

# CHAPTER 1

## INTRODUCTION

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1.1 The loss of HMAS *Sydney*<sup>1</sup> in November 1941 was a tragedy on a number of levels. For the 645<sup>2</sup> crew on the ship and their families, it was a devastating blow, one from which many close relatives never recovered. For the Royal Australian Navy, the loss of the 'glamour ship' of the fleet was a blow to both operational effectiveness and morale. For the Australian population, who had feted *Sydney* on her return from the Mediterranean just nine months before, it was a sudden and shocking reminder of the nature of war and the proximity of the threat facing Australia and her allies.

1.2 What for many was so incomprehensible was that *Sydney* could be lost with all crew, while over 300 crew of the German raider *Kormoran* survived the engagement. As the story of the engagement was based on accounts by the *Kormoran* survivors, many Australians doubted that the full story was being told. Government attempts to censor reports of the ship's loss in the latter part of November 1941, prior to an official announcement being made, only served to suggest, in some people's minds, that the true fate of *Sydney* and her crew was being withheld from the Australian population.

1.3 In the 57 years since the loss of *Sydney*, the debate on the fate of *Sydney*, the exact nature of the engagement, and its aftermath has intensified rather than abated. The Committee found itself at a great disadvantage in reviewing the events of November 1941, as there was apparently no formal naval inquiry or public inquiry held, either immediately after the disaster or in the post-war period. While an inquiry may not have been held in December 1941 given the declaration of war by Japan and Australia's increasingly threatened position, the lack of a formal review after the war meant that the opportunity for the Government to collate the extant evidence was lost. Over the years, hand in hand with detailed research, both in Australia and overseas, has come speculation and innuendo. A series of books on the subject (see Chapter 2) has added fuel to the debate as individuals and groups all over Australia speculate about what happened to *Sydney*.

1.4 Western Australia, while not the sole location of the debate, has certainly been one of the areas where debate has been strongest. While people from every major town and city in Australia had lost a relative or a friend, many of the crew were drawn from Western Australia.<sup>3</sup> Perhaps because of this, or because it was off the Western Australian coast that

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1 More accurately, HMAS *Sydney* II, variously described as a modified *Leander* or *Perth* class light cruiser. The first HMAS *Sydney* was a Chatham class light cruiser commissioned in June 1913, and best remembered for its successful engagement with the German cruiser *Emden* off the Cocos Islands during World War I. *Sydney* I was paid off in 1925. There have been two further RAN vessels bearing the name of *Sydney* since World War II: HMAS *Sydney* III, a light fleet aircraft carrier, commissioned in 1948, served during the Korean and Vietnam wars, and was paid off in 1973. HMAS *Sydney* IV, an Adelaide class guided missile frigate, was commissioned in 1983. Department of Defence, Submission, pp. 3185-3221.

2 635 naval officers and ratings (of whom seven were Royal Navy), six RAAF and four civilians. Department of Defence, Submission, p. 1968.

3 Ryding, Transcript, p. 154.

*Sydney* was lost, the interest by many Western Australians in *Sydney's* fate has been long-standing. The late Senator John Panizza, a former member of this Committee, and a Senator for Western Australia, raised the matter on a number of occasions in the Senate. Two Western Australian members of the House of Representatives in the 38th Parliament, Mr Stephen Smith MP and Mr Paul Filing MP, were instrumental in the negotiations to establish this parliamentary inquiry into the loss of HMAS *Sydney*.

1.5 An inquiry into the circumstances surrounding the loss of HMAS *Sydney* was referred to the Joint Standing Committee by the then Minister for Defence, Hon Ian McLachlan MP on 26 August 1997. The Committee asked its Defence Sub-Committee to undertake the inquiry on its behalf, and on 11 October 1997 advertisements calling for submissions were placed in the Australian press. The Committee also wrote to as many organisations and individuals with an interest in *Sydney* as it was able to identify, requesting submissions. The Committee also approached a number of the German survivors and made a more general request for information through the *Kormoran* Association in Germany. The response to these approaches was limited. Mr Adolf Marmann, resident in Germany, made three submissions to the inquiry;<sup>4</sup> Mr J Greter wrote to the Committee indicating he had nothing to further to add, except that it was his desire for the dead to rest in peace. The Committee understands the reluctance of the *Kormoran* crew to become involved in the debate again at this stage, so long after their story was first told.

1.6 Approaches were also made to a number of foreign governments, through their diplomatic representatives in Australia. The governments of Japan, the United Kingdom, the Netherlands and Germany were advised of the inquiry and their assistance sought in this matter.

1.7 Following the dissolution of Parliament on 31 August 1998 the Committee and its inquiry lapsed. Parliament resumed on 10 November 1998, and the newly formed Committee sought to resume the inquiry. The matter was re-referred to the Committee by the Minister for Defence, Hon John Moore, MP, on 23 December 1998.

1.8 In total some 201 submissions and 208 supplementary submissions were received by the Committee during the inquiry. Such a public response after so many years indicates the enormous residual public interest in this matter, and the ongoing burden of pain felt by families and friends of those on *Sydney*. Public hearings were held in Canberra, Perth, Melbourne, Sydney and Brisbane and over 570 pages of oral evidence gathered. The Committee would like to place on record its thanks to all who assisted the Committee in its work.

1.9 The Committee preferred to have as much material on the public record as possible, and indeed was the subject of some criticism by individuals who felt that the content of some of the submissions was personally vindictive and critical. While the Committee agrees that the personal attacks contained in a number of submissions were unfortunate and unnecessary, it held to the view that its role was not to censor material put before it. To this end the Committee ensured that a 'right of reply' was available to those who felt they had been unfairly criticised. The divisions among researchers existed long before this inquiry, and were not of the Committee's making.

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4 Marmann, Submission, pp. 2499-2504, 3797-3798 and 4019-4020.

1.10 A number of individuals made confidential submissions to the inquiry, or included some confidential sections in their otherwise public submissions. The Committee agreed to those requests for confidentiality, because the comments contained therein were largely personal observations that the authors did not wish to be made public. The comments, while of general background interest, were deemed by the Committee not to be central to the consideration of the issues under examination.

1.11 The Committee is deeply appreciative that so many people took the time to write to it, either making a formal submission, or simply expressing an interest in the inquiry. Similarly, the extent of public interest was noticeable at the public hearings held in a number of state capitals around Australia. The submissions from the families of those lost with *Sydney* were particularly poignant reminders of why the inquiry was so important.

1.12 In making this report, the Committee wishes to emphasise a number of matters:

- the Committee did not set out to duplicate the work of historians and produce another academic work on *Sydney*. The Committee instead decided to limit its comments and conclusions to those matters on which it itself took direct evidence and felt able to comment.
- the Committee is aware that this report may not put an end to the wilder accusations and speculations that surround this matter. It is unavoidable that those who choose to see cover-up and conspiracy will not be satisfied with many of the conclusions of the inquiry, and will seek to condemn it as part of that same cover-up. The Committee can only stress that it decided to determine what a reasonable person would believe and looked at the balance of probabilities.
- many people, in good faith and from the best motives, contacted the Committee with firmly held points of view. The Committee in no way doubts the honesty of any individual who made a submission to it, and is grateful that so many took the time to offer assistance to the Committee in its work. However, the Committee feels compelled to say that a firmly held belief that something is true does not necessarily make it so. Similarly, a statutory declaration is an indication that the person making the statement believes it to be true; making such a declaration does not make the assertion true or necessarily raise its value as evidence.

1.13 It is most unfortunate that the inquiry is only now being held, 57 years after the tragedy, when so many who may have been able to shed light on the events in November 1941 are either dead, or infirm. The Committee was faced with a vast array of claims and counter-claims, and while it has reached conclusions in a number of areas, there was insufficient evidence on many of the points raised from which to draw conclusions. The Committee has no illusions that its report will put an end to the debate on the fate of *Sydney*, a debate which has grown over the years rather than subsided. Research into the *Sydney* will continue beyond this inquiry, and the Committee wishes all researchers well in their efforts to shed light on the events of November 1941. However, the Committee has to agree with

Dr Tom Frame that, at least on some matters, 'those with an interest in the loss of this proud Australian ship must learn to live with the unknown, and the unknowable'.<sup>5</sup>

1.14 From all that the Committee has read and heard in the course of the inquiry, one thing is very clear – *Sydney* and her crew fought bravely and their courage should be remembered and honoured. This report is dedicated to the memory of those who lost their lives on board HMAS *Sydney* in 1941 and to their families. If the report goes some way to explaining to the bereaved families what may have happened, and gives them some peace, then it will have been a worthwhile exercise.

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5 Frame, T, *HMAS Sydney: Loss and Controversy* (Sydney, Hodder and Stoughton, 1993, reprinted with Preface, 1998), p. 231. Unless otherwise stated, references are to the 1993 edition.