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~~STAFF IN CONFIDENCE~~

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Office of the Flag Officer
Submarines
Fort Blockhouse
Gosport Hants
Portsmouth 22351 Ext:41274

SM. 7800/87.P

Ministry of Defence/Naval Law 7 December 1977

BOARD OF INQUIRY REPORT - DEATH OF ENGLISH D P CEM1

-12012

Reference:

A. QRRN 1642

1. Forwarded, concurring with the conclusions reached by the Board of Inquiry.

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RECEIVED
15 DEC 1977
NAVAL LAW
REGISTRY

Captain
for Rear Admiral

Enclosure:

1. SM2's letter 520/38 dated 14 November 1977

Information:

Commander in Chief Fleet

gaa

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Second Submarine Squadron
HMS DEFIANCE
HM Naval Base
Devonport

520/38

BOARD OF INQUIRY REPORT

14 November 1977

Reference:

A. Flag Officer Submarines' S.1360 dated 5 September 1977

1. The Board of Inquiry convened by the Reference has conducted a full and careful investigation into the circumstances attending the death of CEM ENGLISH of HMS SWIFTSURE.

2. The major source of evidence for the Board's conclusions has been the Special Investigation Branch (BAOR) Report attached at Annex B. Supplementary Questions asked by the Board are at Annex F. Further details on the conduct of the Board are at Annex A.

3. Brief Synopsis. CEM ENGLISH went ashore into Hamburg with two other ratings from SWIFTSURE on the evening of 26 August 1977. After a number of minor altercations, ~~XXXXXXXXXXXXXXXXXXXX~~ he was last seen proceeding into Herbertstrasse (a brothel area of Hamburg where the prostitutes sit displayed in panoramic windows) at 2205 on the 26 August 1977. At about 0630 on the morning of Thursday 1st September 1977, a male body, subsequently identified as ENGLISH, was recovered from the river Elbe.

4. Comment.

a. From the Post Mortem evidence, (Annex B) it is almost certain that ENGLISH went into the Elbe on the night of 26/27 August 1977. The Post Mortem showed no evidence of foul play.

b. From the blood alcohol content in the body (240mg/100 mls) it is probable that ENGLISH drank heavily after leaving his SWIFTSURE companions.

c. Although several of the prostitutes in Herbertstrasse thought they recognised ENGLISH from photographs shown by the German Police, the Police place very little reliability on their claims. (Annex B)

5. Actions by SWIFTSURE Officers/Ratings. A narrative of events as taken from the evidence presented to the Board and the SIB is attached at Annex C. A plan of the position of SWIFTSURE's berth in relation to the bars mentioned in the evidence is attached at Annex D. The detailed statements of witnesses are at Annex B, with supplementary questions at Annex F.

6. Comment.

a. The berthing arrangements, and the lighting arrangements at the berth were satisfactory.

b. The sentries on watch from the time ENGLISH left SWIFTSURE on the evening of 26 August 1977, until the following morning did not see ENGLISH. Had he returned to the correct jetty, the lighting was sufficient for him to have been clearly visible to the sentry.

c. It is probable that ENGLISH attempted to return to SWIFTSURE, (Annex B paragraph 12) but it is highly unlikely that he reached the correct jetty.

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d. Actions taken by SWIFTSURE when ENGLISH was reported absent over leave were correct.

e. There are no areas where any other/further action in Hamburg by SWIFTSURE Officers/Ratings could have had any material effect on ENGLISH's death.

7. [Redacted text]

8. [Redacted text]

b. In the opinion of the Board, no action by SWIFTSURE, divisional or organisational, could reasonably have been expected to prevent ENGLISH's death. In particular, the beer/spirit issue and accounting organisation is good, [Redacted text]

9. Probable Sequence of Events. In the Board's opinion, ENGLISH probably fell into the Elbe while he was returning to SWIFTSURE in the early hours of Saturday 27 August. Due to his state of intoxication, he was incapable of saving himself after reaching the water.

10. Conclusions.

- a. Cause of Death. Accident by drowning under the influence of alcohol.
- b. Foul Play. There is no evidence of foul play.
- c. Security. There is no evidence of any security implication.

11. Recommendation. That the tragic case of CEM ENGLISH form the basis of a Fleet Memorandum of the dangers of over indulgence in alcohol.

[Redacted signature area]

Lieutenant Royal Navy

[Redacted signature area]

Surgeon Commander Royal Navy

[Redacted signature area]

Commander Royal Navy

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ANNEX A TO
SM2's 520/38
DATED 14 NOVEMBER 1977

CONDUCT OF THE BOARD OF ENQUIRY

1. The Board of Enquiry convened by the Flag Officer Submarines Memorandum S1360 dated 5 September 1977 took evidence from members of HMS SWIFTSURE's Ships Company on 12 September 1977. Signed statements made to the Special Investigation Branch BAOR were available to the Board as documentary evidence.
2. The final report of the Special Investigation Branch BAOR was received by the President of the Board on 1 November 1977. Inquiries in Hamburg were all conducted on behalf of the SIB. Their report is therefore forwarded as Annex B.
3. During the questioning of witnesses from SWIFTSURE, it became clear to the Board that the conditions of beer/spirit issue in HMS SWIFTSURE would have to be investigated. This investigation was carried out separately by the president, in his capacity as Commander (SM), together with the assistance of the Squadron Supply Officer, Lieutenant Commander (XXXXXXXXXX) Royal Navy. The reasons for a separate investigation were:-
 - a. Lieutenant (XXXXXXXXXX) Royal Navy would be required to answer questions in his capacity as Beer Caterer of HMS SWIFTSURE.
 - b. Lieutenant (XXXXXXXXXX) Royal Navy would be required to answer questions in his capacity as an Officer of the Day.
4. The conclusions of the 'beer investigation' are attached at Annex F.

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DATED 14 NOV 77

S.1360

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Flag Officer Submarines
Fort Blockhouse
Gosport Hants

5 September 1977

MEMORANDUM

1. You are to assemble on Board HMS DEFIANCE at Devonport as a Board of Inquiry whereof Commander DXXXXXXXXXX Royal Navy of HMS DEFIANCE is to be the president and hold a full and careful investigation into the circumstances attending the death of CEM1 ENGLISH of HMS SWIFTSURE, taking into account the possible security implications, calling before you such witnesses as are necessary to enable you to form a correct conclusion. Recommendations should be put forward, if appropriate, which might prevent similar occurrences in the future whether on account of failure of personnel or material.
2. The inquiry is to be conducted in accordance with the directions contained in QRRN Chapter 23.
3. The report of the board is to be accompanied by the minutes of evidence taken, and is to contain an expression of opinion on the merits of the case as disclosed by the evidence, including a statement of the causes of the occurrence.
4. The questions in the minutes are to be numbered consecutively, and the name and rank or rating of each witness are to appear at the head of each page of his evidence.
5. The report and minutes are each to be signed by the members of the board, and are to be in triplicate.
6. The Captain SM Second Submarine Squadron has been informed and directed to afford the board all the necessary facilities.
7. Unless the president has something to communicate he is to send the reports when completed, not to bring them.
8. An audio typist has been detailed from HMS DEFIANCE.

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Rear Admiral

To:
Commander XXXXXXXXXXXXX Royal Navy
HMS DEFIANCE
Surgeon Commander XXXXXXXXXXXXX Royal Navy
HMS DEFIANCE
Lieutenant XXXXXXXXXXXXX Royal Navy
HMS SWIFTSURE

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