

SECTION 1 INTRODUCTION AND BACKGROUND

CHAPTER 2 BIOGRAPHIES OF THE DECEASED MEMBERS AND THE SURVIVORS

*'We all share the same horrendous loss, and understand like no other the continuing pain and grief that will be with us always.'*¹

2.1 This Board of Inquiry is fundamentally about the tragic deaths of nine Australian Defence Force personnel and about the two Australian Defence Force personnel who were injured in the accident of *Shark 02* on 02 Apr 05. It is therefore appropriate to focus on these 11 people.

2.2 The central purposes of this Inquiry are to ascertain what caused *Shark 02* to crash which led to the nine deaths and to the injuries to the two survivors, and to find ways to prevent a recurrence. This Inquiry is akin to a coronial inquiry that would ascertain what caused the deaths of those who perished in this accident. In Chapter 18 of this Report – Manner and Cause of Death – the Board considers forensic issues and makes findings about cause of death as these issues would be approached in a Coronial Inquiry.

2.3 This importance of finding the causes of this tragedy were well captured in a letter written by one of the next of kin in the month following the accident:

*'A tragic accident has taken nine fine Australians from us. We must carry the grief, we also carry the intense pride that in time may help make it bearable. The determination of the cause of the tragedy will see the beginning of the healing process.'*²

2.4 This Inquiry recommends action to be taken by the Australian Defence Force to ensure that the organisation learns from this accident. The Instrument of Appointment activates the power in Regulation 25 of the *Defence (Inquiry) Regulations 1985* which empowers the Board to make such recommendations arising from its findings. As with a coronial inquiry, one of the most significant powers of the Board is this power to make recommendations to ensure that an accident of this kind does not happen again.

¹ Quote by one of the next of kin taken from the Family Impact Statements, Ex 456.

² Letter by Mr Peter Davey, father of LEUT Matthew Davey written in May 05 – read out by Counsel Assisting at the opening of this Inquiry (T17/1-20).

Name of Deceased Member	Age
Lieutenant Paul KIMLIN, RAN	29 years
Lieutenant Jonathan KING, RAN	32 years
Lieutenant Matthew GOODALL, RAN	25 years
Leading Seaman Scott BENNET	36 years
Squadron Leader Paul McCARTHY	30 years
Lieutenant Matthew DAVEY, RANR	31 years
Flight Lieutenant Lynne ROWBOTTOM	43 years
Petty Officer Stephen SLATTERY	38 years
Sergeant Wendy JONES	40 years

Table 2.1: – The Deceased Members

2.5 Family Impact Statements and biographical statements³ were provided by the next-of-kin of the nine individuals who perished in the accident of *Shark 02*. These documents form an important part of the material before the Board. They describe the devastation experienced by the family members in losing their loved ones and the profound impact this has had on their lives. The Board acknowledges that the statements are extremely personal in nature and were undoubtedly distressing to write, and that the families and friends of those who perished continue to endure the acute sadness of their loss.

2.6 To the Royal Australian Navy and the Royal Australian Air Force, the loss of these nine personnel is highly significant. Each of those who perished was a highly trained professional with exceptional qualities. The dedication of these seven men and two women to the service of their country is recognised by the Board, as is their commitment to the humanitarian effort to assist the victims of the tsunami and the earthquake victims in Nias as part of Operation SUMATRA ASSIST.

2.7 The summaries below do not do justice to their achievements or lives, but the Board considered it important to record information about those who died in the accident as recognition of this loss.⁴

³ These documents are contained in Ex 456.

⁴ For greater depth of information see Ex 456.

Lieutenant Paul John KIMLIN, RAN

2.8 Lieutenant Paul Kimlin was the Aircraft Captain of Sea King *Shark 02*. He was born on 01 January 1976 in Canberra. As a young child, Lieutenant Kimlin displayed a passion for flying and joined the Air Cadets at age 14. He was also a keen sportsman, playing soccer and baseball and representing ACT in softball. Later he enjoyed golf, cycling, swimming and snorkelling. In 1995 he began studying for a degree in Applied Science at the University of Canberra.

2.9 Lieutenant Kimlin joined the Royal Australian Navy in March 1996 as a Midshipman and direct entry pilot. Having received his “wings” in November 1998, he joined 723 Squadron at HMAS ALBATROSS. In 2000, he deployed to East Timor for six months as the Military Aviation Liaison Officer with the United Nations Transitional Authority. In 2001, he was posted to 817 Squadron for conversion to Sea King helicopters.

2.10 Lieutenant Kimlin was promoted to Lieutenant in 2002 and deployed in HMAS KANIMBLA in 2003 for Operations SLIPPER, BASTILLE and FALCONER which saw him fly missions in support of the fleet throughout the Iraq War. Returning to 817 Squadron’s home base at Nowra, Lieutenant Kimlin achieved full Sea King captaincy in September 2004.

2.11 Having shared Christmas 2004 with his family, Lieutenant Kimlin was recalled from leave on 28 December 2004 to prepare to deploy for Operation SUMATRA ASSIST.

2.12 For his operational service, Lieutenant Kimlin was awarded the Australian Active Service Medal with clasps for ‘East Timor’, ‘Iraq 2003’, and the ‘International Coalition Against Terrorism’. Other awards included the United Nations Transitional Authority East Timor Medal, the Meritorious Unit Citation and the Iraq Campaign Medal. On 05 April 2005 the Indonesian President posthumously awarded him the Indonesian Medal of Valour.

2.13 Lieutenant Kimlin was an excellent ambassador for Navy aviation, making many public appearances in which he discussed his military career. Lieutenant Kimlin was very close to his recently widowed sister and his nephew. Lieutenant Kimlin will be remembered by his family and many friends for his many passions in life, and his great wit and sense of humour.

Lieutenant Jonathan Curlewis KING, RAN

2.14 Lieutenant Jonathan King was a qualified Sea King Tactical Captain, and the co-pilot of Sea King *Shark 02*. Born on 31 October 1972 at Fern Tree Gully, Victoria, his family moved to Queensland in 1973. A keen and accomplished sportsman, he also developed a love of the ocean and a passion for diving and surfing.

2.15 Lieutenant King studied at the University of Queensland and graduated in 1994 with a Bachelor of Applied Science in Natural Systems and Wildlife Management. In the same year, he won the Nambour Reds Rugby Union Club’s reserve grade ‘Best and Fairest’ trophy.

2.16 Throughout his time at university, Lieutenant King served with the Queensland Regional University Regiment but his marine interest won out and, in 1996, he joined the Royal Australian Navy as a Marine Science sailor. He was promoted to Able Seaman in March 1998. In 1999, he was posted to HMAS CAIRNS and while attached to the Laser Airborne Depth Sounder (LADS) Flight, he became interested in aviation and joined a private

aero club and obtained his restricted pilots licence. In 2000 Lieutenant King was commissioned as Sub-Lieutenant. His goal was to become a helicopter pilot and he commenced flight training at which he excelled. Lieutenant King received his “wings” at the end of 2001.

2.17 Lieutenant King completed rotary wing conversion courses in 723 Squadron and was promoted to Lieutenant in 2002. In May 2003, he was posted to 817 Squadron. Lieutenant King was dux of the Sea King Pilot Operational Flying Training course in 2004, for which he was posthumously awarded the Herbert Lott Naval Trust Fund Award.

2.18 Operation SUMATRA ASSIST was Lieutenant King’s first operation. On 05 April 2005, the Indonesian President posthumously awarded him the Indonesian Medal of Valour.

2.19 Part of a large, extended family, Lieutenant King will be fondly remembered for his loving nature, loyalty, sense of family and sense of adventure for life.

Lieutenant Matthew Phillip GOODALL, RAN

2.20 Lieutenant Matthew Goodall was the Tactical Coordinator on Sea King *Shark 02*. Born on 28 March 1980 in Sydney, he grew up in Blakehurst on Kyle Bay in New South Wales. A keen sportsman, Lieutenant Goodall enjoyed soccer, tennis, cricket and particularly sailing, and played a musical instrument in the school band.

2.21 In 1994, Lieutenant Goodall joined the Air Training Corps at his secondary school. Cadet training was the highlight of his week and, in 1996, he was awarded the McGrath Shield for first place on the senior non-commissioned officer promotion course. He was also awarded a gliding scholarship.

2.22 In 1997, Lieutenant Goodall was awarded an ADF scholarship and the following year he joined the Australian Defence Force Academy (ADFA) as an RAN cadet. At ADFA, Lieutenant Goodall became very involved in campus life. He graduated from ADFA in 2000 with a Bachelor of Science degree majoring in Mathematics and Computer Science. Lieutenant Goodall competed in the 1998 Sydney to Hobart Yacht Race as a crewmember on a Navy sailing boat.

2.23 In 2002, Lieutenant Goodall completed his basic Observer Course at RAAF East Sale and was awarded the prize for the best sportsman in this course. His subsequent postings included brief stints at 723 Squadron and 816 Squadron before transferring to 817 Squadron and Sea Kings. He was promoted to Lieutenant in January 2004 and in August that year he completed his tactical coordinator training, gaining the Herbert Lott Naval Trust Fund award for being the dux of this course.

2.24 Thereafter Lieutenant Goodall spent some months deployed to the South Pacific before returning to Sydney in mid-December 2004 and proceeding on leave. He was recalled on 30 December 2004 to join HMAS KANIMBLA for Operation SUMATRA ASSIST, his first operation. On 05 April 2005, the Indonesian President posthumously awarded him the Indonesian Medal of Valour.

2.25 Lieutenant Goodall will be remembered by his family and friends for his affectionate nature, sense of humour, energy and enthusiasm for life.

Leading Seaman Scott Andrew Charles BENNET

2.26 Leading Seaman Scott Bennet was the helicopter Utility Aircrewman in Sea King *Shark 02*. He was born in Christchurch, New Zealand on 16 October 1968, the eldest of four children in a close and loving family. After completing his early education in New Zealand, he moved to Australia in 1984 and completed his secondary schooling in Queensland.

2.27 Leading Seaman Bennet enjoyed a fit and active lifestyle. His sporting interests included cycling, ice-skating, basketball and volleyball, which he coached.

2.28 After leaving school, Leading Seaman Bennet worked in a number of different capacities before joining the RAN in September 1990. Initially a Safety Equipment sailor, he was promoted to Leading Seaman in 1995. He served in East Timor in 1999. His service included postings in HMAS CERBERUS, ALBATROSS, HOBART and SYDNEY.

2.29 In 2003 Leading Seaman Bennet transferred to the Aircrewman category and requalified. He was subsequently posted to 817 Squadron for operational flight training and was later posted to 723 Squadron, HMAS CRESWELL and HMAS KANIMBLA. He qualified for Sea King embarked utility operations in September 2004 and anticipated to be promoted to Petty Officer in December 2005. On 05 April 2005, the Indonesian President posthumously awarded him the Indonesian Medal of Valour.

2.30 In 1991, Leading Seaman Bennet met his wife at HMAS ALBATROSS while they were on course together. They married in 1993 and have two sons.

2.31 Always passionate about his family, Leading Seaman Bennet will be remembered as a devoted father and husband. Marching on ANZAC Day with his sons proudly wearing his replica medals was a cherished tradition.

Squadron Leader Paul Stuart McCARTHY

2.32 Squadron Leader Paul McCarthy was a Medical Officer on Sea King *Shark 02*. He was born in Brisbane on 15 October 1974. He attained a very high level of academic and sporting achievement, showing a determination to succeed combined with a high level of commitment. From an early age he also demonstrated qualities of leadership serving as both a Prefect and House Captain in sport.

2.33 Squadron Leader McCarthy graduated from the University of Queensland with a Bachelor of Medicine and a Bachelor of Surgery in 1997, after which he completed his internship and residency at Nambour Hospital. Squadron Leader McCarthy was a lifesaver with the Coolum Surf Club and a member of the team when it won the Australian Open Surf Boat Championship in 1999. In 2001, he and a friend competed in a 5000km rowing race from the Canary Islands to Barbados in which they came second.

2.34 Squadron Leader McCarthy joined the RAAF as an officer-cadet medical undergraduate in 1995 and in 2001 he completed his Officer Training Course. He had considerable experience in deployed operations, serving in Kyrgyzstan, East Timor and Iraq. He was also a member of the ADF medical teams that assisted after the Bali bombings in October 2002. For these deployments he was awarded the Australian Active Service Medal with clasps for the 'International Coalition Against Terrorism', 'East Timor' and 'Iraq, 2003'. He was also

awarded the Iraq Campaign Medal and the Afghanistan Campaign Medal. On 05 April 2005, the Indonesian President posthumously awarded him the Indonesian Medal of Valour.

2.35 Promoted to Squadron Leader in December 2003, he was posted from RAAF Williamstown to RAAF Pearce as the Senior Medical Officer. He developed skills in aeromedical evacuations and also gained an Early Management of Severe Trauma licence.

2.36 Following the December 2004 tsunami, Squadron Leader McCarthy volunteered to serve, and was appointed Aeromedical Evacuation Coordinator in Aceh for Operation SUMATRA ASSIST I. After completing this mission in late March 2005, he returned to Australia. However, almost immediately, he redeployed for Operation SUMATRA ASSIST II. He embarked in HMAS KANIMBLA on 01 April 2005, the day before the accident.

2.37 Squadron Leader McCarthy will be remembered by his close and extended family as compassionate, loving and kind and, by his colleagues, as one of the brightest stars in the Air Force Health family.

Lieutenant Matthew Peter DAVEY, RANR

2.38 Lieutenant Matthew Davey was a Medical Officer on Sea King *Shark 02*. He was born on 8 December 1973 in Adelaide. As a young man, he demonstrated both academic and sporting prowess. In 1988, Lieutenant Davey was accepted into an Enhanced Academic Program for all his academic subjects and he later graduated dux of Tuggeranong College. In 1989 he became the ACT Judo Champion.

2.39 Lieutenant Davey first studied science at the Australian National University and for periods in the 1990s, was a visiting fellow both there and at the University of California. He graduated with a Bachelor of Science degree with First Class Honours in 1996. He was also awarded the University Medal for Outstanding Academic Achievement and the Tillyard Prize for the 'student whose personal qualities and contributions to University life have been outstanding'. In 1998, Lieutenant Davey earned the Queen Elizabeth II Silver Jubilee Trust Fellowship for research at New York's Cornell University Medical College. In 2000, he completed a Bachelor of Medicine and Bachelor of Surgery at Flinders University in Adelaide. Outside academia he had developed a passion for paragliding and had become an accomplished ballroom dancer.

2.40 Lieutenant Davey joined the Australian Army Reserve in 2000 as a Medical Officer, and transferred to the Royal Australian Navy Reserve as a Lieutenant in October 2002. He deployed to East Timor for Operation SPIRE in 2004, and was awarded the Australian Service Medal with clasp 'East Timor' and the United Nations Force Commander's commendation for outstanding service. On 05 April 2005, the Indonesian President posthumously awarded him the Indonesian Medal of Valour.

2.41 In civilian life, Lieutenant Davey was an Intensive Care Registrar in Canberra where his co-workers believed his towering intelligence, photographic memory and analytic mind made him a great scientist, his compassion and empathy made him a great doctor and his sense of humour made him a great friend.

2.42 In February 2005, he was posted to HMAS KANIMBLA's primary casualty reception facility for Operation SUMATRA ASSIST I. After returning to Australia in late Mar 05, he

spent less than 24 hours at home before learning of the earthquake in Nias and volunteering to return to the region.

2.43 Well known as a dedicated professional by his colleagues in the Reserves, Lieutenant Davey's service has been recognised by the renaming of the RANR Professional Studies Program's Overseas Study Grant as the Matthew Davey Award. Lieutenant Davey will be remembered above all for his humanity and drive to succeed.

Flight Lieutenant Lynne Elizabeth ROWBOTTOM (nee Eadie)

2.44 Flight Lieutenant Lynne Rowbottom was a Nursing Officer in the RAAF and a passenger on *Sea King Shark 02*. She was born on 25 January 1962 in Launceston. Her four siblings were much older and, as a consequence, she became very close to her nieces and nephews. Flight Lieutenant Rowbottom was married and had a son.

2.45 As a young student, Flight Lieutenant Rowbottom particularly excelled in languages and it was this ability that helped her obtain a bursary to attend Broadland House Church of England Girls School. While there, Flight Lieutenant Rowbottom became a competent pianist and was a member of the school choir. She also enjoyed sailing, hockey and horse riding. Although offered a teaching scholarship at the end of her secondary schooling, she had already decided that her chosen career was to be in nursing. Caring for others less fortunate was to be her focus in life.

2.46 In 1980, Flight Lieutenant Rowbottom was accepted for training at the Launceston General Hospital and after graduation she obtained her midwifery certificate. In 1991, she accepted a position at Townsville General Hospital working in the Renal unit.

2.47 A long-time ambition of Flight Lieutenant Rowbottom's was realised in 1996 when she was accepted into the Royal Australian Air Force as a Nursing Officer. In 1999, the then Flying Officer Rowbottom was promoted to Flight Lieutenant, and in 2001 she was posted to 323 Combat Support Squadron. In 2003, she was deployed to Operation CITADEL, Australia's contribution to the United Nations Mission of Support in East Timor Peacekeeping Force, for which she was awarded the Australian Service Medal, with clasp 'East Timor'. On 05 April 2005 the Indonesian President posthumously awarded her the Indonesian Medal of Valour.

2.48 Flight Lieutenant Rowbottom embarked in HMAS KANIMBLA for Operation SUMATRA ASSIST II on 01 April 2005, the day before the accident.

2.49 Flight Lieutenant Rowbottom will be remembered by family and friends for her good humour, her love for her family and animals and as a caring nurse who was dedicated to her patients.

Petty Officer Stephen Craig SLATTERY

2.50 Petty Officer Stephen Slattery was a Medical Assistant in the RAN and a passenger on *Sea King Shark 02*. He was born on 15 September 1966 in Paddington, New South Wales.

2.51 His father had served for 29 years in the Royal Australian Navy and in 1984 Petty Officer Slattery followed in his footsteps, enlisting as a Recruit Quartermaster Gunner. In

1988 he transferred to the medical category. He was promoted to Leading Seaman in 1998 and to Petty Officer in 2004. In February 2005 he was awarded the First Clasp to the Defence Long Service Medal for his twenty years of service to the Royal Australian Navy.

2.52 Petty Officer Slattery's numerous postings to ships and establishments over the years included HMAS STIRLING, STUART, PENGUIN, SUCCESS, CERBERUS, ALBATROSS, NIRIMBA, BRISBANE, PLATYPUS, PERTH, WATERHEN, CAIRNS, KUTTABUL, HS RED and KANIMBLA.

2.53 In 1992 Petty Officer Slattery married and he proudly took on the role of father to his wife's two children. Later, he became 'Pa' to two grandchildren who adored and loved him dearly.

2.54 Petty Officer Slattery embarked in HMAS KANIMBLA on 01 April 2005, the day before the accident. Assisting the earthquake victims of Nias in Operation SUMATRA ASSIST was his first operational deployment. On 05 Apr 05, the Indonesian President posthumously awarded Petty Officer Slattery the Indonesian Medal of Valour.

2.55 Petty Officer Slattery will be remembered by his family and friends for his fun-loving nature, unique sense of humour and his inherent willingness to please others.

Sergeant Wendy Elizabeth JONES

2.56 Sergeant Wendy Jones was a Medical Assistant in the RAAF and a passenger on Sea King *Shark 02*. Born in Broken Hill on 30 October 1964. Sergeant Jones' childhood was spent in Broken Hill and, after secondary school in 1979 she completed a secretarial course. Following various employments in Broken Hill, she moved to Adelaide to work at a fitness centre.

2.57 Sergeant Jones had a love of sport, and she particularly enjoyed outdoor activities. A keen participant in team sports and keeping herself fit, she was also known to be a great motivator of others to do the same.

2.58 Sergeant Jones joined the Royal Australian Air Force in 1990 and served on a variety of Air Force bases as a Medical Assistant. Her qualifications and skills included health support, life support skills and critical incident stress management - peer support.

2.59 In 1999 she served in East Timor for five months while deployed on Operation WARDEN. She undertook another five month deployment in 2004 on Operation CATALYST in the Middle East area of operations. She was also deployed in support of Operation BALI ASSIST after the Bali bombings. Sergeant Jones has received the Australian Active Service Medal with clasps for 'East Timor', 'Iraq 2003', and the 'International Coalition Against Terrorism'. Other awards included the International Force East Timor Medal and the Iraq Campaign Medal. On 05 April 2005 the Indonesian President posthumously awarded her the Indonesian Medal of Valour.

2.60 Sergeant Jones embarked in HMAS KANIMBLA for Operation SUMATRA ASSIST II on 01 Apr 05, the day before the accident.

2.61 Very family orientated, Sergeant Jones maintained regular contact with her family members and will be remembered by her family and friends for her ability to form strong, long-lasting friendships.

THE SURVIVORS

2.62 Two Australian Defence Force personnel survived but were injured in this accident: Leading Seaman Shane Warburton and Leading Aircraftman (now Corporal) Scott Nichols. Both survivors provided a valuable contribution to the Inquiry by giving evidence, both orally⁵ and in writing.⁶

2.63 The Board recognises the dedication to the service of the survivors and their commitment to the humanitarian effort of Operation SUMATRA ASSIST. The Board acknowledges that the accident of *Shark 02* on 02 Apr 05 has had a profound negative impact on each of the two survivors and their families.

Leading Seaman Shane Robert WARBURTON

2.64 Leading Seaman Warburton is a Communications and Information Systems sailor, and at the time of the accident was posted in HMAS KANIMBLA. He was born on 10 September 1975. He joined the Royal Australian Navy in September 1992. He is married with three young children.

2.65 Leading Seaman Warburton's postings have been in HMAS CERBERUS, SWAN, HARMAN, BENALLA and KANIMBLA. He embarked in HMAS KANIMBLA at the commencement of Operation SUMATRA ASSIST to provide humanitarian assistance to the tsunami relief effort.

2.66 The accident sortie of *Shark 02* on 02 Apr 05 was Leading Seaman Warburton's first aeromedical evacuation mission. On 05 Apr 05, the Indonesian President awarded him the Indonesian Medal of Valour.

Leading Aircraftman (now Corporal) Scott Andrew NICHOLS

2.67 Corporal Nichols was a Medical Assistant in the RAAF and was a passenger on Sea King *Shark 02*. He was born on 6 January 1973. He initially joined the Australian Regular Army in 1990 and worked in the Royal Australian Artillery Corps. After six years he left the Army to take up civilian positions in security and information technology. Corporal Nichols joined the Royal Australian Air Force in Feb 00 as an Airfield Defence Guard. In 2001 he re-mustered to train as a Medical Assistant.

2.68 Corporal Nichols has had experience with military rotary-wing operations in both the Army and the RAAF, including aeromedical evacuation training and several aeromedical evacuation missions. In November 2003, he was posted to RAAF Williamtown as a Medic in the Medical Centre.

⁵ T427-T475 (Warburton); T383-T427 (Nichols).

⁶ See Leading Seaman Warburton: Ex. 14, 15, 16, 422 and Corporal Nichols: Ex. 10, 11, 12, 13 and 28.

2.69 Corporal Nichols embarked in HMAS KANIMBLA for Operation SUMATRA ASSIST II on 01 April 2005, the day before the accident. On 05 April 2005, the Indonesian President awarded him the Indonesian Medal of Valour.