

STATEMENT BY THE PRIME MINISTER

THE RIGHT HONOURABLE SIR ROBERT MENZIES, K.T.,C.H.,Q.C.,M.P.,

IN THE HOUSE OF REPRESENTATIVES  
ON TUESDAY, 15th SEPTEMBER, 1964

LOSS OF H.M.A.S. "VOYAGER"

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On August 26, I presented to the House the report of the Royal Commissioner on the circumstances attending the loss of HMAS "Voyager". On that occasion I read out the Terms of Reference, which I therefore need not repeat. I also indicated that the Government had taken steps to obtain advice from the Naval Board through the Minister for the Navy upon the Commissioner's findings and the implications of those findings. The Naval Board, presided over by the Minister for the Navy, consists, in addition of the First Naval Member, Vice-Admiral Harrington, the Second Naval Member, Rear-Admiral Smith, the Third Naval Member, Rear-Admiral George, the Fourth Naval Member, Rear-Admiral Peek, and the Secretary of the Department. I indicated that the Board had already begun this task, and had in fact begun when evidence was still being taken. I then said "when the results are to hand the Government will give prompt consideration to them and will then put itself in a position to make a further statement to the House".

In reply to an observation by the Leader of the Opposition, I made it clear that I did not undertake to present to Parliament the observations of the Naval Board since that body, through its Minister, advises the Government. This is true of all the Service Boards. For the effective discharge of their responsibilities they must be able to know that their relationship to the Government is one of great confidence and indeed secrecy. When the Government after receiving advice announces a decision or makes a statement of fact or of policy, it takes the responsibility for what it does.

In the present case, we have been assisted by an elaborate examination of the matter by the Naval Board. After careful consideration, we are not prepared to establish what would be a harmful precedent, by publishing the report of the Board. Honourable Members will I think agree, particularly those with Ministerial experience, that if the Service Boards came to believe that their reports, to their Minister and through him to the Cabinet, would be made public there could in all human probability be some change in the nature of the reports. Human experience shows that where a document is designed for publication it may very well be written in a somewhat different way and perhaps be a little less frank than it would be as a confidential report.

However, what I am about to put to the House has been greatly assisted, though of course not controlled, by the views and comments of the Naval Board, a body which I will hardly need to say is as much concerned by these tragic events as all the rest of us, and has displayed a marked willingness already to make changes in the light of the facts elicited by the Royal Commission.

It will be recalled that although the Royal Commissioner places the primary responsibility for the collision upon "Voyager", without feeling able to apportion individual blame among its bridge officers, he did make critical remarks about three of those on the bridge of "Melbourne".

In the case of Captain Robertson, the Commissioner said that in his view when "Voyager" turned to port her action should have created some doubt in Captain Robertson's mind as to what her intentions were and the moment the movement to port passed beyond what would have brought her back on course, Captain Robertson should have made some enquiry or passed some signal, whether by whistle or otherwise, to "Voyager". He went on to add "Whether action of this kind would have avoided the collision I am unable to say, but I feel that the chances of a collision occurring might have been lessened if some such action as I have indicated had been taken by Captain Robertson".

In the case of Acting Commander Kelly and Sub-Lieutenant Bate, both of whom were on the bridge of "Melbourne", the Commissioner said "the conclusion I reach is that the watch which was maintained on the bridge of "Melbourne" by the Officer of the Watch and the Navigating Officer was in the circumstances inadequate".

These observations by the Commissioner were made in the light of the evidence given by the three officers themselves and of Captain Robertson's report after the collision.

The question at once arises as to whether charges of negligence or neglect of duty could or should be laid before Courts Martial. This question was made the subject of legal advice, both from Counsel and the Crown Law Department, and from the Attorney-General. That advice is against Court Martial. The principal reason for this view is that, as a matter of law, statements made by any witness in answer to any question before a Royal Commission are not admissible in evidence against him in any civil or criminal proceedings, and that this rule, established by the Royal Commissions Act, should also apply to proceedings before a Court Martial.

In the result, it became necessary for our legal officers to consider what evidence, if any, other than the evidence given to the Royal Commission, could be adduced on a Court Martial. Their short answer is that the evidence given by these three officers before the Royal Commission being excluded and Captain Robertson's report excluded, there would be no evidence at all available to what might be described as the prosecution. As this may seem strange to those who are not lawyers, I will explain it.

At a trial by Court Martial, in which the officer concerned would be in the position of an accused person, the prosecutor

- (a) could not tender as part of his case the transcript of evidence before the Commissioner;
- (b) could not call the accused to give evidence for the prosecution, hoping to convict him out of his own mouth. For a man is deemed innocent until he is proved guilty: it is not for him to prove his innocence. This is one of the basic principles of the normal criminal law.

Honourable Members will therefore agree that it would be grossly unfair and indeed completely improper to institute a Court Martial if competent advice was that not only would there be no evidence which could establish an offence beyond reasonable doubt, which was not the standard of proof which the Commissioner had to apply, but that there was in fact no material admissible evidence at all. Strictly speaking, it would, of course, be possible to amend the legal provisions retrospectively, so as to make the evidence of the officers concerned, and any report made by any of them, admissible against them. I am sure that nobody would support such an astonishing course. I do not propose to elaborate this. None of us would wish to conduct some form of prosecution against those on the bridge of "Melbourne" when such a prosecution would fail at the outset and would therefore achieve no result except the somewhat inglorious one of creating an unproved slur upon their names.

The Government accepts the advice that has been given and confidently believes that there will be wide support for the conclusions I have just stated.

Indeed I think that Honourable Members would agree that the important questions which arise are not to be answered

by arguments about whether individuals made errors of judgment or observation. What we must do by all the means in our power is to ascertain whether in a general way there was or is something wrong with naval efficiency or in the procedures followed in the Navy. This, I think, is a legitimate enquiry; and, as I will indicate later, we propose to take steps to pursue it.

But justice to a very fine Navy requires that a proper perspective should be established at the outset. In all armed services, particularly those which must train and operate under circumstances of special difficulty, there will from time to time be human errors. This is, of course, true in every aspect of life. It is specially true of every Air Force, of every Civil Aviation network, of every Navy. I do not seek to minimise the tragic nature of the "Voyager" collision, with its appalling consequence in lives lost. That is why we instituted the most searching public enquiry in the whole of our Defence history. But I think I should point out to the House that experience in other and older Navies supports the view that naval life has its own dangers and that, in spite of every precaution in selection and training, accidents will happen. For example, in the calendar year 1960, the Royal Navy had 17 collisions at sea and 25 groundings. The United States, whose records are not public, is known to have had collisions, including one of a similar nature to the Melbourne-Voyager collision, in which there was a very much greater loss of life. Every year, around the Australian coast, there are, in the mercantile marine, ship mishaps.

None of these excuse the error or errors which led to the "Voyager" loss, nor should we excuse any deficiencies in training, efficiency, or discipline that can be shown to exist. But the facts do emphasise that life at sea has its hazards, and that this is plainly true in the case of the Navy, which must prepare itself to fight by day or by night in all sorts of circumstances and weather and whose preparations can be effective only by practising by day or by night every sort of manoeuvre which may be needed in war. I therefore invite the House to look at the Navy as such, and not be led into what might be described as a campaign against individuals, some of whom indeed are no longer able to speak for themselves or to explain what circumstances of emergency or errors of observation or communication led them into the courses they pursued.

But in the interests of justice some individual observations must be made. Some criticism has been directed against what has been called Captain Robertson's inexperience

in the handling of an aircraft carrier or in tactical command of an operation involving an aircraft carrier and another vessel.

We have discussed this matter with the Naval Board in order to ascertain the facts. As Honourable Members will recall, comments concentrated on three points; that Captain Robertson, though a very experienced Naval officer, had joined "Melbourne", his first Carrier Command, only a month before the collision; that he had just finished three years ashore; and that he had never had tactical command of an aircraft carrier and another ship.

In fairness to Captain Robertson, it should be stated that he had in fact been the executive officer and second-in-command of an aircraft carrier for 16 months, during which he was, as part of his duty, understudying the captain.

Three years ashore between commands has been common practice in the R.A.N. and is dictated by the need to give a number of officers command experience at sea, while securing the great benefit of using recent sea experience in shore appointments. This has applied in each case of a carrier Captain.

It is interesting to learn that in the United States Navy, the careers of nine of their better-known Admirals reveal that the average time they spent in shore duty before assuming command of a carrier was 3 years and 4 months.

The practice in the Royal Navy is that of carrier Captains (as here) have only one carrier command, and that the average time spent by each ashore before assuming command of his carrier is  $3\frac{1}{2}$  years.

Of the general capacity, not only of Captain Robertson but of Captain Stevens, there cannot be any real doubt. Each had a splendid record and very considerable naval experience.

The judge found specifically that the ships and their equipment were in a proper state of preparedness for the exercise.

There were, however, two criticisms made or suggested by the Commissioner which have attracted some notice.

The first was that it might be advantageous to practice, by day, exercises which are likely to occur at night during the initial "touch and go" practice. We have examined the Naval Board on this point. Their answer as experts is that the

work-up programme was a full one involving many exercises more complicated than the manoeuvres required on the night of February 10. The programme stretched over four or five weeks. Any difficult exercises, for example, replenishment at sea, where ships sail close together, and "touch and go" landings by aircraft, were in fact done, first by day. If all the more routine ship manoeuvres involved in the programme first had to be practised by day, the work-up period would be so long as to reduce very considerably the period when ships were available for operations. This seems to us to be reasonable.

The other suggestion was that the exercise programme on the 10th February commenced at 7 a.m. and was still continuing at 8.56 p.m. when the collision took place and that this was a lengthy period of time. But the whole point of these exercises is to equip the Navy for operations of war. The Naval Board believes, and we see no reason to disagree, that if it were accepted that 12 or 14 hours exercising so reduced the concentration of command teams as to render their judgment unsound, the Navy could not operate effectively in peace or in war.

I referred just now to the findings of the Commissioner to the effect that the ships and their equipment were in a proper state of preparedness for the exercise. The Naval Board, however, considering all the available evidence and findings, has concluded that the state of preparedness of "Voyager" could not have been adequate, having regard to some of the detailed matters dealt with in the Royal Commissioner's Report.

In the view of the Board, the fact that "Voyager" had just completed a long refit during which she had a large change around of personnel, and that it is not possible now to discover where the weakness in her organisation lay, does not adequately explain the state of affairs existing at the time of the collision. The Naval Board, therefore, is instructing administrative authorities to carry out an inspection of ships on completion of refit and before commencing their work-up to ensure that ships' companies and equipment are at an appropriate level of preparedness. In addition, reorganisation of the staff of the Flag-Officer Commanding the Australian Fleet is being made which will enable increased visits by staff officers to be made to each ship while working-up, thus enabling an additional check to be made and remedial action to be taken if necessary.

I will therefore refer to various specific matters mentioned by the Royal Commissioner.

I think I should recall to Honourable Members that in the early stages of the Royal Commission, we became accustomed to somewhat sensational headlines. It is therefore important to recall that the ultimate findings were on a much more moderate scale. However, Honourable Members are familiar with the Report. They will quite probably be anxious to know what action, if any, has been or is being taken by the Naval Authorities.

As soon as it was discovered that wheel spanners had been missing from "Voyager's" escape hatches on the night of the collision, the Naval Board asked its technical branch to devise, as a matter of urgency, some better means of ensuring that hatches could always be readily opened. As a result, a new mechanism has been produced in the Naval Dockyard and the escape hatches in naval vessels have now been modified by fitting this improved securing mechanism, which does not require the use of a wheel spanner. At the same time, of course, it must be remembered that, like any other opening device in any vehicle, even this one may fail if badly buckled in a collision.

Although the Royal Commissioner found that at the time of the collision not all of "Melbourne's" boats were available, he said that there was no ground for criticising those in charge of "Melbourne" in that regard. He praised the work of the boats that engaged in the rescue operation. The findings of the Judge have, however, not silenced criticism. It is therefore fair that I should state a considered view.

Boats in naval ships, unlike life boats of merchant ships, are not part of survival equipment. Inflatable rubber rafts are carried in naval ships for this purpose. Naval boats are carried in ships for three purposes:

- (a) to be used as sea boats so that in some emergency, such as "man overboard" or a ditched aircraft, a suitable boat can be put into the water quickly. These boats are fitted with a device which enables them to be launched and recovered in heavy weather and with the ship moving. There is always one crew standing by one of the sea boats so that it is ready for immediate use in case of emergency. "Melbourne" carried three motor cutters of this type.
- (b) for the transport of men and stores in harbour. As these boats are required for use in harbour, their engine and hull maintenance must be done at sea, except for the one motor cutter which is required as a sea boat.



(c) for training and recreational purposes.

On the night of the collision, the emergency boat in "Melbourne" was damaged in the collision but, despite this, was in the water in a very short time. The boat's rescue work was done, as the Commissioner found, with great efficiency.

As soon as it became clear from evidence given before the Royal Commission that men were not familiar with the procedure for being winched out of the water into helicopters, arrangements were made by the Naval Board for all personnel already serving and for those who join in the future to be instructed in this procedure.

There were many publicised complaints about the travel arrangements made for survivors. The Royal Commissioner dealt with this quite precisely. He said:

"In the main, survivors who had long distances to travel to their homes were permitted to travel by air, and others travelled by train. There were but few complaints from survivors in this regard, and I do not think any criticism can justly be directed against those responsible for the arrangements."

The Naval Board itself, however, looking at the matter in retrospect, feels that all interstate survivors should have been sent to their homes by air from the outset, in spite of the normal rules.

Although the Royal Commissioner found that it seemed unlikely that very many men were lost once they had escaped from the ship, he did have comments and suggestions to make about the nature of swimming tests.

The Naval Board promptly initiated a review of the swimming tests and has sought advice from the Life Saving Association as a result of which the tests are being varied to require a man to be able to keep himself afloat for 10 minutes instead of 3 minutes. Almost every person in the R.A.N. can swim. The Board thinks it would be undesirable if the small minority who cannot swim, despite instruction, were prevented from serving in the R.A.N. We think that this is right.

The existing storage arrangements for life jackets were criticised by the Royal Commissioner.

A review of the existing practices (which have been identical with those in the Royal Navy) was initiated following the collision. The Royal Australian Navy Life Saving Equipment

Committee has recommended to the Board that life jackets should be stowed conveniently to the escape routes from ships and not, as formerly, in a single store room. The Flag-Officer Commanding the Australian Fleet is currently and urgently preparing proposals on the re-siting of such stowages. The task will take a little time, as space is, for obvious reasons, at a premium in all naval ships and it will be necessary to re-arrange other stowage so that life jackets can be stowed in the most important places.

During the hearing, it was said by several witnesses that they did not know how to operate the inflatable life rafts. This could well have been the case with a number of those who joined the Navy before these rafts were introduced. Since their introduction, instructions have been given to all recruits as they join the Navy as to how to operate the rafts, and posters, showing the method of doing so, are displayed in all R.A.N. ships. The Naval Board, however, has taken steps to improve the position. Live demonstrations are now given on the workings of the inflatable life rafts and this, together with other routines, will be practised as early as possible in the working-up of a ship and at regular intervals thereafter.

I now return to the important general questions which have exercised the minds of all of us.

The loss of "Voyager" and the report made upon that loss may have induced some to reach sweeping adverse conclusions about our Navy. This would in our opinion be grossly unjust and unwarranted, since, as I have pointed out, unhappy accidents occur in all navies and should not be hastily used as a reason for attacking our Navy as a whole. On the other hand, of course, it would be most unsatisfying to the public mind and to our own judgment for us to adopt the attitude that everything in the Royal Australian Navy is perfect and that what happened on the night of February 10 was just one of those accidents that must be accepted as the normal price of Admiralty.

I have already said something about the changes made by the Naval Board in the light of the evidence before, and the Report of, the Royal Commission.

Before I conclude, I will say, on behalf of the Government, something about new steps that we think can be taken with advantage. But we do think that justice requires that I should set out certain facts which show that whatever improvement may on examination be found desirable in the overall organisation of the Navy and its officers, we have every right to be proud

of the Navy for the way in which it has handled the problems which have come to it in recent years.

It should be remembered that since 1959 a new destroyer and four new frigates have completed their building in Australian shipyards and have been manned and commissioned, together with a number of smaller support ships. We have acquired a flotilla of six mine-sweepers which have been commissioned and steamed to Australia, their base support has been provided and magnetic mine sweeping has been introduced into the R.A.N.. Anti-submarine Wessex helicopters have been introduced and H.M.A.S. "Melbourne" converted to operate them. H.M.A.S. "Sydney" has been brought out of reserve and has been converted to a fast transport. In this role, she has been effectively employed quite recently. A modernised replenishment tanker has been brought into service to complete the fleet's mobility. A new specialised survey ship has been built in Australia and brought into service, while three frigates have been converted to oceanographic and survey work. New weapons and techniques have been introduced, such as the SEACAT anti-aircraft missile and variable depth SONAR. The first Australian designed naval weapon, the anti-submarine system IKARA is being developed in conjunction with the Department of Supply.

In the introduction of all these new units and techniques, a very considerable training and logistic and administrative effort has been involved. Work is under way on ten new ships for the Fleet, three guided missile destroyers in U.S.A., four Oberon submarines in Great Britain, an Escort Maintenance Vessel and two new frigates in Australia.

Preparations are well in hand to cope with the greatly expanded training and maintenance requirements involved in absorbing these new and sometimes almost incredibly complex units in the Royal Australian Navy.

All these things have put a great strain upon the resources of the Navy, because they have not only required steps to raise the general educational level but have also required provision for specialised training in the wide range of activities required. There is a junior recruit entry scheme which has involved the setting up of training establishments in Western Australia and Victoria. The Navy has set up an apprentices training centre (which is recognised as one of the largest and most efficient in the country) to meet the demands for tradesmen volunteers.

Large numbers of selected officers and men and technicians are receiving training in Great Britain and the United States. It is, I think, commonly agreed that R.A.N. personnel who are sent abroad each year to Britain and the United States are regarded as being well up to the standard of their counterparts in the British and U.S. Navies. For some years, at the request of the Government of Malaysia, the R.A.N. has provided the Commanding Officer of the Royal Malaysian Navy and seven other officers for that service.

The manpower strength of the Navy has increased from 10,600 in 1960 to 12,870 at present. It is evidence of morale that the re-engagement rate has risen from about 8 per cent at the end of the 1950s to over 50 per cent to-day.

Two destroyers or frigates have served continuously since 1955, on a rotation basis, with the strategic reserve based on Singapore, and the aircraft carrier, with escort, has served a tour of duty each year with the reserve. The general standard of efficiency of these units and their crews has been the subject of favourable comment by a succession of British naval commanders to whose command they have been operationally assigned.

A R.A.N. squadron has participated for several years with distinction in annual multi-national SEATO and Commonwealth Maritime exercises. On two occasions, the R.A.N. has been responsible for the planning and command of SEATO exercises, and with great credit.

I need not elaborate these matters. The mere statement of them should be sufficient to show that we have a good Navy and that we ought not to under-estimate its quality and performance.

In considering whether new practices or procedures might be adopted in the Royal Australian Navy, it is as well to remember that our Navy began as the child of the Royal Navy, a very great Navy with centuries of tradition and achievement behind it. We have therefore had a natural tendency in Australia to inherit the practices of the Royal Navy and, to a considerable extent, vessel design. This, of course, has advantages; as a relatively young naval power, we cannot pretend that we have nothing to emulate or to learn. But it might turn out that it has some disadvantages, since it may lead us to believe that the problems of the Royal Navy are in substance identical with those of our own.

We have learned something about this in the case of the Army where, having regard to our territorial situation, we have found it necessary to give particular attention to training soldiers for jungle fighting in tropical areas and have considered the weapons that we may require in the light of similar circumstances.

In the Air Force, we have had our own problems. The kind of Air Force that might be required by Great Britain is not necessarily the same kind of air force that we feel that we need. To take a quite recent example, any fast bomber we wanted would need to have a very long range and would need to have a speed and manoeuvrability that would enable it to foil attack at a long distance from its base.

The point I am making is that each country must consider each of its own armed services in the light of its own particular circumstances.

Much of what I said earlier was somewhat detailed; and even then there are many minor aspects of the matter to which it has not seemed necessary to refer.

But, in examining this tragic event, the Government had and has several duties.

The first was to put in hand with all speed a searching enquiry into the causes of the collision. This has been done, without fear, favour or affection, by the Royal Commissioner. We now know as much as we are ever likely to know about what happened that night, and about the acts or omissions of those conducting the manoeuvres,

The second is to restrain ourselves from harsh judgments upon individuals, and in particular upon those on the bridge of "Voyager", who are lost and gone and cannot speak for themselves or personally influence our judgment.

Nor, for the reasons I have stated, should we, having decided that no charge can legally be laid or supported against Captain Robertson, Commander Kelly, or Sub.Lt. Bate, seek to condemn them for deficiencies of observation or action which the Commissioner has found were not the primary (which I understand to mean the effective) cause of the collision.

The third, and at this stage the paramount duty, is to establish and enhance the future efficiency and morale of the Royal Australian Navy; a military arm vital for our national

security. This is a duty to be performed with understanding and judgment; its performance not to be impaired by extravagant attacks, or to be abdicated by an uncritical defence of the status quo.

The statement of this third duty, indeed, brings me to the nub of the matter. I think it probably right to say that the people of Australia are not looking for individual scape-goats. They know that the R.A.N. has a splendid record in two great wars, and that its international reputation is high. They have read with a mixture of pride and anguish the findings of the Royal Commissioner about the efficiency with which operations after the collision were conducted, the absence of panic among the men, and the outstanding gallantry of those to whom the Commissioner has directed attention. They will, no doubt, have properly concluded that a service which can train men to this high point of discipline and efficiency has much in it to be recognised and praised. Clearly, the general morale is high.

But the Government is well aware of the existence of a feeling of uneasiness because of some recent incidents, of which the latest is the "Voyager" disaster. It is not our practice in Australia to conceal such incidents. Indeed, in two which involved loss of life, the investigations have been conducted in public. This is not the normal practice in other navies.

We believe that the uneasiness may arise partly from a natural failure fully to understand the hazardous nature of naval training and service even in time of peace, when preparations must be made for active service in circumstances of great menace and difficulty. But we also believe that there may be doubts, not capable of precise definition, as to the effectiveness of the naval organisation, including communication procedures, and as to the suitability of the methods of selection, training and promotion so far practised.

To this criticism we have most anxiously directed our attention. For whatever the overall efficiency of the past, and I have made recognition of it, we must meet the challenge of the future. We will not be afraid to make changes where they prove desirable. In particular, we must not assume that practices followed by other and much greater navies are necessarily appropriate to our own, with limited numbers, a much smaller fleet, and peculiar geographical and strategic circumstances.

Steps will be taken constantly to review procedures in the light of the special character and circumstances of the R.A.N. It would be wrong to say that the cause of the "Voyager" collision was maladministration on the part of the Naval Board, for proper look-out and navigational moves on individual ships are matters of individual efficiency and judgment on the part of those at sea. But it is right to say that much good may result from re-examination of methods of selection, training, and promotion, and of constantly improving general efficiency.

How should such review and re-examination be made? It has been suggested that we should seek the services of a British or American Naval Officer of suitable rank and experience. We reject this suggestion. What we are looking for is Australian answers to Australian questions relating to an Australian service, operating in its own special circumstances. There are plenty of Australian Senior Naval Officers of ability, experience, and integrity, as capable of giving advice as any.

It would, of course, be quite unsatisfactory if changes in organisation or procedures were conditioned upon the occurrence of some mishap which directed attention to some defect in the Service. Our study must be wider and more continuous. Yet we have noted that in the Air Force there is a Standing Committee to investigate air accidents; that it goes to the spot rapidly; that it concerns itself particularly with such problems as faulty construction or maintenance, defective communications, and inadequate control. Its reports are a valuable source of recommendation for improvements, and have contributed usefully to the increasing efficiency of the Air Force.

Enquiries are made by experts into naval incidents; but they are essentially ad hoc, and are made by varying groups of people. We have decided that there should be a Standing Naval Committee of Investigation, with as much continuing membership as the circumstances of the Navy will permit.

But for a general review the Government must and will accept its proper responsibility. It will, through a Ministerial Committee presided over by the Minister for the Navy, the Chief of the Naval Staff being associated with him, and with the professional naval advice available to it, closely and regularly consider ways and means of reviewing Naval Organisation procedures and methods so as to make improvements where these are found to be desirable.

We believe that under these circumstances the Navy can go on with its vital service to the nation in co-operation with the Government and with the moral backing of the Australian people.

I repeat that we have a fine Navy, with a gallant and devoted company of officers and men. It is the task of all of us in responsible authority to remove any discoverable impediments to its full effectiveness.