

**NORTHERN TERRITORY OF AUSTRALIA
CORONERS COURT**

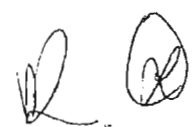
**D0061 OF 2009
D0062 OF 2009
D0063 OF 2009
D0118 OF 2009
D0119 OF 2009**

**AN INQUEST
INTO THE
DEATHS OF:**

**MOHAMMAD
AYUBI
MUZAFAR
SAFARALI
MOHAMMED
ZAMEN
AWAZ NADER
BAQUER HUSANI**

**ON 16 APRIL
2009
AT ASHMORE
REEF**

AFFIDAVIT OF CAPTAIN LESLIE VAUGHN HENRY RIXON - 26 JANUARY 2010



Filed on behalf of the Commonwealth by:

Australian Government Solicitor
50 Blackall Street
Barton ACT 2600

AF1626341

Contact: Justine Knowles

File ref: 07052809
Telephone: 02 6253 7430
Facsimile: 02 6253 7302
E-mail: Justine.knowles@ags.gov.au

On Tuesday 26th of January 2010, I, Captain Leslie Vaughn Henry Rixon of ~~MONASH ACT 2904~~ MONASH ACT 2904, Naval Officer, solemnly, sincerely, truly declare and affirm:

1. I hold the rank of Captain, Royal Australian Navy (**RAN**). My current position is Commander Mine Warfare, Clearance Diving, Hydrographic Meteorological and Patrol Force, subordinate to Commander Australian Fleet.

Source of knowledge

2. I joined the RAN as Cadet Midshipman in 1977. I have served in Patrol Boats and Major Fleet units including the command of HMA Ships Gladstone, Geraldton and Jervis Bay. Under my command, Gladstone was awarded the 1998 Kelly Shield for MWV Efficiency and in 2000, I was awarded the Conspicuous Service Cross for command of Gladstone and Jervis Bay.
3. While serving as the Staff Officer Operations in Headquarters, Northern Command responsible for surveillance and response in Australia's Northern approaches, I also attended the 2001 Peoples' Liberation Army National Defence University Asia Pacific Security Symposium at Changping Beijing. I then returned to Canberra in 2002 to join the Defence Materiel Organisation as the Major Surface Ships Branch Operational Requirements Manager and Evolved SEASPARROW Missile Project Director. In 2003, I was the Defence Attaché, Beijing and was promoted to Captain in November 2004 on taking up the position. On completion of this posting, I was awarded the PLA August 1st Medal for my contribution to Sino-Australian defence relations.
4. I returned to Australia in 2008 to assume duties as Commander Australian Naval Patrol Boat Group and Senior Naval Officer Northern Australia.
5. I am authorised to make this affidavit on behalf of the Australian Defence Force (the **ADF**). This affidavit relates to the response of the ADF to recommendations of an Inquiry Officer following an inquiry into the SIEV 36 incident.
6. Responsibility for the consideration and implementation of the inquiry recommendations rests with Northern Command (**NORCOM**), Royal Australian Navy Patrol Boat Group (**AUSPBGRP**), RAN Fleet Headquarters, Joint Operations Command (**JOC**), Minor War Vessel Sea Training Unit (**MWV-STU**), and Border Protection Command (**BPC**). For the purposes of this affidavit, I have caused inquiries to be made with each of those units.
7. I make this affidavit following and based on my own knowledge and those inquiries. Where I have relied on information obtained from those sources, I believe that information to be true.

Acronyms

8. For the purposes of this affidavit I have used the same acronyms as employed in the Inquiry Officer's Report. Standard acronyms are also recorded in the



RAN, Australian Book of Reference 1920 (**ABR 1920**). Attached and marked "**Annexure 1**" is an extract from ABR 1920.

Recommendations

9. Following the incident on SIEV 36, an Inquiry Officer was appointed to inquire into ADF practices and procedures relating to the control of unauthorised arrivals in a maritime context and in particular the situation that presented with the SIEV 36 on 15 and 16 April 2009. Two Armidale Class Patrol Boats (**ACPB**) (HMAS Albany and HMAS Childers) were involved in the incident.
10. The focus of the Inquiry was on the doctrine, policy, procedures and training relevant to RAN boarding operations and in the boarding, detention, and control of SIEV 36 by ASSAIL 2 (HMAS Albany) and ARDENT 4 (HMAS Childers) crews including the Transit Security Element 52 attachments.
11. On 12 June 2009, the Inquiry Officer provided the ADF with a copy of his report headed *Inquiry Officer's Report into Suspected Illegal Entry Vessel 36* detailing the doctrine, policy, procedures and training relevant to RAN boarding operations and on their application in the boarding, detention and control of SIEV 36 (the **Inquiry Report**). The term **SIEV** previously referred to a Suspected Illegal Entry Vessel, but now refers to the preferred term Suspected Irregular Entry Vessel to align with other departments.
12. Based on the findings of the Inquiry Officer, the Inquiry Report detailed 59 recommendations including to amend Defence policy, procedures, orders, instructions, publications and training relating to boarding, detention and control of SIEVs (the **Recommendations**).
13. From the date of the receipt of the Inquiry Report, the ADF has reviewed and, where appropriate, has taken steps to implement the Recommendations.
14. Set out below are the steps taken by the ADF to review and implement each of the Recommendations.
15. The Recommendations were grouped under 6 headings:
 - 15.1. Doctrine (recommendations 1-2);
 - 15.2. Operational orders and instructions (recommendations 3-9);
 - 15.3. Tactics, techniques and procedures (recommendations 10-19);
 - 15.4. Training (recommendations 20-26);
 - 15.5. Organisational (recommendations 27-36);and
 - 15.6. Equipment (recommendations 37-59).



Doctrine

16. Recommendations 1 and 2 related to doctrine. Two key sources of doctrine were identified: ABR 1920 and the Armidale Class Patrol Boat Standing Orders (ACPBSO).

Recommendation 1: Undertake, as a matter of priority, a comprehensive review of ABR 1920 and ensure this publication becomes the primary source for doctrinal guidance on RAN boarding activities

17. ABR 1920 is issued under the authority of the Chief of Navy (CN). The Inquiry Officer noted that ABR 1920 is the primary doctrinal document regulating the practices and procedures of RAN boarding operations.
18. ABR 1920 was previously known as the "ABR 1920 Small Arms Training, Ships Defence Team, Landing and Boarding Operations for the Royal Australian Navy". The original manual was issued on 19 October 2001. The current manual was issued as the "Royal Australian Navy Manual of Military Training", on 14 February 2005. It was amended on 21 April 2006 and more recently amended by Australian Fleet Memo 50/09 on 18 September 2009. The Memo noted that Chapters 5, 6 and 7 had been amended taking into account the Inquiry Report and the ADF response.
19. ABR 1920 is available electronically via the "Defence Documents" intranet page. Hard copies are issued to all ships including ACPB, establishments, and to relevant training organisations.
20. ABR 1920 is reviewed as operational experience dictates.
21. Under the authority of CN, a comprehensive review was undertaken of ABR 1920 by Commander Australian Fleet. The ABR 1920 review was initially led by MWV-STU, then handed to Warfare Division at Fleet Headquarters for final review and promulgation. ABR 1920 has now been amended. Relevantly, the following chapters of ABR 1920 have been updated;
 - 21.1. Chapter 5 – Boarding Party Policy;
 - 21.2. Chapter 6 – Conduct of Boarding Operations; and
 - 21.3. Chapter 7 – Civil Surveillance Boardings.
22. The RAN Boarding Operations Policy and Procedures in ABR 1920 were reviewed and updated to incorporate the relevant recommendations of the Inquiry Officer.
23. In conjunction with ABR 1920 Chapters 5-7, ACPBSO Chapter 6 (Boardings) has also been reviewed, updated and published.
24. ABR 1920 and ACPBSO now complement and support each other to a greater extent. The changes removed generic boarding doctrine from ACPBSO and

placed it into ABR 1920, making ABR 1920 the broader and generic publication for boarding doctrine.

25. Significant changes have been made to Chapter 7 of ABR 1920 (Civil Surveillance Boardings, which includes boarding of SIEV) including:
 - 25.1. more detail is provided about the content of the boarding party brief at para 7-25;
 - 25.2. more detail and emphasis is given to briefings to each steaming party at para 7-100 which includes the content of the boarding party brief (set out at para 7-25) and other relevant information including information about communications, safety brief and administration, and equipment; the safety brief is to include information about Contact of Interest (**COI**) assessment, personnel safety/hazards of the SIEV, crew numbers and any other pertinent information;
 - 25.3. para 7-115, which is in the section dealing with boarding of a SIEV, requires the search team to secure the engine room and all fuels and other potential accelerants and assess serviceability and seaworthiness of the vessel;
 - 25.4. para 7-122 specifically requires the search team to ensure that all fuels found are secured and cannot be reached by the SIEV crew or potential irregular immigrants (**PII**); and
 - 25.5. para 7-124, which requires the search to be conducted for weapons and potential weapons, now also includes a reference to lighters and matches.
26. The updated ABR 1920 is the primary source for doctrinal guidance on RAN boarding activities. Relevant parts of the ACPBSO have been incorporated into ABR 1920.
27. The Inquiry Officer also referred to CJTF 639 OPORDER 03/06. There are at least two relevant Operation Orders (**OPORDERS**) for Operation Resolute (**OP RESOLUTE**). OP RESOLUTE is the name for the Government response to border protection. The ADF provides support to OP RESOLUTE.
28. Chief of Joint Operations (**CJOPS**) issued OPORDER 01/2009 that covers a number of topics at strategic level, including the making available of resources for OP RESOLUTE.
29. In addition, Commander Joint Task Force 639 (**CJTF 639**) issued OPORDER 03/06 setting out more specific instructions for the deployment. This OPORDER is not designed to provide specific day to day instruction to individuals in the carrying out of their specific roles (which is given in ABR 1920 and ACPBSO and through command).
30. The Inquiry Officer recommended a review of OPORDER 03/06. In fact, a review was already underway as part of an ongoing process of review. This process started in February 2009. The OPORDER has now been replaced by

OPORDER 01/2010. This new OPORDER is not a response to the Inquiry Report but has incorporated relevant lessons arising from the incident.

31. For example, OPORDER 01/2010 now refers to providing reassurance cards to PII to reassure them about their destination. These have been prepared in a number of different languages. I refer to the cards in more detail below.

Recommendation 2: Have included in ABR 1920 or ACPBSO, or both, the number of personnel that can be carried for Emergency Troop Lift III (mass SOLAS) (Mass Safety of Life at Sea).

32. Under the authority of CN, the AUSPBGRP updated the ACPBSO on 1 January 2010 including guidance on the number of personnel that can be carried for Emergency Troop Lift III. Annex C to Chapter 6 of ACPBSO version 1.4 provides that:

... the troop carrying capacity of an ACPB, ETL III, is stated by reference to the number of personnel at an approximate weight of 75kg per person. This number should be carefully considered taking into consideration calculations of heeling levels. COs are to be cognisant of the effects of sea state in the event of large numbers of personnel embarked.

33. This information has not been included in ABR 1920 to avoid duplication.

Operational Orders and Instructions

34. The Inquiry Officer made 7 recommendations (3-9) about this topic.

Recommendation 3: To improve the security of PII and reduce the likelihood of sabotage leading to a mass SOLAS incident, detained SIEV should be taken to a safe haven ([redacted] or similar) as soon as practicable as the normal arrangement for SIEV holding operations, pending the arrival of long range transportation or the [redacted].

35. CJOPS considered this recommendation but did not accept it on the basis of advice received from Commander BPC that it is not always practicable to tow vessels or move vessels to a safe haven. Examples of relevant factors include weather conditions (including storm and cyclone activity), fuel levels, condition of the vessel and other variables.
36. Whether or not a SIEV ought to be taken to a safe haven will depend on the individual circumstances extant at the time, including considerations such as danger to human life and the proximity of the SIEV to a safe haven. The chain of command above a Commanding Officer (CO) ACPB will always be involved in this kind of decision.

Recommendation 4: All HQJTF 639 / HQ NORCOM INCHOP briefings should be provided face-to-face, or as a minimum through secure VTC, to the relevant Command Team prior to commencing Force Assignment into Operation RESOLUTE.

37. Commander BPC provided guidance to HQNORCOM and HQJTF 639 that briefings are to be face-to-face or by video teleconference.
38. HQJTF 639 now provide a face-to-face briefing in circumstances where:
 - 38.1. a vessel has a new CO;
 - 38.2. there has been a significant crew change; or
 - 38.3. the command team (comprising the CO, Executive Officer (XO) and the Boarding Officer) have not been involved in OP RESOLUTE for three months.
39. Where a command team is not in Darwin, and HQJTF 639 are not able to conduct a face-to-face or video teleconference, INCHOP briefs are sent from HQJTF 639 to the CO. HQ NORCOM and/or HQJTF 639 then discuss the brief with the command team over a secure telephone line and a full brief is conducted upon the command team's arrival in Darwin at the first available opportunity.

Recommendation 5: Remove a number of minor anomalies from CDF ROEAUTH - Standing Rules of Engagement Serial [redacted] on its next scheduled review.

40. The minor anomalies in the Rules of Engagement (ROE) which form part of the CJOPS OPORDER have been considered by Command Legal Officer Navy Headquarters (previously the Legal Officer at BPC) and Maritime Legal Officer JOC.
41. HQJOC and Navy HQ consider that immediate rectification is not necessary because the ROE, while not using the same language as the applicable legislation, reflects the current law and policy. Further, the ROE are only a guide and Legal Officers are intended to provide advice on the meaning of the Law.
42. HQJOC and Navy HQ considered that it would be appropriate for the anomalies to be considered as part of the formal review of the ROE.
43. The ROE are next scheduled to be formally reviewed in 2010 and it is intended that the review will address the minor anomalies identified by the Inquiry Officer.
44. It is intended that the anomalies in the ROE will be reviewed and addressed by the Legal Officers and specialists at JOC in consultation with Navy Strategic

Command, Fleet Headquarters, BPC and NORCOM as part of the formal review of the ROE.

Recommendation 6: Ensure that the lesson learnt requirements stated in the CJOPS and CJTF OPORD for Operation RESOLUTE are complied with.

45. This recommendation requires that the procedures to record "lessons learnt" are followed in accordance with the OPORDERS issued by CJOPS and Commander of the Joint Task Force. "Lessons learnt" are a record of how operations may be executed more effectively, detailing: what aspects could be done better; what issues need to be reviewed; what does not need to be done in the future; and so on. This is recorded and these lessons are implemented in future operations and exercises.
46. Following the completion of patrols in OP RESOLUTE, each command team from the vessel concerned will submit a Post Activity Report. The "lessons learnt" are notified in this report and are then processed through the HQJTF 639-led Operational Effectiveness Review Group (**OERG**) detailed below at Recommendation 28. The OERG produces an "Action Matrix" to ensure the lessons are implemented in the future. There is an ADF Activities Analysis Database System, which also monitors the progress of implementation of "lessons learnt" and this system is populated from the matrix.
47. The Post Activity Reports, incident reports, imagery and storyboards are recorded in the SIEV database on the JOCWEB. The SIEV database and the OERG Action Matrix are managed by HQJTF 639. HQJTF 639 and HQ JOC use these databases for re-writing OPORDER and other operational documents.

Recommendation 7: Update and reissue, as a matter of priority, the parent CJOPS OPORD and all its annexes.

48. The updated CJOPS OPORDER 01/2009, including annexes, was reissued on 18 December 2009.
49. The lessons learned from the SIEV 36 incident have been utilised in the update of ABR 1920 and the recommendations incorporated into an update of CJOPS OPORDER 01/2009.
50. The updated OPORDER included amendments relating to the management of the Transit Security Element (**TSE**) members.
51. This change has been included in the re-write following advice from Vice Chief of the Defence Force (**VCDF**) assigning the Capability Management and Mounting Authority of the TSE to CN. The Chief of the Army (**CA**) and the Chief of the Air Force (**CAF**) have also been directed to support CN in training, individually preparing and concentrating TSE members.

52. The size and structure of the TSE has also changed with an additional section of TSE members being increased from 3 to 4 TSE and the removal of Military Police Detachment and TSE Medic requirements from the TSE Operational Mounting Directive.
53. All annexes of the revised OPORDER (signed and released 18 December 2009) have been reviewed by key stakeholders including CN / CA / CAF / DCJTF 639 as well as significant input from all departments within HQJOC.
54. The major changes include:
 - 54.1. Changes to the command and control structure to integrate the various units including:
 - 54.1.1. appointment of CN as Mounting Authority and Capability Manager; and
 - 54.1.2. formation of CTU 639.4.1 (previously 92 Wing Detachment) and CTU 639.4.2 Forward Operating Base (previously RAAF Bare Base);
 - 54.2. Changes to the elements which are force assigned;
 - 54.3. Review and rewrite of Support Order (**SPTORD**) including health, finance, and logistic components;
 - 54.4. Review and rewrite of Movement SPTORD including concentration of TSE / linguist / Medical Officers to Darwin; and
 - 54.5. CN to promulgate individual training requirements for TSE members.

Recommendation 8: Update and reissue, as a matter of priority, the parent CJTF 639 OPORD and all its annexes.

55. CJTF 639 OPORDER 01/2010 was released by Commander BPC on 21 January 2010. This document is available on the JOCWEB.

Recommendation 9: The responsible Service Chief to include in his FA process advice to CJOPS on the operational state of the TSE, including any deficiencies or weaknesses that might impact on operational employment. Any deficiencies or weaknesses are to be passed to the relevant CO ACPB.

56. CAF and CA no longer have responsibility for the TSE. CN is now responsible for the TSE. The Director General Maritime Operations, on behalf of CN, is responsible for:
 - 56.1. raising the component of the TSE;



- 56.2. training both individually and collectively; and
- 56.3. ensuring the TSE meets the required standards.
57. CDF has directed CN to inform CJOPS if there are any deficiencies or weaknesses in the TSE. MWV-STU provides this information through CN to CJTF 639.
58. Advice received from CN as to any weaknesses that may be identified is to be passed by HQJTF 639 staff to the relevant ACPB.

Tactics, Techniques and Procedures

59. The Inquiry Officer made 10 recommendations relating to this topic (recommendations 10-19).

Recommendation 10: All members of a steaming party should continue to wear protective clothing.

60. The practice of all members of a steaming party (personnel on board in control of the vessel after the initial boarding) wearing protective clothing continues. The extent of the protective clothing used in a particular incident or situation will depend on the particular situation and risk level.

Recommendation 11: Separate ACPB Standing Risk Profiles for SIEV and FFV Boardings should be developed; and

Recommendation 12: Consider the introduction of a Standing Risk Profile for steaming party activities, including handover between steaming party watches.

61. A Standing Risk Profile (**SRP**) is a document that provides a framework for the implementation of operational risk management. SRPs record all relevant risks, the standard mitigations applied and the residual risk level, and articulate the parameters for which the SRP is valid. SRPs also allow operational risk management to be implemented in a systematic and repeatable way and are to be used by commanders in risk management decision making. They are provided to COs as a tool for decision making. In each instance that a CO applies a SRP, there is a record of his assessment of the evolution being conducted within or outside the parameters of the SRP, and if outside the parameters of the SRP what additional mitigation is in place to ensure that the evolution is conducted safely.
62. Separate SRPs for SIEV and Foreign Fishing Vessel (**FFV**) boardings have been agreed by AUSPBGRP and MWV-STU. The major change is that there are now two separate SRPs that address different types of boarding operations to give a more specific ability to assess the risk of boardings in FFVs and/or

SIEVs. The SRPs are awaiting endorsement by Commander Australian Fleet (COMAUSFLT), which is expected shortly, before being promulgated through the Defence intranet.

63. These new risk profiles reflect lessons learned from SIEV boardings and operational experience, including lessons learned from SIEV 36.
64. ABR 1920 Chapter 7, para 7-100 details the thorough briefing to take place at the commencement and at handovers of steaming parties.

Recommendation 13: Change the SOP for mass SOLAS to require medical equipment/supplies to be repositioned on the quarterdeck during lockdown preparations for SIEV.

65. The Standard Operating Procedure for SOLAS has been reviewed by the OERG. OERG made the assessment that the current positioning of medical equipment is suitable. Locating large trunks of medical equipment to the quarterdeck for extended periods of time was assessed as being not practical.
66. The equipment is capable of being deployed at short notice.

Recommendation 14: Clarify the handover arrangements and procedures for the control of SIEV.

67. Transfer of custody from one command team to another incorporates all the checks and routines for handing over from one boarding/steaming party to another, along with additional operational considerations with respect to weather, forecast operations and physical management of the intercepted vessel. These additional considerations are not incorporated into ABR 1920 because they are not specifically related to boarding operations; rather they are general command issues and are within the training and expertise of individual COs.
68. Handover of the SIEV from boarding party to steaming party should be the same regardless of which ship/crew the boarding party come from. There are additional operational considerations when transferring the physical control of the SIEV (under tow etc) that would be subject to the conditions of the day and within the operational expertise of the individual CO to make on scene decisions. The On-Scene Commander (OSC) has responsibility for ensuring the handover is carried out safely and effectively.
69. Clear direction for the handover of both personnel and vessel has been agreed by the OERG and promulgated to all ACPB crews. MWV-STU uses the revised direction as the basis for their work-up training.
70. ABR 1920 has been amended to contain a detailed checklist for the steaming party commencement brief and handover brief. It specifically refers to ensuring



relevant information is handed over, with the checklist as the minimum (see Chapter 7, para 7-100).

71. More detail has been provided in ABR 1920 in relation to the briefing for both boarding parties and steaming parties.

Recommendation 15: Including ADF servicewomen in the steaming party.

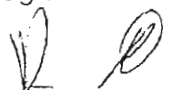
72. Recommendation 15 of the Inquiry Report recommends that, where a SIEV has only male crew and male PII, careful consideration needs to be given to including ADF servicewomen in the steaming party or any other role on board.
73. Commander BPC has provided guidance on this issue through the INCHOP process conducted by HQJTF 639. Every CO has been advised to give careful consideration to the employment of ADF servicewomen when conducting SIEV operations when the SIEV has only male crew and male PII. This guidance has been provided during the INCHOP briefs.
74. Composition of the crew, including the boarding party and experience of the crew, dictate the makeup of the boarding party and steaming party. The general policy is to have at least two female crew on board an ACPB; and, where a SIEV has women and children on board, it is the usual practice to have a female member of the boarding party and steaming party. This assists in the ability to conduct same sex searches and the like.
75. As briefed at INCHOP, if the crew and PII are all male, and the ACPB has the immediate capacity to utilise an all male boarding party or steaming party, the CO will take that into account in deploying his or her crew.

Recommendation 16: Exercise care when changes are made to the control of a SIEV.

76. ABR 1920, chapter 7, was reviewed in the course of considering recommendation 16. The procedure endorsed by that chapter will, if followed, address the matters raised in the Inquiry Officer's recommendation.
77. To the extent that the recommendation relates to keeping PII informed, that process is assisted by the provision of passenger cards in various languages which reflects the recommendations of the Inquiry Officer. I also address this issue under recommendation 41.

Recommendation 17: Processing arrangements of PII need to be clarified.

78. The procedure for processing PII is dealt with in Chapter 7 of ABR 1920. General guidance is contained in the chapter relating to FFVs at paras 760-773; specific direction in relation to boarding SIEVs is given in paras 7-109 through



to 7-130. Para 7-124 deals specifically with processing of personnel and baggage, including that safety searches of the PII and crew are to be conducted for weapons, potential weapons, lighters and matches. The Australian Federal Police or Australian Customs and Border Protection Service will conduct a thorough search of the PII and their baggage when the PII are formally handed over.

79. The content of these requirements has been changed, having regard to the SIEV 36 incident, to emphasise the need to search for and secure fuel, lighters and matches.

Recommendation 18: Secure, including removal if necessary, all highly flammable fuel.

80. ABR 1920 states that, on insertion, the boarding party is to secure the engine room and all fuels and other accelerants. The security and sweep teams are to conduct a head count of personnel onboard and secure any sharps, potential weapons, including lighters and matches, fuels etc (para 7.115).
81. Subsequent to the SIEV 36 incident, training now uses the updated guidance in Chapter 7 of ABR 1920 for the search and security of a SIEV, including that "the Search Team is to ensure that all fuels found are secured and can't be reached by the SIEV crew or PIIs" (para 7-122).
82. Boarding parties are trained during the work-up process by MWV-STU to conduct searches for flammable substances and any potential hazards. The boarding party is also trained to search the vessel for dangers and assess seaworthiness so the Boarding Officer can recommend a plan of action.

Recommendation 19: Encourage ACPB CO to seek legal advice from HQJTF 639 staff should they feel this is required to satisfy themselves that an intended course of action is in accordance with the law.

83. Commander BPC provides guidance to COs on issues as they arise.
84. Legal issues covered in the Boarding Officer Course include guidance on ROE and on the legal basis for boarding, detention and use of force.

Training

85. The Inquiry Officer made 7 recommendations concerning training.

Recommendation 20: Incorporate all lessons learned from the SIEV 36 incident into the MWV-STU training programs and exercised/briefed during table-top exercises and practical application using MV SAPPHIRE BAY.

86. These exercises involve the command teams training in an environment of discussing and working through the taskings in a conference-like environment. In addition, this training is to be put into practical application during training in Merchant Vessel SAPPHIRE BAY (a vessel used for training purposes).
87. The Australian Fleet Sea Training Group (STG) provides training programs to ADF personnel in relation to boarding SIEV and undertaking mass SOLAS operations.
88. Lessons learnt in all SIEV/FFV scenarios, including SIEV 36, are reviewed and incorporated into work-up training scenarios as appropriate.
89. The STG has reviewed the Inquiry Report and implemented new lessons learned and scenarios into collective training of ACPB crews. MWV-STU has placed additional emphasis on SIEV searches, handover process, communication, lifejacket management and multiple casualties/triage during Work-Up and Mission Readiness Evaluation. MWV-STU continues to train to directly reflect policy and procedures in the references.
90. The major change to training has been the development of the Boarding Officer Course, with significant MWV-STU input, with the pilot conducted in late 2009. This course is dealt with under Recommendation 23.
91. Further review will be undertaken after the findings of the coronial inquest have been handed down.

Recommendation 21: Incorporate the detail in the Minor War Vessel - Sea Training Unit SIEV and Boarding Check-Off Lists into ABR 1920.

92. The MWV-STU conducts collective training and assessment on all MWV. The unit is a training and assessment organisation, supporting COs in ensuring units are prepared for tasking.
93. The MWV-STU has prepared SIEV boarding check lists. These are used as an assessment tool by MWV-STU that sets out the criteria against which the boarding party can be assessed. It deals with each area of the patrol boat.
94. Members of the crew use the check lists as a general guide and also a study guide setting out the matters against which they may be assessed by the MWV-STU during an operation or deployment. The check lists are not intended to be a comprehensive substitute for the primary documents including the ABR 1920 and the ACPBSO.




95. The MWV-STU check lists have not been incorporated into ABR 1920 because the boarding procedures are set out in ABR 1920 and because they require regular updates to incorporate lessons learned and minor policy changes much more frequently than boarding procedures and other policy elements in ABR 1920.
96. Noting this, the time and effort required to amend the more enduring content of ABR 1920 means that the check lists are not suitable for inclusion. If they were included, it might be difficult to update them regularly while staying aligned with ABR review, publishing and promulgation arrangements – this may lead to version control problems.
97. Reference is made to these check lists in ACPBSO to ensure crews use them. These check lists are used during all MWV-STU training, and the crews are fully exposed to their use.
98. The MWV-STU check lists were last updated in November 2009 and incorporated lessons learnt from the SIEV 36 incident. The relevant check list identifies key tasks of the boarding party and they now include "Flammables identified and isolated". Attached and marked "**Annexure 2**" is a copy of the current check list.

Recommendation 22: Encourage CO ACPB to use every opportunity to use the MV SAPPHIRE BAY to practice all aspects of boarding operations, including the involvement of a TSE when embarked.

99. All COs and XOs of MWVs are required to undertake a CO/XO designate course. The CO/XO Designate Course includes a briefing that encourages the use of MV SAPPHIRE BAY. During the CO Designate Course, relevant AUSPBGRP and MWV-STU staff brief the new COs on the need to utilise MV SAPPHIRE BAY at every opportunity. New COs and XOs are required to attend these briefings before they can assume their duties
100. Use of the MV SAPPHIRE BAY is part of the standard training continuum for ACPB personnel. The vessel is managed by the Training Co-ordinator at MWV-STU, who liaises with COs to ensure that the vessel's use is optimised against overall training requirements.

Recommendation 23: Establish, as a matter of priority, a Boarding Officer Course, to be mandatory prior to being posted to an Armidale Class Patrol Boat.

101. The response to the Inquiry Report has been to implement a Boarding Officer Course and it is proposed to make this course mandatory for certain positions within an ACPB. The pilot Boarding Officer Course was successfully completed in November 2009 and is in the process of being formalised as an essential criterion for certain jobs on ACPB. The first formal course will be run in March 2010.



102. The matters recommended by the Inquiry Officer at recommendation 23 have been incorporated. The Boarding Officer Course has been reviewed by Training Authority-Maritime Warfare, which is the appropriate authority.
103. The course reflects the Inquiry Report's recommendations and is targeted at Boarding Officers as a mandatory requirement for employment in the role. Boarding Officers will be posted to the course by Directorate of Naval Officers' Postings / Directorate of Sailors Career Management as appropriate. Existing Boarding Officers will receive Recognition of Prior Learning or an opportunity to undertake the training.

Recommendation 24: The Domestic Maritime Security Operations Course should remain part of the Boarding Officer Course Training Continuum.

104. Following review of the Boarding Officer training continuum, the Domestic Maritime Security Operations Course is an integral part of the Boarding Officer Course.

Recommendation 25: Review the MWV Boarding Party Course.

105. The Minor War Vessel Boarding Party Course has been reviewed with the result that the Minor War Vessel and Major Fleet Unit Boarding Party courses have been rationalised into a Common Boarding Party Course.
106. The course provides participants with the knowledge and skills to work as part of a team in boarding party operations.

Recommendation 26: Review PHCP Training.

107. The Primary Health Care Provider (PHCP) training has been reviewed by the RAN Medical Training School, the Medical Sailor Category Advisor, the Director Navy Health and the Fleet Medical Officer.
108. The review considered the PHCP familiarity with all medical equipment held onboard and drugs carried in the Medical Allowance List, the ability to cannulate, the provision of a realistic casualty training and the understanding of the documentation and administration required for medical treatment that may be expected in the PHCP role.
109. The review has been completed and has revealed that the current course meets requirements for training and testing in equipment, drugs, scenario training, handling documentation and administration etc.
110. Navy Health are proceeding with a project to implement a range of more contemporary practices, including incorporation of intraosseous cannulation into



MWV Health Care Provider scope of practice, the introduction of Automatic External Defibrillators across the Fleet, and contemporising relevant protocols.

Organisational

111. The Inquiry Officer made recommendations concerning organisational structure (recommendations 27 to 36).
112. These recommendations related to the TSE deployed on ACPB, and establishment of a standing body to review processes.

Recommendation 27: This recommendation requires clarification of the capability management of the Transit Security Element. This further requires clarification of the capability, roles, tasks and structure of the Transit Security Element.

113. VCDF, as the Joint Capability Manager, has endorsed CN as the capability manager for TSE rotations and has provided information on roles etc. CN's status as the capability manager for TSE includes responsibility for raising, training and sustaining the TSE.
114. The TSE are supplementary manpower and are not essential for the ACPB to undertake OP RESOLUTE tasking. TSE capability is clearly defined and subject to periodic review. Formal specification of the Capability Management of TSE in support of OP RESOLUTE was subject of a directive 29/2009 given by CDF setting out the role, tasks and structure of the TSE, and placing them under the command of CN.

Recommendation 28: Establish, as a standing body, a Boarding Procedures and SIEV Operations Working Group.

115. This recommendation requires the OERG to consider the boarding procedures and SIEV operations. The Boarding Procedures Review Group was replaced by the OERG.
116. The OERG meets quarterly. It is hosted by HQJTF 639 and is attended by relevant stakeholders, including BPC, MWV-STU, AUSPBGRP, 92 Wing Detachment, Australian Customs and Border Protection Service and available OP RESOLUTE command teams.
117. The purpose of the OERG is to review any recommendations in relation to OP RESOLUTE activities and action as appropriate. This is done in the form of an action matrix detailing who is responsible for the action and by when it is to be completed.
118. The OERG has considered the Post Activity Report of the SIEV 36 incident submitted by CO ASSAIL 2 and CO ARDENT 4 and the TSE 52 Post Activity Report submitted by Officer Commanding TSE 52.



119. The OERG considered each of the 25 recommendations based on the SIEV 36 incident. Two of those recommendations remain outstanding: the defects in the ACPB Austere compartment – see recommendation 54 below; and the fitting, as a matter of priority, of six CO₂ fire extinguishers to all ACPB as required by ACPBSO) – see recommendation 49 below.

Recommendation 29: MWV-STU to assume responsibility from MFU-STG for the maritime collective training and mission readiness certification of the TSE.

120. This recommendation requires the MWV-STU to assume responsibility for the maritime collective training and mission readiness certification of the TSE. CN did not agree to implement this recommendation on the basis that the best available assets and personnel should be used to conduct training and assessment of each particular skill set / competency. Such personnel / assets may or may not be posted to one or other STU at any particular time. It is not intended to take further action on this recommendation.

Recommendation 30: Vary the size of the TSE having due regard for intelligence cues and historical patterns of illegal activity.

121. This recommendation has been implemented. In July 2009, the Services endorsed an increase in the TSE from three sections to four with an increase from 32 to 37 personnel. This will take effect from February 2010.
122. The shore holding location of Darwin is the most appropriate for those TSE members who are not assigned to a ship. The Officer Commanding the TSE will manage the distribution and rotation of TSE members throughout the vessels and the shore holding location, based on daily operational and intelligence briefs from the J2/3 staff at HQJTF 639.
123. Most TSE members will be assigned to a particular ship and their 'Notice to Move' is the same as the ship's 'Notice to Move'.
124. Those TSE members who are not assigned to a ship are located centrally in Darwin and have a 'Notice to Move' that is aligned with the Operational Response Vessel's 'Notice to Move' (typically 4 or 8 hours notice). The TSE cannot respond any faster than the earliest departure of the Operational Response Vessel, which will be driven by intelligence.

Recommendation 31: Secure, as a matter of priority, a boarding party training aid similar to MV SAPPHIRE BAY for Cairns-based ACPB.

125. CN did not agree with this recommendation because the crews are afforded many different high quality training scenarios and assessment. There are other methods of providing high quality training outcomes. It is not always practicable

to provide a dedicated "target" vessel. It is not intended to take any further action on this recommendation.

126. The training has been implemented having regard to the recommendations of the Inquiry Report, including the development of the Boarding Officer Course.

Recommendation 32: Take action to ensure that all crew of ASSAIL TWO and ARDENT FOUR, including the attached medical officer and TSE52 personnel complete the post incident psychological screening regime.

127. This recommendation was handed to the Joint Health Command and the single-service psychological sections for completion in accordance with Defence policy. The recommendation has been implemented.
128. All members completed the initial Critical Incident Mental Health Screening (CIMHS) process and numerous people were seen by Psychology Support Services-NT and other region's assets for immediate assistance following these screens. These members included both boat crews (one member received his initial screen in Cairns), TSE 52 members who were on board at the time of the incident (RAAF and 1 x Army), the Medical Officer on board (RAAF), the medical officer at the rig (Army) and the 2 nurses providing treatment at the Bare Base (1 x Army, 1 x RAAF).
129. CIMHS involves:
- 129.1. identifying 'at risk' persons;
 - 129.2. providing a psycho-educational brief on possible short-term, medium-term and long-term mental health reactions post a critical / traumatic incident and referral options (an example of a common brief can be provided if required);
 - 129.3. the completion of the CIMHS screening measures designed to assess for adverse reactions;
 - 129.4. a face-to-face interview with a trained CIMHS provider / professional;
 - 129.5. identifying people for further counselling / intervention as required; and
 - 129.6. follow-up appointments.

Recommendation 33: Release, in due course, the unclassified summary of the Inquiry Report to other Commonwealth and Northern Territory agencies contributing to civil maritime surveillance and response operations, including those conducting investigations or inquiries into aspects of the SIEV 36 incident.

130. The Minister for Defence has authorised the release of the report to the Australian Government Solicitor, Northern Territory Police, the Northern Territory Coroner and Comcare.
131. No further Ministerial approval has been given for the release of the report pending the completion of the Coroner's coronial inquest.

Recommendation 34: Brief, in due course, CO ASSAIL TWO and CO ARDENT FOUR and those crew members mentioned in this report, and OC TSE 52 and the TSE 52 members mentioned in this report, on the findings of this report.

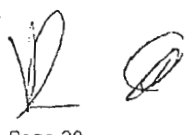
132. CJOPS requested the Service Chiefs to brief all personnel named in the Inquiry Report. The Service Chiefs passed on the correspondence to the relevant commands to brief the personnel named. Informal advice has been received that Navy and Army personnel have been briefed on the points provided by CJOPS. Formal confirmation has been sought from Army and Air Force to ensure that members named have been briefed.

Recommendation 35: Reconsider the nature and conditions of service for Operation RESOLUTE, and its predecessor operations (Operations RELEX I, RELEX II and CRANBERRY).

133. The nature and conditions of service have been considered and a brief has been passed to CDF for consideration. Ministerial authorisation will be sought on the basis of financial implications. Any change to the conditions of service will take some time to put into effect.

Recommendation 36: Introduce processes that enable a sharing of tactical level lessons learnt between the various operations commanded by CJOPS.

134. The sharing of tactical lessons and their incorporation into the force generation process is the responsibility of the single Services through their lessons learnt processes. The JTF 639 renewed focus on the lessons process discussed in the Inquiry Report will provide the necessary input to the single Service processes.
135. CJOPS is responsible for implementing processes that capture, analyse and disseminate joint and coalition warfighting lessons at the operational level.



Tactical lessons are the province of the single Services. By receiving and analysing all post operation reports, the J8 function in HQJOC is able to direct the tactical level lessons to appropriate single Service(s), who in turn feed those lessons into Mission Rehearsal Exercises or similar. If lessons for one operation are applicable across a variety of operations – for example Tactics Techniques and Procedures for boarding parties – then these changes will be implemented through the single Service training regime.

Equipment

Recommendation 37: Conduct an audit of all ACPB stockholdings of [redacted] lanyards and security clips, rectify any deficiencies, and consider holding a spare number of replacement lanyards and security clips on board.

136. As a result of the audit, a number of deficiencies were identified. Steps have been taken to remedy those deficiencies. The equipment is now issued as a kit to avoid individual components not being issued or available.

Recommendation 38: Review the ACPB Medical Allowance List (MAL) to ensure sufficient and appropriate medications are carried, in particular for dealing with burns, including the provision of cling wrap/plastic skin.

137. The MAL Working Group has completed its review. The revised MAL will be implemented in early 2010.

138. The review determined that the current (2009) MAL included adequate provisions for dealing with burns. The MAL has been augmented to include an increased quantity of cling wrap for similar scenarios. The range of medications available was deemed by the MAL Working Group to be adequate.

Recommendation 39: Consider including defibrillators as a standard fit in all RAN units.

139. Head of Navy People and Reputation had the lead on this recommendation. The requirement has been considered by a working group and agreed upon. A project will commence in January 2010 to source and fit the defibrillators.

140. Defibrillators will now be fitted to all Navy units.



Recommendation 40: Continue the practice detailed in ABR 1920 that PFD 1 (SUNC) lifejackets be transferred to the SIEV during the initial boarding in the second sea boat and placed in a secure and open area on the upper deck (e.g. coach house roof) of the SIEV.


141. COMAUSFLT had the lead on this recommendation and advises this practice will continue. This is incorporated in ABR 1920.
142. Annexure K to Chapter 6 of ABR 1920 requires that, prior to patrol, there be a check of lifejackets available for FFV or SIEV personnel.
143. Chapter 7, paras 7-136 to 7-138 contain further instructions. These require that the boarding party is to be ready for the immediate issue of Personnel Flotation Device lifejackets to the PII and crew of a FFV or SIEV.
144. Prior to launching RHIBs for insertion, at least 20 life jackets are to be embarked in the second RHIB.
145. The lifejackets are required to be stowed in a way that does not hinder the boarding party operations or endanger the boarding party. Further lifejackets are to be available on the upper decks of the RAN vessel for collection at short notice.
146. No specific direction is given that the life jackets be kept free, to ensure that movement on the SIEV is not restricted or compromised or that the lifejackets can be deployed at short notice. It is preferable to keep them in a central location to allow easy distribution. If they are left loose onboard, they may be damaged by oil and chemicals, blow away or be improperly used by PII and crew as pillows and taken below decks. Use of life jackets below decks provides an additional hazard in the event of the vessel sinking because they make escape difficult. In the above circumstances, life jackets would not be available to be deployed in an emergency.

Recommendation 41: Develop, as a matter of priority, additional PII language cards in likely dialects.

147. Translations of cards are currently being used by ACPB and Australian Customs Vessels (ACV) in the form of individually printed copies that were sent out in soft form. Hard copies are now being issued.
148. The language cards cover the topics and languages set out in the Inquiry Report and contain the explanation:

We will take you to Australian officials who will listen to you.

This might take several days please be patient.



149. They are available in Sinhalese, Tamil, Dari, Arabic, Farsi, Urdu, Bahasa, Vietnamese, Bengali, Punjabi, Nepalese, Pahtu, Burmese and Somali.
150. Although not the subject of a specific finding or recommendations by the Inquiry Officer, one issue that may have arisen in relation to SIEV 36 was a possible misunderstanding of a warning notice intended to be given to the crew. These warning notices are no longer issued and a direction to that effect has been given.

Recommendation 42: Provide lightweight, removable awnings to all ACPB to provide shade and weather protection.

151. All ACPB have been issued with a lightweight removable awning.

Recommendation 43: Consider fitting a heavy duty ribbed or Kevlar collar / skirt to the sea boat to reduce the likelihood of damage by puncture.

152. Trials of the "Sharkfin Armoured RHIB collar" are currently under way and will conclude in January 2010. Initial indications of success suggest this will be implemented across the ACPB RHIB fleet in due course.

Recommendation 44: Consider adding a small portable ladder into the sea boat to assist in the recovery of a person from the water.

153. COMAUSFLT had the lead on this recommendation and a review of the recommendation was conducted. Adding a portable ladder to the RHIB was assessed as not feasible by the AUSPBGRP and MWV-STU.
154. The ladder was assessed as not being feasible because there is insufficient stowage space in the RHIB for a rigid ladder. In addition, a rope ladder is impractical because it would ride under the RHIB's rounded hull as weight was applied.

Recommendation 45: Consider providing as a personal issue to each member of the boarding party the essential individual items specified in ACPBSO.

155. COMAUSFLT has the lead on this recommendation. The current practice is for all boarding party members to be issued with sized equipment prior to commencing patrol. The AUSPBGRP has formalised this action with a change to ACPBSO.
156. The current practice provides for the personal issue of sized equipment.



Recommendation 46: Consider the introduction of a Boarding Party Voice Recorder.

157. Trials were conducted with the ATTACK 2 crew using a helmet mounted Digital Video Camera System during work-up training and assessment. The camera is fitted with a sound recording system. It was assessed as not effective in an operational environment. The boarding party voice recorder was not effective in an operational environment as it is vulnerable to adverse environmental effects such as wind noise and water damage.

Recommendation 47: Consider the introduction of a Hand Held Video Camera.

158. Trials were conducted with the ATTACK 2 crew using a helmet mounted Digital Video Camera System during work-up training and assessment. The camera is fitted with a sound recording system. It was assessed as not effective in an operational environment. The trial equipment is now in use by MWV-STU staff for recording and review of training during work-up training.

159. The hand held video recorder was restrictive to use, as it required two-handed operation. This was considered unsatisfactory as a boarding party member must always have at least one hand free to steady themselves against the motion of the SIEV. A head mounted camera was also trialed but it was found to be restrictive and cumbersome.

Recommendation 48: Consider modifying the design of the Transom Stairs to remove or reduce those sections likely to cause damage to a sea boat.

160. Modification to transom stairs has been reviewed by the Engineering Review Board and recorded. The Configuration Control Board will meet in February 2010 and the modification will be fitted to the ACPB after this time.

Recommendation 49: Fit, as a matter of priority, six CO₂ fire extinguishers to all ACPB as required by ACPBSO.

161. Fire extinguishers have been provided. The Patrol Boat Systems Program Office has been engaged to resolve the ongoing certification of these items.

162. Carbon dioxide fire extinguishers are in the course of issue.



Recommendation 50 – Improve, or replace, the Portable Bilge Pump.

163. This recommendation requires the improvement or replacement of the portable bilge pump.
164. Investigation into replacement portable bilge pumps is complete. The current fitted pumps are the best available in the diesel range. MWV-STU training scenarios incorporate use of this pump.

Recommendation 51: Improve the ACPB Port and Starboard Scrambling Nets.

165. This recommendation has not been implemented as the hull of the ACPB does not support the use of scrambling nets. The ACPB hull chine is cut away, which means that, at the waterline, the hull slopes inwards and away from a person in the water. The net is effectively sitting at a 45 degree angle towards the survivor and thus can only be climbed by a fit person.
166. Scrambling nets are still issued to ACPB because the use of the nets are suitable for fit persons in mass SOLAS. Weaker, or injured persons can be recovered over the transom steps or by davit lift in a RHIB.

Recommendation 52: Fit, as a matter of priority, all ACPB with a ULP fuel caddy stowage and safety release mechanism as a matter of urgency.

167. Each ACPB is to be fitted with the brackets to attach the caddy stowage. Six stowages are currently held for installation as required. All ACPB will be fitted with complete mounting brackets for the stowage as part of the Operation Readiness docking cycle.
168. The ULP fuel caddy stowage is a place to store ULP fuel in containers that are called caddies. These caddies are used for small boats' fuel, such caddies are not normally carried onboard ACPB. The safety release mechanism allows the caddies to be released into the sea should the caddies be exposed to a risk of catching fire.
169. The benefit in having a ULP fuel caddy stowage is that ULP fuel from a SIEV could be decanted into the caddies, thus removing a hazard from the SIEV. While decanting ULP or other fuels into the caddies rather than pumping it into the sea would comply with international law requirements for the prevention of pollution at sea and remove some risk of ignition in the SIEV, the extreme fire hazard associated with ULP and RAN policy on 'Carriage of ULP' makes this impracticable but caddy stowage may be an available resource to a CO of an ACPB. Routine ULP storage in ACPB is not an acceptable procedure.



Recommendation 53: Review boarding/steaming party communications.

170. The review found that the hand-held portable radios issued to ACPB were at times unreliable due to difficulties in recharging the batteries and did not provide secure voice communications as required by CJOPS instructions. A secure voice radio, the "Pintail portable" has been provided.

Recommendation 54: Rectify, as a matter of priority, the outstanding defects on the ACPB Austere Compartment.

171. The Austere accommodation compartments (AAC) in the ACPB was not designed for the carriage of PII.
172. AUSPBGRP continues to actively monitor the remediation of the AAC. The final configuration has been agreed and is fitted to HMAS Glenelg (**Glenelg**) and HMAS Maryborough (**Maryborough**) with a program of remediation for the remaining ACPB being progressed during dockings over the next two years. The AAC in Glenelg and Maryborough will be available for occupation by ADF and other government officials when COMAUSFLT endorses the residual Hazard Risk Index.

Recommendation 55: Consider increasing the number of water containers / bladders carried for SIEV operations.

173. The recommendation has been reviewed and it has been determined that there is insufficient stowage space onboard the ACPB to accommodate additional containers. Further, each ACPB is well served by two reverse osmosis plants that produce sufficient fresh water for operational tasks.

Recommendation 56: Provide lightweight portable metal detectors in all ACPB to assist in the search for weapons and dangerous equipment on the SIEV, PII and their baggage.

174. Lightweight portable metal detectors have been sourced and are in the process of being delivered to all ACPB.

Recommendation 57: Increase the weight of the man-overboard dummy (OSCAR) in all ACPB to 85kg, and adjust its construction so that it floats in a manner similar to someone wearing a normal life jacket (i.e. head above and feet below the water).

175. The applicable references (BR67 AUS SUPP) have been amended to provide the correct wet weight. Ships are making appropriate changes to their man overboard dummies.

Recommendation 58: Review, and adjust as necessary, the contents of the Humanitarian Assistance (HA) Stores Pack carried in all ACPB, particularly those items that would be of assistance to medically training personnel in the management and hygiene of PII.


176. PII support stores are documented in OORDER 01/2009 and contain items for OH&S and hygiene.

177. Of the nine items detailed at this recommendation, six have been actioned and three are pending consideration. The three are: rehydration salts; large quantity of disinfectant; sufficient towels and soap. Requirements to support 60 persons and 40 persons are detailed in OORDER 01/2009: this specifically includes hygiene items.


Recommendation 59: Carry additional medical stores in all ACPB when a medical officer is embarked, or have contingency air-drop arrangements in place, or both.

178. The Medical Officer embarks in the ACPB with additional medical supplies after medical specific briefings by staff at HQJTF 639. The 92 Wing Detachment at Darwin has the capability to conduct air drops as required.

AFFIRMED by Leslie Vaughn Henry
Rixon at Sydney in the State of New
South Wales



In the presence of:



Letitia Deborah Van Stralen of
Coombs Parade MATRAVILLE NSW
2036
Solicitor

IN THE CORONERS COURT OF THE
NORTHERN TERRITORY

DO061 OF 2009
DO062 OF 2009
DO063 OF 2009
DO118 OF 2009
DO119 OF 2009

INQUEST INTO THE DEATHS OF:

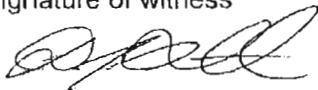
MOHAMMAD AYUBI
MUZAFAR SAFARALI
MOHAMMED ZAMEN
AWAZ NADER
BAQUER HUSANI

ON 16 APRIL 2009
AT ASHMORE REEF

ANNEXURE 1

I certify that the six pages to which this certificate is attached is Annexure 1 referred to in the affidavit of Captain Leslie Vaughn Henry Rixon made 26 January 2010 before me:

Signature of witness



Name of witness

Letitia Deborah Van Stralen

Capacity of witness

Solicitor

ANNEXURE I.

Item 36334 /

X5



NAVY

AUSTRALIAN BOOK OF REFERENCE

1920

**ROYAL AUSTRALIAN NAVY MANUAL OF MILITARY
TRAINING**

Case: 4280873
Document: NAV001.1 00001
Item Id: 28766

X5

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ACRONYMS AND ABBREVIATIONS

AAR	After Action Report
AARA	Australian Army Rifle Association
ABR	Australian Book of Reference
ABC SO	Able Seaman Combat Systems Operator
AC	Aircraft Captain
ACS	Australian Customs Service
ADF	Australian Defence Force
ADFP	Australian Defence Force Publication
AEEZ	Australian Exclusive Economic Zone
AF	Augmentation Force
AFMA	Australian Fisheries Management Authority
AFP	Australian Federal Police
AFTP	Australian Fleet Tactical Publication
AFZ	Australian Fishing Zone
ANF	Australian National Flag
AOOW	Assistant Officer of the Watch
AOR	Auxiliary Oiler Replenishment
APS	Access Point Sentry
APSu	Access Point Supervisor
AQIS	Australian Quarantine Inspection Service
ASP	Armament Systems and Procedure
AS&P	Ammunition Safety and Performance
ASTJIC	Australian Theatre Joint Intelligence Centre
AUSCDT	Australian Clearance Diving Team
BM	Boatswain's Mate
BO	Boarding Officer
BP	Boarding Party
BR	Book of Reference
BST	Bridge Security Team
BWC	Bridge Watchkeeping Certificate
C2	Command and Control
CAPT	Captain
CB	(Compliant Boarding
CBA	Combat Body Armour
CD	Clearance Diver
CMP	Crew Muster Point
COMAUSNAVAIRGRP	Commander Australian Navy Aviation Group
CO	Commanding Officer(s)
COI	Contact of Interest
COMTECHREP	Complementary Technical Report
CPOCSM	Chief Petty Officer Combat System Manager
CPONPC	Chief Petty Officer Naval Police Coxswain
CQB	Close Quarter Battle
CSO	Combat Systems Operator
CSO(O)	Chief Staff Officer (Operations)
CSOMW	Combat System Operator Mine Warfare
CSO(W)	Chief Staff Officer (Warfare)
CT	Counter-terrorist
CTG	Commander Task Group
D	Dispatcher
DC	Damage Control
DCO	Damage Control Officer
DF	Deterrent Force
DFACA	Defence Force Aid to the Civil Authorities
DFDA	Defence Force Discipline Act 1982
DFPCPO	Duty Force Protection Chief Petty Officer

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DFPLO	Duty Force Protection Liaison Officer
DFPO	Duty Force Protection Officer
DFPSS	Duty Force Protection Senior Sailor
DIMA	Department of Immigration and Multicultural Affairs
D(N)	Defence Instruction (Navy)
DMSEC	Director Maritime Security
DNOP	Directorate of Naval Officers' Postings
DPO	Duty Petty Officer
DRB	Defence Reference Book
DSA	Defence Security Agency
DSCM	Directorate of Sailors' Career Management
DZ	Drop Zone
ECO	Explosives Custodian Officer
EDP	Electronic Data Processing
EDT	Establishment Defence Team
EDW	Establishment Duty Watch
EMCON	Emissions Control
EOF	Escalation of Force
EOOD	Engineering Officer of the Day
EOTS	Electro Optic Tracking System
ESM	Electronic Support Measures
EST	Establishment Security Team
ET	Electrical Technical
EWASM	Electronic Warfare Analyst Submarine
FCPB	Fremantle Class Patrol Boat
FCPBSO	Fremantle Class Patrol Boat Standing Orders
FFV	Foreign Fishing Vessels
FLO	Fleet Legal Officer
FMA	<i>Fisheries Management Act 1991</i>
FP	Force Protection
FPCPO	Force Protection Chief Petty Officer
FPDW	Force Protection Duty Watch
FPPO	Force Protection Petty Officer
FPO	Force Protection Officer
FPT	Force Protection Team
FPDW	Force Protection Duty Watch
FR	Fast Roper
FRI	Fast Roping Instructor
FRS	Fast Roping Supervisor
GDP	Gun Direction Platform
GOW	Gunner of the Watch
GOW SO	Gunner of the Watch Supervising Officer
GPS	Global Positioning System
HGV	Heavy Goods Vehicles
HS	Hydrographic Survey
HT	Hostage Takers
HUMINT	HUMAN INTELLIGENCE
HWI	Helicopter Warfare Instructors
IA	Immediate Action
IC	In Charge
ID	Identity
IED	Improvised Explosive Device
IET	Initial Employment Training
IP	Insertion Point
IR	Individual Readiness

ABR 1920

3

JALO Joint Ammunition Logistics Organisation
JS Junior Sailors
LCDR Lieutenant Commander
LEUT Lieutenant
LF Live Fire
LGDO Local Gun Direction Officer
LOGREQ Logistic Request
LPA Landing Platform Amphibious
LPOC Last Port of Call
LR Long Range
LS Leading Seaman
LSBM Leading Seaman Boatswain's Mate
LSCSO Leading Seaman Combat Systems Operator
LSMT Leading Seaman Marine Technician
LSH Landing Ship Heavy
LSW Light Support Weapon
LTR Line Throwing Rifle
LWP-G Land Warfare Procedures—General
MA Medical Attendant
MAB Maybe Any Beach
MCC AST Maritime Component Commander Australian Theatre
MCC JOC Maritime Component Commander, Joint Operations Command
MCD Mine Clearance Diver
MCDO Mine Clearance Diving Officer
MCDTG Mine Clearance Diving Task Group
MC JOC Maritime Component, Joint Operations Command
MEDIVAC Medical Evacuation
MFU Major Fleet Units
MG Machine Gun
MHQAUST Maritime Headquarters Australia
MIC Multi Interdiction Operations Commander
MIF Maritime Interception Force
MIF AAR Maritime Interdiction Force After Action Report
MIO Maritime Interception Operations
MIOCDR Maritime Interception Operations Commander
MLW Manual of Land Warfare
MLOC Minimum Level of Capability
MOB Man Overboard
MOD SSD Modified Special Sea Dutyman
MOU Memorandums of Understanding
MR Mission Readiness
MT Marine Technical
MTR Marksmanship Training Ranges
MWTL Master Weapons Training Log
MWV Maritime Warfare Vessels
NCB Non Compliant Boarding
NCO Noncommissioned Officer
NFE Night Fighting Equipment
NFS Notice for Sea
NHQ Navy Headquarters
NPC Naval Police Coxswain
NVE Night Vision Equipment
NWUC Non Weapons User Category
OAL Outfit Allowance List
OFOF Orders for Opening Fire
OHSIR Occupational Health and Safety Incident Report
OIC Officer-in-Charge

Case: 4280873
Document: NAV001.1.00004
Item Id: 28769

X3

X3

OLOC	Operational Level of Capability
OPCON	Operational Controlling Authorities
OPTASK	Operational Task
OPREP	Operational Report
OOD	Officer of the Day Operations Report
OOW	Officer of the Watch
ORS	Operations Room Supervisor
PCO	Principal Control Officer
PHT	Prisoner Handling Team
PM	Planned Maintenance
PMKeyS	Personnel Management Key Solution
PO	Petty Officer
POB	Petty Officer Boatswain/Personnel On Board
POI	Periodic Ordnance Inspection/point of Impact
POS	Part of Ship
PQ	Primary Qualifications
POW	Prisoner(s) of War
PWO	Principle Warfare Officer
PWT	Pre Workup Training
QM	Quartermaster
QMA	Quartermaster's Assistant
QRD	Quick Release Device
QRF	Quick Reaction Force
QRT	Quick Response Team
PRETECHREP	Preliminary Technical Report
Qual	Qualification
RAN	Royal Australian Navy
RANFDM	RAN Force De-escalation Model
RCN)	Royal Canadian Navy
RHIB	Rigid Hull Inflatable Boat
RN	Royal Navy
ROE	Rules of Engagement
2 I/C	Second in Command
SAR	Search and Rescue
SARL	Small Arms Record Log
SASR	Special Air Service Regiment
SATS	Small Arms Training Section
SAWCA	Stand Aside We're Coming Aboard
SB	Safe Base
SDT	Ship's Defence Team
SE	Security Element
SF	Special Forces
Sitreps	Situation Reports
SME	Subject Matter Expert
SO	Supervising Officer/Safety Officer
SOFA	Status of Forces Agreement
SOLAS	Safety of Life at Sea
SOP	Standard Operating Procedures
SP	Specialist Parties
SPIL	Service Police Identification Label
SIEV	Suspected Illegal Entry Vessel Report
SVREP	Suspected Illegal Entry Vessels
SITREP	Situation Reports
SS	Senior Sailors
SSD	Special Sea Dutyman
SSG	Submarine Guided Missile
SSO	Ship's Standing Orders

X5

X5

SST	Ship Security Team
SWL	Safe Working Load
TA	Threat Assessments
TAG	Tactical Assault Group
TA-MW	Training Authority—Maritime Warfare
TG	Task Group
TIR	Target Illumination Radar
TQ	Tactical Questioning
TQP	Tactical Questioning Point
UA	Unauthorised Arrivals
UAREP	Unauthorised Arrivals Report
UD	unauthorised discharge
UDS	Upper Deck Sentry
UHF	Ultra High Frequency
UN	United Nations
UNSCR	United Nations Security Council Resolution
UoF	Use of Force
UR	Unit Readiness
USN	United States Navy
VBSS	Vessel Board Search and Seizure
VCP	Vehicle Checkpoint
VHF	Very High Frequency
WI	Warfare Instructor
WRS	Weapons readiness state
WS	Wharf Sentry
WSS	Weapons Safety Supervisor
WTSS	Weapons Training Simulator System
WTT	Weapon Training Test
WUC	Weapons User Category
XO	Executive Officer

IN THE CORONERS COURT OF THE
NORTHERN TERRITORY

DO061 OF 2009
DO062 OF 2009
DO063 OF 2009
DO118 OF 2009
DO119 OF 2009

INQUEST INTO THE DEATHS OF:

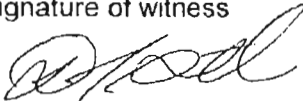
MOHAMMAD AYUBI
MUZAFAR SAFARALI
MOHAMMED ZAMEN
AWAZ NADER
BAQUER HUSANI

ON 16 APRIL 2009
AT ASHMORE REEF

ANNEXURE 2

I certify that the two pages to which this certificate is attached is Annexure 2 referred to in the affidavit of Captain Leslie Vaughn Henry Rixon made 26 January 2010 before me:

Signature of witness



Name of witness

Leticia Deborah Van Stralen

Capacity of witness

Solicitor