



Ministry
of Defence

Navy Command FOI Section
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2016-07671

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19 August 2016

Dear [REDACTED]

Release of Information

Thank you for your correspondence dated 8 August 2016 requesting the following information:

'Any material relating to the death of a Royal Navy rating John Martin who died while serving aboard HMS Fearless in February 1967. This to include coroner's report, memos, any letters and reports regarding the death and any other material relating to John Martin and his RN service.'

Your enquiry has been considered to be a request for information in accordance with the Freedom of Information Act 2000.

I can confirm that the Department holds information within the scope of your request and attached is Part one of the Board of Inquiry (BOI) report into the death of John Edward Martin RN while serving aboard HMS FEARLESS on 2 February 1967.

Please note the personal information of those individuals involved in the case other than the deceased have been redacted, withheld, under section 40(2) of the FOI Act (Personal Data).

Section 40(2) applies to personal data relating to third parties. The release of personal information relating to other individuals would contravene the principles of the Data Protection Act 1998, namely Principle 1 – personal data shall be processed fairly and lawfully and not unless certain specified conditions are met, and Principle 2 – personal data shall be obtained and processed only for specified and lawful purposes and not further processed in a manner incompatible with the purposes. In this instance, data has been provided for internal purposes only and not with the expectation that it would be made public.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 2nd Floor, Zone N, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely

Navy Command Secretariat – FOI Section

REPORT AND MINUTES OF

A. BOARD OF INQUIRY

HELD ONBOARD

HMS TERROR ON

6TH FEBRUARY 1967

HMS LONDONDERRY
At Singapore

No. 1/1

7th February 1967

The Commander, Far East Fleet

Sir,

MARTIN, J.E., P/O60283 COOK (S) - HMS FEARLESS

1. We have the honour to forward the following report of the Board of Inquiry held on 6th February 1967 to investigate the circumstances attending the death of the above named rating

References/
Questions

Summary of events in HMS FEARLESS off Penang

A

2. a. MARTIN was present at a special muster for men under punishment at 2100 on 29th January. POSLXXXXXXXXX carried out the muster. 58
- b. MARTIN went to his mess after the muster and was seen by Leading Cook (S)XXXXXXXXX. MARTIN left the mess at about 2130. He was wearing a white shirt, white shorts and sandals. 68, 80
- c. Lance Corporal XXXXXXXX went into MARTIN's mess at about 2130 and saw MARTIN there. MARTIN was sitting with his messmates. XXXXXXXX states MARTIN was wearing a white front, white shorts and sandals. XXXXXXXX also states that he thought MARTIN had been drinking. XXXXXXXX was Corporal of the Gangway until 2145, and he states that no one went over the gangway during his time there (2000 - 2145). 134 - 148
- d. Lance Corporal XXXXX was walking along the 2 Deck Passage at about 2140. He states that MARTIN followed him along the passage, with a can of beer in his hand, and was dressed in white front, white shorts and sandals. He did not see him again. XXXXXX seems to have been the last person to have seen MARTIN. However, it was mentioned in evidence that MARTIN was thought to have gone onto the Fo'c's'le, but this cannot be confirmed. 126 - 128, 108, 116
- e. At 0700 Sunday 30th, MARTIN was missing from the muster for men under punishment. After thorough searches of all compartments had been carried out with no success, MARTIN was presumed to be absent. 58

Recovery of the body

3. Four days later MARTIN's body was found by HMS LANTON floating 350 yards from the position where HMS FEARLESS had been anchored off Penang. The body was recovered and handed over to the Penang police. Death was reported as being due to drowning four or five days previously. 226 B C

4. The tidal stream was one and a half knots to the south at the time of recovery. Tidal streams are strong in that area: the movement of a floating body would be difficult to forecast. When MARTIN drowned it is presumed his body sank to the bottom. It is thought that the body probably surfaced within a few hours of being recovered. This tends to point towards MARTIN having entered the water in the vicinity of HMS FEARLESS in the Man o' War anchorage off Penang. Otherwise it is difficult to explain why the body was found close to FEARLESS' position with strong tidal streams running.

B

MARTIN's personality

- 5. a. He was good at his job as a cook and his Divisional Officer had recently had encouraging reports of him. 56
- b. He was a very heavy drinker and spent most of his money on beer. He was known to drink large quantities of beer both on board and ashore. One witness thought he could easily become an alcoholic. There were few outward signs of his drinking until he collapsed which may explain why he was never in trouble for drunkenness. 63
84 - 86
237
112
91
- c. He was invariably short of money and often borrowed from other ratings. Although Thursday 26th January was a pay day, he had to borrow 50 dollars on Saturday 28th for his special 'run ashore' while in the Second Class for Conduct. He borrowed more money on Sunday 29th to buy his beer ration. It was estimated that he owed about 250 dollars, and that his fortnightly pay had been largely used to settle earlier debts. 84 - 88
98
- d. He was moody and often sat in his mess staring distantly at the bulkhead, not saying a word. He appeared to brood. He was depressed through being under punishment and stoppage of leave off and on for a considerable period. He was also worried about his debts, but was unmarried and there is nothing to suggest any family or other external worries. On New Year's Eve his request for leave was turned down and he broke down and wept in the mess. 63, 70, 71
84, 85
252 - 254
257
155
- e. He was keen on fishing, and regularly used the Fo'c'sle and stern gate areas. He was fond of a position on the port side bollards on the Fo'c'sle. 160 - 163
- f. He was a non-swimmer. In Aden his messmates had taken him ashore and tried to teach him at the Armada Club beach. He was totally incompetent in the water and could not swim a stroke. 45, 64 - 66

Possible course of events leading to drowning

- 6. There is no definite evidence to show how MARTIN entered the water. It is considered that any of the following ways were possible:-
 - a. From a small boat going ashore or an attempt to swim ashore.
 - b. Being pushed overboard from FEARLESS.

- c. Accidentally falling from FEARLESS
- d. Intentionally jumping from FEARLESS

Each possibility will be discussed in turn.

7. It is unlikely that he tried to break ship and get ashore. He was in uniform when found, but he had plain clothes on board. 55
From his messmates remarks there was no motive for going back to Penang where he had been ashore the previous evening. However the stern gate was down that evening; this provides easy access into a bum boat and is out of sight of the gangway staff in their normal positions. In view of his incompetence as a swimmer, it is presumed that no attempt was made to swim ashore. 191, 192, 9, 26 - 31

8. Being pushed overboard is possible but unlikely. There is no evidence that he had any enemies on board. Nothing has pointed to anyone being with him after he was last seen on board FEARLESS. 52

9. Falling overboard is quite possible. If he was on the Fo'c'sle, the area of the bollard gratings could have been a danger to him. The top of the grating is just above the middle guardrail. There is a gap of 18 inches between the top and middle rails. Anyone lying on the grating could easily roll overboard. This was one of his favourite areas on the Fo'c'sle. Similarly if he had drunk a lot he might have fallen off the stern gate, another position well known to him from fishing. 42, 160 - 163, 195 - 198

10. In view of his depressed state of mind, the Board feel that the possibility of suicide by jumping overboard and drowning cannot be ruled out. 222, 223

Conclusion

11. The Board's conclusion is that he probably fell overboard from FEARLESS, and that drink may well have been a contributory cause.

Recommendations

- 12. a. When the stern gate is lowered just above the water level in a strong tideway, a sentry should be placed to watch the area, particularly at night. 26, 27
- b. In parts of the Fo'c'sle the 18 inch gap between the top and middle guardrails is too great, particularly abreast the bollards. An additional rail should be fitted. (It is understood that the gratings are no longer in use). 160 - 163
- c. Although beer is rationed to two cans per man, it appears that MARTIN could always obtain extra cans from messes which had not used their full ration. He was known to have bought beer regularly in many other junior rates messes. (The ship has, in fact, been tightening up on the method of beer issue for some weeks). 202 - 209, 218

References/
Question

- d. There appears to have been a failure of the Leading Hand's in MARTIN's mess to bring MARTIN's habits, problems and demeanour to the notice of the Divisional Officer. It is recommended that their responsibilities in this matter are explained to them. 218

We have the honour to be,
Sir,
Your obedient Servants,

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Surgeon Lieutenant, Royal Navy

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Lieutenant Commander, Royal Navy

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Commander, Royal Navy

Enclosures: Minutes of the Board of Inquiry
Memorandum Form S.1360 dated 4th February 1967

- references:
- A. The Commanding Officer HMS FEARLESS' letter No. 4020/2 dated 4th February 1967
 - B. The Commanding Officer HMS LANTON's signal 041015Z.
 - C. Report of visit to Penang by Lieutenant Commander:XXXXXXXX

