A. Yes, sir.

Q. What watch was that?
A. Lookout supervisor, sir.

Q. When did you go on watch that night?
A. I had the middle watch, sir - 12 'til 4.

Q. What did you say "before 12 'til 4?"
A. I had the middle watch.

Q. You went on watch just before midnight?
A. Yes, sir.

Q. And did you remain on watch until the time of the collision?
A. Yes, sir.

Q. The duties that you were performing on that watch, were that of what?
A. Lookout supervisor, sir.

Q. What does the lookout supervisor do?
A. Make sure the lookouts are closed up constantly and at that time of night you were looking for aircraft and making sure that you report anything you see.

Q. You are talking a bit too fast. You said "make sure the lookouts are closed up constantly and that night you were looking for aircraft?"
A. Yes, sir.

Q. Who are the lookouts that you supervise?
A. Port and starboard lookouts, sir.

Q. Where were they stationed during this watch?
A. On the gun direction platform.

Q. And where were you stationed?
A. On the gun direction platform, sir.

Q. Where is the gunnery direction platform in relation to the bridge?
A. Directly above it.

Q. Where is it in relation to the island superstructure?
A. Forward, sir.

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Q. Is it as far forward as you can go in the superstructure?
A. Yes, sir.

Q. Now was there some particular thing which attracted your attention shortly before the collision occurred?
A. Just before the collision occurred, sir, I was taking a look at two helicopters on the starboard side and something made me turn around to forward.

Q. What was that?
A. It was the EVANS passing left to right across our bow.

Q. You saw the EVANS passing from left to right across the bow of MELBOURNE?
A. Yes, sir.

Q. At approximately what distance was EVANS when you saw her doing this?
A. About 1,000 to 1,500 yards, sir.

Q. What was the angle at which she was crossing the projected track of MELBOURNE - are you able to help us there?
A. Approximately 30 to 40 degrees.

Q. At that stage, was MELBOURNE on a steady course or turning?
A. At this stage we had just started turning and sounded two blasts on the siren.

Q. In which direction was MELBOURNE turning?
A. To port.

Q. When EVANS, as you said, crossed from left to right, did you see any lights showing in her?
A. Yes, sir. I could see the bridge lights and there was a red light just below the bridge, sir.

Q. When you say bridge lights, what lights do you mean?
A. The red light, sir - police light.

Q. Which light?
A. Police light.

Q. Without describing them, can you define where the lights were by relation to the bridge of EVANS?
A. The one red light, sir, was just below the bridge, toward forward, and the bridge lights, or what I thought were bridge lights.....

Q. What color were what you called the bridge lights?
A. Red, sir. Sort of hazy red.

Q. Where were they in relation to the bridge?
A. At the bridge.

Q. At the bridge - you mean on the bridge?
A. On the bridge. Yes, sir.

Q. Did you see any white lights in EVANS?
A. No, sir.

Q. Well, did you continue to observe EVANS as she crossed from left to right?
A. Yes, sir.

Q. How far did she get on to the starboard side of MELBOURNE?
A. Nearly her full ship's length, sir.

Q. Nearly what?
A. Nearly the full ship's length of EVANS.

Q. What was her relative bearing at that point from MELBOURNE?
A. Starboard 20, sir, approximately.

Q. What else next did you observe about EVANS?
A. She turned completely around, sir, and then came straight back in front of us.

Q. What sort of turn did you observe her making?
A. Very sharp turn to starboard, sir.

Q. What was the range from EVANS to MELBOURNE when you observed her making a sharp turn to starboard?
A. 500, sir.

Q. Well, did you continue to observe the situation?
A. Yes, sir.

Q. What did you see after that?
A. EVANS came back across our bow, sir, and we collided.

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Q. What was the angle between the heading of the two ships at the time of collision if you are able to tell us?

A. I couldn't say for sure, sir.

Q. What did you notice about the effect of the impact on yourself?

A. When we hit the EVANS, sir, I felt it a fair bit. Then the EVANS rolled over, half way over, and came back up and righted herself and that is when we sliced through. It wasn't much of a jolt in the GDP.

Q. It wasn't much of a jolt in the GDP?

A. Yes, there was a bit of a jolt but not real bad.

Q. Did it affect your footing?

A. No, I was holding on.

Q. Now coming back to the point when you first observed the EVANS, as you say, going from left to right. Which side of EVANS were you looking at at that stage?

A. Starboard side, sir.

Q. Did it surprise you at all to see a red light at that stage?

A. Yes, sir. It did look a bit strange just one red light by itself.

Q. Did it seem to you to be a port running light or some other kind of light?

A. It wasn't a port running light, sir. It was some other kind of light.

Q. Are you able to say what sort of light it was or don't you know?

A. I don't know, sir.

Q. Dim or bright?

A. Bright, sir.

Q. And as I think you said it was forward of the bridge and at a slightly lower level?

A. Yes, sir.

Q. What lights was MELBOURNE showing at this stage?

A. Flight deck lights, sir.

Q. Which of the flight deck lights?

A. What I could see, sir, was the island and forward of the island. I couldn't see the after section. I wasn't taking much notice of it, sir.

Q. We have been told there are flight deck lights forward, midships and aft. Which ones were burning at this time?

A. Midships and forward.

Q. Are you referring to the "moonlights" or to some other kind?

A. The moonlights, sir.

Q. Were there any other kind of lights besides the "moonlights" on the flight deck?

A. I couldn't say for sure, sir. They were flying helicopters up....

Q. If you didn't observe it.....?

A. I didn't observe it.

Q. Did you observe whether MELBOURNE was showing any navigational lights?

A. No, sir.

Q. Were you in a position where you could see the navigational lights if they were showing?

A. No, sir. They are below the GDP.

Q. Coming back to your first sighting of EVANS, what was it that drew your attention to the destroyer?

A. I don't really know, sir. I just looked straight around. Kind of a reflex, I suppose.

Q. Had you heard any sounds before you looked around?

A. Not at that moment.

Q. Did you make any reports to the bridge?

A. No, sir. It all happened a bit too quick.

Q. You have estimated an angle of 30 to 40 degrees between the two ships' tracks. Can you tell how you are able to form this estimate?

A. Just out of my sighting, sir.

Q. Out of your...?

A. Out of my sighting when I turned around, sir. When I turned to look at the EVANS, it's just the approximate angle it was on.

Q. Your approximate?

A. My approximate angle I thought the EVANS was on.

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Q. Well, it's based on a visual observation, is it?
A. Yes, sir.

Q. Were you using binoculars or not?
A. At that stage, no.

Q. Were you at any stage?
A. Yes, sir.

Q. When?
A. Not on the EVANS, as it was too close.

Q. Did you have any difficulty in determining the heading of EVANS when you first saw her?
A. No, sir. It was a clear night.

Q. Did you have any difficulty in seeing this red light on EVANS without binoculars?
A. No, sir.

Q. What lights did EVANS show after she made the sharp turn to starboard that you mentioned?
A. I couldn't really tell you, sir. At that stage I was getting ready to brace myself, because I could see the collision coming.

Q. You don't know what lights you saw at that stage?
A. I couldn't say for sure, sir.

Q. After EVANS made this turn to starboard what aspect of her were you looking at?
A. I was looking straight at her, sir.

Q. What side?
A. Port side, sir.

Q. I would like to ask you about the lights on MELBOURNE again. Firstly, navigation lights. From where you were, were you able to see any ~~navigation~~ lights?
A. I couldn't see the port or starboard navigational lights, sir. They are below the GDP. The masthead and steaming lights they might have been on, sir, but I couldn't say because I wasn't really looking at them.

Q. Where were they placed in relation to where you were standing?
A. There is one in front of the GDP, and there is one on the masthead above GDP, sir.

Q. Can you, from where you were standing, see the lights?
A. I can see the masthead and steaming lights. Yes, sir.

Q. Do you know, one way or the other, whether they were burning?
A. No, sir.

Q. Now as to floodlights, did you see....sorry, did you see any "moonlights" burning on MELBOURNE that night?
A. The flight deck lights. Yes, sir.

Q. We've asked this before, but we are going over it again if you don't mind. Which of the "moonlights" did you see burning?
A. Abreast of the island and forward, sir.

Q. Did you see any other flight deck lights in addition to the moonlights?
A. No, sir.

Q. Are you aware that there are flight deck lights in addition to the moonlights?
A. No, sir.

Q. What color were the moonlights?
A. White, sir.

Q. Now, you have told us that the midship moonlighting and the forward moonlighting were burning at the time of the collision. Are you able to tell us when it was that they were first switched on?
A. No, sir. I couldn't tell you.

Q. Are you able to give us any recollection as to how long they had been burning before the collision?
A. No, sir.

Q. Can you tell us where the moonlights which illuminate the midship part of the flight deck and forward part of the flight deck are themselves situated?
A. Around the perimeter of the flight deck and in the center.

Q. Center of what?
A. Flight deck. Approximately in the center.

Q. Do you believe that they are located on the flight deck itself?
A. Yes, sir. As best as I could see.

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Q. Did you see any lights on the island structure which illuminated the flight deck?
A. No, sir.

Q. Have you ever seen any lights situated on the edge of the flight deck?
A. Yes, sir. Close to the edge, sir.

Q. Did you see any lights on the island structure which illuminated the flight deck?
A. No, sir.

Q. Have you ever seen any lights situated on the edge of the flight deck?
A. Yes, sir. Close to the edge, sir.

Q. What color were those lights?

A. White, I think, sir. I couldn't say, since I don't have nothing to do with the flight deck, sir. I just didn't take much notice, sir.

Q. Could you hear any piped announcements over the ship?

A. Yes, sir. After the two blasts of the siren, collision stations was piped and then after that emergency stations.

Q. Are you able to tell us whether the turn by EVANS to starboard was a tight turn, shallow turn or somewhere in between?

A. Tight turn, sir.

Q. Able Seaman Davies, I want to ask you more about your understanding of the lighting situation.
A. Yes, sir.

Q. Now, will you describe to us what lights were illuminating the flight deck? Firstly, in relation to the parts of it which were illuminated?

A. The part that was illuminated that I seen was the island and forward of the island. The lights were on the flight deck itself.

Q. And the part of the flight deck abreast of the island and forward of the island which was illuminated, did this extend all the way to the port side of the ship?

A. That I couldn't say, sir.

Q. Were they floodlights or just marker lights?

A. Marker lights.

Q. Do you mean that these were parts of the flight deck, midships and forward, which were not illuminated?

A. Well, these lights, they... I could see the whole flight deck, sir.

Q. You could?

A. Yes, sir.

Q. And the lights that permitted you to see the whole of the flight deck, midships and forward, where were they themselves situated?

A. Right forward, sir, starboard side. I couldn't actually say that on the port side, sir, but there was also lights in the center of the flight deck.

Q. As between the island structure and the flight deck itself, where were the lights located?
A. Say again, sir.

Q. As between the flight deck itself and the island structure, where were the lights situated?
Which of those two were they on?

A. Approximately half way between the port and starboard side, sir.

Q. On the flight deck?

A. On the flight deck, sir.

Q. When you saw EVANS make her turn to starboard, did you thereafter continue to see that red light that was forward of and lower than the bridge or not?

A. I couldn't say, sir. I didn't quite take notice. I was just watching the ship itself.

Q. What length of experience have you had as a lookout or as a lookout supervisor?
A. Two and a half years, sir.

Q. How long as a supervisor and how long as a lookout?

A. Lookout for two and a half years and supervisor for one.

Q. In what ships?

A. MELBOURNE.

Q. Well, two and a half years as a lookout and twelve months as a supervisor, do you mean three and a half years all together?

A. No, sir. Two and a half years mixed in with both, sir.

Q. What is the total length of experience - two and a half years?

A. Two and a half years. Yes, sir.

Q. How much as a lookout and how much as a supervisor?

A. Twelve months as lookout and eighteen months as supervisor, sir.

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EXAMINATION BY THE BOARD

Questions by a member (RADM Stevenson):

Q. Able Seaman Davies, when the flight deck of MELBOURNE is illuminated for flying, are you aware of any lights that shine down from the top mast that give an overall illumination?
A. No, sir. I really haven't taken much notice.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Did you see the moon that night?
A. I really couldn't say, sir, I really wasn't taking too much notice of the moon.

Q. You are unable to tell us when the moon rose and its degree of brightness?
A. No, sir.

Q. In relation to the lights on MELBOURNE that you saw, is it correct that they were all located on the flight deck and none of them located on the island structure?
A. The ones I saw, sir, were on the flight deck. I didn't notice any on the island.

Q. And to be more specific, were they set into the deck?
A. Yes, sir.

Senior Member: Does counsel have any further questions?

Counsel for the board (CDR Glass): No, sir.

Senior Member: The board has no further questions.

Counsel for the board (CDR Glass): Able Seaman Davies, you have an opportunity at this time to make a statement of any additional matter relating to the subject of this investigation which has not as yet been brought out by the questions asked of you. Is there any additional matter to which you wish to refer?

Witness: No, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.

Leading Tactical Operator Peter John Sturman, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and examined as follows:

Counsel for the board (CDR Glass): 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 its investigation. 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. Is that understood?

Witness: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Will you please state, slowly, your full name?
A. Peter John Sturman.

Q. And your rank?
A. LTO, Leading Tactical Operator.

Q. Were you standing a watch in MELBOURNE on the night of 2nd and 3rd of June?
A. Yes, sir.

Q. When did you come on watch that night?
A. I commenced my watch at 0200.

Q. Where were you standing your watch?
A. On the flag deck.

Q. What duties were you performing there?
A. I was supervisor of the flag deck at the time.

Q. Where is the flag deck in relation to the GDP?
A. The flag deck and GDP areas are on the one level and are divided by a partition. The flag deck is just aft of the GDP.

Q. How is access gained from the flag deck to the GDP?
A. There is a gap between the screens and that's where you walk through.

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Q. You can walk straight through the gap?
A. (witness nodded head in the affirmative.)

Q. Now, was there someone on the GDP or flag deck with you just before the collision?
A. Yes. TO Ahearn was with me at the time. Tactical Operator Ahearn.

Q. Where was he standing watch?
A. He was also on the flag deck.

Q. Now as of a result of something he said to you, where did you direct your attention? I'm sorry! Did you go to some different place from the flag deck?
A. Yes, sir. I moved on to the GDP when TO Ahearn brought my attention to the ship. I moved onto the GDP to get a better look.

Senior Member: I'm sorry, could you speak a little louder, please?

A. When TO Ahearn brought my attention to a ship on the starboard bow, I moved onto the GDP area to get a closer look.

Q. What duties was Ahearn performing that night?
A. He was a signalman on the flag deck.

Q. When you went to the GDP did you see anyone else there?
A. There were two lookouts and a lookout supervisor on the GDP.

Q. And what were the names of the two lookouts?
A. I don't know what their names were, sir.

Q. Do you know the name of the supervisor that was there?
A. Yes, sir. It was Able Seaman Davies, sir.

Q. From the GDP did you make an observation of any ship in the vicinity of MELBOURNE?
A. Yes, sir. There was a ship about 10 degrees on the starboard bow of MELBOURNE at a distance of about 300 yards.

Q. In which direction was the ship heading?
A. At the time, sir, it appeared to be heading on almost a reciprocal course to what we were steering.

Q. Was she travelling from left to right or from right to left as you looked at her?
A. She seemed to be coming more towards the MELBOURNE itself, sir.

Q. What was the MELBOURNE doing at that stage?
A. We were steering a steady course.

Q. Was there any change in MELBOURNE's heading?
A. No, sir. Not at that stage.

Q. Was there at a later stage?
A. Yes, sir. I am not exactly sure when the MELBOURNE did start to turn, but it was just before the collision.

Q. Which way did she turn?
A. Hard to port, sir.

Q. What did you observe about the ship that you mentioned?
A. The ship then made a very hard turn to starboard and moved in front of our bow.

Q. Made a very hard turn to starboard, and what did you say?
A. Moved in front of the MELBOURNE's bow.

Q. Which ship started turning first, the MELBOURNE to port or the EVANS to starboard?
A. I would say, sir, the EVANS to starboard.

Q. And what sort of turn was she making?
A. It was a very sharp turn, sir.

Q. And did you observe anything in relation to her wake?
A. Yes, sir. She churned up a very heavy wake which to me indicated she may have been increasing revolutions.

Q. What did you observe from that point of time onwards in relation to the two ships?
A. When the EVANS turned very hard to starboard, the MELBOURNE started turning very slowly to port and we just collided with her in about midships position.

Q. Could you tell us what was the angle between the heading of the two ships when they came together?
A. I couldn't say that accurately at all, sir.

Q. When you first saw EVANS, what part of her was nearest to you, the bow or stern, and if so, port or starboard side.
A. When I first saw the EVANS, the starboard bow would have been nearest to us.

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Q. And did you see any lights showing in EVANS?

A. No, sir, I didn't. But I wouldn't be able to say for sure that there were no lights burning.

Q. Did you see any navigational lights burning in MELBOURNE?

A. Well, about ten minutes before the collision, sir, I noticed the fly deck area get illuminated slightly, which to me indicated that the masthead steaming lights were switched on, although I did not look up and check.

Q. And how long was this before the collision?

A. I would say about ten minutes before the collision, sir.

Q. What degree of illumination is there on the flag deck if the masthead light is off?

A. There is no illumination at all on the flag deck, sir. It was a clear night and it was very easy to see on the flag deck itself. It was more of a reflected light that came on, and it made it just that little bit easier to see.

Q. Where are the masthead lights situated in relation to the flag deck?

A. The mast itself is directly behind the flag deck. There are two masthead steaming lights on the mast. There would be one about twelve feet above the flag deck level which comes out on a spur about four or five feet long. Above this there is also another light which would be about eight feet from the first light attached to the mast.

Q. Did you actually look up to see them burning that night?

A. No, sir.

Q. Is it your belief that they were burning?

A. Yes, sir.

Q. Did you see any moonlighting on MELBOURNE that night?

A. Yes, sir. I couldn't say for sure when the moonlighting itself was switched on, but I would say that it had been on for a fair while.

Q. What do you mean by fair while?

A. Well, I haven't any recollection of them being switched on, sir, so I couldn't say when it was switched on.

Q. Well, was it on at the time of the collision?

A. Yes, sir.

Q. And when you say it was on, what part of the flag deck was lit up by the moonlighting?

A. The whole of the flight deck was lit up, sir, except for the way the moonlighting shines, there is a space of about twenty feet forward which is not illuminated. It shines directly on the catapult launching area.

Q. How much of the flight deck was not lit up, could you tell us?

A. I would say about thirty feet - a section which would be about thirty feet long starting from the forward end of the flight deck.

Q. What light was showing on the rest of the flight deck? What color?

A. It's a white light, sir.

Q. Where are the lights which provide this illumination situated?

A. They are also situated on the mast, sir. They are in a square group and they are angled so that they shine down onto the flight deck.

Q. You said earlier that when you first saw EVANS she appeared to be on a reciprocal course. Could you explain in a little more detail what you meant by that?

A. Well, she appeared to be steering a course which would have,....had she continued it, she would have passed down our starboard side.

Q. How long after you first saw her did she start to turn that you observed?

A. I would say about three to five minutes, sir.

Q. When she started her turn, could you give us your estimate of her relative bearing from MELBOURNE?

A. On about the same bearing, sir. 10 degrees on the starboard side.

Q. I direct your attention to the fact that you said, I believe, that when you first saw the EVANS on a reciprocal course she was about 300 yards away.

A. Yes, sir.

Q. And you said just now that she made her turn to starboard in about three to five minutes after you first saw her.

A. Yes, sir.

Q. Now, do you find any inconsistency between those two statements?

A. Yes, sir.

Q. Would you like to explain yourself a little further?

A. With the statement I just made the distances and times don't coincide.

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Q. No. Which is the better - the best of your recollection in regard to distances and times?

A. Well, sir, the original sighting of EVANS 10 degrees on the starboard bow at about 300 yards away, I consider that a fairly accurate estimate, sir. The time, as I stated before, is fairly difficult to judge at times.

Q. You don't wish to judge the time that elapsed from when you first saw EVANS to when she started turning?

A. No, sir.

Q. When the moonlighting is on, is the flag deck lit up to any appreciable extent?

A. Its not actually lit up, sir, but it throws a bit of a shadow on the flag deck by....When the lighting is switched on, sir, the moonlighting does illuminate the flag deck to a certain extent.

Q. Are you able to tell the difference between light coming on to the flag deck from the moonlighting and light coming onto the deck from navigational lights?

A. No, sir. Outside of.... The moonlighting would be a bit brighter than the navigational lights, sir.

Q. Is it possible that the lighting you had on the flag deck came from the moonlighting, or do you still think it came from the navigational lighting?

A. It would be possible, sir, but I had thought that the moonlighting was on for a fair while before the collision and I can't recall it being switched off.

Senior Member: The board has no questions for this witness at this time.

Counsel for the board (CDR Glass): LTO Sturman, are there any additional matters that you would like placed before the board that have not been brought out by the questions asked of you?

LTO Sturman: No, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.

Leading Seaman Lawrence Harper Scott, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and examined as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. What is your full name and rank?

A. Lawrence Harper Scott, Leading Seaman Radar Plot, Royal Australian Navy.

Q. You're a member of the ship's company of HMAS MELBOURNE?

A. I am.

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

A. Yes, sir.

Q. Did you keep a watch that night?

A. Yes, sir.

Q. When did you go on watch?

A. I went on watch at approximately quarter to twelve.

Q. And did you remain on watch until the collision?

A. I remained on watch until the collision and until 7:00 o'clock in the morning.

Q. Where were you keeping watch?

A. I was keeping the watch as LOPO.

Q. LOPO which stands for?

A. Local Operations Plot Officer in front of the table.

Q. What are the duties of the Local Operations Plot Officer?

A. Supervise the plotting the table and passing out SITREPS to other ships in company. In general, keeping the bridge informed of what is going on on the plot itself.

Q. Do you have regard to the PPI scope in doing your duties?

A. Yes, I keep an eye on the PPI, looking out for new radar contacts and keeping a watch on the ships in company to see that they don't come too close.

Q. Now this plot - local operations plot - that you kept, how is that set up?

A. The scale of the night was 2 miles to the inch. We had just changed the plot and at the time we were plotting in the top right hand corner of the plot.

Q. Can you tell us when it was that you changed the plot?

A. At 0307, in the morning.

Q. Was there any particular reason for changing it at that stage?

A. Yes, we had run out of playing area to the southeast, so we had to change the plot and move up to the top of the table as we were travelling in a southwesterly course.

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Q. Could you repeat again the answer to the question. Was there any particular reason for changing the old plot at 0307? This man [reporter] here has to repeat every word you say.
A. Yes, we were running out of playing area on the plot and we had to move up to the north again so that we could start again.

Q. Is this sheet of paper the plot that you were keeping until 0307?
A. Yes, sir.

Q. Upon an examination of this, can you tell us what ships you were plotting until the time this plot was discontinued?
A. Yes, we were plotting ourselves, EVANS and CLEOPATRA. Those two being the closest wing ships of the screen.

Q. And if one looks at this plot, does it show the track of EVANS with the name EVANS against it, likewise for CLEOPATRA, and is MELBOURNE's track the white track which is not specifically marked?
A. Affirmative.

Counsel for the board (CDR Glass): Counsel offers this LOP in evidence as Exhibit 59. Counsel offers it with the understanding that when it is photographed the original may be withdrawn.

Q. It started at 021746 and finished at 022007, both Zulu time, is that correct?
A. That is correct, sir.

Senior Member: This may be admitted subject to the proviso that the photographs which may be made from this show clearly the data on the item. Then we may substitute photographs.

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

Q. Would you look at this photograph that is a photo of the local operation plot which was admitted as Exhibit 5. Is that the plot that you kept immediately after you discontinued that one we have just seen?

A. Yes, sir. That is the plot.

Q. Where did you commence this particular plot?
A. At what time?

Q. No. In what part of the plot did the plotting originally begin?
A. In the top northeastern corner on the plot.

Q. You indicated an area of plotting in the top right-hand corner of the photograph. At some stage, was the plotting moved to the center of the plot?

A. Yes, sir. After the collision I asked the Operations Room Officer if I could open the scale of the plot when we started air search operations so as to give us a clearer picture of what was going on in the local scene.

Q. How many minutes plotting is recorded in the area near the top right-hand corner of the photograph?

A. It's eleven minutes.

Q. What ships were you plotting at that stage?

A. We were plotting CLEOPATRA and BLACKPOOL at that stage. EVANS had been told to come back to "Formation ONE" (sic) and when she had been told to do that, we ceased plotting her on the plot. I was watching her on radar at that time.

Q. Now what particular radar display were you watching her on?

A. I was watching her on the 978 radar display. I had switched the scale of the radar to five miles, so that I could get a closer look at her.

Q. Was there any particular reason for having a close view of her as she came up to take up station?

A. Yes, sir. Three nights previously....

Q. It was connected with something that had happened three nights before, was it?

A. Yes, sir.

Q. Before we continue with that, can you tell us what the scale was upon which you set up the plot for the search operation?

A. A half a mile to the inch.

Q. As you watched EVANS, coming down to take up station on the PPI, what did you notice?

A. When she turned she remained on a steady bearing and this bearing didn't alter at all.

Q. How long, approximately, did you have her on a steady bearing on your PPI?

A. I couldn't tell you the exact time about it, sir. We were closing each other terribly fast.

Q. What is the normal procedure for the LOP operator to follow when he sees a ship closing on a steady bearing?

A. Inform the bridge.

Q. Did you inform the bridge on this occasion?

A. Not on this occasion. The bridge picked it up at the same time as us.

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Q. How did it become known to you that the bridge had picked it up?

A. I heard it passed out on Tactical Primary to EVANS, "You are on a collision course." This message was repeated again....

Q. All right, just take it easy. You heard it passed on Tactical Primary. How did you hear it passed on Tactical Primary in the Operations Room?

A. It was piped through on the circuit I was listening to a break through CIP primary.

Q. I'll ask you that question again, Mr. Scott, if you don't mind. How did you hear the message, "You are on a collision course," passed over the Tactical Primary Circuit?

A. The circuit I was listening to, CIP Primary, was getting a breakthrough from Tactical Primary. This had been going on all through the exercise.

Q. You were listening to CIP Primary but you were hearing transmissions on the Tactical Primary. Is that what you are saying?

A. That right, sir.

Q. And did you hear this Tactical Primary message break through on your circuit, once or more than once?

A. I heard it twice.

Q. Did you hear any receipt given for it?

A. No. We cannot hear any receipts of messages passed on Tactical Primary.

Q. So you wouldn't know from what you heard whether it was receipted for or not?

A. No, I wouldn't know, sir.

Q. Did you receive from the bridge any instructions about that message to EVANS?

A. Yes, sir. By the command intercom I was told to pass to EVANS, "You are on a collision course," which I did.

Q. Who gave you those instructions?

A. They come from the bridge, sir. It sounded like the Captain on the command intercom.

Q. You say that having received those instructions, you passed the message yourself?

A. Yes, sir. I passed it myself.

Q. On what circuit did you pass it?

A. I passed it on CIP Primary, sir.

Q. Did you receive any receipt for that?

A. No, sir. There was no acknowledgment.

Q. Would you have been in a position to hear a receipt if it had been given on the circuit on which you passed it?

A. Yes, sir.

Q. I would like to take you back a step or two, and ask if you could make a drawing of what you saw of the EVANS on the PPI display - could you do that using the paper and easel over there and this felt pencil? Before you talk about it, just draw it, if you don't mind.

A. (Witness did as directed.)

Q. Just a moment, before you get to explaining to us, could you write on the bottom "EXH 60" to stand for Exhibit 60?

A. (Witness did as directed.)

Q. Now standing a little to one side and back, what does that line running from the center across represent?

A. Ship's head, sir.

Q. Ship's head in the center, yes. And the line running from the center toward the perimeter, what does that represent?

A. That is the ship's heading at the time, 260. (The witness pointed out the position of the KYES, LARSON, BLACKPOOL, and CLEOPATRA.)

Q. You have "E" for?

A. EVANS, sir.

Q. And in which direction is that echo pointing?

A. You can't tell what direction the echo is pointing by the echo itself. But it was closing along that line, sir.

Q. It was closing along that line?

A. It was closing along that line, sir.

Q. That marker that you have drawn in. I think that you said that represented 260, the ship's head?

A. That's correct, sir.

Q. Could you write along the top of it "260", please?

A. (Witness did as directed.)

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Q. What was the approximate range, using the strobe, if you did, when you first saw EVANS steady on that bearing?

A. 1.4 miles, sir.

Q. Are you able to tell us the extent to which the range became reduced as you kept on watching it?

A. It reduced very rapidly, sir.

Q. What was the range when you last saw a distinct discernable echo from EVANS?

A. Approximately a half a cable, sir.

Q. Approximately a half a cable, which is a hundred yards?

A. Yes, sir.

Q. Could you see any indication of EVANS' wake on the radar?

A. No, sir. Not at this time.

Q. At any time?

A. Not at any time, sir. We had been picking up ships' wakes all night, but this time we did not see any wake at all.

Q. What was the scale upon which this display was being shown?

A. Five miles, sir. Five miles from the center to the outer edge.

Q. Had that scale been changed by you at any time?

A. Originally, we were watching it on 20 miles to the inch (sic). When EVANS starting coming back on this maneuver, I changed it to the 5 mile scale and started watching it.

Q. Was the scale further changed by you before the collision or did it remain as you have described it?

A. It remained at five miles, sir.

Q. You say that when you first observed EVANS on a steady bearing, the range which you read off was about 1.4 miles. Are you able to relate that in time to the moment when you first heard, "You are on a collision course" being transmitted on the Primary Tactical Circuit?

A. No, sir. Everything happened very quickly.

Q. Was it before or after? Did you see it before you heard the signal?

A. It was shortly before we heard the signal, sir.

Q. But you don't know how long before?

A. No idea, sir.

Senior member: I have a question.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. If you measured the 1.4 mile range prior to first hearing the signal, "You are on a collision course" could you explain what it is that prompted you to measure the range?

A. When you are finding out where she would be, you would normally take the bearing and the range. I was following....

Counsel for the board (CDR Glass): Would you just repeat that last answer, please.

A. When you take the range and bearing of a ship, you always read off the range on the strobe. I was doing this for a particular reason.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. And that particular reason I think you said was connected with another earlier occurrence, is that right?

A. That is right, sir.

Q. Which happened how long before?

A. Three nights before, sir.

Q. The way you have drawn the plan, EVANS' bearing is right on the cursor showing the ships course, does that accurately reproduce what you saw that night?

A. That's exactly what I saw that night, sir.

Q. Did it change in any way as you watched it up to the time of the collision?

A. The only change was the distance which was closing very rapidly. She did not alter her bearing at all.

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Q. Did you hear any other messages breaking through to the CIP circuit additional to the "You are on a collision course"?

A. I can't say at the time, sir. Things were happening pretty rapidly in the Ops Room at the time - trying to get through to EVANS ourselves; trying to tell her that she was on a collision course. There could have been other signals being sent while I was passing out my own signal. If there were, I would not have heard them.

Q. What was the next thing that you became aware of?
A. We hit, sir.

Q. Did you hear anything in the ship before the collision?

A. Yes, sir. I heard down the voice pipe the sound of the siren sounding two blasts, also I heard a pipe being made, "Hands to collision stations".

Q. Did you observe the ship's heading at the time of the collision on a gyro strip repeater or anything like that?

A. No, sir.

Q. Did you observe the time of the collision on any clock in the Ops Room?

A. Yes, sir, after the collision I took the time on the clock and it was 0317.

Q. And how long after the collision did you note that?
A. It would have been seconds after.

Q. Do you think that you correctly observed that time or do you think that you may have made an error?

A. I could have made an error, sir. When we look at the clock we are looking at an angle and it can give you a parallax error.

Q. It may have been a parallax error then?
A. Yes, sir.

Q. The next thing I suppose is when you shifted the plot as you have already described, who was in the Ops Room when that was done?

A. There was my plotter behind the table; there was Lieutenant Commander Mooney, the Operations Room Officer on watch; Chief Petty Brennan, who is the Assistant Operations Room Officer; Lieutenant Commander Arundel, who is the Duty Staff Officer; Lieutenant Coulson the Air Operations Officer; Petty Officer Lindsey who is Air Operations Assistant; there's the GOPO at the time, Able Seaman Mitchell, who was on his table; there's my CIP plotter Able Seaman Pickering.

Q. What scale did you use for the plot of the search?
A. Half a mile to the inch.

Q. What ships did you plot?

A. We plotted the ships that came back to join us, which were KYES, LARSON, BLACKPOOL and CLEOPATRA.

Q. Do you recognize in this photograph a copy of the plot.... I'll withdraw that. What is that a photograph of - this Exhibit 6 which I show you?

A. This is a photo of the search, this was carried out while we were on watch. It was after VAMPIRE secured and rejoined from the northeast.

Q. Now this parallax error that you think you may have made at the time when noting the time of the collision, would that apply to other times you noted on the LOP?

A. Yes, sir.

Q. Had you made any contact with EVANS on the CIP primary before the message that you mentioned?

A. No, sir. There wasn't very much being passed out on the circuit at all.

Q. What was the general quality of the reception on the CIP primary?

A. It was fairly good, sir, but American ships seemed slower in answering than the other ships.

Q. Had you before tried to pass....Sorry, withdraw that. How many times did you try to pass the collision message on the CIP primary, or was it only once?

A. Only once, I think, sir. I could have used the "I say again" method, but I'm not too sure at the time.

Counsel for the board (CDR Glass): Is that a convenient time for a recess?

Senior member: We will have a brief recess.

The board recessed 1116 hours, 23 June 1969.

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The board reconvened at 1130 hours, 23 June 1969.

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

Counsel for the Board (CDR Glass): The board has reconvened in open session. Persons who may be called as witnesses are asked to retire.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass (Cont'd)).

Q. Now Leading Seaman Scott, who had the job of recording the times on the plotting of the LOP.

A. The Plotter, sir, who is normally behind the table. He was at that time.

Q. And being behind the table, where is he placed in relation to the clock?

A. He has got to look across the plot, sir. The plot was here and he would be standing here. He would have to look across the plot and the clock would be over there.

Q. Is he looking directly at it, or from the left or from the right of it?

A. It would be on his right hand side, sir.

Q. How much deviation is there?

A. An angle of about 45 degrees, sir.

Q. Did you make any transmissions on the CIP Primary Circuit after the collision?

A. Yes, sir. The bridge told me to inform the other ships that we had had a collision with EVANS and for them to rejoin us and help in conducting a search for survivors. Also, when the ships had rejoined. I was told to transmit to them to send back to us the names, rates of any survivors or bodies they picked up. None of the ships recovered any survivors, as far as we knew.

Q. Can you tell us what length of experience you have had as an LOP Officer?

A. Since 1963, when I qualified as an RP2 under the old Australian naval system. Everytime I've been at sea it's been my job as the LOP.

Q. And in what ships have you been to sea, since 1963?

A. HMAS DERWENT, I was on her for three years. I had a twelve month break, where I was at Leeuwin for a while and also on the JEPARIT, which is a merchant ship supplying Australian Troops in Vietnam. I spent eleven months on her, and when I finished my tour of duty on her I went back to Leeuwin for approximately two months for my leave and rejoined the MELBOURNE in October 1968.

Q. And during your time in DERWENT and JEPARIT did you keep a local operations plot of the same kind as you kept in MELBOURNE?

A. On the DERWENT we kept the local operations plot. On the JEPARIT, it is a merchant navy ship - they don't run any plots.

Q. In DERWENT did you have a radar similar to the one you had on MELBOURNE?

A. Yes, sir.

Q. Was it your job to watch it?

A. Yes, sir.

Q. What did you have in the way of radar in JEPARIT?

A. They have only one radar set, sir, and it wasn't our duty to watch it at all. It was manned by the merchant navy officers themselves.

Q. When you heard American ships transmitting on the CIP Primary, did you have any difficulty understanding those transmissions?

A. Occasionally, sir, we would have to ask for them to, "Say again," but that is normal even when operating with ourselves.

Q. So there was no difference, in your opinion, as regards receipt of messages from American ships on the CIP Primary?

A. The only problem we had with the American ships, sir, was getting them to answer straight away. There seemed to be a time lag somewhere in their answering us.

Q. Did you notice whether they had any difficulty in understanding your transmissions on that circuit?

A. We were not asked to, "Say again" very often, sir, so I don't think they had difficulty in understanding us. We had been told beforehand to speak slower so that the other ships could understand us.

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

Counsel for the board: Leading Seaman Scott, you have the privilege of making any further statement relating to the subject matter of this inquiry if you think it should be placed on record and it has not yet been brought out by questioning. Is there anything further you wish to state?

Witness: No, sir.

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The witness was duly warned concerning his testimony and withdrew.

Lieutenant Peter Kenneth Coulson, Royal Australian Navy was called as a witness by counsel for the board, was duly sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Lieutenant Coulson, you have been called as a witness before this board which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS. It's understood that you have evidence which may assist the board in its investigation. Under Australian law you are warned 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 are to answer the question or not. Do you understand all that?

A. Yes, sir.

Q. Would you please state, clearly and loudly, your full name and rank?

A. Peter Kenneth Coulson, Lieutenant.

Q. And you were attached to HMAS MELBOURNE on the night of the 2nd and 3rd of June, were you not?

A. Yes, sir.

Q. And what was your particular classification as far as duties?

A. I'm the Assistant Air Operations Officer, and I was Duty Air Operations Officer that night.

Q. And when did you come on watch that night?

A. At 0300.

Q. Where did you stand your watch as Duty Air Operations Officer?

A. In the Operations Room.

Q. Now shortly after you came on watch at 0300, did you hear any messages being repeated in the Ops Room?

A. There was quite a lot going on. At that stage I was mainly concerned with getting myself oriented. The only actual message I heard over the radio was on TACPRI from MELBOURNE to EVANS saying that she was on a collision course.

Q. How did you hear this?

A. The Fleet Logger sits about 6 feet from me, and it came through over his section of the intercom. It obviously was spoken loudly and it was the only one I heard.

Q. Were you able to fix the time you heard that?

A. By going back on it, it was approximately 0311.

Q. You fixed that by going back from what?

A. From the collision time.

Q. That was a time you noted, was it?

A. Yes, sir.

Q. Where did you note it from?

A. The Operations Room clock.

Q. And according to your observation, what did the Operations Room clock show at the time of the collision?

A. 0313.

Q. Well now, before the collision, what else do you recall happening?

A. Well, the only other thing that stands out in my mind was just after the TACPRI message, was MELBOURNE's two blasts on the siren when we turned to port.

Q. Did you see anything - any indicator in the Ops Room which showed that you were turning to port?

A. The Compass Repeater.

Q. Is that a gyro strip repeater?

A. A gyro strip repeater.

Q. A linear indicator?

A. Yes, sir.

Q. Where is that situated?

A. On the bulkhead about 6 feet from where I sit.

Q. And what ship's head was it showing when you first looked at it?

A. I never looked at it until after the collision. About 30 seconds after that it was reading 190.

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Q. Well, just to make sure we have that right. You first looked at it after the collision had taken place?
A. Yes, sir.

Q. Within what period of time?
A. 30 seconds.

Q. And it was then showing the ship's head at what point?
A. 190.

Q. Coming back to your earlier statement. When you read off the time of the collision, were you using the clock which is used by LOP Plotters or a different clock?
A. No, the same clock.

Q. Are there any other matters, relating to the time between your arrival on watch and the time of collision, upon which you have an observation and recollection?
A. Not really, sir. The air operations section of the Operations Room is in a corner away from where the rest of the organization is run.

Q. Now with respect to the message you heard, "You are on a collision course," can you tell us again, how did you hear it?

A. From the TACPRI Logger - the Fleet Staff's TO. He's about six feet away from me, and I heard it through his earphone.

Q. What was it you heard through his earphones. A transmission by him or by someone else?
A. A transmission from our ship - from the bridge.

Q. And that transmission from the bridge, did you hear it through the earphones of the Tactical Primary Operator in the Ops Room?
A. That's right.

Q. When you saw the gyro strip repeater showing 190, was it steady there or was it moving?
A. It was still moving slowly.

Q. In which direction?
A. To port or decreasing.

Q. Did you continue to watch it until it steadied or not.
A. No, sir. I was too busy organizing some helicopters.

Q. That was the job that you undertook immediately after the collision, wasn't it?
A. Yes, sir.

Q. Where was it you went to undertake those duties?
A. From the Ops Room, sir.

Q. Could you tell us what you did in that connection?

A. First of all, we instructed the helos on the screen to return to the ship, and to get as many SAR helos and air crews available as possible.

Q. And just to continue with that after collision work - we might come back later to the pre-collision phase. How long did you continue doing those duties?
A. Except for breaks for meals, all the way up until the time the search was finished with at 1815.

Q. Can you give us a general conspectus of what happened between the time you started this until 1815 when it was discontinued?

A. Yes, sir. At the time of the collision, we had two WESSEX airborne on the screen. These were immediately recalled and they remained airborne until another 2 helos were airborne. One of the helos landed immediately to drop aircrew, another shortly after that. Basically, from the time of the collision we had 2 airborne. At 0334 we had 3 airborne but at 0359 one of these was recovered. Basically, from four o'clock onwards there were 6 helos in the search area, 3 from MELBOURNE and 3 from KEARSARGE. They were operating in 60 degree sectors within half a mile of the datum position. From 0400 until 0530, 4 of them were searching in 90 degree sectors within half mile of the datum and 2 in 180 degree sector outside. At 0530 we got some additional aircraft from KEARSARGE. That gave us 8 in the area. Six of these were placed in 60 degree sectors, searching an area one half mile to five miles from the datum and 2 searching within a half a mile of the datum. At the same time, we had one P3, which had been on task, searching outside of five miles. He remained on task until 0854. Those were the helos. At 0640 onwards we were reduced to four helos, we were searching in 90 degree sectors to a depth of five miles. This continued until 1055, when the search area was expanded to 10 miles from the datum. Basically, from 0640 until 1815, there were always 4 helos on task. There was a stage during the earlier period when other helos were being used for transferring survivors and doctors around the fleet.

Q. Coming back to the pre-collision position, Lieutenant. I think you have already said that the plotters, that's the LOP Officer and his radar plotter, were both using the same clock from which you read off the time the collision occurred. Is that right?

A. That's right, sir.

Q. What clock is used by the Tactical Operator in the Ops Room?
A. The same clock, sir. There is only one clock in the Ops Room.

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Q. You have also said earlier that you worked out that the signal, "You are on a collision course," was at 0311, working back from the time of collision. Do you recall that?

A. Yes, sir.

Q. Now by what process of reasoning do you work back in that way?

A. Well, it was just the only time that I had noted - the time of the collision. I hadn't taken any notice of the time I heard the signal, but it appeared to be a time difference of about 2 minutes.

Q. It appeared that there was about 2 minutes between them?

A. Yes, sir.

Q. That is an estimate on your part?

A. That is my estimate, sir.

Q. Are you able to tell us whether the records, if there are any, or the recollections of the helo dispositions, from 0300 to the time of collision, would be accurate enough for a reconstruction of the location or movement of the helos during that period?

A. I couldn't answer that question, sir. I didn't see the observers documents when they returned, but they should be able to give a reasonable estimate of where they were in their screening, sir.

Q. This is from their recollection?

A. They keep a log during their flights.

Q. And where would those logs be now?

A. The Commanding Officer of 817 Squadron is here now, sir. Whether he's got them with him, I couldn't say. If not, though, they should be on board the ship.

Q. What's his name?

A. Lieutenant Commander Rogers.

Q. Did you at any time hear the LTO or TO in the Ops Room report signals from EVANS that her rudder was hard right and from MELBOURNE her rudder was hard left?

A. No, sir.

Q. And how many times did you hear the signal, "You are on a collision course," transmitted by anyone?

A. Only once, sir.

Q. If a transmission was made on the CIP Primary Circuit, would you hear it?

A. No, sir.

Q. Did you remain in the same position in the Ops Room throughout your period there or did you move around?

A. No, I remained in the chair at all times, sir. In the Air Ops chair which is in a corner of the Ops Room.

Counsel for the board (CDR Glass): Counsel has no further questions.

Senior Member: Board has no further questions.

Counsel for the board (CDR Glass): Lieutenant Coulson is there any particular statement you wish to make in addition to what you have already said in relation to the subject matter of this inquiry.

Witness: No, sir.

The witness was duly warned concerning his testimony, and withdrew from the boardroom.

Counsel for the board (CDR Glass): It's been called to my attention that I have not offered into evidence Exhibit 60, may I do that now?

Senior Member: Yes, of course. It is duly accepted.

Counsel for the board (CDR Glass): May we have permission, in that case, to substitute photographs of the original exhibit for the record?

Senior Member: Permission granted.

Able Seaman Radar Plotter Christopher M. Mitchell, was called as a witness by counsel for the board, was duly sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Able Seaman Mitchell, you have been called as a witness before this board which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E EVANS because it's understood that you have evidence which may assist the board in it's investigation. Under Australian law you are warned 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 are to answer the question or not. Do you understand that?

A. Yes, sir.

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Q. State your full name and rank?

A. Able Seaman Radar Plotter Christopher M. Mitchell.

Q. You were a member of the ship's company of HMAS MELBOURNE at the time of the collision, and were you standing watch at the time the collision took place?

A. Yes, sir. I was in the Ops Room.

Q. Carrying out what duties?

A. General Operations Plot Officer.

Q. And when had you come on watch?

A. 0100.

Q. And can you identify this (holding document) as the general operations plot which you kept during that watch?

A. Yes, sir.

Q. Now when did that plot commence?

A. It was changed just before I came on watch, sir.

Q. According to what it shows, it was begun at what time?

A. At 1700 ZULU.

Q. That's midnight GOLF time, is it not?

A. Yes, sir.

Q. And it continued to be kept until what time?

A. Until 0315 GOLF - day three.

Q. And is that time 0315 GOLF written by you?

A. Yes, sir.

Q. And what was that time intended to denote?

A. That was the time of the actual collision, sir.

Q. Does this plot show anything other than the track of the HMAS MELBOURNE?

A. Just small contacts we had in by signal.

Q. Small contacts you had in the signal?

A. Yes.

Q. Does it show the tracks of any other ships in company?

A. Yes, our course here astern of the EVANS and an approximate position where the destroyer was.

Q. When you indicate the EVANS coming along here, what are you referring to?

A. On this spot here, sir (referring to the plot) we only keep our own track.

Q. You only keep your own track. Well, that is what I wanted to ask you. You plot only the track of MELBOURNE, is that right?

A. Yes, sir.

Counsel for the board (CDR Glass): Counsel would like this entered as Exhibit 61.

Q. On what scale is this plot kept?

A. That plot was kept at 5 miles to the inch, sir.

Senior Member: This may be admitted counsel. I suggest the witness might wish to review his answer with respect to the scale.

Q. After again looking at this plot, do you wish to correct your estimate of the scale of it?

A. Yes, sir. It's a ten mile scale.

Counsel for the board (CDR Glass): May we also be permitted to substitute photographs in the record of this exhibit?

Senior Member: You certainly may.

Q. Now, Able Seaman Mitchell, can you tell us what you heard in the Ops Room being said and reported by persons during the period of 15 minutes or so before the collision?

A. Approximately 10 minutes past three, the Tactical Operator in the Ops Room said that the DDS EVANS was going to take station 1000 yards astern of us. A couple minutes later they came and told the Ops Room Officer and the Duty Staff Officer in the Ops Room that EVANS was on a collision course. This was repeated again....

Q. By whom?

A. Repeated again by the Tactical Operator.

Q. You mean he repeated it to people in the Ops Room or he repeated it over the air?

A. He repeated it to people in the Ops Room. And then, shortly thereafter, there was a blast from the siren.

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Q. Did you then or at any later stage look at the ship's gyro strip repeater in the Ops Room?

A. I had a look at it, sir, and all I saw was that the strip was turning to port.

Q. What was the ship's heading when you saw it?

A. We were just turning, sir. It was clicking over, so I couldn't say.

Q. Did you, at any stage, read off a ship's heading?

A. No, sir.

Q. What was the next thing you recall happening?

A. There was a large jolt.

Q. And did you note the time at which that occurred?

A. At 15 minutes past three, sir.

Q. And where did you read off that time?

A. That time was taken off the clock which is in the Ops Room.

Q. The one and only clock in the Operations Room?

A. Yes, sir.

Q. When you read it off, where were you standing in relation to it?

A. I was about 10 feet away. The chief in the Ops Room told me the time. I asked the chief in the Ops room, and he told me the time and I looked myself to make sure.

Q. Could you go over that again. The chief told you the time, who do you mean by the chief?

A. There's a chief on watch in the Ops Room as well, sir.

Q. What did he say to you?

A. He said, "Mark the plot, the time of the collision...."

Q. Yes.

A. Then he told me the time and I checked it from the clock. It said fifteen past three.

Q. When you checked it, you said you were 10 feet away from it. Were you directly in front of it or to the left or right?

A. I was to the left of the clock, sir.

Q. How much to the left?

A. About five feet, to the left and about 10 feet away from it.

Q. Did you see the gyro strip repeater at the time of the impact?

A. No, sir.

Q. Did you make any transmissions on the CIP Secondary Circuit?

A. Yes, sir.

Q. What did you send?

A. I was told by the Ops Room Officer and the ~~Chief~~ of Staff Officer to pass a message to HMAS VAMPIRE and USS KEARSARGE regarding what had happened.

Q. Did you do that?

A. Yes, sir.

Q. Now in relation to the General Operations Plot which you kept. Who gives you the information as to latitude and longitude which you use for it?

A. We usually have a chart, sir. We usually draw a chart on a piece of paper....

Q. Where do you get the position in order to start the chart from?

A. We have the navigator give us a position to start from.

Q. And you weren't there when this particular one was started, were you?

A. No, sir.

Q. Is that the normal practice - to get latitude and longitude information from the navigator or someone under him before the plot is begun?

A. Yes, sir.

Q. And is it checked at any stage during the continuance of the plot?

A. Yes, sir. When the navigator takes his fixes.

Q. What does he do?

A. He comes down to the Ops Room and he helps us resign the table to match that time fix.

Q. You told us that you heard in the Ops Room a signal mention that EVANS was on a collision course. Did you hear any other signals mentioned or transmitted?

A. No, sir.

Counsel for the board (CDR Glass): The counsel has no further questions.

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

Counsel for the board: You have the right to make a further statement concerning any matter related to the subject matter of this inquiry which you think should be placed on record, but has not yet been brought out by questioning. Is there anything you wish to add?

A. No, sir.

The witness is duly warned regarding his testimony and withdrew from the boardroom.

Senior Member: Thank you Able Seaman Mitchell, I particularly admire the loud clear voice which you gave your testimony in.

Witness: Thank you, sir.

Senior Member: The board will recess until 1340.

The Board recessed at 1210 hours, 23 June 1969.

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The board reconvened at 1345 hours, 23 June 1969

Senior Member: The hearing is open.

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

Counsel for the board: This is an open hearing. Anyone who expects to be called as a witness should withdraw.

Leading Seaman Quartermaster Gunner Ronald Arthur Sheather, Royal Australian Navy, was called as a witness by counsel for the board, was duly sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. 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. 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, I understand.

Q. Would you state your full name?

A. My name is Ronald Arthur Sheather. I am a Leading Seaman Quartermaster Gunner in the RAN.

Q. And what is your present duty?

A. My duty aboard HMAS MELBOURNE is as Quartermaster.

Q. I see. And was that your duty also on the 2nd and 3rd of June 1969?

A. That was my duty at the time of collision.

Q. And how long have you been in the Navy?

A. Almost nine years.

Q. And have you performed duties as Quartermaster for that period?

A. Off and on I have. I have done approximately 150 to 200 hours on the wheel.

Q. And when did you report to HMAS MELBOURNE?

A. This is my second time on HMAS MELBOURNE. I stayed for almost three years on her about 5 years ago, and I joined her this time in October last year.

Q. During your previous time on board, did you also serve as a Quartermaster helmsman.

A. No, I did not. Not on the previous time aboard the MELBOURNE.

Q. And have you served as such since October of 68 - as helmsman?

A. Yes, I have, sir.

Q. Were you assigned to a watch on the early morning of the 3rd of June?

A. I was assigned to the morning watch and should have taken over my watch at 0350. But due to the fact that I couldn't sleep, I went up and relieved my opposite number early. I relieved him at approximately 0305.

Q. Do you recall the course that the ship was on at that time?

A. When I took over the watch, the course was 190.

Q. And do you recall the speed?

A. The revolutions showing on the revolution counter was 154, and both engine telegraphs were showing half ahead.

Q. Do you know what that would equal in knots?

A. It's almost 9 revolutions to a knot, so it would be in the vicinity of 18 knots.

Q. After you relieved the watch at 0305, do you recall any changes in either course or speed?

A. There was a change in course at approximately 0310. We altered course to starboard and came around to course 260.

Q. And do you recall how much rudder you used in that change?

A. We used 20 degrees of starboard wheel to come around, and once we were approaching that heading we put 10 degrees of opposite wheel on to check the movement of the ship.

Q. Do you recall, approximately, what time you steadied up on that course?

A. At approximately at 0312 the report was given to the bridge that we were on course 260.

Q. And who was on the wheel at that time?

A. Ordinary Seaman Nesbitt was on the wheel at the time. He was under instruction on the wheel; I was actually supervising him.

Q. The times you have given, did you observe the clocks at those times or are they estimates?

A. Any times in my testimony are based on the fact that after collision and everything had stopped, I looked at the clock in the wheelhouse and the time was 0317. I can't be actually positive of the times, but to the best of my knowledge they are approximate.

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Q. After steadyng up on 260, what is the next event that you recollect?

A. The next event in the wheelhouse was the order "Port 35", coming down from the bridge. When this order was given, I was standing in front of the steering pedestal. I heard the order and sensed somthing was wrong and moved from in front of the steering pedestal to a position just left of the helmsman. The helmsman had approximately 30 degrees of wheel already applied - of port wheel - and the order came from the bridge for the Quartermaster to go on the wheel. I immediately took over the wheel and applied the last 5 degrees of port wheel to put it around to Port 35 and reported to the bridge that the Quartermaster was on the wheel and 35 degrees of port wheel had been applied.

Q. How long a time had elapsed between the time you reported steady on 260 until you heard the order "Port 35"?

A. I can't be absolutely sure of that, but I feel possibly a minute or a minute and a half. It might have been 2 minutes, but it is purely supposition on my part because I can't be quite sure.

Q. You indicated orders were coming from the bridge. Where is the wheelhouse in relation to the bridge?

A. It is in the next section forward and three decks down.

Q. And how are your communications with the bridge carried on?

A. At this point and early on.... From the begining of the exercise until after the collision we were using voice pipe communications.

Q. And over those voice pipe communications, did you hear any wheel order prior to the "Port 35" order?

A. This was after we steadied?

Q. Steadied on 260?

A. No, sir. I did not.

Q. That was the one and only wheel order you heard at that time?

A. The only order that reached the wheelhouse.

Q. After you had reported "Quartermaster on the wheel" and "35 degrees left rudder", what was the next event that you recall?

A. I recall hearing two blasts on our siren and also the pipe. "all hands to collision stations". I am not sure in my own mind which of these two things I heard first. It could have been the collision stations - hands to collision stations before two blasts of the siren.

Q. And how long was it between the time of the order, "Port 35, and the two blasts?

A. I can't be sure of that either, sir. I am not quite sure in my own mind and I wouldn't even like to guess at it. I had an Ordinary Seaman on one Telegraph and - plus being on the wheel - I was supervising action in the wheelhouse and the sound of the siren came out clear, but I was more or less engrossed in what was going on in the wheelhouse and making sure everything was being done properly rather then paying attention to things outside the wheelhouse.

Q. If you can't answer this question, say so. But did it occur prior to the time you took the wheel or after the time you took the wheel?

A. It was after the time I took the wheel, sir.

Q. Following the two blasts and the hands to collision stations piped, what was the next occurrence?

A. The next occurrence was the order from the bridge "Stop both engines"

Q. And was that order executed?

A. The order was acknowledged by wheelhouse crew and passed down to the engine room, who in turn acknowledged it. I reported to the bridge that both engines were stopped on the repeater.

Q. How was it passed to the engine room?

A. By the Engine Room Telegraph.

Q. And who was operating that?

A. Ordinary Seaman Nesbitt was operating the port telegraph and Able Seaman Hunt was operating the starboard telegraph.

Q. Were there any subsequent orders received from the bridge?

A. After we stopped both engines, sir, and to the point I reported that both engines had been stopped, the actual collision occurred and in almost the same instant I got the order from the bridge "Full astern both engines".

Q. And did you note the heading of the ship at that time?

A. No, sir. I didn't.

Q. Did you note it at any time that you can relate?

A. No, sir.

Q. Had you noted it anytime between the time you put the rudder at 35 degrees port and the time of collision?

A. No, sir. Not specifically. No.

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Q. And how long a time were the engines left at full astern?
A. In my estimation it was about a minute, sir. It might have been more.

Q. And what was the order following that?
A. Stop both engines.

Q. Were any further pipes given?
A. There was a pipe just after the collision and just after the order was received in the engine room to put both engines full astern. I heard the pipe, "Hands to emergency stations". I also heard a pipe immediately following, "Hands to emergency stations" - "Away all boats, launch all liferafts and lifeboats".

Q. Now, you indicated that at sometime during this period, communication with the bridge was shifted from the voice pipe. Is that correct?

A. During the period that the engines were astern, sir, full astern.

Q. And what was the reason that you has used the voice pipe prior to that time?
A. I don't know, sir. We had been using the voice pipe for the full exercise. Possibly for exercise purposes, but I can't say myself.

Q. Is that normal or do you normally use some other means of communications?
A. During normal steaming, sir, we use the conning intercom.

Q. And did you shift to that at any stage of the proceedings?
A. When I got the order from the bridge to transfer, that we would now be using the conning intercom, all orders thereafter were relayed by this means.

Q. And at what point did you receive that order?
A. While the engines were both full astern.

Q. And is that an electrical means of passing the signals to you from the bridge?
A. Yes, sir.

Q. Is it a squawk-box type of arrangement or are there phones on that circuit?
A. It's a squawk-box type of arrangement, sir.

Q. Can you recall - or could you recognize the voice who gave the order "Port 35".
A. No, sir. I couldn't.

Q. Could you recognize the voice who gave the order "Quartermaster on the wheel"?
A. No, sir.

Q. Could you recognize the voice of anyone - of who gave any of the orders?
A. No, not specifically, sir. I couldn't.

Q. Did you know who was on watch on the bridge during this period?
A. I knew LT Lamb had been the Officer of the Watch for the middle watch. I didn't know the Captain was on the bridge, but I knew LT Lamb was.

Q. Did you recognize LT Lamb's voice at anytime?
A. No, sir.

Q. Although you did not note the ship's head at either the time of impact or thereafter, did you note whether the ship had responded to the wheel, order "Port 35"?
A. Yes, sir. The ship had responded. I couldn't estimate how much, but we had started our swing and we were coming around. However, I couldn't say to what, approximately, our heading was at the time of collision.

Q. Is it possible for you to see from the wheelhouse the events occurring ahead of the ship?
A. No, sir. It's not. I did hear the forward and after section of EVANS scraping down the ship's side from the voice pipes coming from the emergency conning positions, but other than that we had no indication of what was going on.

Q. Do you know whether the station that is known in the American Navy as after steering or I guess it's....

Senior Member: Tiller flat.

Q. Tiller flat in the Australian Navy, was manned during this period?

A. Not during the period of the collision, sir. It would have been manned at emergency stations. The Quartermaster who is longest off watch would have manned the after steering position.

Q. And upon sounding, "Hands to emergency stations", what did you do?

A. I stayed on the wheel. We still had 35 degrees port wheel on right through the whole proceedings, sir. I stayed on the wheel until 18 or 19 minutes past 3. Petty Officer Phillips, who is the Chief Quartermaster on board came and relieved me on the wheel and ordered me to go down to the port seaboot position, muster the watch on deck and help do anything I could down there. Petty Officer Phillips, in fact, had been Petty Officer of the Watch on Deck at the time of the collision and he had to leave one station to go to the other.

Q. Is his emergency station on the wheel?

A. It was on the wheel. Yes, sir.

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Q. Are you normally in the wheelhouse for underway replenishment?

A. We work a system, sir, where the Chief Quartermaster takes the wheel. We call this Special Sea Dutyman, and the Chief Quartermaster takes the wheel. And there are four quartermasters who are in four watches. And the quartermaster longest off watch takes over the after steering position. The quartermaster actually on watch and the quartermaster second longest off watch take over duties as telegraphmen with the Chief Quartermaster in the wheelhouse, to make an experienced crew in the wheelhouse.

Q. Were you in the wheelhouse when the underway replenishment took place on the 2nd of June - the afternoon prior to the collision?

A. I'm not sure, sir. What time was that replenishment, sir?

Q. In the middle of the afternoon. I'm sorry....

A. I think I might have been in the after steering position, sir, at the time.

Q. I believe it started about 0700 on the 2nd and went on for some hours.

A. I think I would have been in the after steering position, sir.

Q. Can you recall the approximate time that elapsed between the application of the port wheel and the time of the collision?

A. I would only be approximate, sir, but it would be somewhere between a minute and a minute and a half, possibly.

Q. And you have testified to certain events by time. Which is the time you fixed by looking at the clock? Did you look at the clock at any time during this period?

A. At 0317 I looked at the clock, sir.

Q. And what had occurred at that time?

A. The engines had just been stopped for the second time - just coming back from them being full astern. We had just stopped the engines and it had been reported to the bridge that both engines were stopped, and then I had time to look around because the clock is behind me. I had to look around and see what time it was.

Q. And I understand that you recall that was approximately a minute after the collision. Is that correct?

A. I would say that's right, sir.

Q. How long does it take the rudder to go from amidships to "Port 30"?

A. The wheel is rather a stiff wheel, sir, but with practice we learned to throw our whole weight behind it to move it around possibly between 5 and 7 seconds, possibly, sir.

Q. How long to go from "Port 30" to "Port 35"?

A. It would only be another half turn of the wheel, sir. It would be a split second.

Q. Now you have spoken of getting the wheel over, does the rudder follow along at the same time or does it catch up with the wheel indicator?

A. Well, it would take a certain amount of time. How much time, I'm not qualified to say. But it's run on a hydraulic system and it would take a certain amount of time for the hydraulics to get down to the tiller flat and operate the rudder. But how long, I really couldn't say, sir.

Q. And so your testimony is that it takes from 5 to 7 seconds to put the actual wheel you have in your hand to that indicated position, is that correct?

A. Yes, sir.

Q. And the rudder itself would follow along after that, is that correct?

A. Yes, sir, but it would be almost instantaneous, I should imagine.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Is there an indicator which shows the actual position of the rudder as opposed to the position of the wheel or rudder order?

A. We have a wheel indicator on the steering pedestal itself, sir, and we have a rudder indicator on the forward bulkhead in the wheelhouse.

Q. As soon as you put the wheel over, then, is there a difference usually between the rudder indicator and the wheel indicator?

A. No, not really sir, it's virtually no difference in it at all.

Q. Is there maintained in the wheelhouse any record of wheel and engine orders?

A. No, sir.

Counsel for the board: Counsel has no further questions.

Senior Member: The board has no further questions.

Counsel for the board: Quartermaster Sheather, you are advised that you are privileged to make any further statement covering anything relating 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 the questions we have asked you. Do you have any further remarks?

A. No, I don't think so, sir. My testimony covers everything that happened in the wheelhouse.

Senior Member: Counsel, I have one further question.

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Counsel for the board: I'm sorry, there is one more question

EXAMINATION BY THE BOARD (Cont'd)

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Questions by the senior member:

Q. How much farther than "Port 35", can the rudder be moved?
A. No further, sir. "Port 35" is the extreme order and you can't get any more out of the wheel. Port and starboard are the extremes, sir, of the wheel orders, sir.

Senior Member: No further questions.

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

Chief Airman Aircraft Handler Stanley Robert Heares, Royal Australian Navy, was called as a witness by counsel for the board, was duly sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board

Q. Chief Heares, would you state your full name, please?
A. Stanley Robert Heares.

Q. And your rank?

Captain Davidaon: The warning.

THS
Counsel for the board: Thank you. Chief Heares, you have been called because it is understanding of the board that you can assist it in the matter under investigation, which is the collision of HMAS MELBOURNE and USS FRANK E. EVANS. Under Australian law you are advised 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 those matters?

A. Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. You have stated your name, would you give your grade and to what ship you are attached?
A. Chief Airman Aircraft Handler, HMAS MELBOURNE.

Q. And were you so attached on 3 June 1969?
A. Yes, sir.

Q. And on that night, what were your duties?
A. I was the Flight Deck Chief on the flight deck of the MELBOURNE, sir.

Q. And where were you stationed at that time?
A. Just before the collision, sir, I was right forward and when I saw the collision about to occur, I went down amidships.

Q. Well, what was the first event that called your attention to the fact that a collision might occur?

A. When I heard the hooter go, sir, our hooter sound twice.

Q. You heard what?
A. I said I heard our hooter sound twice.

Q. By the hooter, you mean what?
A. The sound of the hooter, sir, the

Q. Is that the whistle?
A. Whistle, yes, sir.

Q. Whistle. And it sounded what types of blasts, could you tell?
A. Two long blasts, sir.

Q. Two? And what did you do when you heard those two blasts?
A. I started looking at the ship that was forward of us, sir.

Q. Had you seen it prior to that time?
A. Yes, sir, I had.

Q. And when was the first time you had noted it?
A. We launched two helos at approximately 0310, and was just about to start the fixed wing launch, so I walked forward to check on the forward end of the catapult. I noticed the ship ahead slightly on our starboard side and didn't take much notice. It really wasn't until I heard the hooter sound twice that I looked at her.

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Q. When you first noticed the ship ahead, did you see any lights on it?
A. I couldn't honestly say, sir. I didn't take much notice.

Q. Did you give it sufficient notice to determine an approximate range?
A. I thought it was quite close, sir, when I saw her.

Q. By quite close, you mean how far?
A. I'm not very good on distance, sir, but it was what I thought - well, reasonably close to us at the time.

Q. Was it closer than a screen vessel normally is?
A. Yes, sir.

Q. And could you give an approximate relative bearing at the time you first saw it?
A. Slightly on our starboard bow, ahead of us.

Q. And at that time could you describe the lighting on the deck of HMAS MELBOURNE?
A. No, I couldn't, sir.

Q. Do you recall any lights that were on in the way of moon lights, deck edge lights or any other types?
A. I read in the paper about this, sir, and I've honestly gone through my mind and I couldn't say one way or the other if there were any lights on at all.

Q. Did you notice any navigation lights on MELBOURNE?
A. No, I didn't, sir.

Q. And between the time you first sighted the ship ahead and you heard the hooter, what did you do?
A. I was checking the forward end of the catapult, sir, for ^{checks} checks and loose gear that may foul up the launch.

Q. And when you heard the hooter, was that your position at the forward catapult?
A. Yes, sir.

Q. At that time did you observe the ship ahead?
A. I looked straight up, yes, sir.

Q. And what was its bearing at that time?
A. Well, I felt our ship start to move off to port and we seemed to be swinging well away from her.

Q. Could you tell which way the ship ahead was heading?
A. Well, it seemed as though it was heading pretty well straight for us, on the starboard side.

Q. And could you tell which way it was heading the first time you had seen it?
A. No, sir, I couldn't. It was only a passing glance when I saw it. I just sort of looked at it and dismissed it from my mind.

Q. Now when you looked at the ship ahead, after hearing the hooter, did you see any lights on it at the time?
A. I can't recall, sir, no.

Q. Did it appear to be on a steady course or was it turning?
A. It seemed to be on a steady course, sir, and we were moving away from it.

Q. By moving away, you mean you were moving to the left?
A. We were moving to the left, yes.

Q. And what portion of the ship could you see? Did you see dead ahead, starboard bow, port bow?
A. Starboard bow, slightly on the starboard bow, sir.

Q. Could you estimate the relative bearing of MELBOURNE from the ship that you saw at that point?
A. No, sir. We were turning pretty hard at that period of the game, and I just sort of thought we were going to clear it, so I thought everything was all right.

Q. After observing the ship at that time, what was your next action?
A. Well, suddenly the ship appeared to veer in towards us, so I went running down the deck calling for my men to fall in abreast of the island.

Q. And did you observe EVANS after that time. I assume this was the EVANS that you are talking about.
A. Yes, sir.

Q. And what did you see?
A. Well, when I had the hands fall in abreast of the island, I heard us go to collision stations and emergency stations, and I just waited for the impact.

Q. Retracing your steps to the point when you first saw FRANK E. EVANS, at that time, what part of her could you see?

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A. Just a shape, sir, that's all. I didn't pick out any particular part of the ship at all. I just happen to see a ship ahead of us. By looking up the deck I couldn't help but see it.

Q. Can you give the approximate relative bearing of FRANK E. EVANS from MELBOURNE at the time you thought EVANS was turning in?

A. Well, it appeared to me, sir, as though if EVANS had remained straight, it would have gone down our starboard side. It seemed to me it suddenly turned very hard and came straight across in front of us, as though it was just about a couple of hundred feet from our bow before she turned. It seemed to me to be a very rapid turn.

Q. Could you see any - let me rephrase that question. How did you judge that she was turning rapidly? Just by the changes in her head or were there other indications?

A. It appeared to me, sir, as though she was suddenly going straight and the next thing she was coming straight across in front of us.

Q. Did you take any other actions prior to the collision?

A. I can't say that I did, sir, no.

Q. And at the time of the collision, what was the force of the impact?

A. It didn't seem to be all that great, sir. I was on the MELBOURNE in the same position when we hit the other ship and it was nowhere near as bad. I don't think we hit her anywhere near as hard.

Q. Did you lose your footing or anything of that nature?

A. Oh, no, sir. I was standing braced for an impact.

Q. By other ships, you are referring to what event?

A. When we had a collision with the VOYAGER five years previous.

Q. What did you observe immediately after the collision?

A. Well, the first thing I saw, sir, was the forward section of EVANS starting to drift down the port side. We were running out fire hoses at this stage to pour on to the after section of EVANS which was scraping on the starboard forward side where we had AVGAS stowage and we wanted to put a foam up there just in case she ruptured one of the pipes.

Q. How long did you have the bow section of the EVANS under observation?

A. Only just briefly, sir. While we were running hoses out I happened to glance over the side and with just a quick glance. I was busy on the other side.

Q. And what was the position of the bow section when you saw it?

A. It seemed to me to be on its port side, half on its side and I couldn't make out any of the - the forward stack or anything. It seemed as though it was practically level with the water at that stage.

Q. Did you observe any people on the bow section?

A. Yes, sir. I was there was quite a few people coming out of it. I could hear people singing out and could see people sort of coming out of it.

Q. And did you see it when it sank?

A. No, sir. I was busy ranging helicopters at that time.

Q. And following the action of manning the fire hoses, and so forth, what was it you did then?

A. We started bringing up the helos from the hangar, sir.

Q. And how many did you bring up?

A. Five, I believe, sir.

Q. And what other actions did you take following the collision?

A. After the helos were ranged, we went down aft, sir, and rigged up some nets and some lights and went down to the EVANS from the after funnel section.

Q. And who did you accompany when you went on board EVANS?

A. The first person who I happened to notice next to me was Naval Airman Winston who - so I told him to stay on top so he could help people off the nets and on to the flight deck.

Q. And what did you do after you got on board the stern section of EVANS?

A. I went down below to the quarterdeck, sir, and asked a few of the ratings there who was the senior officer. They pointed out an officer there who was giving first aid to a couple of men there, and I told him that we had nets rigged up top and if he could start his men up the ladder we would get as many off as we could.

Q. And what other actions did you take?

A. I just went down below then, sir, and started a systematic search of below decks on the ship.

Q. And what other MELBOURNE personnel assisted you in this systematic search?

A. By that time, sir, the Flight Deck Officer and the Commander and two or three others joined in and we sort of started forward and worked our way aft, making sure there was nobody down below.

Q. Were you joined by any EVANS personnel in this search?

A. There quite a few EVANS personnel, sir, who were looking around, but we tried to sort of get those people discouraged from looking down below and sort of tried to get them on the ladder to start getting them up top.

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Q. And how long did you remain on board FRANK E. EVANS?
A. I couldn't say, sir, but I suppose about 15 minutes.

Q. And to your knowledge, were all the spaces empty after the completion of the search?
A. As far as I could gather, yes, sir. We had a torch and it was an unfamiliar ship and I'm pretty certain, sir, that there was nobody left there.

Q. And who was in charge of this search?
A. The Flight Deck Officer, sir, LCDR Patterson.

Q. Did you observe any actions with respect to the liferafts on board USS FRANK E. EVANS?
A. Yes, sir. While I was trying to encourage some of the people to go up the ladder, there was one USN sailor there trying to inflate liferafts. I told him we already had a net coming down, but I don't know whether he was shocked or couldn't understand what I was saying, and I didn't want to discourage what he was doing, because I thought he might have been injured. So he tried to inflate three rafts and the rafts wouldn't inflate. They inflated until they came out of the valises and they just wouldn't go any further. It was as though the second bottle didn't work on them at all. So after three he just gave up and I helped him up the ladder.

Q. Do you know the man's name? Did you get the man's name?
A. No, sir.

Q. Chief Heares, you mentioned there was a launch of two helos at 0310.
A. Yes, sir.

Q. Do you know whether that was a scheduled launch, that it was in the flying program or not?
A. We were told to stand by for that, yes, sir.

Q. When had you been told?
A. Well, I was on deck since midnight, sir, I knew that it was going to occur, or I thought it was going to occur at 3 o'clock.

Q. Had you actually seen the published flying program?
A. No, sir, I hadn't.

Q. You indicated that you thought the bow section of EVANS was floating on the port side. Could you refresh your recollection on that and confirm whether that is your recollection or not?
A. It appeared to me, sir, that it was on the port side. I only had a fleeting glimpse but it appeared to me as though she rolled over in towards us, not the other way.

Q. The liferafts you referred to, you testified were being inflated by an EVANS man. Where were those located at that time?
A. On the starboard side, sir, forward of the quarterdeck.

Q. And how many of them were there?
A. Three that he tried to inflate, sir, and three of them didn't go past the valise opening.

Q. Do you know whether he gave the lanyard a good hard jerk or not?
A. I'm pretty well sure he did, sir, he started one bottle off and I didn't check to see if there was another bottle connected. I don't know what types of rafts they had, but on our liferafts if you pull the one lanyard it operates two bottles, one for the first stage and one for the second stage. And he pulled the lanyard but only one stage appeared to operate.

Q. But as I understand it, these liferafts were not in the water at the time this was happening? They were on deck?

A. On the deck, yes, sir. But he threw one over the side thinking it was going to inflate, but it just lay there and he couldn't have had anybody get into it.

Q. Have you yourself ever tried to inflate USN liferafts?
A. No, sir.

Q. Do you know what was done about the armament in the DASH hangar?

A. When I was coming down, sir, there was quite a bit of movement on the EVANS and there was a bit of rumbling around in the hangar there, so I went back up there to have a look and see if anybody was the fact trapped in there and some of the torpedoes there appeared to be a bit loose, so I was going to lash them down again, sir, so they couldn't move too far apart.

Q. Did you do that?

A. I was starting to do that, sir, to lash things up and the Flight Deck Officer told me to get back up the ladder and make sure nobody else came on board.

Q. And when you left the EVANS, was anybody left aboard?

A. Nobody from the quarterdeck up the ladder way to the stack on to the flight deck. I don't know about the quarterdeck, sir, the Commander was taking care of that.

Q. By quarterdeck, you mean what part of the EVANS?

A. The stern section, sir, the - I think you people call it the fantail.

Q. The fantail, okay. I believe you testified that you do not recall the flight deck lighting prior to collision, is that correct?

A. Yes, sir. By what I've read, sir, flight deck lighting was on, but I honestly can't recall.

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Q. Would you repeat the last part again?

A. I said from what I've read in the paper, they said the flight deck lighting was on, but honestly I've been through my mind, sir, and I just can't recall whether it was on or not.

Q. Do you think that in the few minutes leading up to the impact, you would have noticed the moon lighting was on, if it were on?

A. It would normally come on about that time, sir, because we were just about to start the fixed wing. And we normally bring it on about that time, but when the hooter went, sir, I was busy trying to fall my men in and I didn't take much notice of the illumination.

Q. Could you describe the lights that are normally used for launching helicopters and the sequence which they are turned on?

A. It has been, sir, since we have started this commission that we do use this moon lighting which is turned on from FLYCO, and under normal circumstances when we are not into these exercises it would be on all the time during night flying. But since we have been in exercises we had the lighting switched off the majority of the time. It just comes on prior to start up.

Q. And would that be prior to helicopter launch and land also as well as fixed wing?

A. Well normally it is, sir, but I don't think we used it that night for helos.

Q. And how about other lighting other than the moon lighting?

A. Only the deck edge lighting, sir, and the landing lights which you have to be coming from the stern to see. Those are up above them.

Q. I'm sorry.

A. The deck edge lighting and the landing lights which you have to be coming in from astern to see.

Q. And when would they be turned off after launch?

A. You mean the -----

Q. Both the moon lighting and the deck edge.

A. Well, deck edge lights burn all the time, but the moon lighting is switched off straight after the launch.

Q. And when would they normally be turned on prior to a fixed wing launch, the moon lighting?

A. Just before start up, sir. The aircrews man the aircraft and just before they stand by to start up, on comes the moon lighting.

Q. And how long would it normally remain on after launch?

A. During an exercise, sir, it would go off practically straightaway.

Q. At the time the hooter went, was it apparent to you that a collision was imminent?

A. No, sir.

Q. Could you state the reason then that you started aft to muster your crew?

A. When the hooter went, sir, I looked at the ship that was forward of us, and I felt our ship start to peel off to the left and it appeared to me to be quite a gap between the - coming between the - our ship moving away and the ship coming towards us. So the first impression I got was that she was going down our starboard side. It wasn't until the final turn was made that I started running down towards the amidships section.

Q. So you did not start running back until after you saw EVANS begin to turn?

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Chief Heares, in your last response, did you say that MELBOURNE was heeling to the left?

A. Well, if you are standing on the forward section of the MELBOURNE, sir, you can actually feel her when she starts to turn, and she appeared to me as though she was turning fairly fast.

Q. Did the ship heel or roll slightly to either side?

A. She does have a tendency to, if you are turning, to sort of slant the deck slightly, sir.

Q. And which way was the deck slanting?

A. Towards the starboard, sir.

Q. That is to say, a marble on deck would have rolled to starboard?

A. We have trouble pushing aircraft, sir, when the ship is turning hard.

Q. It was down to the starboard side, is that correct?

A. Yes, sir.

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

Counsel for the board: Chief Heares, you are advised that you are privileged 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 questioning. Do you have anything to add?

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Chief Heares: I would like to say, sir, in my statement I said that I thought the people on the flight deck of the MELBOURNE did a very good job in the rescue. I would also like to state that I was one of the first down on the fantail of EVANS, and I thought everybody down there was doing a very good job. There was no confusion. Everybody was trying to employ himself in either getting a raft or thinking of lowering the sea boat, and I think, under the circumstances, they did a very good job.

Counsel for the board: Thank you for your remarks, Chief.

The witness was duly warned concerning his testimony and withdrew from the board room.

Senior Member: We will have a brief recess.

The board recessed at 1440 hours, 23 June 1969.

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The board reconvened at 1452 hours, 23 June 1968.

Senior Member: The hearing is now open.

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

Counsel for the board (CDR Glass): The board now being in open session, it is 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.

Ordinary Seaman Robert Allen Edgar, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Ordinary Seaman Edgar, 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. 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 if you must answer the question or not. Do you understand those matters?

A. Yes, sir.

Q. Would you state your full name and grade?

A. Robert Allen Edgar, Ordinary Seaman.

Q. And your duties at present are?

A. I'm in the Training Division, sir.

Q. Onboard?

A. Onboard HMAS MELBOURNE, sir.

Q. And were you assigned to duties onboard HMAS MELBOURNE on the night of the second and third of June?

A. Yes, sir. I was.

Q. And when did you join the navy?

A. The 1st of June, 1968.

Q. And how long have you spent at sea since then?

A. Approximately 8 months, sir.

Q. And during that eight months, what period of time have you spent on lookout duty?

A. I couldn't say exactly, sir, but I've had quite a few hours as lookout.

Q. Could you give us a rough approximation of how many hours you've spent as lookout?

A. 40, sir.

Q. During the middle watch, did you spend time as the port lookout?

A. Yes, sir. I did.

Q. When did you first take over those duties during that watch?

A. 0230, sir.

Q. And did you continue to carry out the work of the port lookout until the time of the collision?

A. Yes, sir.

Q. And as port lookout, in what part of the ship were you stationed?

A. On the gunnery direction platform, sir.

Q. And we've been told that that's immediately above the bridge and slightly forward of it, is that correct?

A. Yes, sir.

Q. Can you recall noticing anything in particular between 0230, when you took over your duties, and 0300?

A. No, sir. Nothing unusual.

Q. Around about 0300, do you recall noticing anything in the vicinity of MELBOURNE?

A. Sir, I noticed a ship that was darkened at red 20, which was heading on a collision course with us.

Q. And did you continue to keep your eyes on that ship?

A. No, sir. I didn't.

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Q. When did you see her next?
A. When did I see that particular ship, sir?

Q. Yes?
A. Approximately 5 minutes later, sir.

Q. Where was she then?
A. Approximately a half a mile away. Half a mile away, at red 10, heading on the same course.

Q. Red 10, how many yards away?
A. Approximately 2000 feet, sir.

Q. 2000 feet?
A. Yes, sir.

Q. Were you using binoculars at this stage?
A. Yes, sir. I was.

Q. Well, did you continue to observe the ship from then on?
A. Yes, sir. I didn't take my eyes off the ship from that time.

Q. Well, now will you tell us what course you saw her take?
A. It crossed our bows at approximately 2000 feet ahead of us.

Q. Which way was she moving across your view, from left to right or right to left?
A. It was moving port to starboard, sir, and the ship got to approximately green 10 and our siren sounded and we were turning port at the time.

Q. When the ship got to green 10, was MELBOURNE then steady or had she started to turn?
A. No, sir. She wasn't turning. She was still coming on course turning starboard - we were coming onto a course.

Q. I think you misunderstood me. When the destroyer, which you later identified as the EVANS, had got to this point that you described as green 10, do you remember saying that?
A. Yes, sir.

Q. At that point of time, was MELBOURNE steady on her course or was she altering course?
A. No, sir. She was steady at the time.

Q. Did she at any time thereafter alter course?
A. Yes, sir. She turned port.

Q. And did that have any effect on the bearing of the destroyer?
A. Our siren sounded, sir, and that's when I noticed that MELBOURNE was turning port. A few seconds after the siren sounded the EVANS turned starboard.

Q. When she turned starboard, what was her bearing from MELBOURNE?
A. Still green 10, sir. Do you mean how far, sir?

Q. Well, how far too?
A. It was extremely close. I would estimate about 1000 feet.

Q. And what sort of turn did she make?
A. Extremely sharp, sir.

Q. In which direction?
A. To her starboard, sir.

Q. And what path did she take from then on, in relation to MELBOURNE?
A. She was directly in front of us, sir. We were heading for her amidships. She was going... Could I put it on the board sir? (Witness draws sketch of the relative movements of the two ships)

Counsel for the board: Counsel offers that in evidence as exhibit 62.

Senior Member: Very well, it may be received.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Did you at any time see any lights showing in EVANS?
A. No, sir. I didn't see any.

Q. Did you see any navigational lights burning in MELBOURNE?
A. No, sir. I didn't.

Q. From your position as port lookout, are you in a position to see the navigation steaming lights?
A. No, sir. I'd have to... I could, but at the time I didn't think of it. I'd have to look over the wall in front of me.

Q. From where you were stationed, looking to port, were the steaming lights in your field of vision?

A. No, sir.

Q. What about the port and starboard running lights, were they within your field of vision?

A. No, sir. I couldn't see them at all.

Q. Were you able to see, from where you were stationed, whether there was any moonlighting illuminating from the flight deck?

A. No, sir. I was in a position, but I didn't notice any.

Q. Is it your normal practice to report ranges in feet or in some other unit?

A. You mean as lookout, sir?

Q. Yes.

A. I don't make the reports, sir. We've got a lookout supervisor. The two lookouts report to him and he makes a report to the bridge.

Q. And who was the lookout supervisory on the GDP that night?

A. Able Seaman Davies, sir.

Q. Did you make any report to him of what you were seeing?

A. No, sir.

Q. Do you know if he made any reports to the bridge?

A. No, sir.

Q. You mean you don't know or he didn't?

A. I don't know sir.

Q. I want to ask you about what aspect of EVANS, let's say port or starboard, you saw at the different times you mentioned. Firstly when you saw EVANS on a bearing of red 20, what aspect of EVANS were you looking at?

A. I don't know what you mean sir.

Q. Well were you looking at her bow or her stern?

A. Her bow, sir.

Q. Her port or her starboard bow?

A. She was coming straight for us, sir.

Q. You could see port and starboard bows equally you say?

A. It was dark, sir, and the ship was about approximately a mile away. I just noticed that it was heading for us.

Q. What was the position when you saw her at red 10, was it the same or different?

A. It was her starboard bow, sir, I saw.

Q. Perhaps you didn't understand me.... When you saw her at red 10, what part of EVANS were you seeing?

A. Her starboard bow sir.

Q. What part of her were you seeing when you saw her at green 10?

A. Her starboard bow sir.

Q. And when she made the sharp turn to starboard, what part of EVANS were you seeing?

A. I saw her completely turn around, sir, from seeing the starboard side of the ship, the whole of the port side came into view.

Q. And from then on what were you seeing of her?

A. Her whole port side, sir.

Q. At any of these times did you see any lights burning?

A. No, sir.

Q. From the time you saw her make a turn, was the outline clear to you or not?

A. Yes, sir.

Q. From what distance did you have a clear view?

A. You mean the visibility on that night sir?

Q. Yes.

A. It was good visibility, sir.

Q. You said earlier that when you first saw EVANS, she appeared to you to be on a collision course, do you remember that?

A. Yes, sir.

Q. On what do you base that belief?

A. I saw her heading for us, sir. I saw her bow and she was slowly moving toward us.

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Q. During the period from half past two until three o'clock, more particularly just about 0300, where were the destroyers located in relation to MELBOURNE?

A. The destroyers, sir.

Q. Yes.

A. At 0300, it was at red 20 sir.

Q. What about other destroyers?

A. They were strung out sir, between - I would have to approximate - red 135 and red 20, the EVANS was the ship furthest around on the port side.

Q. Did they remain pretty much on those bearings or did they change?

A. No, sir. They stayed on the same courses.

Q. When you as port lookout determine the bearing of a ship ahead of you, how do you do it?

A. The glasses are mounted on a stand, and as you turn the binoculars, in your swivel, see, there is an arrow that points to the degree on the base of the stand.

Q. And from that you can read off the number of degrees you've turned?

A. Yes, sir.

Q. And did you do that before you assessed that EVANS was 10 degrees on the red side?

A. No, sir.

Q. Well how did you assess that bearing on that occasion?

A. I used my own estimation, sir.

Q. I think I asked you this, but were you using glasses then?

A. Yes, sir.

Q. And by the time that EVANS got onto the starboard side as you say, were you still using glasses or not?

A. No, sir.

Q. You were using your naked eye?

A. Yes, sir.

Q. During the time you had been performing the duties as a lookout, what drill or training have you had in estimating ranges and bearings of ships that you have sighted?

A. I acquired my own, what I call ability sir, I just taught myself.

Q. Was there no instruction given to you by any person on board?

A. On my initial hour as lookout, I was told to use the base, the indicator and other aspects of the job.

Q. When you say base indicator, you mean this series of degrees at the base of the binoculars?

A. Yes, sir.

Q. Who taught you that?

A. I couldn't say who it was, sir. It was the supervisor at the time.

Q. What instruction were you given in regard to the estimation of distances or ranges?

A. I wasn't, sir, I use my own estimation.

Q. Did you have any special orders as regards keeping an eye on helicopters?

A. On this particular night, sir, yes, sir. When I came on I remember the supervisor told me that there were two helicopters out and to report them to him each time they came back into sight.

Q. Were there any helicopters in the air at the time you were observing the movements of USS EVANS?

A. I couldn't say for certain, sir.

Q. Was there anything that distracted your attention from USS EVANS from the time you first started observing her movements?

A. Only the siren, sir.

Q. What siren was that?

A. MELBOURNE's siren, sir.

Counsel for the board: Counsel has no further questions.

Senior Member: Board has no further questions.

Counsel for the board: You are informed that you have the right to make a statement about any matter of the subject of this inquiry which has not yet been brought out by questions. Is there anything you wish to add?

Witness: No, sir.

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The witness was duly warned as to his testimony and withdrew from the board room.

Ordinary Seaman Gary Richard Young, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. Ordinary Seaman Young, 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. 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 if you must answer the question or not. Do you understand those matters?

A. Yes, sir.

Q. Will you please state your full name and rank?

A. Gary Richard Young, Ordinary Seaman Quartermaster Gunner.

Q. When did you join the navy?

A. Just under 12 months ago, sir.

Q. You were a member of MELBOURNE's ship's company on the night of the collision, were you not?

A. Yes, sir.

Q. What duties were you performing?

A. GDP starboard lookout, sir.

Q. When had you assumed those duties?

A. I don't understand.

Q. Approximately what time did you go on watch as starboard lookout?

A. 0250, sir.

Q. In order to perform those duties were you stationed on the GDP?

A. Yes, sir.

Q. And who else was there at the time?

A. Ordinary Seaman Edgar and Able Seaman Davies, sir.

Q. And did those two men continue to be stationed there until the time of the collision?

A. Yes, sir.

Q. Now up till that point of time what experience had you had as a lookout?

A. Well, when we go to watch on deck we usually do at least one hour a day.

Q. And how long have you been in MELBOURNE?

A. Approximately 8 months, sir.

Q. And how many hours on watch do you estimate you have had since coming on MELBOURNE?

A. About 50 hours, sir.

Q. And how much training have you received in the performance of the duties of a lookout?

A. About 50 hours, sir.

Q. What instruction, perhaps I should say, have you received?

A. I would have had about 2 hours instructions, sir, from the supervisors.

Q. And what instruction had he given you?

A. He showed us how to resight them and all that sort of thing.

Q. Had he shown how to use the binoculars?

A. Yes.

Q. Had he shown you how to read off bearings?

A. Yes, sir.

Q. How were you taught to read off bearings using the binoculars?

A. I don't know, sir.

Q. Well, on this night, did you see EVANS before the collision occurred?

A. Yes, sir.

Q. Where was EVANS when you first saw her in relation to MELBOURNE?

A. Just beginning to cross our bow, sir.

Q. And approximately how far away was she from MELBOURNE at that time?

A. I don't know that, sir.

DECLASSIFIED

Q. Well did you continue to observe her after that?
A. Yes, sir.

Q. And what did you observe in relation to the course which she took?
A. She continued going across our bow, sir, and we sounded our siren twice and then we turned hard to starboard - hard to port I should say - and she also turned hard to starboard and continued coming right around and back in front of us, sir.

Q. Now just relax Ordinary Seaman, I want to ask you a few questions about those matters. You say MELBOURNE turned left and EVANS turned right. Can you tell us whether those turns occurred together or whether one occurred before the other?

A. We turned to port before they turned to starboard, sir.

Q. And at the time the MELBOURNE turned port, where was EVANS in relation to MELBOURNE?
A. Just finishing crossing our bow, sir.

Q. And when EVANS turned right or starboard, where was she in relation to MELBOURNE?
A. She looked like she was going to come back along our side, sir, only she just kept coming right around to starboard and come back across our bows again.

Q. Did you see any lights on EVANS at any time?
A. No, sir.

Q. Did you see any moonlighting on MELBOURNE's flight deck?
A. Yes, sir.

Q. When had you first noticed that?
A. When I came on watch, sir.

Q. And I think you said that was 0250?
A. Yes, sir.

Q. And did that continue to remain on up 'till the time of the collision?
A. As far as I know, sir, I couldn't really say for sure.

Q. Well when you came on watch how much of the flight deck was lighted by moonlighting?
A. In the center, sir, I'm not sure whether it was on the sides, but I know it was in the center.

Q. And did you see any navigation lights in MELBOURNE?
A. No, sir.

Counsel for the board: Counsel has no further questions.

Senior Member: The board has no questions.

Counsel for the board: You have the opportunity to make a statement, Ordinary Seaman Young, about any matter that's not been covered by the questions to date, do you wish to add anything?

Witness: No, sir.

The witness was duly warned as to his testimony and withdrew from the board room.

La'mon Meaker, Tactical Operator, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. To Meaker, 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. 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 if you must answer the question or not. Do you understand those matters?

A. Yes, sir.

Q. Will you state your full name?
A. La'mon Meaker.

Q. What is your rank?
A. Tactical Operator.

Q. How long have you been in MELBOURNE, HMAS MELBOURNE?
A. Since January of this year.

Q. And what experience have you had as a tactical operator?
A. Well, I've been on Fleet Staff since November last year and I've done all voice training.

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Q. On the night of the second and third of June, did you stand watch in MELBOURNE?
A. I did.

Q. In what part of the ship?
A. The operations room.

Q. What duties were you performing there?
A. I was manning the Admiral's voice circuit during the time, tactical primary.

Q. And when did you take over those duties?
A. At 12:00.

Q. And did you continue to perform them until the time of the collision?
A. Yes, sir.

Q. Now in manning that circuit, do you have a head set?
A. Yes, sir.

Q. And are you able to hear messages sent out by MELBOURNE on the primary tactical circuit?
A. Yes, sir.

Q. And are you also able through that head set to hear any messages transmitted on the circuit by other ships?
A. Yes, sir.

Q. Now coming to round about 0300 that night can you, without refreshing your memory from the log which you kept, tell us what signals you heard on that circuit?

A. Well about 12 minutes past three, MELBOURNE sent a signal telling all ships that MELBOURNE's course was 260. This was coded. They gave a time on that signal which was 2012. EVANS rogered for it. This is after the "Formation ONE" had been given and executed. Then MELBOURNE told EVANS that they were on a collision course this was about 2013, I think. Several minutes after that MELBOURNE came back to EVANS and told them that MELBOURNE was coming hard to left. EVANS came straight back with a reply. Rogered for it and said, "I am going hard to right." Then the collision.

Q. Was there any Rogered that you recollect from EVANS for the signal, "You are on a collision course?"

A. Yes, sir, there was.

Q. Now you have given evidence that those last two signals from the two ships, came in the order MELBOURNE, EVANS, are you clear in your mind about that?

A. Yes, sir.

Q. Would you have a look at this document which is exhibit 12. In what order does that log show those signals having been transmitted?

A. It's MELBOURNE telling EVANS that I am going hard to left and EVANS coming back hard to right.

Q. And is, that, according to your recollection, the order in which you heard the signals on the circuit?

A. Yes, sir.

Q. What period of time intervened between them?

A. EVANS came back and made it right after MELBOURNE had transmitted its signal and given an Over.

Q. Now in relation to earlier signals can you tell us, refreshing your memory, from the log when the signal was sent over the air, my course is 260?

A. At 2012.

Q. And the signal you are on a collision course?

A. 2013.

Q. And the two signals about left and right when were they?

A. 2015.

Q. And when was the collision?

A. 2015.

Q. Do you think the two signals were at the same time as the collision?

A. Within 30 seconds I'd say, sir.

Q. At the time that the collision occurred, did you look at any clock?

A. Yes, sir.

Q. What clock did you look at?

A. This clock is a clock which is in full time, it is taken by all operations room staff. I looked at this, as this is always our clock to use, and the time was then 2015.

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Q. Coming back to the message, "You are on a collision course." Did you hear that on the primary tactical circuit once or more than once?

A. I think what happened there, MELBOURNE came up and said, "You are on a collision course." They gave "Over," and EVANS did not come back so they went "Juliet Seven Over," and they came back, "This is Juliet Seven, Roger out."

Q. Now at any stage did you look at the gyro strip repeater in the operations room?
A. Yes, sir. I looked at this at the time of the collision. It is situated half way between where I sit and the clock and I happened to glance at it and I noticed that it was showing 255.

Q. 255?

A. Yes, sir.

Q. This was at what time?

A. 2015.

Q. At the time of the collision?

A. Yes, sir. That wasn't the ship's head though, the repeater itself shows about 30 degrees and I saw the 255.

Q. I see. Can you tell us where the ship's head was at that time?

A. No, sir.

Q. What did the 255 mean then?

A. Well, I didn't tell anyone about this. It didn't mean anything, but I was asked 2 days later when I made out my statement, and I thought I would mention it in there.

Q. But on the gyro strip repeater is there not some marker which indicates the position of the ship's head in relation to various points on the compass?

A. Yes, sir.

Q. Did you see where that was at the time of the collision?

A. No, sir. I was sitting down at the time and this can't be seen from where I was sitting.

Q. So all you saw were the figures 255?

A. Yes, sir.

Q. Giving no indication as to where the ship's head was?
A. No, sir.

Q. How many degrees of the gyro strip repeater are visible to you from where you are sitting?

A. I think about 10 degrees, sir.

Q. Tactical Operator Meeker, I wonder if you would mind giving us a drawing using this felt pencil of what you saw of the strip repeater when you looked at it at the time of collision?
A. Yes, sir. (Witness draws sketch indicating section of gyro strip repeater visible to him at time of collision).

Q. Is that at the extreme right of the part that you could see?
A. Yes, sir.

Q. Well now how many degrees does it go to the extreme left?
A. I'm not too sure, sir.

Q. I think you said before it goes about 10 degrees, is that right? What's the difference in degrees between the extreme right and the extreme left of what you could see?
A. About 10 degrees, sir.

Q. And the 255 that you had marked was on the extreme right?
A. Yes, sir. It was what was visible to me.

Q. Where is the pointer indicating the ship's head in that diagram?
A. On the center of the gyro repeater.

Q. Can you draw it in then please?
A. Yes, sir. (Witness draws line indicating ship's heading marker).

Q. Would you put the letters SH above that mark that you have put in?
A. Yes, sir.

Q. Are you able to tell us how many degrees that marker was to the left of what you saw?
A. No, sir.

Q. Are you able to tell us reliably how many degrees are covered by the whole part which is visible to you?
A. 10 degrees, sir.

Q. Were you looking at this straight ahead or to left or to right?

A. To right, sir. I was sitting to the right of it and I had to look up to it.

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Q. And what angle of sight do you have in looking to your right?
A. I get sort of a side-on view of it.

Counsel for the board: Counsel asks that this be admitted into evidence as Exhibit 63.

Senior Member: One question counsel before we do that. Could we inquire if the diagram is intended to show that the actual numbers that the witness has drawn there, 255, I believe, are what he saw on the repeater itself, numbers situated in about that position.

Counsel for the board: Will you answer that question please?

Witness: That is correct, sir, I wouldn't be too sure if it was that far to the right or left but it's the only numbers that I saw.

Senior Member: Very well, we will accept that into evidence.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. In relation to the signals that you logged in that record which is Exhibit 12, apart from logging the signals that you heard, did you report them to anyone?

A. Yes, sir, the Duty Staff Officer, which was Lieutenant Commander Arundel.

Q. At what stage did you report these signals to him?

A. Immediately upon coming in, sir.

Q. Immediately as the signals came in?

A. Yes, sir.

Q. And was he there so far as you recollect during the period that these signals were being received?

A. Yes, sir, and if he were not there, I would report to the Duty Operations Officer.

Q. And who was he that night?

A. I don't recall, sir.

Q. Do you have any recollection of reporting to LCDR Arundel, the two signals going left and going right?

A. Yes, I did, sir, and after I reported them he went straight to the radar.

Q. That's the PPI indicator?

A. Yes, sir.

Q. Did you at any stage look at the radar plot, radar display?

A. I did have a glance at it, sir, but I didn't take much notice as I was pretty busy manning the voice circuit at the time.

Q. What was the quality of communications on the tactical primary circuit at the time?

A. It had been very good all night, sir. It was very clear. It was quiet until about 2000 (Z) when it started getting busy. Other than that we had very good communications.

Counsel for the board: Counsel have no further questions for this witness.

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

Counsel for the board: To Major you have an opportunity to make a statement about any matter which is relevant to this investigation that has not been brought out by the questions so far, is there any additional matter you wish to state?

Witness: No, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.

Senior Member: We will have a brief recess.

The board recessed at 1545 hours, 23 June 1969.

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The board opened at 1600, 23 June 1969.

Senior Member: The hearing is now open.

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

Counsel for the board: The board now being held 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.

Stephen A. Kraus, Signalman Second Class, U.S. 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:

Q. Signalman Kraus, 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. Under United States law no witness may be compelled to answer any question the answer to which may tend to incriminate him and you may refuse to answer any such question. Do you understand what I've said so far?

A. Yes, sir.

Q. Would you please state your full name, rate, and present organization?
A. Stephen A. Kraus, Signalman Second Class, U.S. Navy, USS FRANK E. EVANS.

Q. How long have you been assigned to USS FRANK E. EVANS?
A. I reported aboard May 16th of 1969.

Q. And prior to that what experience have you had in the navy?
A. Well, I had been on three ships before the EVANS and I have been a signalman for two years.

Q. And your total service in the navy?
A. Three years, two months.

Q. And were you assigned to a watch in the early morning of 3 June?
A. Yes, sir.

Q. To what watch were you assigned?
A. I was standing the mid-watch from a quarter of twelve until 0700.

Q. And where did you take station for that watch?
A. On the signal bridge, the 03 level of the EVANS.

Q. Where is that in relation to the navigational bridge?
A. It's about 20 feet above and behind the open bridge.

Q. Would you clarify how much higher than the open bridge. Is it one level up?
A. It's one level, about 8 feet.

Q. And how far aft of the open bridge?
A. About 20 feet.

Q. And who else was standing signal watch with you that night?
A. Seaman Rodriguez.

Q. During the period of your watch, had you received any visual signals from MELBOURNE or any other ship?
A. About 0030 we received the night intentions from MELBOURNE.

Q. Do you recall what was in those night intentions?

A. Yes, sir, they said that they believed that SPIRAX was operating in the area, and they gave the course and speed they believed him to be on and said they were going to release helicopters to check on it.

Q. And SPIRAX is what?
A. A submarine, I believe, sir.

Q. Is that the only visual signal you recall receiving during your watch?
A. Yes, sir, it is.

Q. Inviting your attention to the period about 0300 - do you recall where MELBOURNE was in relation to EVANS?

A. Yes, sir, they were directly aft of our port quarter about 5000 yards.

Q. And could you give a relative bearing at about that time?
A. About 200 relative.

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Q. And do you recall the position of any other ships in the formation at about that time?

A. Yes, sir, the BLACKPOOL was off our starboard beam about 3 miles. The KYES was forward, starboard bow, about, I couldn't say exactly, but they were way out, maybe 6 miles and I knew that the KYES and the CLEOPATRA were on the other side of the carrier, but I couldn't see them. Every once in a while I could see the LARSON, but not too often.

Q. Do you recall anything of significance that occurred at about 0300 on that morning?

A. Not right at 0300. No, sir.

Q. Well, shortly thereafter?

A. Well, I went to the starboard side to check on the BLACKPOOL and the KYES. It must have been about 0305, and we started to make a starboard turn, just a regular starboard turn, nothing sharp or irregular about it. And so I just stayed over there to wait for the MELBOURNE to appear on the starboard side since we were switching position. It would have brought them to starboard since they were behind us, and they never did appear so I didn't expect anything irregular about it. I stayed over there maybe five minutes and I went back over to the port side and MELBOURNE was off our port bow and seemed to be making a left turn.

Q. A left turn, her own left?

A. Her left, yes.

Q. And at this time could you tell what the distance was to MELBOURNE?

A. I would say 3000 yards.

Q. And what was the visibility at this time?

A. It was clear and bright - bright moonlight night.

Q. And were you using binoculars?

A. No, sir. We had a long-glass.

Q. Were you able to tell what approximate course MELBOURNE was on when you first saw her at that time?

A. No, sir. It just looked like she was making a left swing.

Q. What part of the ship were you seeing?

A. I was seeing the after part. Just about the time that I noticed it was making a left, she turned on her aircraft warning lights and red deck lights, like if she was to make a flight operation.

Q. Am I to understand that you thought you were seeing the stern section of MELBOURNE?

A. Yes, sir. They had three tail lights. They were vertical tail lights, I had always noticed, since we had plane guarded before, and I saw those real shortly, and then they turned to where it was sideways and I couldn't see them anymore. I just stood there and kept watching. I didn't think anything. I just assumed that we were going to plane guard for her, following in behind her and would turn with her. And she kept turning until I couldn't see those red lights anymore. Then I realized, just watching her, I realized it wasn't her fantail anymore and by then she was, maybe within 1500 yards, and I realized that the bow was coming towards us.

Q. Could you tell whether it was starboard bow or port bow you were seeing?

A. No, it looked like I was looking just straight on at it as if we were coming this way and she was coming like this. (Indicating directions by movements of the hand)

Q. You were seeing her from dead ahead you believe?

A. Just about dead ahead.

Q. And at that time was EVANS on a straight course or was she turning?

A. It seemed to me that we were on a straight course.

Q. And what about MELBOURNE, was she on a straight course or was she turning?

A. It seemed like she was still swinging left almost if she had reversed course.

Q. And what was the next thing you saw after that?

A. Well, I kept watching her and when she got so close, I finally realized that it was undoubtedly that she was going to hit us. We started making a full right turn right then. We started swinging real hard to right. I ran over to the starboard side by cutting through the shack and I looked back and she was approaching as if she was going to hit us almost at the signal bridge right where I was standing. So Rodriguez was on top of the shack. So I went to warn him, and about that time I turned to go to starboard again and that's when she collided with us.

Q. And was Rodriguez standing on the shack?

A. No he wasn't. Since we were standing a long watch we were splitting up the visual watch, and he was laying down up there.

Q. And did you have a chance to warn Rodriguez?

A. Yes, I banged on the roof and said, "Rodriguez, we are going to get hit." And he said, "What?" He just said, "What?"

Q. And then what happened?

A. And then I turned and made maybe two steps and we were hit.

Q. Let me return to the point at which you said that at about 0305 MELBOURNE was on the port quarter?

A. Yes, sir.

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Q. Could you using those sheets up there and this pen draw for us a picture using arrows to represent each ship, the relative positions of MELBOURNE and EVANS?
A. At 0905?

Q. When you saw them on your port quarter?

A. Yes, sir. (Witness drew sketch representing the relative positions of the two ships)

Q. Could you indicate an approximate distance there by a dotted line? (Witness indicated distance with dotted line as being 5000 yards).

Q. Do you have any idea what course EVANS was on at that time?

A. No, sir, I don't. (Witness resumed his seat)

Q. Now at the time you indicated you thought BLACKPOOL was to starboard of you, was that before or after the time you've indicated there?

A. The last time I looked at her, which had been maybe ten minutes ago, that's when they were to starboard.

Q. You did not see the BLACKPOOL at this time?

A. No, I didn't. After this I went over to the starboard side to check again.

Q. And at the position you've indicated there, on that diagram, could you see MELBOURNE with your naked eye?

A. Yes, I could.

Counsel for the board: We will mark that Exhibit 64 for identification and tender it into evidence as Exhibit 64. (Counsel hands Exhibit 64 for identification to senior member for examination)

Senior Member: So received.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board:

Q. Now from the position you were in on the signal bridge, could you hear any orders to engine or wheel from the pilot house?

A. No, sir.

Q. Could you hear any radio messages coming over the primary tactical circuit?

A. No, sir.

Q. Now returning to the point of impact, what happened to you?

A. I was knocked down and into the shack and the starboard door shut. I was thrown around. We had some coffee cups, a can of paint, and it all became loose and was thrown around. We then seemed to be almost motionless for a moment and we moved sideways and rolled at the same time.

Q. Rolled in which direction?

A. To starboard, and right away we were laying flat. The ship was laying on its side with the signal bridge just starting to come into the water, so I started to push open the door and I couldn't get it open into the water and we had just a little bit of reaction, enough for me to open the door and swim out from the ship.

Q. By reaction, you mean what?

A. Well, we went over and just seemed to come back a little bit.

Q. In other words you started to right just a little bit?

A. Yes, sir.

Q. And when you got out, excuse me, let me return again to the night intentions you received about 0030, I believe you said?

A. Yes, sir.

Q. How did you receive those, by what type of light?

A. The MELBOURNE used a white light, white signal light, small one, I think it was an 8 inch light.

Q. Was it a directional light pointed to each ship or was it an all around light?

A. No, it was a directional light.

Q. And it was sent to EVANS direct?

A. Yes, sir. I saw them calling, after they had sent it to us, I saw them calling the BLACKPOOL, it was hard to see but I could just tell they were calling them also.

Q. And after you were thrown into the water what happened to you?

A. I swam away from the ship, and then I saw Mr. Hopson and Mr. Ramsey floating on a deck board from the pilot house, so I swam up and grabbed hold of that.

Q. Were any other people holding onto the same deck board?

A. No, sir.

Q. Did you hear either Mr. Hopson or Mr. Ramsey make any statement while you were hanging onto the same deck board?

A. Other than they were concerned that everyone get away from the ship, I can't remember who it was, which one, but they said, "Why did they come that way?" or, "Why did they have to turn that way?"

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Q. Did they indicate who they meant by "they?"
A. No, sir.

Q. What were the conditions of Mr. Hopson and Mr. Ramsey?
A. Well, other than being excited, Mr. Ramsey, I think he said his legs hurt or that one of his legs hurt and they just seemed... Well, we were all shook up, more or less. They were really concerned that everyone get away from the ship.

Q. Was there any panic that you could observe?
A. No, sir.

Q. How about your own injuries, were you injured?

A. I cut my thumb in the door and I had a few scrapes and bruises, but nothing serious.

Q. And can you tell us what happened to Rodriguez?
A. No, sir, other than what I heard after I got onto the MELBOURNE that he was thrown up on the flight deck.

Q. Did you hear any whistle signals or other alarms from either ship?

A. Yes, sir. Just before they hit I heard their,... I guess it was their collision alarm. It was real short and just a couple of blows, it seemed like, I don't remember it right up till the time of collision, but I remember it just a couple of seconds before.

Q. And did it sound anything like the American collision signal?
A. I can't really say, sir.

Q. Did you hear any blasts from their whistle?

A. No, sir.

Q. Did you hear any from EVANS?

A. No, sir.

Q. Did you hear any other alarm from EVANS?

A. No, sir.

Q. How did you get aboard MELBOURNE?

A. One of their motor whaleboats picked us up, in the water.

Q. From your position, can you see the navigational lights of FRANK E. EVANS?

A. No, sir, I could see our masthead lights. I could see the reflection from those.

Q. Do you recall whether that light was turned on at any time prior to the collision?
A. No, sir, I don't believe it was.

Q. Did you see any navigational lights on the MELBOURNE?

A. None other than their aircraft warning lights or their red lights.

Q. You saw no white lights at all?

A. No, sir.

Q. On Exhibit 64 which is to your right there, you indicated that MELBOURNE and EVANS were on approximately the same course, did you intend to show that?

A. Well, at the time I was watching them it seemed we had changed course throughout the night, we would change just a little back and forth, but it never changed their position that much, they were generally behind us or a little over to the side of us.

Q. Do I understand that answer to mean that that is based on what had happened during the night rather than your observation, is that correct?

A. No, that's my observation.

Q. You actually saw her on a course parallel to EVANS?

A. Yes, sir, and when they sent me the signal they were almost in the same position too.

Q. No, I'm speaking of the time about 0305, which Exhibit 64 depicts?

A. Yes, sir, that's correct.

Q. And you observed the MELBOURNE clear enough to determine her course?

A. I believe that's the way they seemed they were heading. That's the way it looked from where I was.

Q. Signalman Kraus, do you think that you could, on another sheet of paper like Exhibit 64, diagram for the board the movements of the two ships from the time you observed MELBOURNE until the time they came into collision as you visualized it?

A. Yes, sir.

Counsel for the board: We will mark that Exhibit 65 for identification.

Witness: You want this from the time 0305?

Counsel for the board: As you visualized it from the time MELBOURNE was on EVANS' port quarter until the two ships came into collision. Is that the way the board would like it to be?

Senior Member: That's the period of time, yes.

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Witness: Would you like me to draw it in sections?

Counsel for the board: Yes, why don't you draw the first one, then move to the next one and so forth. (Witness draws sectional sketches indicating the movements of the two ships from time 0305 until time of collision)

Witness: From the time that MELBOURNE went from here (pointing to position on sketch) up forward, I wasn't watching them at all. I was on the starboard side then and we were making a right turn.

Counsel for the board: Do we understand then, that the diagram labeled two at 0308 is when you were on the starboard quarter looking for the MELBOURNE to emerge on that side, is that correct?

Witness: Yes, sir.

Counsel for the board: And you never saw MELBOURNE emerge?

Witness: No, sir.

Counsel for the board: Now what was the next thing you saw? Could you diagram that at figure three?

Witness: This is coming out of a right turn (pointing to position on sketch). Right here.

Counsel for the board: Let the record indicate that the witness is pointing to the EVANS in figure three.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd.)

Questions by counsel for the board:

Q. Now, as I understand it from your prior testimony, at the time indicated in figure three, you saw red lights which you thought were stern lights of MELBOURNE, is that correct?

A. Yes, sir. Right about halfway, well, they had already started to make a left turn. They seemed maybe already 50 degrees into a turn when they turned on the lights. They just all automatically came on.

Q. Would you explain diagram four before you go to five?

A. The MELBOURNE seemed to be coming around to a left turn (witness pointing to the sketch). It seemed like they had almost reversed course, and it seemed like we had just steamed up and instead of following them here, we kept going straight while they came around left.

Q. Now going back to figure three, could you put a little tail on EVANS to indicate that you had just came out of your starboard turn - is that what I understood?

A. Yes, sir.

Q. On diagram four, would you indicate your estimate of the range between the EVANS' arrow and the final position of MELBOURNE as shown on that diagram? Just put a dotted line and write in your estimate of the range.

A. Yes, sir. Right here (pointing to point of interest on sketch), that is the point of impact.

Q. Very well, you may resume your seat. Since MELBOURNE did not appear on your starboard quarter, as expected, when you made your starboard turn, is it possible that the ship you identified in figure one may not have been MELBOURNE - in your view?

A. No, sir. That's when I was on the port side. That's the last time I saw her.

Q. And you positively identified that as MELBOURNE?

A. Yes, sir. I was sitting there watching them all evening. We watch MELBOURNE more than any other ship.

Q. And when you looked at MELBOURNE at 0305 and positively identified it as the MELBOURNE, what part of MELBOURNE were you seeing, could you tell?

A. I was looking straight directly at it, right off her bow.

Q. And you could determine clearly the course within a few degrees - the course of MELBOURNE?

A. Well, that's the way it looked like to me the last time I saw them back there.

Q. And how is it that she didn't appear when you made a starboard turn? Do you have any explanation?

A. No, sir, I don't. Maybe it didn't catch my eye, but I did stay over there figuring they would come up, cause it was a big shadow and I just never remember seeing it.

Q. And the next time you saw MELBOURNE she was on EVANS' bow, is that correct?

A. Yes, sir. I went back over to the port side.

Q. And it was on the port bow?

A. Yes, sir.

Q. Just prior to collision, your diagram five would indicate that MELBOURNE stayed on approximately a straight course, is that correct?

A. Yes, sir. It seemed like they straightened up just before they hit us.

Q. And EVANS was on a hard right turn?

A. Yes, sir. We started turning right. It looked like no matter how we turned they were aiming for us. I mean that's the way it...

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Q. In figure three you thought you were looking at MELBOURNE's stern and in figure four you were looking at the bow, is that correct?

A. Yes, sir.

Q. How much time elapsed between those two figures?

A. Maybe a half a minute at the most.

Q. And during that period, according to your diagram, MELBOURNE had made over a hundred and eighty turn?

A. It looked like they had. It looked like they were reversing course.

Q. And could you describe, in as much detail as possible, what you saw of MELBOURNE in diagram three where you were looking at what you thought was the stern?

A. Yes, sir. I saw them turn on all red lights, big round lights that they have, and I remember seeing the aircraft warning lights, two very small lights at the very top of their mast. I also remember seeing the three red lights on the fantail just for a minute, and then they turned sideways and couldn't be seen. They had a lot of red lights on the island that came on.

Q. And could you actually see the island?

A. You could see the shadow of it.

Q. Could you tell which side of the ship it was on in relation to you?

A. It looked like it was their port side.

Q. The island was on the port side of the ship?

A. No, sir. It looked like I was looking at the port side of their island and the port side of their ship, but I know that the island was on the starboard side of the ship.

Q. And going back again to figure one, what actually of MELBOURNE did you see in terms of ship's features?

A. Just a big shadow. I couldn't... I could just tell it was there.

Q. And what made you conclude that it was on approximately the same course as EVANS?

A. I don't really know. I guess it was just a presumption.

Q. Did you see sufficient detail on the ship to determine her course?

A. No, but they stayed about the same distance all the time. Our distance hardly ever changed.

Q. I believe I may have asked you this question, but if so, would you mind repeating your answer? You said something to the effect that Mr. Ramsey or Mr. Hopson said, "Why did they come that way; why did they have to turn that way?" Do you know who the spokesman was referring to by the term, "they?"

A. No, sir. I just presumed the MELBOURNE. That's what I remember them saying other than they were concerned that everybody get off the ship. They were more or less yelling back to the ship for everyone to swim away and get off of it.

Q. Could you tell which side of the stern the three vertical lights that came on for a moment were?

A. No, sir. I think it was amidships - amid their stern.

Q. Going back to figure three - you indicated a radical change of course there. Could it have been possible that you were seeing the bow of MELBOURNE at all times?

A. I don't believe so, sir. I couldn't say definitely, yes, but I don't believe so, because I did see those lights and that's how I realized... It didn't dawn on me until I saw them coming directly at us that that was their bow - that it wasn't their stern.

Q. Had you seen lights similar to that previously?

A. Well, I had seen it before when we had planes guarded for them. It was a few nights before I think.

Q. And those lights were similar to the ones you had seen on the stern?

A. Yes, sir.

Q. And that's why you concluded that you were seeing the stern?

A. Yes, sir.

Q. Did you see the bow section of EVANS go down?

A. Yes, sir.

Q. Could you describe what you saw?

A. Right after I left the ship, I must have been away a hundred feet or so, and I looked back and it seemed to belly under a little and roll up at the same time. The bow came up and it rolled at the same time.

Q. Rolled in which direction?

A. It rolled to starboard.

Q. In other words, even beyond the 90 degree point?

A. Yes, because when I left the ship, the mast, or the yardarm, I guess it was the port yardarm, was still sticking up and the rest of the mast was under water so we had gone right over 90 degrees into the water.

Q. And when you said it bellied over, the yardarm disappeared?

A. Yes.

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Q. Did you ever see the bottom come up?
A. Yes, sir. Well, I saw more or less. I guess the port side as it rolled, it kind of rolled and came up at almost the same time.

Q. And did the bow part go down first or the after part of the bow?
A. The after part went down first.

Q. And did the bow come up into the air?
A. Yes, sir.

Senior Member: Did you see the sonar dome?

Witness: It was so big, sir, I couldn't say. But I know it was the bow, from the angle of it. I don't remember seeing the sonar dome. It was sharp pointed.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Signalman Kraus, would you refer to diagram one on Exhibit 65, and just step over there and point to the locations of the other ships in the formation at that time relative to EVANS, and do it slowly so we can record how you are pointing. You can mark them on there with their initial if you like?

A. Well, the KYES, it seemed like they were moving around a lot, but they were mostly to starboard and way out in front, and that is the only ones I was watching at that time. I never seen the CLEOPATRA. My watch relief told me the CLEOPATRA was way out there behind the carrier and on their port side. The LARSON appeared every once in a while in this area (witness points to position on Exhibit 65), but they seemed to be floating most on the side. I do remember seeing the LARSON here a couple of times during the watch. The reason I can tell the difference between KYES and the LARSON is because the KYES has the ASROC. That's the only way I can tell in the shadows, I could see the ASROC launcher as the LARSON didn't have it.

Q. Please be seated. The morning of 2 June, what time did you get up that morning?
A. 2 June?

Q. Yes, the morning before the collision?

A. Well, I had the mid-watch that night, from midnight until seven and I went to sleep from seven to eleven then I had the afternoon watch.

Q. From what time?

A. From 12 to 6. Then I slept from six until midnight again and then came on the mid-watch for 3 June.

Q. So you were standing watch and watch?

A. Pardon, sir.

Q. You were standing watch on and watch off?

A. Yes, sir. Six and six, six on and six off.

Q. How long have you been doing this - how many days?

A. We did it even when we were anchored in Manila.

Q. So how many days total had it been that you were standing six on and six off or watch on and watch off?

A. I guess about ten days, sir. No, it would be a little longer than that. We were in Manila for five - six days. I guess it would be about 13 days.

Q. How much sleep did you have from just prior to your watch on the night we are talking about?
A. About five hours.

Senior Member: The board has no further questions for Petty Officer Kraus.

Counsel for the board: Signalman Kraus, you are privileged 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 the previous questions. Do you have anything to add at this time?

Witness: No, sir, I don't.

The witness was duly warned concerning his testimony and withdrew from the board room.

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Counsel for the board: Counsel offer this exhibit into evidence. We ask that it be admitted as Exhibit 65

Senior member: I presume that you will wish to photograph it at a later time.

Counsel for the board: We would like to substitute a photograph in the permanent record.

Seaman Robert S. Petty, U. S. Navy, was called as a witness by counsel for the board, was sworn, and examined as follows:

Counsel for the board: Seaman Petty, 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 its investigation. Under United States law, no witness may be compelled to answer any question, the answer to which may tend to incriminate him, and you may refuse to answer any such questions. Do you understand what I have said?

SN Petty: Yes, sir..

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Would you state your full name, grade and organization?
A. Robert S. Petty, Seaman, USS FRANK E. EVANS.

Q. How long have you been in the Navy?
A. I've been in over a year, sir.

Q. How long have you been assigned to USS FRANK E. EVANS?
A. About nine months.

Q. What are your duties on board?
A. I work on deck, sir.

Q. What division is that?
A. That is First Division, sir.

Q. What type of watches do you stand on board?
A. Lately, I have been standing Boatswain's Mate of the Watch, sir.

Q. Were you assigned a watch as Boatswain's Mate of the Watch during the early morning of 3 June 1969?
A. Yes, sir.

Q. What watch did you have?
A. I had the 12 to 4, sir.

Q. What is that job of Boatswain's Mate of the Watch?
A. I am in charge of all the enlisted men on the bridge and men attached to the bridge, sir.

Q. And that includes what personnel?
A. Lookouts and after-steering, sir.

Q. How about the Quartermaster of the Watch?
A. Yes, that is in the pilot house.

Q. Is it your responsibility to see that the watches are on deck and relieved on time?
A. Yes, sir.

Q. To whom do you report?
A. I report to the Officer of the Deck, sir.

Q. During the mid-watch, who was that?
A. Mr. Ramsey, sir.

Q. Where were you at about 0300 on the morning of 3 June?
A. I was inside the pilot house, sir.

Q. And do you recall who else was inside the pilot house at that time?
A. Yes, sir. There was Melendrez that was at lee helm; Garcia was at the helm; Lyons was Messenger of the Watch; and Vigue was the Quartermaster of the Watch.

Q. Where were the Officer of the Deck and the Junior Officer of the Deck?
A. They were on the open bridge, sir.

Q. Do you recall an evolution by the EVANS at about that time? A change in disposition or formation?
A. Right then, no, sir.

Q. Do you recall the collision which occurred between MELBOURNE and EVANS?
A. Yes, sir.

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Q. What were you doing immediately prior to that time?
A. I was standing by the lee helm, sir.

Q. What do you recall being the first time you noticed MELBOURNE?
A. When we had started changing course. The order, "Right full," was given and I glanced up and I saw the MELBOURNE then.

Q. Do you recall what course you had been on prior to that time?
A. No, sir, I don't.

Q. Do you recall the course and speed of EVANS at any time during your watch?
A. The formation speed was 18 knots, but as far as course, I don't know, sir.

Q. At the time, was the first rudder you heard, "Right full rudder"?
A. Yes, sir.

Q. You say you saw MELBOURNE at that time. What was the approximate relative bearing and range of MELBOURNE at that time?
A. She was at about 355 and the range I couldn't tell you, sir.

Q. Was she close or a long way away?
A. She was fairly close, sir.

Q. Did you hear any engine orders at any time?
A. Yes, sir. Right after I saw the MELBOURNE, the engine order, "All back full," was given.

Q. Who gave the order, "Right full rudder"?
A. Mr. Hopson did, sir.

Q. Who gave the order to, "Back engines full"?
A. I'm not sure, sir.

Q. Do you recall anything else that occurred on the bridge at about that time?
A. No, sir.

Q. Do you recall any statements by either Mr. Ramsey or Mr. Hopson?
A. Well, right after the order, "All back full" was given I heard - it was either Mr. Ramsey or Mr. Hopson - say, "She's going to hit us".

Q. Did you observe the MELBOURNE from that point?
A. No, sir, I didn't. I was still standing my lee helm in case any other orders were given.

Q. Did you observe the MELBOURNE any time other than the one time you saw her at relative bearing 355?
A. No, sir.

Q. Do you recall the collision itself?
A. Yes, sir.

Q. Could you describe what you saw and heard?
A. I didn't see nothing, as far as the collision.

Q. What did you experience?
A. I remember being thrown,....it seemed to me like the starboard side, and some flying metal or something hit me in the back. That's about all I remember at about the time of the collision.

Q. What is your next recollection after that point?
A. I was in the water.

Q. Who else could you recognize in the water with you?
A. No one.

Q. What did you do then?
A. I climbed back on board the ship, sir.

Q. After you had climbed back on board, could you describe your actions, please?
A. Well, after I had climbed back on board, I didn't know where I was at and I opened a hatch. I don't know why I opened the hatch or anything else, but I opened it. There was several men coming out through that hatch that I opened.

Q. Did you recognize any of the men that came out of the hatch?
A. One of them that I know, - I saw him come out, - was Codemo.

Q. What is his rating and division?
A. He is a Seaman, and he is in OI Division, CIC.

Q. Do you recall which hatch it was that you opened?
A. No, sir. I don't. I was told that it was the hatch leading down to the steam line going to the crew's mess.

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Q. Would that be the main deck hatch on the port side?
A. Yes, sir.

Q. And do you recall anything else between that time and the sinking of the bow?
A. No, sir.

Q. Do you recall how you got off the second time?
A. No, sir.

Q. Do you recall seeing the bow sink?
A. Yes, sir.

Q. Would you describe that for the board, please?

A. I was on a fender then. I turned around and looked at it and I saw it sinking, so I turned around and started swimming again.

Q. Was anyone else on the fender with you?

A. Yes, sir. I don't know who all they were, but there were about seven or eight men there that I know on the fender with me.

Q. Could you tell what part of the bow sank first?
A. No, sir. I couldn't. I just saw it going down. Like I said, I turned around and started swimming again.

Q. How far away were you?

A. I couldn't tell you that either, sir.

Q. Did you observe the conduct of other personnel in the water?
A. Not really, sir.

Q. Did you observe the orders of the Officer of the Deck being carried out at the wheel and the engine orders?
A. Yes, sir.

Q. Were they carried out promptly?

A. Yes, sir. They were. Whenever the MELBOURNE hit, we were in full swing to the right and, "All back full," was given by me because the man on the lee helm, he was new and he kind of hesitated before he gave an order. So when I heard, "All back full," I just threw the post back to, "All back full".

Q. When the rudder was ordered right full, was it promptly executed by the helmsman?
A. Yes, sir. Like I said we was in full swing to starboard whenever she hit.

Q. Can you estimate how many people came through the hatch that you held open?
A. I didn't know at the time. I was told later that there was about twenty people came through the hatch.

Q. Did you hear any sort of a collision alarm from either ship prior to the collision?
A. No, sir.

Q. Did you hear any whistle signals from either ship?
A. No, sir.

Q. Do you recall any order other than the, "Right full," between 0300 and the time of the collision?

A. No, sir. There was no other between the "Right full" rudder until the collision. There was no other rudder order given.

Q. Prior to the time "Right full" rudder was given, had you heard any left rudder order given at any time?

A. Before that we were changing courses frequently, and I wasn't paying too much attention to it really, because there was a qualified helmsman on the helm. I was watching the lee helm and some of the other guys most of the time, because they were mostly new guys. They had been on it before, but I was making sure that they got it right, if anything was given.

Q. At the time that you saw MELBOURNE, could you tell whether or not she was on a steady course or turning?

A. No, sir. I couldn't. Like I said, I just glanced, and I didn't know if she was headed towards or away from us.

Q. What part of MELBOURNE could you see, do you recall?
A. No, sir.

Q. And you then did not see MELBOURNE again after that time, is that right?
A. I did see her just before she hit. She looked like she was turning left, sir.

Q. And what part of her did you see just before she hit?
A. It was either the side or the front of her - I'm not sure.

Q. Which side could you tell?
A. No, sir.

Q. Prior to the collision did you hear any order to turn on EVANS' navigational lights?
A. No, sir.

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Q. Do you recall whether anyone turned them on at all?

A. I don't know if the navigation lights were on or if we were at lighting measure green. I don't know which one we was at. When I come on watch we was at lighting measure green, I think. I'm not sure, but...I don't know if anybody turned on any lights or turned off any lights. I'm not sure what lights we were at at the time.

Q. You don't know the state of the lights at any time you were on watch, is that correct?

A. No, sir.

Counsel for the board: No further questions from counsel.

Senior member: The board has no further questions for Seaman Petty.

Counsel for the board: Seaman Petty, you are advised that at this time you are privileged to make any further statement covering anything related to the subject matter of the investigation that you think should be a matter of record which has not fully been brought out by the questions we have asked you. Do you have anything to add?

SN Petty: No, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.

Counsel for the board? We have two more witnesses we would like to call this afternoon. We hope that they both will be short.

Senior member: Proceed.

Seaman Apprentice Terry R. Vejr, U. S. Navy, was called as a witness by counsel for the board, was sworn, and examined as follows:

Counsel for the board: Seaman Apprentice Vejr, 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 under United States law, no witness may be compelled to answer any question, the answer to which may tend to incriminate him, and you may refuse to answer any such questions. Do you understand what I have said?

SA Vejr: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Would you state your full name?

A. Terry Robert Vejr.

Q. And your rating?

A. Seaman Apprentice.

Q. To what ship are you assigned?

A. USS FRANK E. EVANS.

Q. To what ship were you assigned on the early morning of 3 June 1969?

A. USS FRANK E. EVANS.

Q. How long have you been in the Navy?

A. Eleven months.

Q. How long have you been assigned to the FRANK E. EVANS?

A. About eight months.

Q. What division are you assigned to?

A. First division.

Q. What types of watches do you stand on board?

A. In port, quarterdeck watches and at sea, all the underway watches.

Q. On the early morning of 3 June were you assigned a watch?

A. Yes, sir.

Q. What watch was that?

A. After steering.

Q. What time did you take station in after steering?

A. Quarter to twelve.

Q. Was there anyone else on watch with you in after steering or in the vicinity?

A. Yes, sir.

Q. Who was that?

A. Robertson, MM3.

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