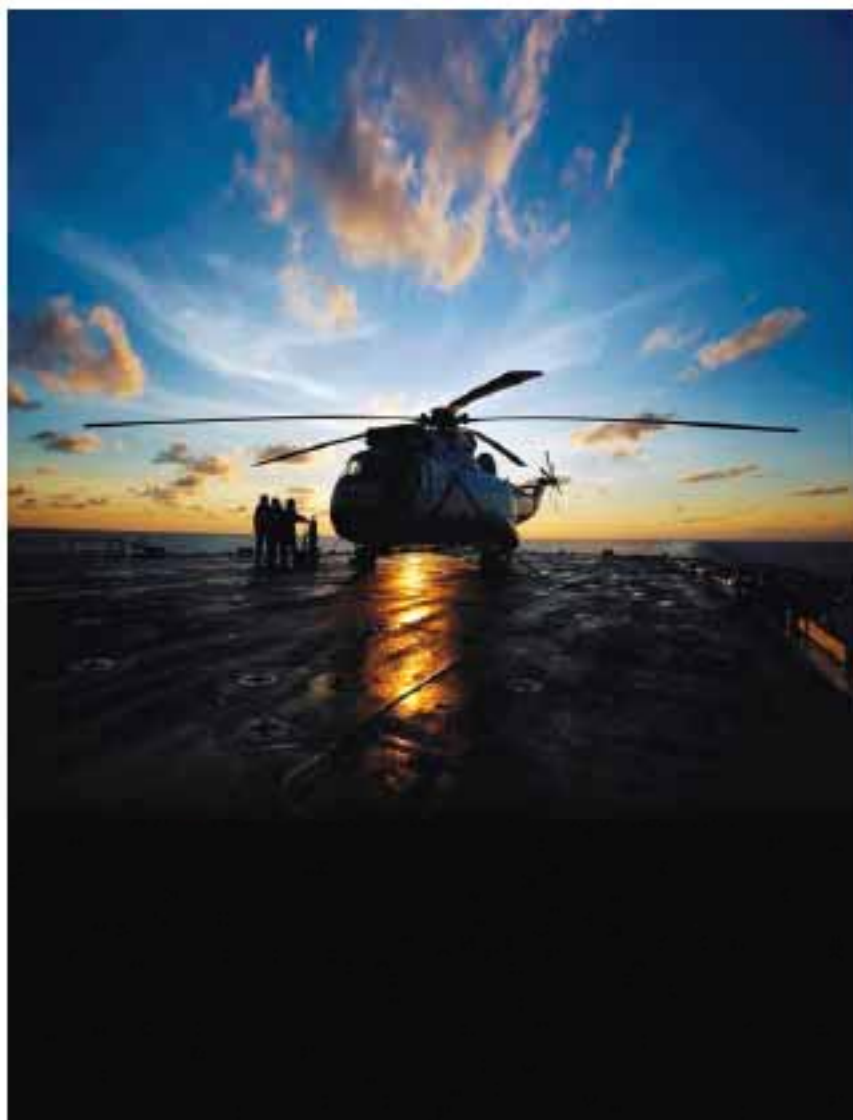




ROYAL AUSTRALIAN NAVY
NIAS ISLAND SEA KING ACCIDENT
BOARD OF INQUIRY REPORT



VOLUME I

Cover picture
Sea King Helicopter on the aft deck of HMAS KANIMBLA

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Nias Island Sea King Accident Board of Inquiry Report

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Nias Island Sea King Board of Inquiry Report

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PREFACE

The President of the Sea King Board of Inquiry, Commodore L. N. Pataky, AM, CSC, RAN, forwarded the Board's report to the Appointing Authority, Rear Admiral D.R. Thomas, AM, CSC, RAN, on 18 December 2006. The version provided here includes a number of additions, corrections and deletions. Significant changes are listed in the Table of Amendments. Changes fall into the following areas.

Corrections at the direction of the Board

In the period between the receipt of the Board's report 18 December 2006 and the dissolution of the Board on 11 April 2007 the Board further reviewed the report and directed that a number of changes be made. Some of these changes were made in the light of an independent legal review undertaken to ensure that the report adequately addressed the terms of reference and that the conclusions were supported by evidence. The legal review was conducted by Lieutenant Commander W. Sofronoff QC, RANR who is also the Queensland Solicitor General.

Typographical, formatting and clerical errors and corrections

In preparing the report for release minor corrections have been included where they do not make substantive change to the report. A few of these are listed in the Table of Amendments. Examples of the corrections not listed in the Table of Amendments include; Chapter 6 from paragraph 6.23 to the end of the chapter were incorrectly numbered, Chapter 6 paragraph 6.183(2) the word 'associate' should have read 'associated', Chapter 9 Table 9.1 the word 'Squirrell' should have read 'Squirrel', Chapter 18 paragraph 18.17 reference to 'Table 10.1' should read 'Table 18.1' and paragraph 18.153 the word 'tangible couplings' should read 'frangible couplings'.

Material not published

As identified in the Table of Amendments a number of paragraphs and sentences are not published. Some of these are not published due to issues of jurisdiction of the Board and procedural fairness. These matters have been the subject of legal advice from senior counsel.

In addition, some material has not been published because publication would be an unreasonable disclosure of sensitive personal medical information of the deceased or because of operational security, specifically the names of personnel serving in HMAS KANIMBLA at the time. These parts are not material to the findings or recommendations in the report.

Table of Amendments

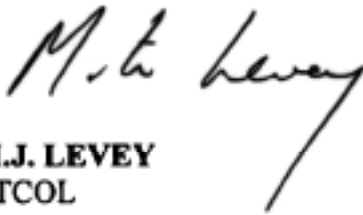
Annex	1 A	Terms of Reference roadmap developed by the Board to assist the reader. This roadmap was updated by Defence to reflect additional information provided by the Board. Some typographical errors were corrected
Finding	3.A.1	Change made at the direction of the Board
Finding	5.7	Change made at the direction of the Board
Figure	5.17	Change made at the direction of the Board
Footnote	Ch 5 fn 19	Change made at the direction of the Board
Finding	5.31.1	Change made at the direction of the Board
Finding	5.31.2	Change made at the direction of the Board
Footnote	Ch 5 fn 54	Change made at the direction of the Board
Finding	5.62.1	Change made at the direction of the Board
Finding	5.93.1	Change made at the direction of the Board
Paragraph	5.173(d)	Change made at the direction of the Board
Paragraph	5.179(h)	Change made at the direction of the Board
Paragraph	5.200.1	Change made at the direction of the Board
Paragraph	5.262(d)	Change made at the direction of the Board
Section	Intro to section 3 added	Change made at the direction of the Board
Figure	6.20	Figure referenced in the report but was missing. Figure inserted by Defence. Consequential changes made to references.
Finding	7D1	Change made at the direction of the Board
Paragraph	7F4	Change made at the direction of the Board
Paragraph	7G3(g)	Change made at the direction of the Board
Paragraph	7G4	Change made at the direction of the Board
Paragraph	7G5	Change made at the direction of the Board
Footnote	Ch 9 fn 89	Exhibit identified by the Board but not referenced. Reference inserted by Defence
Finding	12.6	Paragraph not published in light of legal advice
Finding	12.17	Paragraph not published in the light of legal advice
Paragraph	12.56	Sentence not published in light of legal advice
Paragraph	12.58	Paragraph not published in light of legal advice
Paragraph	12.137	Sentence not published in light of legal advice
Paragraph	12.140	Paragraph not published in light of legal advice
Paragraph	12.142	Paragraph not published in light of legal advice
Paragraph	12.143	Paragraph not published in light of legal advice
Paragraph	12.144	Paragraph not published in light of legal advice
Paragraph	12.147	Paragraph not published in light of legal advice
Paragraph	12.148	Paragraph not published in light of legal advice
Paragraph	12.151	Paragraph not published in light of legal advice
Paragraph	12.152	Sentence not published in light of legal advice
Paragraph	12.154	Sentence not published in light of legal advice
Finding	12A1	Paragraph not published in light of legal advice

Finding	12A3	Sentence not published in light of legal advice
Finding	12A4	Paragraph not published in light of legal advice
Paragraph	12A11	Paragraph not published in light of legal advice
Paragraph	12A15	Sentence not published in light of legal advice
Paragraph	12A18	Paragraph not published in light of legal advice
Paragraph	12A19	Sentence not published in light of legal advice
Paragraph	12A22	Sentence not published in light of legal advice
Paragraph	12A23	Paragraph not published in light of legal advice
Paragraph	12A38	Paragraph not published in light of legal advice
Finding	13.9	Paragraph not published in light of legal advice
Finding	13.10	Paragraph not published in light of legal advice
Finding	13.11	Paragraph not published in light of legal advice
Paragraph	13.24(b)	Sentence not published in light of legal advice
Paragraph	13.24(b)(5)	Sentence not published in light of legal advice
Paragraph	13.25	Sentence not published in light of legal advice
Paragraph	13.51(a)	Photos identified by the Board but not inserted in the report. Photos inserted by Defence with approval of the Board.
Footnote	Ch 13 45	Exhibit identified by the Board but not referenced. Reference inserted by Defence
Footnote	Ch 13 48	Exhibit identified by the Board but not referenced. Reference inserted by Defence
Figure	14.2	Figure referenced in the report but was missing. Figure inserted by Defence.
Annex	14 A	Annex referenced in the report but was missing. The document being the annex was inserted by Defence.
Annex	14 B	Annex incorrectly referenced. Defence amended to be correctly referenced
Footnote	Ch 17 fn 42	Reference missing in report. Reference inserted by Defence
Paragraph	17.77	Paragraph not published in light of legal advice
Paragraph	18.2	Incorrect quote from a reference. Amended by Defence by removing the words "The Board's"
Table	18.3	Change made at the direction of the Board
Table	18.3	Not published because it disclosed sensitive personal information about the deceased and which is otherwise immaterial
Finding	18.3.1	Change made at the direction of the Board
Finding	18.3.2	Change made at the direction of the Board
Finding	18.3.3	Change made at the direction of the Board
Paragraph	18.23.1	Change made at the direction of the Board
Paragraph	18.23.2	Change made at the direction of the Board
Paragraph	18.23.3	Change made at the direction of the Board
Paragraph	18.23.4	Change made at the direction of the Board
Paragraph	18.23.5	Change made at the direction of the Board
Paragraph	18.23.6	Change made at the direction of the Board

Paragraph	18.23.6	Not published in its entirety because it disclosed sensitive personal information about the deceased and which is otherwise immaterial
Paragraph	18.23.7	Change made at the direction of the Board
Paragraph	18.23.7	Not published in its entirety because it disclosed sensitive personal information about the deceased and which is otherwise immaterial
Paragraph	18.23.8	Change made at the direction of the Board
Paragraph	18.23.9	Change made at the direction of the Board
Paragraph	18.23.9	Not published in its entirety because it disclosed sensitive personal information about the deceased and which is otherwise immaterial
Paragraph	18.23.10	Change made at the direction of the Board
Paragraph	18.23.11	Change made at the direction of the Board
Paragraph	18.23.12	Change made at the direction of the Board
Paragraph	18.23.13	Change made at the direction of the Board
Paragraph	18.23.14	Change made at the direction of the Board
Recommendation	19.37	Change made at the direction of the Board
Recommendation	19.38	Change made at the direction of the Board
Paragraph	19.270	Change made at the direction of the Board
Paragraph	19.271	Change made at the direction of the Board
Paragraph	20.18	Cross-reference incorrect
Paragraph	21.26.1	Change made at the direction of the Board
Paragraph	21.26.2	Change made at the direction of the Board
Paragraph	21.26.3	Change made at the direction of the Board
Paragraph	20.36	Change made at the direction of the Board
Paragraph	20.55	Change made at the direction of the Board
Annex	20 A	Change made at the direction of the Board
Annex	20 A pp 11-17	Table of HMAS KANIMBLA ships crew not published for reasons of operational security
Abbreviations		Paragraph 1.43 in chapter 1 referred to a list of abbreviations and acronyms but the list was not included with the report. Defence has inserted the list for ease of reference by the reader. Consequential editing changes have been made to ensure consistency with this list.

AUTHORISATION

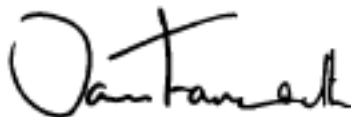
The President and Members of the Board of Inquiry, inquiring into the circumstances of the crash of the Royal Australian Navy Westland Sea King Mark 50A helicopter registration number N16100 at Tuindrao on the island of Nias, Indonesia on Saturday 2 April 2005, and the death of nine and the injury of two Australian Defence Force members agree that the Report accompanying this authorisation sets out the findings of the Board and the recommendations of the Board. With the exception of the matters contained in the separate statement made by Mr John Raby which is Annexure 7H to this Report, the President and members of the Board confirm that we agree upon the findings and recommendations presented in this Report. Mr Raby has separately signed the Annexure 7H pursuant to Reg 36(2) of the *Defence (Inquiry) Regulations 1985*.



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LTCOL
Member



J.S.M. RABY
Member



I. A. FARNSWORTH
GRCAPT
Member



B.M. DOWSING
CAPT RAN
Member



L.N. PATAKY
CDRE RAN
President

Nias Island Sea King Board of Inquiry Report

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MEMBERS OF THE BOARD

President: Commodore Les Pataky, CSC, RAN

Members: Captain Brett Dowsing, RAN

Group Captain Ian Farnsworth

Lieutenant Colonel Martin Levey

Mr John Raby

Nias Island Sea King Board of Inquiry Report

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