COMMONWEALTH OF AUSTRALIA

JOINT STANDING COMMITTEE

ON

FOREIGN AFFAIRS, DEFENCE AND TRADE

(Defence Subcommittee)

Reference: HMAS *Sydney* inquiry

BRISBANE

Friday, 29 May 1998

OFFICIAL HANSARD REPORT

CANBERRA

JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

(Defence Subcommittee)

Members:

Senator MacGibbon (Chair)
Mr Ted Grace (Deputy Chair)

Senator Bourne	Mr Bob Baldwin
Senator Ferguson	Mr Bevis
Senator Sandy Macdonald	Mr Bradford
Senator Margetts	Mr Brereton
	Mr Brough
	Mr Dondas
	Mr Georgiou
	Mr Hicks
	Mr Lieberman
	Mr McLeay
	Mr Price
	Dr Southcott
	Mr Taylor

To inquire into and report on:

The circumstances of the sinking of HMAS *Sydney* off the Western Australian coast on 19 November 1941, with particular reference to:

(1) the extent to which all available archival material has been fully investigated and whether any relevant material has been misplaced or destroyed;

(2) all relevant archival material available from allied and former enemy forces;

(3) the desirability and practicability of conducting a search for the HMAS *Sydney* and the extent to which the Commonwealth Government should participate in such a search should one be deemed desirable and practicable;

(4) the practicability of accurately locating the grave of an alleged body from HMAS *Sydney* which was allegedly buried on Christmas Island;

(5) the identification of any scientific procedures now available which could verify the identity of human remains alleged to be those of a crewman of HMAS *Sydney* buried on Christmas Island if and when such remains were located;

(6) measures which should be taken to protect and honour the final resting places, if and when located, of HMAS *Sydney* and KSN *Kormoran*.

WITNESSES

BURNETT, Commodore Rory Ward, 14 Winchester Road, Caloundra, Queensland 4551529

EAGLES, Mr James, 20 Elizabeth Street, Aitkenvale, Queensland 4814 560

McARTHUR, Mr Trevor John511

PONIEWIERSKI, Mrs Barbara Ellen538

JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

(Defence Subcommittee)

HMAS Sydney inquiry

BRISBANE

Friday, 29 May 1998

Present

Senator MacGibbon (Chair)

Mr Ted Grace

Mr Hicks

Subcommittee met at 9.05 a.m.

Senator MacGibbon took the chair.

CHAIRMAN—Good morning, ladies and gentlemen. I declare open this public hearing of the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade. The hearing this morning is part of an inquiry presently being conducted by the Defence Subcommittee into the loss of HMAS *Sydney* in 1941 off the coast of Western Australia with all 645 of the crew. We will be hearing from a number of individuals this morning. The subcommittee has been asked to examine the circumstances of the loss of HMAS *Sydney* and, in particular, to examine whether there is any archival material either in Australia or overseas that has not been examined; whether it is desirable or even practicable to conduct a search for the *Sydney*; whether the body on Christmas Island believed by many to be from the *Sydney* can be located and identified; and, lastly, what measures should be taken to protect and honour the final resting place of both the *Sydney* and the German raider *Kormoran*, which also sank after the engagement.

I welcome everyone here today, including members of the general public who are interested in this matter. On behalf of the subcommittee, I welcome Mr John McArthur.

[9.06 a.m.]

McARTHUR, Mr Trevor John

Mr McArthur—I appear before the subcommittee as a person who has long had an interest in the *Sydney* saga. I just wish to present to the committee some of the findings of my most recent research in the hope that they will provide information of value to the committee in its deliberations.

CHAIRMAN—Thank you, Mr McArthur. I must advise you that the proceedings here today are legal proceedings of the parliament and warrant the same respect as proceedings in the respective houses of parliament demand. Although the subcommittee does not require you to give evidence on oath, you should be aware that that does not alter the importance of the occasion. The deliberate misleading of the subcommittee may be regarded as contempt of the parliament. The subcommittee prefers that all evidence is given in public, but should you at any stage wish to give any evidence in private, you may ask to do so and the committee will give consideration to your request.

The subcommittee has received a written submission from you and, with the exception of several pages, it has been authorised for publication. Are there any corrections or additions that you would like to make to your submission?

Mr McArthur—Thank you, Senator. There are some corrections that I would like to make, please, particularly on page 10 of my submission, about eight lines from the top, where I refer to RDF. That should be HF/DF.

CHAIRMAN—Any others?

Mr McArthur—Yes, I would also like to draw your attention to the section that I have written on the *Sydney*'s possible relationship with the *Largs Bay*. Writing of history is an exercise where you think at times that you have the answers and at other times you suddenly realise that you do not have the answers, because you get more information or you suddenly realise that the information that you have been given does not stand up under close inspection. It is an iterative process where you keep going over what you have done. I am now of the opinion that, until I can get further information, I would put a big question mark next to that section dealing with the *Sydney* and the *Largs Bay*. Until I can get corroboration and confirmation from other sources, I think that the source that I have relied on at this stage is, to put it mildly, shaky. That section dealing with the *Sydney* coming down the coast with the *Largs Bay* I would have to treat sceptically myself at this stage.

CHAIRMAN—I invite you now to make a short opening statement before we proceed to questions.

Mr McArthur—There was a section that I wrote in my submission dealing with the dark period from 26 October to 18 November 1941. Only in recent weeks have I have been able to acquire information which I think is rather interesting. I will not speculate as to what it means, but I would certainly be prepared to answer questions from you. With your permission, I would like to present it. I have a copy of it for *Hansard*, so I will read from it.

Members of the hearing, this submission raises an issue that has not been canvassed in any forum before today. It has to do with the activities of HSK *Kormoran* in the period between its resupply by *Kulmerland* and its encounter with HMAS *Sydney* on 19 November 1941. I draw your attention to submission 92 made by Lieutenant Commander R. Bagley, RANR (retired), where he writes about his experience on the *Aquitania* when he was asked to volunteer to stand guard over '26 young, determined and very-pro-Nazi German sailors'. In recent conversation with Lieutenant Commander Bagley, I found that he could recollect the incident with great clarity because of the inadequacy of his arms, the stature of his cook colleague and the threatening presence of the German survivors. What he found was that some of the prisoners had a good grasp of English. They were willing to talk. After a while the conversation got around to topics which it seems all sailors have in common: home, land and female company.

In response to three innocuous questions as to when they had last enjoyed any of the three, the answers were that they had been away from Germany for two years; that they had stored, that is, resupplied, their ship—Japan; that girls had made some crew sick. The context was such that the answer to the second question was taken to mean that the Germans had landed somewhere in recent times. It was obvious to Bagley that wherever it was it had to be under Japanese control. The men were not referring to a supply ship out of Japan. That feeling was strengthened by their last answer. Some of the men from the raider had contracted problems which Bagley interpreted as the sort that could be gained only by very close contact with women. As resupply vessels did not accommodate female company, the crew must have been on land.

Taken at face value, those answers may not count for much, but add them to the information given by Shuh Ah Fah, formerly the Chinese quartermaster on board the Blue Funnel liner *Eurylochus*, which had been waylaid and finally dispatched by *Kormoran*. Along with three other colleagues, Shuh Ah Fah had agreed to act as laundryman for the Germans. Because of his knowledge of English, Shuh Ah Fah was able to answer questions put to him by Lieutenant J. Taplin of HMAS *Yandra* when the ship picked up a large number of German survivors at sea. According to Shuh Ah Fah, *Kormoran* had put into the Caroline Islands for resupply towards the end of October 1941 and had only recently returned to the Indian Ocean. The Carolines were part of the Japanese colonial empire and on Truk they had a significant naval presence. Only part of Shuh Ah Fah's testimony was heeded by Taplin and that part could be used to corroborate earlier 'evidence' given by Sub-Lieutenant Wilhelm Bunjes about the battle. There is nothing else in Taplin's report to suggest that he questioned any other survivor at length about the

Carolines. To all intents and purposes, the Chinaman's words were accorded little credence.

In mid-October, CWR sent a signal to all major naval establishments to inform them of raider activity. In particular, the signal referred to the possible presence of the German raider *Steiermark* being in the western Pacific.

Now to take a leap forward to 1948, by this date the hunt for Japanese war criminals was beginning to lose impetus. For reasons that are beyond the scope of this paper, the changing geopolitical alignments ushered in a new era of relationships where previous enemies were now viewed as important to future strategy. In Japan, an ex-New Zealand air force pilot, James Gowing Godwin, who had been captured by the Japanese, was part of the war crimes tribunal with the rank of captain. His task was to seek out Japanese war criminals. It was essential that investigators of war crimes check thoroughly the backgrounds of alleged war criminals, particularly their military service backgrounds, where they had fought or the area of occupation in which they may have spent some time. Unless a person could be pinned to a certain time and place, there was little prospect of a worthwhile case being presented.

Godwin interrogated a naval warrant officer, Keigo Miyakawa. During the interview, Miyakawa volunteered information about his station at Truk in the Carolines. According to Miyakawa, in late October 1941, the German raider *Kormoran* entered Truk harbour and remained there for four days. Special supplies that had been left some time earlier by a German U-boat were loaded, and fuel and fresh fruit and vegetables were added to the ship's supplies. The day before *Kormoran* sailed, senior Japanese naval officers as well as the commanding admiral toured the ship on a visit of inspection. When *Kormoran* left Truk a Japanese submarine accompanied it. Miyakawa inquired about the submarine accompanying the German ship and was informed by an intelligence officer that they were to carry out exercises of 'mutual benefit'. Later in the war, Miyakawa was wounded and sent back to Japan on the infamous heavy cruiser *Tome*. Gowing sent many documents back to New Zealand because he was in despair at the cessation of the war trials. His documents are now in American and New Zealand archives—sent there only in the past few years.

The point to be made here is not so much the submarine but the filling in of the period to which I referred in my earlier submission as 'the dark period'. There has been no worthwhile attempt by any historian to account for *Kormoran*'s movements after its meeting with *Kulmerland* but now that information about the Carolines is presented, the actual times for the meeting of the raider and its supply ship should be rethought. It also raises some interesting questions about the German story.

I make no attempt to draw any conclusions about the submarine. To do so without substantially more evidence is a waste of time. Nevertheless, the revelation is something that cannot be easily ignored. I realise that the computer left out a line in there, so I will

fix that up before I hand it back to you. My apologies for that; it threw me halfway through when I realised that it was not there.

Senator, that is the information that I have only recently been able to glean. I find it interesting and I present it to your committee. I draw no other conclusions from it because I do not think that you can at this stage. As far as the whole submarine theory is concerned, it is simply just that: it is a theory and no more and, probably in the minds of some people, a lot less.

There is something else that I would like to present to you but, as it is a rather complex issue, I would like to table it and present each member of the panel here with a copy of that. It is more detailed research into naval intelligence documents presented on 25 November 1941.

CHAIRMAN—Thank very much for that, Mr McArthur. In relation to your original submission, could I ask you what evidence you have to support your claim that the encounter between the two ships on 19 November was not a chance one? That is a theory that some submissions have proposed; that either one or other of the parties was part of a premeditated plan to ambush the other.

Mr McArthur—Yes. The *Kormoran* would never in a thousand years have planned to attack *Sydney*. However, I do believe that *Sydney* was directed towards *Kormoran*. I use particularly the evidence presented in 1991 at the *Sydney* forum in Fremantle where Reg Lander, who was in charge of HF/DF station at that time, was asked to take bearings on a raider ship off the coast of Western Australia which was later identified as a raider. He did that over a period of time. As you will find in the documents I have just given you, I also think it is now very clear, particularly due to the work of Commander Hardstaff, that the C-in-C China would have been collecting all the HF/DF readings from around Australia, in which case C-in-C China would have had an excellent idea of the position of any ships such as the *Kormoran*, and, I might add, particularly the *Kormoran*.

To that end I think we have to look at another issue, and that is what happened with the *Zealandia* when *Sydney* was accompanying the *Zealandia* purportedly to hand it over to *Durban* somewhere near the Sunda Strait. Corroborated evidence—in short, good evidence—now makes it very clear that *Sydney* left *Zealandia* the day before the handover took place and did not return. That evidence I give to you is in the documents that you have before you right at the moment. This means that *Sydney* left *Zealandia*. Where it went, it could be only at direction. That direction could, by logic, only have come from C-in-C China. At that time, C-in-C China had both Collins and Long with him in Singapore. So it is quite likely—highly likely—that *Sydney* under those circumstances was given specific directions and those directions could well have been to meet up with *Kormoran*.

I do not think it is entirely coincidental that the *Atlantis* and *Kormoran*, two of the

most significant raiders in the Second World War and the most successful, were taken out of action within three days of each other. I realise that Averell Harriman at that time had made a request to Churchill, for example, that it was necessary for him to make a display of strength, particularly with all the things that had happened in Europe. It is a long shot, but were directions given to *Sydney* from other sources? In these instances, you have actions and you impute behaviour from these actions. Does that answer your question partly, or fully, or not at all?

CHAIRMAN—With the greatest respect, I do not find that a convincing argument.

Mr McArthur—Oh, dear. So we are going to disagree on that, are we not, Senator?

CHAIRMAN—That is a purely personal point of view. Another point you make is that you think it is quite naive at this stage for people who took oaths of secrecy to not be willing to come forward.

Mr McArthur—Yes.

CHAIRMAN—But with the public and official release of those people from that oath, do you not think that, after the passage of 50 years or more than 50 years, they would feel free?

Mr McArthur—No, I really do not. I have been looking at the whole issue of *Sydney* off and on. It fascinated me in 1972, which was when I started my own work on it. I was a publisher's representative and was given a manuscript to see if the company I worked for would publish it. The company was not interested in it and I handed it back, but the substance of it was fascinating to me. So I began to pursue it, simply because of my interest in historical things. Over that period of 20 years, I have met many elderly people. As I indicated to you in my submission, many of them would not for the love of money want to be quoted, come forward to this commission or be seen to come forward to this commission. Some of them, particularly in the PMG, were absolutely adamant that they would not appear; they had sworn oaths years ago and they would not appear before the commission. I chose my words carefully. Please do not take that personally. The point I am making is that it would be naive to think that everyone is going to come rushing forward and volunteer information to you.

CHAIRMAN—No, I am not saying that everyone will.

Mr McArthur—There are many who will not, because they do fear—

CHAIRMAN—We are not talking about a very large number of people.

Mr McArthur—No. There are not too many left who can talk about it, under the

circumstances.

CHAIRMAN—You raised one point of interest to the committee, and that is the existence of a board of inquiry. This is a very controversial matter. Apparently the only evidence is a statement by the chief of the naval staff at the time that a board of inquiry had been held. There is no evidence that we can trace as to what the outcome of that board of inquiry was and we can find no confirmation—

Mr McArthur—I understand that.

CHAIRMAN—in any documentation at all that indeed a board of inquiry was held.

Mr McArthur—The source for that comes from the late John Costello's book *Days of Infamy*, where he refers to a board of inquiry.

CHAIRMAN—But you have no other evidence than that? You make it clear that that is the source for your submission?

Mr McArthur—I am making it clear to you now that that was my main source, yes. Also, I have talked to several ex-naval people who for the life of them would not want to be named and come forward to this committee. It would have been standard procedure for a committee of inquiry to have taken place, as it did on the *Canberra* and the *Armidale* when both went down. It would be logical for it to have been held.

CHAIRMAN—Yes, we would agree that it is a logical procedure. It is just that the confirmation of it in documents—

Mr McArthur—It does not seem to be anywhere.

CHAIRMAN—is unobtainable at the moment.

Mr TED GRACE—It is interesting that you brought forward that other document today. Throughout this inquiry, I have been very interested in the lack of information on signals that were received. I do not necessarily agree with you at this stage, but you suggested that the *Sydney* actually had a date with the *Kormoran*. The chairman mentioned this issue at the hearing in Canberra and I continued asking questions about it with the director of the Defence Signals Directorate. I questioned the lack of any information whatsoever on signals sent prior to the attack or during it; for example, whether she sent out any distress signals. Did you glean any information about that?

When I followed up on that line of questioning after the chairman raised it, we eventually discovered that a box of documents had been presented to the directorate for scrutiny. Some time later, the directorate decided that it wanted to have another look at

them, and the box has gone missing. Nobody can tell me where it is. I questioned the director as to whether any information whatsoever existed, and the archive people told me that it was not their job to do research. As far as we can ascertain, there is no evidence whatsoever of any signals in the days leading up to the clash with the *Kormoran* or during that time. I would be interested in hearing your opinion as to why that is so.

Mr McArthur—If you look at the context, it is amazing that so much information and so many ships' logs that one would have thought would have been available from official sources cannot easily be found. I might tell you a short story—without boring you—that will give you an idea of what I am talking about. When I first started working on this, I went into the State Shipping Office, as it then was, in Fremantle, Western Australia. This takes me back to about 1972 or 1973. I wanted to get hold of the log of the tug *Uco*. It is alleged that the *Uco* picked up messages from the Q-signal.

The gentleman who was on the desk and got the log of the *Uco* for me was retiring after 45 or 50 years working in the State Shipping Service. I had my tape recorder with me. He said to me, 'Does that thing work? It is not on, is it?' I said, 'No, it's not on. I'll put it on if you like.' He said, 'No. Don't you dare.' He said, 'I can tell you now, I was here the day that some naval officers came to get that log, and the log that you are looking at is not the same log.' I looked at him rather naively and thought, 'Heavens, would someone come and change something?' Yes, he was adamant that a naval officer with a high security clearance had come in and taken the original log of the *Uco* and that the log that I was now looking at was not the same log. That began to interest me. Why would that have happened?

I realise that, as I put in my submission, documents can be altered, reports can be written and shaped. We all know that these things happen. My previous employment within the Western Australian police force certainly opened my eyes to the fact that things could be changed to suit certain occasions; that documents could be hidden and put to sleep. That is just a fact of life.

Mr TED GRACE—The police force would not do that!

Mr McArthur—No, they do not do that at all! Of course they do not! We both have our tongue firmly in our cheek when we say that. But, yes, these sorts of things happen. A gentleman I interviewed in a retirement village was on duty on the night of 19 November in Fremantle, and he picked up in the first watch signals from the *Sydney*.

Mr TED GRACE—On the 19th?

Mr McArthur—Yes, the night of the 19th. In fact, he could remember clearly that the last word that he had from *Sydney* was 'On Fire. Abandoning ship'. Those words were etched in his memory. He was the sort of person who did not give away secrets easily. It was only after about 10 or 15 minutes of talking with him that he volunteered that the

information he was going to give me was something that he had not talked about for 50 years, and then he spoke about it. I think he is now deceased, unfortunately. Another person was with me at the time. We both wrote down exactly what he said and made a statutory declaration afterwards. He was adamant that signals had been sent. You have Mr Mason's memoirs, where he maintains—

Mr TED GRACE—Were they voice signals or morse code?

Mr McArthur—They would have been morse code signals, yes. They would not have been radio telegraph signals in the way that we know voice signals. They would not have been voice signals, no. The original source that I got was the rating, who was then moved from his position within a short period of time. He never, ever went back to his job as the telegraphist. As a matter of fact, no-one ever interviewed him about what he had heard that night. He just felt that no-one was really interested and that he had a story to tell. His chief petty officer, Rollie Roberts, who wrote a book on the *Perth*, was furious that night. His interviews with his wife indicate that he was a troubled man. He knew what had taken place, but it was something that he could never talk about. One day, he was going to write a story about it, but he never got around to doing it; he died. If he did leave anything behind, similar to the so-called board of inquiry on the *Sydney*, it has disappeared. But Roberts would have been in an excellent position.

I think we are picking up more and more information which would lead us to think that, yes, the *Sydney* did give off signals. A lovely point is the argument that Dr Frame made when I was with him in 1991. Tom said, 'Look, you've got to face the fact that if a signal had got off we would have done something. But as there were no signals, we did not do anything.' The logic is absolutely irrefutable. It is delightful logic: 'This did not happen and therefore there was no need for us to do anything about it.' But if signals can be shown to have taken place, why was there no action? The big question is: from the 21st through to the 24th, why was there relative apparent inaction? But you will see in the paper that I have presented to you that there was not inaction. Things were happening, and that would indicate that the authorities knew a lot more than we have been led to believe. If they knew a lot more, it could only have come from signals. It could not have come from any other source.

The other point I would make is that on the night of the 19th Len Hall, who was at the station in Hamelin Pool and who was the telegraphist there passing on the signals coming up the line, noted that the volume of traffic increased enormously through his position. In fact, he was wakened in the early hours of the morning by his wife, who said that the repeater needed his attention. And Len said to me that for the next three days the volume of traffic going through from military, naval and air force sources was immense. Why did that happen unless someone was aware that something was happening? A signal of some sort must have been sent. This was from the night of the 19th. Some of the questioning was coming from Pearce itself. That was given to me by the acting postmaster at Northampton that night.

You begin to amass sufficient information to make you think, 'Hang on, perhaps there is more to this than meets the eye.' Certainly, the volume of information you begin to amass—and some of it is repetitive and some of it confirms other bits of information—makes you think very hard about what it is that you are not being told or what it is that you are actually finding, particularly when it comes from ex-service men and women.

Mr TED GRACE—Ignoring the submarine theory, you stated today in new evidence that you believed that the *Sydney* was well aware and probably hunting for the *Kormoran* within that area.

Mr McArthur—Yes.

Mr TED GRACE—I would take you back to page 8 of your submission where you stated that anti-raider activities were carried out assiduously by the new skipper, Burnett.

Mr McArthur—Yes.

Mr TED GRACE—If that is the case and if they knew they were going to encounter, what is your theory as to why he was so ill-prepared for the encounter eventually, which he obviously was—as I said, leaving out the submarine theory?

Mr McArthur—Forget the submarine—push that to one side. I do not want to go down that track at all because I think it is tempting—very, very tempting. But, at the end of the day, unless more information is forthcoming, I am not going to get caught up with the speculation. I have given you as much as I can at this stage.

I cannot accept under the circumstances the official history as it stands that he is running parallel to the ship and then he asks, 'By the way, who are you?' I do not think he was caught out at all. I think that things were quite different, but this is purely speculation. I cannot accept what I see not because I think, 'Here is an Australian captain who has been completely duped by a very, very clever general. We cannot accept this because we must be superior to them in all cases.' I am not going down that track. All I am saying is that, using Commander Hardstaff's information now about the actual encounter, which I think is very persuasive, then we have to rethink the whole nature of that encounter as it has been enshrined since 1941 and later in the official history as being the conventional wisdom about the whole episode. I cannot accept it. I do not accept that it was quite as it was.

In 1972 I interviewed the late Captain Airey, who at that time had been on the *Koolinda*. It was interesting to me that Airey said to me, 'Look, everyone knows about what actually happened; that there were boats in the water between the two ships; that the *Sydney* was torpedoed and that the Germans had surrendered.' I said, 'No, not everyone knows. I have never heard that story before.' He said that it was common knowledge

along the seaboard. Airey had been finding that captain Nyanda was up and down the Western Australian coast for years and years and years. This was almost common lore amongst many of the sailors who were sailing on the coastal runs. Where did Airey get this notion from? Was it made up? Was it absolutely scuttlebutt that was being given some sort of credence over a passage of time amongst sailor lore, if you like? I do not know, but he started me thinking about what was the actual encounter like. I think now with what Commander Hardstaff has given us it makes us rethink this. The whole episode needs rethinking. It is a challenge to the 'official' story. But, as Tom Frame said to me, there is no official position. We have our minds open, which I am very pleased to hear.

Mr HICKS—Apparently the story of a white flag being run up by the Germans was actually by an Italian prisoner of war and was overheard and all the rest of it. What would be the procedure if a white flag was run up? Do you have knowledge of that as distinct from what we understand—that the *Sydney* was running alongside and thought it was a raider, etc? If a ship like that put up a white flag, what would be the procedure of the *Sydney*?

Mr McArthur—I am not an expert on naval matters as far as this is concerned. From what I know, the procedure would have been to stand off, put a boat down, and that boat would have gone over towards *Sydney*. The Germans would have been asked to close in on the boat. *Sydney* would still have stood off at some distance. How far away and in what exact position it would have stood off is problematic. If it had been followed by the book, it would have been at some distance, probably one or two miles and certainly bow on, not necessarily beam on, to the German ship. Then the German raider would have been asked to have closed onto the boat and then the men would have gone on board. From what I have been told by naval officers, that would have been standard procedure, but again I am not an expert on that.

Mr HICKS—You have put the subject of the Japanese submarine, which has been around since the sinking of the *Sydney*, to one side. I notice you say on page 7 of your submission that evidence of participation of a submarine was discussed openly among naval intelligence officers in Fremantle within weeks of the loss of the *Sydney*.

Mr McArthur—That is right.

Mr HICKS—Then we go over to this paper you have given us. You have mentioned the submarine, although going out of the harbour—that does not mean anything really.

Mr McArthur—The point that I am making here is that you cannot ignore it if people have raised this issue of the submarine. I am not saying that the submarine was there; I am merely doing the research and the history and saying, 'Look, people were saying this.'

Mr HICKS—I just wonder though how we knock that theory on the head finally.

Mr McArthur—Not easily.

Mr HICKS—It is very difficult because we have got over here a list of the Japanese submarines that were available that could have been anywhere near the *Sydney* at the time. Of course, Japanese archival records say that there was no chance that a submarine could have been in that area. It would be almost impossible even with all that evidence to rule out the submarine. It is a pity in a way that you could not say, 'There is no possible way a submarine could have been there, so let us knock that on the head and let us go on from there.'

Mr McArthur—I cannot do that because I am well aware that a lot of the records of the Japanese navy about Japanese submarines were destroyed at the end of the war. For people to say categorically, 'Yes, they are wrong'—you cannot say that easily. As a matter of fact, you may be interested in this. I ran this off from the web. It is a site of an American naval buff. It is on all of the Japanese submarines—their nature and type. You may find this quite fascinating because it might throw some light on the I-124 which has often been seen as being the submarine involved. It is interesting to look at the documentation that I will give you now and the web site. I am sure you have a web connection in Parliament House so you will be able to go through that and have a look. I will give you that document, which will give you more information on Japanese submarines because that person is a buff on Japanese submarines. The information is quite interesting. Push that to one side for the moment. That is not answering your question; it is just a bit of information for you.

The person I interviewed, who was the District Naval Officer's secretary-cum-typist and who unfortunately has passed away, too, was adamant that this certainly was raised for a couple of weeks—it was the submarine involved. I guess it was only logical under the circumstances that they had to accept there had to be something else there: was it a submarine? It is dangerous to say yes, but if you say no, have you got evidence to support that categorically? There is not evidence to support that categorically. The fact that it was raised at all and had some level of credence—even Crace thought the Vichy submarine might have been there. That is a long bow. I do not want to get into that one for various reasons. I raise it again just to repeat that. I raise it simply because it is an issue that was raised at the time and you cannot ignore it if it is in the public domain. You draw attention to it, but no more than that.

Mr HICKS—Just on another subject, you mention the interrogation of the crew of the *Kormoran* as an interview. How detailed is the report on the interrogation of the interview, because you refer to it as an interview?

Mr McArthur—All of the interviews that I have read both from Fremantle archives—there is not much there—and in Victoria where there is a lot more would

indicate to me extremely pathetic interviews at the time. I put it down to the fact that war was not far away. We knew something was happening in Japan. The south-west area command headquarters logbook contains evidence of Japanese movements into Thailand/Indochina. It is very evident that there was great apprehension in the Australian government. I feel that it was probably, 'Let us get this over and done with as quickly as possible. *Sydney* is gone. It is the end of the story. There are other more important things.' Therefore, the interrogation of so many men had to be done in a hurry, and it was done in a hurry.

I would question whether many of the interrogators were extremely experienced in the sort of interrogations that they would carry out under the circumstances with the number of people to be interviewed and the number of people you have to do the interviewing. It is not as if you could pull out 100 interviewers who are fluent German and could interview them at some depth about, say, 'the dark period'. That was never done.

CHAIRMAN—You make the claim that the captain of the *Sydney* and the crew were aware of raider activity in the area, and that has been supported by other submissions. How good do you think that intelligence was? Can you make an assessment on it?

Mr McArthur—Did it identify the ship, for example? There seems to be some ambiguity about what knowledge naval intelligence had of any details of the *Steiermark*. There are some who believe that naval intelligence may not have been able to identify *Steiermark*, other than the fact that it was a raider, without any knowledge of its characteristics. I would point to Group Captain (Rtd) Bourne and his evidence which he gave to you and also in his writings that the mess at Pearce had pictures of *Steiermark*, outlines of *Steiermark*.

CHAIRMAN—Why haven't those survived?

Mr McArthur—I know what you are saying.

CHAIRMAN—If they had pictures, everyone would have said, 'Hey we have got these pictures after the *Sydney* was lost and the *Kormoran* was lost. That would even have been in the *Courier-Mail*.

Mr McArthur—That is a question I cannot answer. I put it down to what I know about people. Would they have seen that as absolutely critical and taken them down and preserved them? They may have. Those pictures may still be in the files somewhere in archives and not even properly labelled.

CHAIRMAN—No, no—

Mr McArthur—You are not going to buy that one?

CHAIRMAN—Here you are, you have an RAAF unit photographing a ship—an unknown mystery ship—off Rottnest Island. And then, in close proximity to that, there is a major naval battle and two ships are lost. The air force would have said, 'There is a correlation between the two,' and that picture would have been public.

Mr McArthur—Why would it have been public?

CHAIRMAN—Because people would have leapt to the conclusion that the mystery ship off Rottnest Island was the *Kormoran*.

Mr McArthur—When would they have leapt to that conclusion?

CHAIRMAN—When they learned that the *Kormoran* was engaged in a battle with the *Sydney*.

Mr McArthur—Assuming that they could get their hands on those pictures which, at the time, were in the mess, sure, a couple of them; but do not forget that naval intelligence, according to Flight Lieutenant Ford, were sent copies of those same pictures. So naval intelligence in Fremantle certainly had a copy of the pictures. But where they have gone to, I have no idea.

CHAIRMAN—So you think that there was high-grade intelligence that there was a raider operating off the Western Australian coast, or in the eastern part of the Indian Ocean?

Mr McArthur—Yes.

CHAIRMAN—Let us deal with the business of signal traffic. This committee has been given evidence of a reasonably convincing nature, by people who were serving at *Harman* at the time, that there was no signal traffic in relation to the *Sydney* received at *Harman*.

Mr McArthur—I would say you have contradictory evidence there from what I have read of the submissions.

CHAIRMAN—Maybe these have not been made public yet.

Mr McArthur—From what I have seen, the evidence is contradictory. There are some who say nothing came in. Others say, yes, information was received. I wonder if some of those people who say that nothing was received were actually there at the time. Or were they there a few days later, or were they told not to talk about it? This was an extremely sensitive and difficult matter for the people in command. We are starting to wander into the conspiracy arena now. Do conspiracies take place? I think they do. I have no problems with things being hushed up, because I have experienced it.

CHAIRMAN—What is your view? Do you think the *Sydney* got a signal away, or a series of signals away?

Mr McArthur—Yes, I think she got a signal away. I think she got a signal away at the beginning of the action, and I think it certainly got a signal away at the end. David Kennedy's interviewing of some of the German wireless men made it very clear that they jammed signals from *Sydney*. He is convinced in the most recent discussions he has had with them that, yes, they did jam signals, but *Sydney* got one away at the beginning. The one at the end was certainly the one that—the gentleman I spoke to at some length was adamant that he had heard the last signal from *Sydney*, 'On fire. Abandoning ship.'

CHAIRMAN—If there was signal traffic out of the *Sydney*, how do you explain the delay in the search? That does not fit with any conspiracy theory.

Mr McArthur—Why not?

CHAIRMAN—Again, it is inconceivable that the navy would not go and initiate a search immediately. This is the biggest ship that Australia had lost.

Mr McArthur—Yes.

CHAIRMAN—The most famous ship of the war. Are you telling me that a group of naval officers would conspire in Fremantle or Melbourne or in *Harman* and say, 'We are going to keep quiet about this'?

Mr McArthur—I am going to say to you that they are going to say that they will keep quiet. But I also make clear—because I have not been able to present what is in that document I have given you—that, on the 21st, you actually have ships going out to look in the northern area for survivors.

CHAIRMAN—But how do you deal with the rejection of the RAAF offer to fly searches?

Mr McArthur—They flew a search on the 23rd, but they flew it in the wrong area. They flew it in the south-west of Western Australia.

CHAIRMAN—But they made an application to fly several days earlier than that.

Mr McArthur—Right.

CHAIRMAN—Why would you not look for a ship when you had reasons to doubt its safety?

Mr McArthur—Absolutely. This is one of the critical issues that I am raising, too.

The big question mark here is why, when you know on the night of the 19th come 20th that *Sydney* is no longer afloat, that she is in deep trouble? I give you a quote there from a man I interviewed only two days ago. He was about to be posted to *Sydney* on her next voyage. He was in the Leeuwin naval centre in Fremantle. It was all around the naval depot on the 20th that the *Sydney* was in trouble and was missing, and he asked a RANVR lieutenant whether *Sydney* was overdue and he was told, yes, it was overdue. And then the words were: 'It's gone.' That was Ian Wailes, who made a submission to this committee. I spoke to Wailes only two to three days ago.

Senator, I wish I could answer that question for you because, to me, it is one of the seminal questions and probably the most critical question that can be asked about this. It is not logical, and it certainly does not make sense that they would not have done it. But that is what we are trying to find out: why did it not take place? I would dearly love to be able to give you the answer to that, but I cannot at this stage.

CHAIRMAN—What is your view as to what actually transpired when *Sydney* did come upon *Kormoran*? How was a heavily armed warship beaten by a more lightly armoured and very much lighter armed merchant ship, given the fact that you say that the naval ship was prepared and anticipating trouble?

Mr McArthur—There is a scenario, and I can only build you a scenario. You have asked me for some sort of theory.

CHAIRMAN—I am asking for your view.

Mr McArthur—Okay, a scenario then. Again, this is theoretical, remember. This is not going to be something that I will hang my hat on forever and a day.

CHAIRMAN—Plenty of people have made many submissions to us as to what happened. We are just interested in yours.

Mr McArthur—That is fine. What I am going to do very carefully is hedge this, because what I am about to give you may well be shown to be wrong. Who knows what sort of information will come from the submissions from people coming forward after you have completed your inquiry? I think that *Sydney* has opened fire on the *Kormoran*, and I think the *Kormoran* has surrendered. I think that *Sydney* comes in on its starboard quarter and is in a position where it puts down a boat, and boats are in the water, and probably *Kormoran* itself may have put down a couple of boats in the water. I think that at that particular moment the position of the two is like this. That is a magnificent position, and they both stopped. I think it was at that point that the underwater sleeve—the torpedo with which the *Kormoran* was equipped—comes into action. Do not forget that that was a backward-facing torpedo sleeve, and it hit *Sydney*. At that particular time the *Kormoran* was able to open fire on *Sydney*, but only her rear guns would be capable of engaging *Sydney*. But that hit would have been sufficient to create enormous problems on *Sydney*.

In that case *Kormoran* was then able to take advantage of the fact that *Sydney*'s four turrets would have been out of action and steer an S-type course in front of it, get up speed, and then put *Sydney* well and truly in a difficult situation.

CHAIRMAN—If that scenario is true, you would have had *Sydney* closed up.

Mr McArthur—Yes.

CHAIRMAN—Every weapon laid on the *Kormoran*.

Mr McArthur—At that position she is not going to have every weapon laid on her.

CHAIRMAN—She is going to have probably three times the armament brought to bear on *Kormoran* than *Kormoran* can bear on the *Sydney*. What I am saying is that you will not have cooks hanging over the rail looking at the scenery; you will have *Sydney* at the highest state of readiness for survival. How many weapons they had to bear is irrelevant.

Mr McArthur—Yes.

CHAIRMAN—They were at the highest state of readiness, and at the first round from *Kormoran* there would have been instant retaliation. That is my point. Why did *Kormoran* win the fight on that basis when there was such a fundamental inequality? A torpedo strike is nothing. It did not disable the ship. It did not improve its chances, but many a ship survives a torpedo strike. Very few have torpedo strikes that instantly destroy the ship.

Mr McArthur—Yes. All I can give you is what I have given you at the moment. I have to take Commander Hardstaff's information, which has only just come to me, and start to rethink the issue. I have not focused terribly much detail on the actual engagement of the two ships. I have looked at issues arising from signals. I have looked at *Sydney* knowing it was there. My next step is to look closely at the action itself. And that is an honest answer to you. I can only give you a flimsy scenario. You asked for it and you got it.

CHAIRMAN—There has been a little reticence on the part of some witnesses to put forward theories. I was just giving you an opportunity of equality. There is a final point before we close. There is a great deal of emotion involved with the body on Christmas Island. Do you support the theory that it came from *Sydney*?

Mr McArthur—Yes.

CHAIRMAN—Why?

Mr McArthur—I based my work at that time on what the late Gordon Laffer had done—Laffer's work particularly, and Macdonald's work, and the drift patterns, and I accepted what they had to say. They were experts in their field.

CHAIRMAN—It is a pretty tenuous argument, that drift pattern one.

Mr McArthur—Is it? After what Dr Bye has done?

CHAIRMAN—Yes. He got one card there, and he got several hundred on the African coast.

Mr McArthur—I still have not found anything that will convince me to differ on that.

CHAIRMAN—There is one non sequitur, with the greatest respect—

Mr McArthur—I knew this would come. Come on, throw it out, Senator.

CHAIRMAN—You state that to agree that the body on Christmas Island could have come from the *Sydney* would be to have to acknowledge the incredibly strong possibility that *Sydney* did send signals to the extent that it was on fire and abandoning ship. I cannot see the linkage between those two.

Mr McArthur—There were survivors. *Sydney* sent signals. She was on fire, abandoning ship. There were survivors from this whole action. Sorry, what part is that, Senator? I have not got it on the page I thought you had there.

CHAIRMAN—Your page 43, our page 53, the first paragraph.

Mr McArthur—The point that I was making there is that my position is that *Sydney* did get signals out. It was on fire and abandoning ship. We had a survivor or survivors from *Sydney*, with other bodies probably not being found, just as the 80-odd German bodies were not found of those who were on the rubber raft. The point I wanted to make there was that *Sydney* did have survivors. I hung that next to 'On fire, abandoning ship'. That is all.

CHAIRMAN—Finally, where do you think the battle site was? Do you agree with Detmers' conclusion?

Mr McArthur—No, I do not agree with Detmers whatsoever on that one. At the same time, I am rather fascinated by what Mr Knight has been able to prove lately. I cannot go into the depths of what I have given you that you have excised from the confidential part, but that information was pretty reliable. By 'pretty reliable', I mean, say, 95 per cent reliable. That led me to believe that an action took place that night off the

place that I have referred to. Definitely the corroboration from civilians and from other personnel in the area points specifically to, 'What was happening out there?' No-one knows about it in the navy apparently; no-one knows about it in the army—until you get people talking about it—'Yes, something did happen out there that night.' But what was it? Again, that is an issue.

CHAIRMAN—Are you postulating it was entirely a night action?

Mr McArthur—Towards evening.

CHAIRMAN—There is a big difference between 'towards evening' and a night action.

Mr McArthur—'On fire, abandoning ship'—that message came through towards midnight, so what we have then is certainly sufficient indication of something on the skyline that is taking place. There could have been two actions that day; but I believe, anyway, that it is probably closer to the Abrolhos—much further south than what Detmers said—much further south.

CHAIRMAN—I am sorry, we are running out of time. I would like to thank you for your attendance here today. You will be sent a transcript of your evidence by *Hansard*, to which you can make corrections of grammar.

Mr McArthur—Thank you, Senator, Mr Hicks and Mr Grace.

[10.04 a.m.]

BURNETT, Commodore Rory Ward, 14 Winchester Road, Caloundra, Queensland 4551

CHAIRMAN—I would now like to call to the table Commodore Rory Burnett. On behalf of the subcommittee I welcome you to the committee, Commodore.

Cdre Burnett—I am the son of Captain Burnett of the *Sydney*. Naturally, I have an interest in the matter.

CHAIRMAN—I must advise you, Commodore Burnett, that the proceedings here today are legal proceedings of the parliament and warrant the same respect as proceedings in the respective houses of parliament demand. Although the subcommittee prefers all evidence to be given in public, if you so wish, you can request that evidence be given in private and we will give consideration to that. We have received two submissions from you, one of which has been authorised for publication and one which is confidential. Do you have any corrections or additions that you wish to make to those two submissions.

Cdre Burnett—No.

CHAIRMAN—Would you like to make a short opening statement before we proceed to questions?

Cdre Burnett—When I was a young boy of 11, I was living in Melbourne while my father was working at Navy Office in St Kilda Road. In a prominent place on our bookshelf was my father's favourite book, titled *Running a Big Ship on 10 Commandments*, which dealt with ways in which the sometimes harsh naval discipline of those days might be alleviated. I was named after the book's author, Captain Rory O'Conor, the youngest captain in the Royal Navy, who died, like my father, in command of a cruiser in 1941 with the loss of all lives except one. My father took this book with him when he was appointed in command of *Sydney*. I am sure that he would have applied its principles in that ship. I tell this story to counter the suggestion by one or two people that my father was unconcerned about the welfare of his ship's company.

This leads me to another matter that I would like to mention briefly. Both Tom Frame and Michael Montgomery in their writings about the *Sydney* mention the chaplain who served in the ship until shortly before its loss and who described my father as an extremely prudent captain. It might be thought that the views of a chaplain should carry little weight in such matters; but, in fact, chaplains are in a unique position in a ship, being primarily concerned with the moral welfare of the ship's company. It has been suggested by one or two people that there were morale problems in *Sydney*. If that was so, the chaplain would certainly know, especially if, as suggested in one submission, sailors were 'screaming in fear'. The chaplain would have investigated such fears and brought

them to the attention of divisional officers and to the captain if necessary. The fact that the chaplain later testified to the captain's extreme prudence indicates that no fears on those grounds had come to his attention. Furthermore, the chaplain lives with the other officers and would have been aware of any concerns among those in a position to have informed views on tactical decisions, namely, the experienced officers who formed the command team.

Finally, I cannot let pass a comment in submission 36A:

> The only persons qualified to make a judgment on Captain Burnett's competence in command at sea are those who served under him in *Sydney* or perhaps relatives of deceased passing on definite information.

That shows a lack of understanding of who is qualified to assess a captain's competence. When a captain has been in command of a ship for only a few months, the only people on board with any chance of accurately assessing his tactical abilities are experienced officers with bridge duties who have observed the captain's decisions and are aware of the reasons for them. In the case of *Sydney*, none of those officers appears to have expressed any reservations about the captain's performance, and nor did any of his superiors in Navy Office to whom he rendered detailed reports of his activities. Junior seamen serving under a captain for a few months have no possible way of assessing a captain's tactical skills, and messdeck gossip is of no consequence.

An officer's suitability for promotion and command at sea is continuously assessed throughout his career by his commanding officers. Suitability for command at sea is especially carefully evaluated, noting an officer's leadership, tactical and decision-making abilities. An officer does not lose those gifts when taking command. On the contrary, it gives him the chance to use them to the full. In my own naval experience, I have never come across an officer who demonstrated those abilities throughout his career and who failed to continue to show them when given command. In the case of my father, that process of evaluation based on qualified superiors observing him on the job throughout his career proves him to have been exceptionally competent and highly suitable for command at sea. I do not know exactly what happened when *Sydney* encountered *Kormoran* in 1941. I do know that *Sydney* was commanded by a fine man and a naval officer of outstanding ability.

CHAIRMAN—Thank you very much, Commodore.

Mr TED GRACE—Commodore, I apologise at the start for the question I am going to ask you, especially in view of the sensitive position in which we find ourselves in interviewing the son of a prominent sea captain. Surely, Commodore, you would have to agree that it has been written by several people that Captain Burnett had never had a command at sea, remembering that he is in command of our flagship. Taking on board what you said about the competence—I do not dispute that whatsoever; I am sure that is

perfectly right—nevertheless, he had no experience of command whatsoever.

Cdre Burnett—Neither had Captain Collins when he took command of *Sydney*.

Mr TED GRACE—I am talking about Captain Burnett. He had no command whatsoever, then he finds himself in that position when they meet up with *Kormoran*. Are you saying that the inexperience in command had no bearing on what ultimately happened?

Cdre Burnett—I really cannot answer that question. I do not know. As I say, he was competent. He had been in command for several months and had approached other ships and there had been other incidents. In his previous job in Navy Office, he had read the reports of all the other incidents in which all the other commanding officers had been involved. It was his first command. In the months that he had been there he was gathering experience. Here he comes to a critical moment. Whether if he had been in command longer or had had other commands before that would have helped, I cannot really be sure.

Mr TED GRACE—I am referring basically to the period that he came too close to *Kormoran*. That is the period. Commodore, in your submission you state that it is not possible to apportion blame and that any attempt to do so is perpetrating a great injustice in the absence of Australian survivors. What do you think this inquiry can achieve? Do you think that it should not be held?

Cdre Burnett—No, I think that the inquiry should be held, but I do not see necessarily that the purpose of the inquiry is to apportion blame.

Mr TED GRACE—Sure.

Cdre Burnett—The captain of a ship is responsible for that ship. Nothing can absolve him of the responsibility for what happens to it, and I do not ask that anything could. Responsibility is not necessarily, though, the same as blame. I am not splitting hairs here. Plenty of captains have lost their ships in the war, and if their actions were reasonably based then they were not blamed. They were given further commands and often rose to the highest rank. The fact that you are a captain and you lose your ship is blameworthy only if you have done something stupid or cowardly. If you have acted reasonably in the circumstances, you are not to blame; you have done your best.

Mr TED GRACE—As an ex-naval officer and obviously having first-hand knowledge of being closely associated with *Sydney*, do you believe that *Sydney* got off a signal? If so—if you believe that—why do you think those signals were not made available; that there is an apparent cover-up by the navy?

Cdre Burnett—I think that *Sydney* may have got off a signal requesting whether *Straat Malakka* could have been there. But, if so, in those days the later system which was

known as checkmate whereby you got an immediate, quick reply was not operating. So at this time it would have been hours and hours before he could have expected a reply. Other than that, I do not know really whether a signal was sent off.

Mr TED GRACE—But it would be in order, normal procedure, for the captain of any ship—or if he was wounded, the executive officer—if the ship was in ultimate danger; in other words, on fire and sinking. There would not be anything unusual about sending that signal, would there?

Cdre Burnett—No.

Mr TED GRACE—Why do you think that the navy does not agree with this theory?

Cdre Burnett—I really cannot tell you. It would seem to me that if she could have got off a signal, she would have, both before things got to a close encounter and after when she was in dire straits and sinking. I agree that I would think normal procedure would have been to have got off a signal. I understand that there is very conflicting evidence as to whether that was so or not.

Mr TED GRACE—Thank you, Commodore.

CHAIRMAN—This whole area of the presence or absence of signals and what they might have contained is a very, very vexed issue in the inquiry. It is hard to imagine that *Sydney* did not transmit a sighting signal. From your knowledge as a professional naval officer, what would have been the possibility of *Kormoran* jamming that signal and *Sydney*, not having a better transmitting suite, changing to another frequency or overriding the jamming activity?

Cdre Burnett—I am not a specialist signals officer and I cannot give you a definitive answer, but I would think it is quite possible that the *Kormoran* could have jammed *Sydney*'s signals. *Kormoran* seems to have been very capable and knowledgeable in its signals matters and apparently got off this QQQ signal, or so it is said, and that showed a considerable knowledge of various things. To answer your question as best I can, I think it is probable that *Kormoran* could have jammed *Sydney*'s signal.

CHAIRMAN—I think it is a reasonable proposition that German intelligence and cryptanalysis was at a higher level than it has been given credit for.

Cdre Burnett—Yes. May I comment on that?

CHAIRMAN—Yes.

Cdre Burnett—I agree with that completely. What I believe occurred when the

ships came together is that the German ship was supposedly disguised as the *Straat Malakka*. I understand that the disguise was very good. There were Asians on the upper deck, which would be typical of a merchant ship operating in those waters. Then I think it is probable that Detmers knew the secret call sign of the *Straat Malakka*. You probably know that the *Atlantis* and other raiders got a lot of secret information from the *Automedon*, a British merchant ship. It seems very likely that that included the codes. Captain Roskill, the British naval war historian, has said, 'I am sure they knew some of our secret call signs.' If they knew some of the secret call signs, the German ship would logically disguise itself as a ship which was one of those whose call signs they did know, in which case *Sydney*, seeing a ship that appeared to be possibly the *Straat Malakka*, perhaps tried to get off a signal asking could it be there—it was not on the list of ships. Of course, there was no reply and would not be for hours. So *Sydney* says to *Kormoran*, 'Make your secret sign' and *Kormoran* makes it. *Sydney* has no possible way of believing that the Germans had that information and would have therefore probably relaxed quite a lot. What happened then we do not know but, quite possibly, she closed for perhaps further communications—where she was going or what her business was, or there could have been further deceptions, asking for medical help or any of those things, which would have caused her to close in a more relaxed state, possibly sending boats or any of the other suggestions that have been made.

CHAIRMAN—I think it is quite plausible that Detmers did have a higher level of intelligence information than has been generally credited up to the present. What do you know about radio direction finding technology as it existed in Australia at that time?

Cdre Burnett—Very little.

CHAIRMAN—You personally?

Cdre Burnett—I personally know very little about it. I know that *Sydney* did not have radar, of course.

CHAIRMAN—No, just high frequency direction finding. It is to the level of sophistication now that you need only a fraction of a second transmission to be able to get a fix on any emitter.

Cdre Burnett—I do not believe that it was anything like that.

CHAIRMAN—I know that, but just how workable was it? What degree of confidence could you have in the systems that existed in 1941?

Cdre Burnett—I was not in the navy then and I was not even a cadet, but I would have thought very little. I could be wrong. I am really not competent to give any definitive answer.

CHAIRMAN—Another point that has come up with other witnesses is that, essentially, the crew of *Sydney* were very experienced.

Cdre Burnett—Very?

CHAIRMAN—Very experienced as a consequence of Mediterranean service and the rest of it. What was discipline like on the bridge in 1941? Would an XO tell the captain 'You are wrong there' on an issue?

Cdre Burnett—I do not think in those days or in these days an XO is likely to tell a captain that he is wrong on the bridge.

Mr TED GRACE—He would be very game.

Cdre Burnett—I think what happens, if this is helpful, is that then as now—and I think it would be much the same—you have what is called a command team. You have experts, specialist staff officers, to assist you. The captain does not make decisions off the top of his head just on a whim. Yesterday I received the transcript of your interviews of people in Canberra and I saw where it was said that life was not unlike under Captain Bligh, but I do not think that that is quite true. A captain has the ultimate responsibility and power, but he acts on the advice of his staff officers: his signal officer, about communications matters; his gunnery officer, about gunnery matters; and his torpedo officer, about torpedo matters. That has always been the same. My father was a specialist gunnery officer and he had spent time advising other captains on those matters. I am not absolving my father of any responsibility. The captain has total responsibility, but he is not a mindless autocrat; he is a person who has staff officers appointed to advise him on gunnery, signals and other matters. He normally takes their advice and I think he did then, as well as we do now.

CHAIRMAN—What is your view overall of the official history of the action? Are you comfortable with it?

Cdre Burnett—No, because, as I have said, I believe that Detmers had more knowledge than has been attributed to him in that. As other people have said, it is not an official history; it is a history that was commissioned and the man, Gill, was given freedom to write what he thought. As I mentioned, perhaps irrelevantly in my submission, when I was a lieutenant in the Navy Office I was called in by the then head of the navy just when Gill's book was being published. He told me that the Naval Board did not agree with it and that he felt it was regrettable that some degree of blame had been put on my father in that. It was not all that severe but, anyway, there was a suggestion of blame. He was at pains to tell me that he did not agree with it. If I had been a little more senior and game, as a lieutenant, I would have perhaps said, 'This is going to be regarded as the official history for all time and maybe you should have had more input into it.' But I was not game to say that, and I just took some kind of comfort from the fact that the senior

naval people in those days did not agree that there was any blame that need attach to him.

CHAIRMAN—You are concerned—and you mention in your submission—that the only evidence comes from German sources. You suggest that we should not have an unqualified view of that. Do you think there was any conspiracy or rehearsal of an agreed story by the German survivors and even Detmers?

Cdre Burnett—If my theory that I have just put was correct, I do not honestly think there needs to have been a conspiracy, because Detmers might have been the only person on board who knew the secret sign and so he would not have needed to tell anyone else anything or conspire. But if there were other flag hoists or other deceptive things that might have been against the rules of war, such as they are, I think there would have been time, as I think I said in my submission, for an announcement to be made by Detmers before he abandoned ship. They were a very highly disciplined crew. The ship was on fire; otherwise they would not have been abandoning it. But it was an orderly abandoning of ship. If you can make a pipe 'abandon ship', you can also say a few words in addition to that. I think simple instructions such as, 'You are never to mention this, because it is highly secret' could quite easily have been passed around before they abandoned ship.

CHAIRMAN—It could have been done, but is it likely? You have a ship that is on fire, with a few hundred tonnes of ammunition and maybe 600 tonnes of mines. It is sinking. Probably one in 10 of the crew is dead. It is a shambles everywhere and everyone would be worried whether there were any lifeboats and lifebelts that would still float. Is it reasonable that there would be a rational alibi put together in the stress of that moment?

Cdre Burnett—It could have been done a bit before things got to the final dire straits that you describe.

CHAIRMAN—It would have to be done after the battle?

Cdre Burnett—Yes, but I do not know how immediately after she fired her last shot they would have abandoned ship. I would not have thought that it would have been immediately after that.

CHAIRMAN—It might have been five or six hours. But, even so, people would have been fully occupied in tending the wounded and trying to save the ship.

Cdre Burnett—Announcements are made in those conditions all the time—for example, 'Do this in the engine room. Damage control parties go there and do that.' There is not silence nor chaos. There is still organisation and instructions are being given.

CHAIRMAN—I guess what I am driving at is the primacy of survival and the instinct for survival in the crew and even though they were still well disciplined and tending to their immediate needs—

Cdre Burnett—I agree that no complicated story could have been described and held to by everyone.

CHAIRMAN—If I were the ship's captain, I would be more worried about getting my crew away rather than how history would judge me in 10 or 15 years time.

Cdre Burnett—It would be both, but there would be the primacy of that. As I say in the scenario I have suggested, he really did not have to tell them anything. He and maybe his signal officer would know that they had the secret sign. I am not suggesting that that action breaches the rules of war at all. The British knew the German codes and used them to great advantage throughout the war. It is a good smart move to break the codes of the other side and to use that to your advantage. It is not illegal, as far as I know.

Mr HICKS—I notice in your submission that you said that some people are saying that your father had some of the ship's company screaming in fear. That would be hardly likely, given that he had only been a commander for a short while. What other action had the ship seen from the time it had left the Mediterranean?

Cdre Burnett—As far as people screaming, I only mentioned that because it is only one submission. I do not belittle it, but it is from a very old lady recording something that her son passed on to her, I think I am right in saying. First of all, I do not think that people scream in fear. People scream with nightmares and they shake with fear. But I have never heard of anyone screaming in fear. As far as I know, they scream in pain but not in fear. I do not really give it any credence.

Mr HICKS—It is good to get that out of the way. You could hardly expect that to be the case.

Cdre Burnett—As I say, a chaplain for one, and—forgetting the chaplain—the petty officer in charge of the mess deck or anyone else, would soon be finding out what the problem was. People would not have been allowed to upset the rest of the ship's company by screaming.

Mr HICKS—That was just by the way. Given your theory that the captain of the ship, Detmers, had access to the secret call sign of these other ships, if we could somehow get information that proved that it would perhaps change the historical story.

Cdre Burnett—As I said, Captain Roskill in this interview gave a statement that he was sure that the Germans had the merchant ship code and also some of our secret call signs. Those were his exact words. I do not know of anyone with more authority, knowledge or research than the official British naval war historian, which is what he was. But how it could ever be proved that Detmers knew the particular call sign of the *Straat Malakka* and used it, I do not see. You can only suggest it as a possibility.

Mr HICKS—But his would not have been the only raider that had that?

Cdre Burnett—No.

Mr HICKS—If we could establish that other raiders had it—

Cdre Burnett—I do not know how that could be done. Detmers would never have admitted under any questioning that he knew it, because it was vital to the German war effort and to other raiders.

CHAIRMAN—We are running out of time, Commodore. Finally, how do you think the matter of the memorial for *Sydney* should be handled? Do you think we ought to leave it as it is?

Cdre Burnett—I think we should leave it as it is. My personal belief is that a memorial for the *Sydney* is in people's hearts and minds, and I think that that memorial is very strong at the moment and will continue to be.

Mr TED GRACE—I could not agree with you more. You will see that if you read the transcripts of my questions. Why do you think there is a resurgence of interest in the *Sydney* after all these years? Why has this just come up now?

CHAIRMAN—I would not agree that it has just come up now.

Cdre Burnett—I agree with you that it has been building.

Mr TED GRACE—I have been inundated with theories. It is absolutely amazing.

Cdre Burnett—I am amazed. I have lived with it for however long it is—nearly 60 years. I agree with you that the interest seems to be building rather than dying as time goes on. I really do not know why that is. I really do not know whether this committee's findings, thorough though they seem to me to be—excellently thorough and dedicated—will assuage the interest. You cannot please everyone. Whatever you find will not satisfy all the different people who have their theories and ideas. I think it will just continue. But why that is is a mystery to me. I do not know.

CHAIRMAN—Commodore, thank you very much for your attendance today. We will send you a copy of the transcript from *Hansard* for your correction.

[10.47 a.m.]

PONIEWIERSKI, Mrs Barbara Ellen

CHAIRMAN—On behalf of the subcommittee I welcome Mrs Poniewierski. I must advise you that proceedings here today are legal proceedings of the parliament and warrant the same respect as proceedings in the respective houses of parliament demand. Although the subcommittee does not require you to give evidence on oath, you should be aware that this does not alter the importance of the occasion. The deliberate misleading of the subcommittee may be regarded as a contempt of parliament. The subcommittee prefers that all evidence is given in public but, should you at any stage wish to give any evidence in private, you may ask to do so and the subcommittee will give consideration to your request. We have received seven submissions from you and five have been authorised for publication. Do you have any corrections or additions to make?

Mrs Poniewierski—Apart from two errors in the first submission which I corrected in the second one, no.

CHAIRMAN—I would invite you now to make a short opening statement if you would like to.

Mrs Poniewierski—As I put most of what I had to say into two books and several submissions, I do not intend to go over that again. I also do not intend to go into the mathematics of navigation or gunnery. I think the going over of this would not help the panel. However, I would like to spend a few minutes looking at things from a human perspective. My areas of some expertise are foreign languages and a broad knowledge of the intelligence services during and immediately before the war and the extent of cryptanalysis, though not much of the techniques, and not only of Allied cryptanalysis.

The inquiry seems to have two separate tasks. Some are explicit in the terms of reference, which include determining what happened to *Sydney*, the origin of the Christmas Island float, the possible loss of documents and allegations of naval conspiracy. The reason for the loss of *Sydney* resolves itself into a choice between two positions: either Captain Burnett made a wrong decision or he was enticed into a position to lose his ship by some illegal action. It should be pointed out that to sail under a false flag was not illegal. During the Rimau occupation against Singapore, Australians were flying a Japanese flag. Allegations of illegality mainly take the form of two accusations: the first that *Kormoran* surrendered and then opened fire under a white flag; the second that a Japanese submarine was involved. Some people would work both stories into their scenario that a Japanese submarine sank *Sydney* as she approached the allegedly surrendered *Kormoran*.

Captain Burnett entered the Royal Australian Naval College with the first intake of cadets on 31 December 1912, as did the Director of Naval Intelligence, Commander Long;

Vice Admiral Sir John Collins, later Chief of Naval Staff; Rear Admiral Farncomb, Rear Admiral Commanding Australian Squadron. These men had known each other for 28 years—since they were lads of 13. Long was responsible for the long-term conduct of investigations. Apart from face-to-face interrogations conducted or supervised in Western Australia by Rear Admiral Crace and Commander Ramage, Long ensured that on the trains taking *Kormoran* crew to Victoria and in the camps there were guards who were not allowed to admit that they understood German. With the cooperation of the army, he arranged for microphones to be placed in the quarters where the officers were held initially in Victoria, and many other tricks were tried.

Farncomb was responsible for interrogations conducted in Sydney. He was satisfied the Germans were telling something that resembled the truth. It is odd, by the way, that people can maintain simultaneously that the Germans all told exactly the same story, therefore they were lying, and that they all told different stories, therefore they were lying. Owing to the rumour of the involvement of the Japanese, not on a special trip to investigate the sinking of the *Sydney* but in the course of a trip he was making in any case, Collins enlisted the aid of the American Counter-Intelligence Corps to see if this story had any foundation. It did not.

If either the story of *Kormoran* having surrendered or the story of the involvement of the Japanese submarine were true, then three Chinese and over 300 Germans were very astute in learning and sustaining a falsehood. If one of these stories were true, then either these three senior naval men—Collins, Farncomb and Long—were very naive and gullible or for the rest of their lives they lived a lie protecting criminals and allowing Burnett, almost a lifelong friend, to bear the suspicion of having lost his ship and his men through an act of incaution.

The inquiry's other task is implicit: to determine why there have been so many accusations of criminal acts by the Germans or Japanese or of conspiracies or cover-ups by Australian naval personnel and politicians: by the British, by the Americans and by anyone else who could be dragged in. So I would like to explain how some of these beliefs arose. In the first place, too much credence was placed on such things as a conversation between strangers in a tram. By the time a piece of gossip was passed around third or fourth hand, it had acquired the sanctity of gospel truth. The pernicious article by Robert Shaw Close in the *Digest of World Reading* of 1 January 1942 was, according to Michael Montgomery, based on something Close overheard in a train and added to newspaper reports and rumours already circulating.

Next came the newspapers themselves. I have worked on a newspaper. Newspapers are a business enterprise. They have one aim in life: to make money for their owners by selling a lot of copies and advertising space. Newspapers are not history textbooks. Sometimes when I challenge the writer of an offensive article, he says something like, 'I only reported what was said. I don't have to believe it.' The story that the *Sydney* men had been machine-gunned in the water started without any evidence but gossip with the

Sydney *Sun* on 4 December 1941 and it must have boosted the paper sales for that day. At the time of the sinking of *Sydney* there were people around who would make as much mischief as possible. Relatives of men killed in action were likely to get anonymous telephone calls from people who told them that it served them right and that their menfolk would not have been killed if they had not gone off to kill other men.

Despite internments and prosecutions, there were still clandestine fascists and Nazis at large and by no means were all Italian or German. Alone, and in collusion, they started rumours of disasters, sinkings of ships, bombings of towns, Japanese landings and explosions in munitions factories. Their purpose was to cause grief and undermine morale, and the grief continued after the original purpose had long ceased to exist. It is also worth asking, 'Who stood to benefit by continuing to foster among the people of Australia a mistrust in the leadership of the armed forces? Who in the time of the Cold War stood to gain by attacking the reputations of Churchill and Roosevelt and causing enmity between Australia and her two most reliable and powerful allies?' If communists were not consciously involved, at least these rumours had the potential to serve their cause.

Such rumours need to be traced to their source. In the case of the loss of *Sydney*, many can be traced and that means most often to an irresponsible newspaper. Thus, a well-known historian such as John Costello can be quoted as speculating that Roosevelt and Churchill might have conspired to cover up the sinking of *Sydney* by a Japanese submarine. What was the source quoted in his end notes? Michael Montgomery! Where did Michael Montgomery get his story? From the rumour mongers in Western Australia! Costello did no original search into the *Sydney* himself. How did Michael Montgomery come up with the story that *Kormoran* surrendered and opened fire under a white flag? He obtained a manuscript by one Jonathan Robotham from John McArthur and added it to the translation made by the *Kormoran* crew member Heinz Kitsche of Robert Close's story, already mentioned, based on what two strangers said in a train. What sorts of credentials are these on which to base any sort of belief?

What was the origin of the story of the Japanese submarine? Strangely enough, this seems to have started with a propaganda broadcast from Tokyo sponsored by the Department of Naval Propaganda probably late in December, although transcripts from that period do not seem to have survived. In any case, they succeeded only too well. A lot of people must have been listening to Radio Tokyo for the story that a Japanese submarine sank *Sydney* to spread around Australia so quickly. Some people have never woken up to the fact that they were deceived by a piece of enemy propaganda. The Japanese were not responsible for sinking *Sydney*, but they were responsible for the rumour that they did and they have only themselves to blame.

With regard to funding for the proposed searches for *Sydney* or *Kormoran*, I would like to remind the inquiry that, prior to 1997, there were at least five claims that the wreck of *Sydney* had been found. In some cases a closer search was undertaken and the claims

were disproved. Mike McCarthy would have a detailed record of these. In 1990, the Woods Hole Oceanographic Institute became interested in searching for *Sydney*. After they had looked at the facts, they faded away. This reaction from an experienced group of professionals would give a clear message concerning the state of affairs. There are at least two groups convinced that they alone know the correct area to search—two different areas, by the way—and they want a lot of public money to do it. My recommendation would be to offer a very substantial financial reward for a proven finding on the basis of no find, no pay. If these people are so sure they are correct, they should be willing to work on that basis. Thank you.

CHAIRMAN—Thank you very much. How did you get involved in your research on the *Sydney* initially?

Mrs Poniewierski—I was living a little bit north of Perth at the time of the sinking. One night we were run off the road by trucks thundering down in the blackout from the north. I was told, and I believed for quite a long time, that they contained survivors from *Kormoran*. In fact, they were the empty trucks going back—the trucks that had taken the guards up to Carnarvon. How I started writing on it—I became interested in Hans Bertram, on whom I wrote my first book. I thought there was an association between Hans Bertram and Captain Detmers. In fact, the Australian Encyclopaedia, which said that Hans Bertram had returned to Australia as a prisoner of war, was wrong. But by that time I was rather involved in writing on Detmers and the *Kormoran* as well.

CHAIRMAN—Do you think it is desirable for the committee to attempt to speak to any of the survivors of the *Kormoran* crew at this time, given their age and the fact that they have been interviewed previously?

Mrs Poniewierski—Very few of them would be worth while at all. Most of the officers are dead. Heinfried Ahl rather lost his mind when his wife died and has been in a nursing home for some years. You could not get anything out of him. Malapert has always been reluctant to speak, no matter what David Kennedy says. Practically everyone else is dead. The only ones I believe are still alive are Joachim Greter, the torpedo officer, who was a very smart man—much more broad-minded than most of them because he lived most of his life in Argentina. I think he is still alive and sane. Von Goesseln is obviously still alive. He has always been a bit retiring and reluctant to speak. From his interview with Kennedy, I am not sure how useful he would be. Messerschmidt, the mines officer, is probably still alive. Bretschneider, the executive officer, might be. Otto Juergensen, who would have been very useful, has been demented—possibly Alzheimer's—for at least two, maybe three, years. I think that some of the others who think they still remember and think they are sane are not. I have had no direct contact with them for several years, except about two weeks ago I wrote to Greter and told him some of the more outrageous accusations that are being made about him. I do not know if he got my letter. I have not had an answer.

CHAIRMAN—One of the constant themes in the submissions we have received attributes great properties to Detmers as a captain. I have to say that, on a careful reading of all the accounts, I see no sign of incompetence in Detmers' activities as a captain, but I cannot see that he was above average in any way. Would you agree with that?

Mrs Poniewierski—I would say that he would be a bit above average, because he was the youngest to be given such a command. As I said, I think, in my book, he was chosen to command the flag parties at the Olympic Games because the navy opinion was that what Detmers did, Detmers did right. He did not stuff things up.

CHAIRMAN—But look at his record as a raider captain—hardly distinguished. He made no mistakes, but you could lay the charge of timidity on him.

Mrs Poniewierski—You have to be able to find the ships before you can sink them.

CHAIRMAN—That is why you are at sea.

Mrs Poniewierski—I think that if he had known as much as some people think about codes and ciphers, he would have found more.

CHAIRMAN—Is that a fair comment, given the level of the German marine intelligence network and the fact that they were in daily contact with all their raiders?

Mrs Poniewierski—No, they were not.

CHAIRMAN—Well, they were in contact on a regular basis in code, and there were broadcasts made which ships picked up, and those broadcasts related essentially to intelligence matters.

Mrs Poniewierski—Actually, not all of it related to intelligence. They would send out a full text of Hitler's speeches, for example. The Germans were very good on the British codes and ciphers, but they were not terribly interested in what was going on in Australia or around Australia. They had two main areas of interest. One was the Atlantic convoys and the other was the Russian fleet in the Baltic Sea.

CHAIRMAN—But given a handful of raiders, why were *Kormoran* and *Komet* and various others in the Australian operational area if they were not interested in this part of the world? When you have limited resources, why would you prioritise Australia?

Mrs Poniewierski—You would not send these raiders to anywhere where a normal warship or submarine could reach. They were the long-distance ones. Their purpose was to make the Allied merchant navies nervous, to make them take longer tracks, to take them away from the shortest routes and put them on any detour that seemed safe. Apart from

sinking ships, the mere knowledge that there was a raider there delayed ships. That was equivalent to sinking ships. It took up cargo space. It made in particular Chinese crews very nervous, and the Chinese crews were likely to desert—revolt. They saw no reason why they should put their lives on the line for the British cause.

CHAIRMAN—What do you think of the evidence we referred to this morning that Detmers may have had access to codes and identification?

Mrs Poniewierski—They did have the merchant navy code. They did get instructions on the merchant navy cipher. The code remained constant. The cipher was changed every month or so. It took the German authorities in Germany about 10 days to break the new cipher, so they were reading it about two-thirds of the time. Once they had broken the cipher they would send information out to the raiders. Therefore, you could assume that Detmers might have been reading the merchant navy codes—not the Royal Navy or Royal Australian Navy codes and ciphers. He would get information sometimes from Germany, but the content of them—

CHAIRMAN—It is quite possible he would have had the merchant navy call signs and things like that.

Mrs Poniewierski—No.

CHAIRMAN—They are not navy codes.

Mrs Poniewierski—No. The secret call signs were available to naval ships that might challenge the ships that they would meet at sea, land stations and the individual merchant ship concerned. Merchant ships did not know the call signs of other ships. There is nowhere it could have been captured from. It certainly could not have been taken from *Automedon*, because that was sunk more than a year before *Sydney*. It was sunk some seven months before Dutch ships were given secret call signs. You would have to find some way in which these call signs—between 1 June and, say, the time when *Kulmerland* left Japan—could get there. There had to be some place from which it was captured, and these call signs were not put on air. They were not wirelessed. They were handed over at a port.

CHAIRMAN—But there must have been a central compilation point, probably in the United Kingdom somewhere.

Mrs Poniewierski—Probably.

CHAIRMAN—Maybe just a lowly typist saw it, and she might have had a boyfriend somewhere. Who knows? The fact that there is no traceable link overseas—

Mrs Poniewierski—Time factor.

CHAIRMAN—So you discount it?

Mrs Poniewierski—Absolutely.

CHAIRMAN—What do you think really happened?

Mrs Poniewierski—I think that Gill got it pretty right, with a few bells and whistles and twiddles around the edges. He was wrong on a few details, but essentially *Sydney* challenged *Kormoran*. People have said that *Kormoran* was not really much like *Straat Malakka*, but if you have two silhouettes and you are going over them, comparing them in the optimum position, and you have weeks, months and years in which to do it, yes, you can see differences. But from the stern, with *Kormoran* heading into the sun, you could not see all these details.

CHAIRMAN—But there is a huge difference between a cruiser astern and counter stern—really enormous.

Mrs Poniewierski—If you are looking at it side on. If you are looking at it from the stern with a lot of light reflection, I do not know whether—

CHAIRMAN—But ultimately, *Sydney* must have been very close to being just above the beam of *Kormoran*, and in that position the stern configuration must have been very clear.

Mrs Poniewierski—It is possible that *Sydney* pulled off parallel so that she should see that.

CHAIRMAN—No sailor would mistake that—no sailor at all.

Mrs Poniewierski—Possibly not.

Mr TED GRACE—Would you tell us your opinion of both Captains Burnett and Detmers. What is your personal opinion of them as professional seamen?

Mrs Poniewierski—It is only an opinion. I think Captain Burnett was a very fine man. I agree with everything Commodore Burnett said. He cared about his men. A few of the seamen I spoke to said that he thought about his men a damned sight quicker than Collins did. On one occasion I was with a group of four German seamen from four different raiders. One of them, the one who had introduced me into the group, knew I was not German. The others did not, so I just sat back and listened. It was like four little boys: my dad can beat your dad and my captain was better than your captain. The one who had served under both von Ruckteschell and Gumprich and had survived the sinking of *Michel* said that Gumprich was a much nicer man. They said it was much more comfortable on the ship with him; but they felt safer with von Ruckteschell because he was a hard man.

So I think it was something like that. Burnett was a nice man. It has been said that I said he was incompetent. I have never said that he was incompetent. I have said that he made a mistake. That is different. My personal thought is that he was obeying orders and that those orders came from the Admiralty and those orders were to close up to capture—close up to identify quickly so you did not waste time.

Now Detmers—he was a sailors' sailor. He had no interest in life apart from the sea. He was not married. He did not have children. He did marry after the war, but never had any children. The sea and the navy were almost his only interest. Detmers was a Frieslander, which means that he was more or less Danish. His mother's maiden name is Christensen. She would certainly have been of Danish origin. Juergensen's grandfather was Danish. His name originally was Jorgensen. Von Goesseln now lives up in the Halligen Islands off the coast of Denmark. There was this group of three Danes on the bridge of *Kormoran*. I do not know if I have answered your question.

Mr TED GRACE—You have in a way. We have two theories that we are confronted with as a committee regarding Burnett—that he made a colossal blunder—

Mrs Poniewierski—Excuse me a moment. The fact that the results were terrible did not mean that the initial blunder was necessarily colossal. So many ships had done exactly the same thing and got away with it and no-one has said, 'That was a colossal blunder.'

Mr TED GRACE—That does not make it right.

Mrs Poniewierski—No, it does not; but it was the custom.

Mr TED GRACE—We have the theory that he made a colossal blunder. He moved in too close. Then we have your theory that he was ordered by the Admiralty to close up and capture.

Mrs Poniewierski—Not specifically in this case—general instructions, and they are recorded in the Weekly Intelligence Reports which are in Melbourne.

CHAIRMAN—Can we go back to the psychology of where Captain Burnett might have been at the time? Here he is in command of the most famous ship of the RAN at the time.

Mrs Poniewierski—She was not the flagship, by the way.

CHAIRMAN—I am well aware of that; *Australia* was. He has the most famous ship, the *Sydney*. He is following on from someone who is a national hero in Collins, who is also a classmate of his. There is a potential here for sibling rivalry between Farncomb, Collins and Burnett and Long, as you so correctly pointed out. Would it not be a pressure

on Captain Burnett to prove he was as good as Collins? Would he have been under any compulsion to have boarded that ship quickly to get any intelligence information or code books it might have had?

Mrs Poniewierski—That is quite likely if he thought it was *Kulmerland*, the supply ship.

Mr TED GRACE—Do you believe the evidence that was given this morning by another witness, who stated without doubt that *Sydney* was under threat of *Kormoran* and that Burnett knew it was in the area?

Mrs Poniewierski—I am sure that he did not. That story of direction finding on *Kormoran* sending wireless signals every day up the coast of Western Australia is a load of absolute rubbish. No raider captain would have done that. In fact, in the Combined Operational Intelligence Centre records, those signals are identified. They came from a U-boat in the North Atlantic. The British were having trouble getting a cross-bearing on those signals. Quite often they would ask Australia or New Zealand. The DF station at Awarua in New Zealand was very useful because it was the most southerly station in the world. When those signals came in from Australia and were compared in Britain—'Well, yes, it is in the North Atlantic.' They had a lot of trouble with reciprocal signals. I think 'reciprocal' is the word. Quite a lot of signals that appeared to come from the North Atlantic were placed somewhere off the east coast of New Zealand.

Mr TED GRACE—In your book *The Intrigue Master*, you state:

> There have been rumours that a message sent by *Sydney* about the battle was picked up at various naval wireless stations. Some stories about wireless signals are clearly false; some are errors; but some have a ring of truth.

What is your opinion on which signal was sent and the stories about them? What do you believe has a ring of truth?

Mrs Poniewierski—The *Harman* one definitely does not. The most common mistake made in giving evidence is in the matter of time—when did something happen. I have had people swear to me of things happening that were clearly a year, two years, five years out of period. A matter of whether a signal was heard on the 19th, 23rd or the 24th—after a lapse of 30 or 40 years, that is easily done. I am convinced that Ean McDonald thinks he saw a signal allegedly from *Sydney*. Possibly he did even see this signal, but I am not convinced that it did come from *Sydney*. I think that it was a signal sent probably on the 25th, not the 19th, of November, between two Allied stations—Australia to Britain possibly. The wording would have been slightly different from what he quotes. I am convinced of his honesty in this case, but I do not think he has remembered correctly. I am not convinced even of Mason's honesty. Two people who were on duty on the night of the 19th say: no. Mason was not a telegraphist. He was not in good

odour in that place.

CHAIRMAN—How do you know that?

Mrs Poniewierski—I am relying to a large extent on Marion Stevens, but there is ancillary evidence that he wanted to get out of Harman and Lieutenant Commander McLachlan would not transfer him out, would not inflict him on someone else. When I first heard this story, which was about 1986, a couple of years after I published my book, I thought, 'This is rubbish; this just does not hang together.' There was no reason for McLachlan to conceal a signal at that time. There would have been a massive conspiracy between Canberra and Melbourne to have done it. It just did not hang together, so I did not say anything about it. The idea of Ean McDonald saying that I broke Mason's confidence—I would not publish such a silly story until it was in the public record in the National Library. Then I had to. I have never endorsed that.

As to ones from Darwin—one is certainly wrong. It is in the South-West Area Combined Headquarters diary. The material is quoted. The date is given. It is not on the 19th. It is, I think, 4 December roughly. It was identified as being from Sydney as in New South Wales, not from *Sydney* the ship. On the other hand, I do think that there was some kerfuffel in Geraldton around about that time, possibly as a result of picking up the QQQ signal, but I do not know.

Mr TED GRACE—As a committee we are not experts in signals or naval history. The problem we have relates to the time and place where signals were sent. From my questioning of the Director of Naval Signals in Canberra and the Archives—and their evidence is published in response to my questioning and the chairman's questioning—

Mrs Poniewierski—That is the Canberra report?

Mr TED GRACE—Yes. The evidence is that a batch of archival documents were perused by the Director of Naval Intelligence and sent back to the Archives. It was regarding signals up and down the coast about the 19th period. Then somebody at naval intelligence decided to get them back to have another look at them, because somebody asked questions. They had disappeared. I would like to know your theory on why this batch of documents is missing. We are not talking about being lost during the war; we are talking about a recent disappearance from the Archives of documents pertaining to signals on or about 19 November.

Mrs Poniewierski—Naval offices are like any other offices. Things go missing.

Mr TED GRACE—We are talking about the Archives.

Mrs Poniewierski—I thought you said they were lost by naval intelligence.

Mr TED GRACE—No. I said that the batch of documents was taken from the Archives by navy intelligence and then returned. Then somebody decided that they should have a closer scrutiny and applied back to the Archives for the documents and they were missing. They have not been lost by naval officers.

Mrs Poniewierski—I know of at least two files in the Brisbane Archives that I have seen and which have since disappeared. They have nothing to do with *Sydney*. There was a time in Canberra when it had a policy of employing the disadvantaged. Employing the mentally handicapped in re-filing archival material is not a good idea. I have been going to the Archives every year practically for nearly 20 years. I have seen a lot of changes of staff. I have seen a few that were absolutely a total disaster. Once you put something in the wrong place, you have got Buckley's of finding it again, except by accident.

Mr TED GRACE—My question to you was that I wanted your theory, and you have given it to me. So you think that is the reason they have disappeared?

Mrs Poniewierski—I think so; otherwise you are accusing someone in Archives. I am sure that there is some term for fiddling with government documents.

CHAIR—Theft, surely.

Mrs Poniewierski—I think that there is something more interesting than that, too. I have found that the people in Archives are very nice people. Most of them are very competent. But there was a period when they had this definite policy of employing the handicapped and it just did not work.

Mr HICKS—Mrs Poniewierski, I notice in your notes the theory about the carley raft on Christmas Island. Just reading between the lines, you say that it is 99 per cent sure that it did come from the ship.

Mrs Poniewierski—I would say that it is 100 per cent sure.

CHAIRMAN—I thought that you were just absolutely dogmatic about that.

Mrs Poniewierski—If John Doohan and Michael Montgomery, John McArthur and I agree on anything, you can be sure that it is right.

CHAIRMAN—Did God tell you this or how did you find it?

Mrs Poniewierski—No, you see, there is no other ship that it could have come from.

CHAIRMAN—I am sorry, with respect, there is no argument at all—

Mrs Poniewierski—Yes, there is. If something is there and there is no other place that it could have come from, then that is where it came from. That is Sherlock Holmes's reasoning.

CHAIRMAN—Was *Sydney* the only ship that could have released a carley float?

Mrs Poniewierski—A carley float that had been under fire and that had a Caucasian body on it, yes. With regard to Rear Admiral Oxenbould and his theory that it could have drifted down somewhere from the north, let him do, or let the navy do, a drift card similar to Dr Bye's.

Mr HICKS—Just on that, I notice that in a lot of the submissions that we have had today it finished up on Fremantle rubbish dump. Do we know that for sure?

Mrs Poniewierski—I have no idea. I have no evidence that it was ever shifted off Christmas Island.

Mr HICKS—So if that, in fact, was from the *Sydney* and there was a body on the front of it and the person was buried on Christmas Island, what do we actually achieve by finding the body and exhuming the body?

Mrs Poniewierski—As far as I can see, nothing. I am not pushing or doing anything about the Christmas Island body. I am just not interested. Other people would be.

CHAIRMAN—How do you reconcile the evidence from Lysaght and their successors, BHP, that the inscriptions to which people are prepared to swear their lives on the zincanneal were never used by Lysaght?

Mrs Poniewierski—You mean to say that somebody forged these inscriptions?

CHAIRMAN—I am just telling you that the manufacturers claim that the inscription on the metalwork on the carley float is not an inscription that was ever used by the company so far as their records show.

Mrs Poniewierski—The extent to which somebody is prepared to swear to something and risk their lives for something is no indication of the extent to which it is true. Otherwise there would not be martyrs for different religions. Do the people at Lysaght know or much care whether that was what was done? How are their records? I had correspondence with Lysaght somewhere in 1980, 1981, and my impression from them was that, yes, they could have come from them. A firm now is not the same as the firm then. They are different people.

CHAIRMAN—We understand that very well, but there has been evidence given to us that the claimed inscription on the metalwork is not theirs.

Mrs Poniewierski—I did not see the inscription. I have never seen what the people of Christmas Island said was on it.

Mr HICKS—As a story, how do you find the oral history? You speak to people, particularly as they are getting older, and you have said here today that some people are mixed up in their dates by a year and all of that sort of thing. Do you find it fairly unreliable?

Mrs Poniewierski—Yes. I never, ever trust oral history in preference to written history. I just use oral history to fill in personal impressions and how things felt. Sometimes I have used unsupported oral history, but only when it really did not matter whether or not it was true. In the work I am doing now, I have to rely to some extent—in *The Intrigue Master* perhaps more than others—on oral history because they were the sorts of things that were never written down.

Mr HICKS—If there was pressure to find the *Sydney*, and that is a big task, and it was found, what would that prove? We have the description from the *Kormoran* about what took place and the action with the torpedo and all of that sort of theory. Perhaps it would point that out. Apart from that, would it prove anything?

Mrs Poniewierski—I think the only thing it would prove was where it actually sank.

Mr TED GRACE—Do you think we should leave it there?

Mrs Poniewierski—Frankly I do not care. If people want to search for it, yes, let them go ahead. But I do think that putting a lot of public money into it, with the state of education and health, particularly if they are going to come back and say, 'Sorry, couldn't find it, give us some more'—

CHAIRMAN—More than most authors, you have put a lot of work into researching archival material and material outside of Australia. Do you think that there are any potential sources of information archivally overseas that we ought to look at that have not yet been oversighted?

Mrs Poniewierski—There may be some material, but for example in Washington, by the nature of the way some of their stuff is, to put it rather loosely, filed, which means in hundreds and thousands of unindexed boxes, you would be pushing it. I have found New Zealand material in Canada, British material in Germany and American material in England. There is really not much that you cannot find providing you go beyond the people who are trying to hide it—back door—by comparing documents. I have often got something that Britain in particular has very much wanted to hide by comparing, say, New Zealand documents that have been censored one way and Canadian documents that have been censored another way. It is very, very difficult to erase all trace of something.

CHAIRMAN—Do you think that there would be any Royal Navy archives in Britain that would be of value to us but for which we cannot get any information of their existence?

Mrs Poniewierski—It is possible, but I have seen no particular evidence of it.

CHAIRMAN—Could I phrase it a different way? Do you think that the British naval archives and the military archives are more difficult to get access to than the archives of another country?

Mrs Poniewierski—Only to the extent that the staff in the Public Record Office are so excruciatingly uncooperative and ignorant that it is very difficult to find what you want. The Australian Archives and the American archives are streets ahead of them. I have been told that something was not there and I have not only found it but I have found it in their published indexes. The Department of the Navy does have some material that it has not handed over to archives. I am not saying that this is related to *Sydney*. They have got sort of basic documents like call signs. The claim that the *Kormoran* was sighted off Western Australian on 11 November—I think that it was 11 November in this case—

CHAIRMAN—This is the Rottnest Island one?

Mrs Poniewierski—There was a coordinate given for that, and without saying why I wanted it I referred this coordinate to the admiralty and they said that it is off New Guinea somewhere in the Solomon Islands. The fact that that sighting was not recorded for some three or four days indicates that it was not a sighting off Western Australia—that it was news that had come in from somewhere else.

Mr TED GRACE—I just want to pursue the signalling. It has just been pointed out to me that I was in error in a question that I asked you, because I have been overseas. I did state to you that the Defence Signals Directorate returned a batch of signals to the Archives and they have since disappeared. I questioned you intensely about that. I have now been informed by our secretary that we recently had a letter from Archives, which states that this material has never been returned from the directorate.

Mrs Poniewierski—Ask them. I do not know.

Mr TED GRACE—You suggested that I was talking about a conspiracy before, but you have to put yourself in the position of members of this committee. If we get evidence like that, obviously we have been misled because I was told emphatically in here that those documents were returned and we now find out that they were not actually returned. You have to give us some leeway that we think that there was some conspiracy somewhere. Somebody was covering up for somebody.

Mrs Poniewierski—You have to give a return that there was a conspiracy?

Mr TED GRACE—Yes.

Mrs Poniewierski—That is a nice way to conduct an inquiry.

Mr TED GRACE—That is my own personal theory.

Mrs Poniewierski—So if there is no conspiracy you have still got to report that there was one?

Mr TED GRACE—I am entitled to my beliefs just the same as you are entitled to your beliefs. I think somebody is telling fibs.

Mrs Poniewierski—I have no doubt that somebody is telling fibs. It is only a question of who is telling the fibs.

Mr TED GRACE—Yes.

Mrs Poniewierski—But if you say that this inquiry has been set up for the purpose of determining—

Mr TED GRACE—Excuse me, I did not say that. I am saying that somebody is telling fibs about signals sent around the period of the battle between *Sydney* and *Kormoran* and those signals have disappeared. That is what I am saying.

Mrs Poniewierski—Somebody is telling fibs.

Mr TED GRACE—Just in passing I was offering you the opportunity to put forward a theory on it.

Mrs Poniewierski—Could I just sort that out? What I understood you to say and which you may not have meant to say is that this inquiry has to return a conspiracy theory finding?

Mr TED GRACE—No, I did not say that.

Mrs Poniewierski—Right. Thank you very much.

Mr TED GRACE—I did not say any such thing.

Mrs Poniewierski—That was how I understood you.

Mr HICKS—That is what I was thinking.

Mrs Poniewierski—That was how I understood it.

Mr TED GRACE—I just wanted your theory on why you think a batch of signals would disappear.

Mrs Poniewierski—Because somebody was careless.

Mr TED GRACE—You gave your theory that some inadequate people at the Archives were doing it. I have just stated to you that the signals never went back there. If you do not wish to pursue this any more, just tell me.

Mrs Poniewierski—That was why I wanted to know when this was supposed to have occurred. I could give you a better idea if I knew that. The Navy Office shifted from Melbourne to Canberra. They might have been lost in the shift or mislaid. They did not have to be hidden or anything. People make mistakes, and filing material is one of them. John Mackenzie, the then naval historian, produced a document that had been lost for years and years when he just happened to be ferreting in some box to find something else while I was there in the office. He said, 'That's where it got to.'

Mr HICKS—Mrs Poniewierski, from what we have read of your submissions and so on, you would be the No. 1 expert on matters relating to the *Kormoran* and *Sydney*. You probably would not say so yourself, but that would be right, would it not?

Mrs Poniewierski—A certain background, yes. There are certain things that I do not know.

Mr HICKS—You have been to the archives in Germany and Britain?

Mrs Poniewierski—After I wrote my book. I was there for research into *The Intrigue Master*. That was why I put some *Sydney* stuff into *The Intrigue Master*, because it was stuff to which I did not have access when I wrote the book on *Sydney*. When I wrote the book on *Sydney*, I had been only to the Australian Archives. For *The Intrigue Master*, I went to Washington, Ottawa, San Francisco, London, Cambridge and I had three days in Germany. I could not afford any more.

Mr HICKS—The chairman asked about archival material. Is there anywhere else we as a committee should be looking?

Mrs Poniewierski—I cannot think of anywhere. It is possible that the air force might have some. I did not go into air force records.

Mr HICKS—What about apart from archival material?

Mrs Poniewierski—There is one thing that I have just handed over to Joanne Towner, which you may not have noticed yet, and that is a transcript of an interview I did with Emerson Elliott. He is mentioned in a submission in volume 11. It said that he is

dead and someone may be able to contact his son Anthony. I was told in 1985 that he was dead, but I had a series of interviews with him from about 1991 to 1995. Although he was very old and frail, some of the things he said were of use. He was an MI6 agent fluent in several Chinese dialects. When he came down from Malaya, he interviewed one of the Chinese from *Kormoran*—same story.

CHAIRMAN—As a local growing up on the Western Australian coast, you would have heard all of the stories about the gunfire and lightning flashes on the skyline?

Mrs Poniewierski—No, that story did not surface until perhaps 10 years ago or a bit longer. I certainly did not hear it at the time.

CHAIRMAN—That is interesting. I was not aware of that. I thought those stories were public knowledge at that time?

Mrs Poniewierski—No. I have no doubt that people did see something, but when they saw it and what they saw is definitely open to conjecture.

CHAIRMAN—Do you think it is likely that it was a naval engagement?

Mrs Poniewierski—No, I do not. The only thing that is really likely to have been concealed at that time was if an Allied ship had sunk another Allied ship, and it is not beyond the bounds of possibility for that to have happened some time. But at that time, no, I do not think so. There is nothing missing. There is a book by a chap called Reg Nichols called *Mr Raspberry Jamwood*. Do any of you know it?

CHAIRMAN—No.

Mrs Poniewierski—He talks about the sinking of a ship off the coast of Western Australia and bundles of raw latex floating ashore from Albany to North West Cape, I think he said, which is fairly ridiculous. There is another mention in one of the submissions of bundles of latex coming ashore, and that quite likely happened. But when I do not know. One of the problems is that a lot of people saw things that they could not understand and they had no right to an explanation of them when these things were sorted out. But sometimes it is rather difficult to get the documents in which these were sorted out.

Mr TED GRACE—Do you agree with Tom Frame's comment that some things relating to the fate of *Sydney* are unknown and others are unknowable? What did he mean by that?

Mrs Poniewierski—That is a good phrase. Yes, some things probably.

Mr TED GRACE—You would not like to elaborate on that?

Mrs Poniewierski—One can never find out what was in the minds of the officers of the *Sydney*. One can speculate about what they should have known and what they might have thought, but one can never be sure. Do you have any specific thing that you are—

Mr TED GRACE—No, I am just probing and reading the quote from Tom Frame's book.

Mrs Poniewierski—I have left Tom Frame alone. I cannot be bothered going through his book and picking out all of the things in it that are wrong. Mostly they are not malicious; they are just stupid.

Mr TED GRACE—So you do not agree with most of the comments that he made?

Mrs Poniewierski—If you have got a book that is 95 per cent right, that does not mean that the other five per cent cannot be absolutely dreadful. I think most of what he says is right, but sometimes he has gone off the rails, and he has gone off them at fairly significant places.

Mr TED GRACE—He would probably make the same comments about you.

Mrs Poniewierski—Yes, he could. But prove it.

CHAIRMAN—Do you attach any significance to the stories that *Sydney* detached from *Zealandia* as it approached Sunda Strait?

Mrs Poniewierski—This has come up only recently. I am not sure that she did. One would have to get to *Durban*'s records to see whether *Durban* physically saw *Sydney*. The big problem with British records is that they destroyed the logbooks of everything below a cruiser and some of the cruiser logs.

CHAIRMAN—When?

Mrs Poniewierski—Fairly soon after the war.

CHAIRMAN—Why would they have done that?

Mrs Poniewierski—Storage space. I think possibly the war diaries are still there. But just try to find the logbooks. People say, 'You can't find the logbook of *Centaur*, *Olive Cam*, this, that and the other.' These books were not kept. It was forbidden for merchant ships to keep details of ships that they met at sea. There is no record in *Centaur*'s log, which I did find, that she picked up survivors from *Kormoran*. All they have is the seamen who signed on, their pay, who had VD, who was discharged and who swung a punch at the cook. There is nothing relating to operations. And that chap from

Aquitania could not even spell the name of his ship.

CHAIRMAN—He was not a crew member, though.

Mrs Poniewierski—I think one of them said he was. I have mixed up the final submissions. They have come to me in a hurry. Quite frankly, I have not been interested in *Sydney* for the past 10 years. I have stuck with it because people were saying such stupid things and I just could not let them go.

CHAIRMAN—We are getting to the stage where we are really sawing a lot more sawdust in this inquiry. We have covered most of the points of contention from very different angles.

Mrs Poniewierski—Pardon?

CHAIRMAN—We have covered most contentious points from many different angles.

Mrs Poniewierski—Joanne Towner said that you were on a steep learning curve.

CHAIRMAN—Very diplomatic. Why do you think there has been such a degree of personal animosity between the groups who are interested in the *Sydney*? I can understand how, given the lack of knowledge, you can come to different argumentative positions or views.

Mrs Poniewierski—Do you mean that I have had a good go at some of the people in Western Australia?

CHAIRMAN—No, I would not dream of putting a personal connotation on that. Anyone who reads the submissions that have come to this committee must be struck by the fixity and, to a degree, the intolerance of the opposing parties between those who have an orthodox view of the event and those who have a differing view, shall we say. I can see how they are justified in taking different positions. I cannot see why there is the emotion in it and the intolerance of the other's point of view.

Mrs Poniewierski—While the *Sydney* Research Group, the End of Secrecy on *Sydney* and so on were just telling lies about me among themselves it did not worry me. When they started coming back at me from New South Wales and South Australia—and they are in the submissions—I got a bit shirty. I felt that I was entitled. Some of these chaps are old fogies whom I am sorry for. This little pussy cat purrs nicely and is nice and fluffy, but when one pulls her ears too often and does not take any notice when her tail is twitching, someone is going to get scratched, and I started scratching.

CHAIRMAN—It did not really start with you, did it?

Mrs Poniewierski—I responded.

CHAIRMAN—But you did not start the war?

Mrs Poniewierski—The war between us and them?

CHAIRMAN—Yes.

Mrs Poniewierski—Specify if you would, please. I am not sure how to answer that because I do not know what you are getting at.

CHAIRMAN—I am talking about the general lack of tolerance between the two broad groups here. What you are telling me basically is that you reacted to criticism, but I was not aware that you were the focal point that started the dissent off.

Mrs Poniewierski—Not only was I a woman, but I was spoiling their fun. There have been these frauds going. There was the fake *Mareeba* bottle. Do you know about that one?

CHAIRMAN—Yes.

Mrs Poniewierski—There is this fake Letter of Proceedings. I have grave doubts about some of the material that has been produced in support of these wireless signals. I am pretty sure some of it has been doctored, but unless I saw the originals I would not know—unless it was submitted to forensic analysis. There is something that I have not mentioned. Probably nobody else knows about it in Australia. There was a scam to sell artefacts allegedly collect on a dive on the *Sydney*. That came to me from Hong Kong. It did not get very far because I submitted it to Mike McCarthy and to John Ross and the people very speedily backed off. You would not believe the things some people have got up to.

CHAIRMAN—Getting back to the inquiry itself, a lot of witnesses writing submissions do not seem to be able to accept that there were no survivors from the *Sydney*. If you assume that that body on Christmas Island came from the *Sydney*, then you would not agree there were no survivors, either.

Mrs Poniewierski—Well, he did not survive, did he?

CHAIRMAN—That makes sense. That is literally true, but you would find it unusual—

Mrs Poniewierski—John McArthur wrote several times in his submission about deceased survivors.

CHAIRMAN—Is it a difficult point for you to accept that there were no survivors?

Mrs Poniewierski—No. That ship was belted around like you would not believe. The torpedo hit was rather more serious than Mr Grace believes. If you take the position that the watertight doors were not all closed, and that seems to be the position—that *Sydney* was not fully closed up—

CHAIRMAN—How do you know that?

Mrs Poniewierski—We do not know except by the way she reacted. We do not know. It seems to be from what allegedly happened. According to Detmers's report he wrote in cipher, meaning it for his own superiors, he landed 150 5.9-inch shells on *Sydney* all over the place. There were the anti-aircraft guns pounding away. There was that one starboard anti-tank gun. That was the one that really made the difference. There was the aircraft set on fire. The fuel from the aircraft would have gone down past one of the main radio rooms and spread through the ship. She would have been a fireball. There would have been very few people anywhere on that ship who could have got away without getting burnt.

It is rather horrifying to try to imagine what that ship would have been like, say, an hour after the action. I did not want to go into this too deeply in my book but, because the suspicion of there being no survivors had been raised, I had to go on about fire, sharks—what do you expect—and the fact that it was four or five days before they started looking. That was a couple of days longer than they started looking for the survivors of the *USS Illinois*, which has often been quoted in comparison. Was it *Illinois* or *Indianapolis*?

CHAIRMAN—*Indianapolis* was the cruiser that was lost in the Pacific.

Mrs Poniewierski—Yes, *Indianapolis*.

CHAIRMAN—That raised another point. To what do you attribute the delay and the reticence of the navy initiating a search?

Mrs Poniewierski—The first thing I would say is that Commander Long was not in Australia. The second is that she was not due back for another 24 hours or so. She was due back on the 20th, not the 19th. She had enough fuel to last several more days, I do not know how long. She had the authority to go and investigate anything she thought was suspicious. To my way of thinking, they should have got onto it by the 22nd; they should not have left it till the 23rd.

CHAIRMAN—Why did the navy reject the air force offer to go searching?

Mrs Poniewierski—I do not have any concrete evidence that they did. I do not say that they did not, but I do not have any concrete evidence that they did. Nothing that I can see in the South-west Area Combined Headquarters log indicates that such an offer was made. There is nothing in Combined Operational Intelligence reports that indicates that they did. That does not mean to say that it was not so. Not all things get recorded.

Mr HICKS—I meant to ask this of the naval officer. What would they have used the plane on the ship for? I am not a naval strategist, but would you think they would have sent the plane off if they even had an inkling that it was a raider to have a look and see what it was? They were not far off the coast, were they? It could have landed back—it would have landed alongside the ship and been lifted on but it could have landed near the shore, too.

Mrs Poniewierski—In order to lift it on I think the ship had to stop. I am not sure about that. I am not sure of the details of operational procedure. I do not know about things such as gunnery, navigation and types of torpedoes. That is not my field. It was a bit of a procedure to launch the plane and pick it up so close to dark. I am not sure what the range of the Walrus was. The thing is apparently that the catapult was swung out ready to launch and then swung back.

Mr HICKS—That intrigues me. I cannot work out why they never used the—as I said, I am not a naval strategist or anything but I just cannot work that one out.

Mrs Poniewierski—He must have had a good reason. It could have been because he had decided it was the *Straat Malakka*. It could have been because he had decided it was not the *Straat Malakka* but that it was *Kulmerland* or *Burgenland*, which was a sister ship of *Kulmerland*, and he wanted to lull her into a false sense of security so she would not scuttle. But this is one of the things which Mr Grace has said is unknowable. He would have had his reasons. They could have been good reasons or they could have been not so good.

CHAIRMAN—I think if there are no further questions from the committee, I would like to thank you very much for coming along this morning. We will be sending you a copy of the transcript of your evidence from Hansard in due course. I thank you very much for your attendance this morning.

[11.55 a.m.]

EAGLES, Mr James, 20 Elizabeth Street, Aitkenvale, Queensland 4814

CHAIRMAN—I welcome you on behalf of the subcommittee. I must advise you that the proceedings here today are legal proceedings of the parliament and warrant the same respect which proceedings in the respective houses of parliament demand. Although the subcommittee does not require you to give evidence on oath, you should be aware that this does not alter the importance of the occasion. The deliberate misleading of the subcommittee may be regarded as a contempt of the parliament. The subcommittee prefers that all evidence be given in public, but should you at any stage wish to give any evidence in private, you may ask to do so and the committee will give consideration to your request. The subcommittee has received four submissions from you, including one confidential, and the three public submissions have been authorised for publication. Are there any corrections or additions you wish to make to those submissions?

Mr Eagles—There is one regarding the call sign of the *Straat Malakka*.

CHAIRMAN—Could we have that, please?

Mr Eagles—In my original submission I stated that the call sign was PHTN. In fact, it was PHTN, but it was not changed until the ship was sold at the end of the war. I included that because I did not really have time to check it before 5 December, which was the close off date for the receipt of the submissions. I did not realise at the time that I could make further submissions after that.

CHAIRMAN—Would you like to make a short opening statement before we proceed to questions?

Mr Eagles—The only thing I would like to say is that, when I joined the navy in 1960, it was 15 years after the end of the war, and a lot of the radio equipment that was still in use was wartime equipment, particularly the DF equipment and radio equipment, which was all from World War II.

CHAIRMAN—How good was that DF equipment, in your judgment, in 1941?

Mr Eagles—The DF equipment I used was the 1943 model. It was extremely clumsy to use. You could not get a decent fix within a couple of minutes. I believe that the German raider signals were a matter of half a second or half a minute or something like that, or even briefer. I think it would be very, very difficult to get a good bearing on one of those signals if that is the case.

CHAIRMAN—How many DF stations would have existed in the early part of the war in Australia?

Mr Eagles—To the best of my knowledge, about four.

CHAIRMAN—So really the DF capability was quite limited at the time?

Mr Eagles—I think it would have been. Everybody seems to think that there were thousands of transmissions but, in actual fact, most ships at sea at the time did not transmit unless it was absolutely necessary. Even then things were kept to an absolute minimum.

CHAIRMAN—It was always morse and HF signal, was it?

Mr Eagles—Yes.

CHAIRMAN—Getting onto the transmitters that would have been in *Sydney* at the time, would it have been easy for *Kormoran* to jam them?

Mr Eagles—You can jam almost any signal, I suppose.

CHAIRMAN—But you have to know the frequency first, do you not?

Mr Eagles—That is right. It is not really as simple as it sounds. There were warship frequencies which were laid down which the navy used and which the *Kormoran* probably monitored all the time. So it may not have been altogether unreasonable to think that they could have done that sort of thing. But I have worked at *Harman*—and *Coonawarra* and Bonshaw for that matter. A lot of those frequencies are common to all those places. If one station had not heard them, the chances are that one of the others would have. With jamming, it is hard to say. Sometimes you can read through that sort of thing and sometimes you cannot. It is a bit of a toss-up, really.

CHAIRMAN—Would *Sydney*'s transmitters have had a greater wattage output than the jamming capabilities?

Mr Eagles—That just depends. They had several transmitter rooms and several lots of equipment. It would depend on what equipment they used—what was available. If people were at action stations, all of those positions would have been manned. But what was damaged and what was knocked out is impossible to say, really. The other thing is that some of the first shell hits apparently were in the bridge area and around the director. They could quite easily have taken out all the aerials on the ship, including the roof aerials. So while all the transmitters might have been quite functional and a signal might actually have been sent and jammed, there may not have been enough range or power output to actually get out a signal.

CHAIRMAN—So it is quite conceivable that the opening phase of the engagement could have destroyed any capability of *Sydney* to transmit?

Mr Eagles—It is difficult to say, but the area of damage between the bridge and the aircraft is pretty much where most of your aerials are situated.

CHAIRMAN—Having been destroyed though, there is very little probability that that would have been re-established to enable an abandon ship signal.

Mr Eagles—You can rig emergency aerials, but it is a bit difficult when you are under that sort of—

CHAIRMAN—The whole ship is on fire. It is unlikely, is it not? What I am leading up to is that one of the stories—as you heard this morning—was that *Sydney* transmitted a signal that it was abandoning ship, or words to that effect.

Mr Eagles—I have been from Sunda Strait on a warship down to Fremantle, and some people have said that it is a dead spot for transmitting. You can have it that way. But if that is the case, other people say that they have been DFing signals. You cannot have it both ways. Someone is right and someone is wrong.

Mr TED GRACE—You would have procedures on board, surely, for emergency transmission in the case of a hit. There are procedures on board ship. If your main aerial is knocked out, there are emergency services. You just stated that there would be no chance to transmit; is that right?

Mr Eagles—It just depends. Most of the transmitting aerials on a warship are around the bridge area and the foremast. If you take those out, it does not matter whether your radio communications rooms are functional or not.

Mr TED GRACE—But there would be emergency procedures.

Mr Eagles—Probably, yes, but not necessarily with enough power to be heard in Darwin or Canberra.

Mr TED GRACE—How did you come to be involved in the research into these circumstances?

Mr Eagles—I do not know anybody who was on the ship or anything like that, but I have been interested in naval history for many years. My submission was initially typed up and I sent it to the maritime museum in Fremantle. This was before the inquiry was organised. When the inquiry came about, I filled in more stuff that I had found and added it and sent it into the inquiry.

Mr TED GRACE—You state that when you joined the navy the navy was still operating basically with 1943 DF equipment.

Mr Eagles—Not all of it.

Mr TED GRACE—Do you have any knowledge that 1943 stuff would be a step up from the stuff that would have actually been on *Sydney*?

Mr Eagles—I do not think there would have been much difference.

Mr TED GRACE—I am intrigued by some of your evidence. On what evidence do you base the claim that the confrontation between *Kormoran* and *Sydney* can be linked to the sinking of the German ship *Emden* during World War I?

Mr Eagles—I list a number of similarities between the two battles. Also, there seemed to be a situation where Detmers was cruising around the Western Australian coast. It almost seemed like it was an aimless, pointless exercise. After he left the supply ship and was resupplied, he said he was going to Fremantle, which apparently was not in the operational area to which he had been assigned. He turned away from Fremantle on a pretext from a ship that was not there, and he was going to lay mines in a place that he had already been to and rejected. It seemed to me that there was some other reason.

Mr TED GRACE—What is your theory, that Australian warships would be aware of his presence in the area?

Mr Eagles—The German ship was around Nauru when they sank several phosphate ships there. I think I put in my submission that the Germans landed the survivors near Kavieng and they said, 'When you send a signal to send a rescue boat, tell the operator not to bother encoding the message because we already have the code.' He would not say that for any sensible reason because, as soon as the navy found out about it, they would change their codes. The only reason would be if he did not care because they already had the next set of codes. Then the *Kulmerland* turns up again in Western Australia with the *Kormoran* and, in my opinion, the same thing happened; they supplied them with the necessary codes, and I believe that the *Kormoran* had *Straat Malakka*'s secret call sign. I cannot believe that *Sydney* would do all the things it did unless that secret call sign had been made. I simply cannot believe it.

Mr TED GRACE—Excuse me. You cannot believe what?

Mr Eagles—I cannot believe that the *Sydney* would have taken the action that they did unless they had that secret call sign and received the correct answer from the *Kormoran*. It just does not make any sense whatsoever without that call sign.

Mr TED GRACE—Your opinion is that she did not sail away over the horizon after the battle?

Mr Eagles—No, I do not think so.

Mr TED GRACE—You would not be the only one to think that. Where do you think the exact position is?

Mr Eagles—Of the *Sydney*?

Mr TED GRACE—Yes.

Mr Eagles—I think the battle took place 300 miles west of Carnarvon. I think the *Sydney* is 10 miles south-west of that position. That is going on several things that I have in here, but also on an RAAF report—during the search they reported oil six miles south-east—and what they said was the battle site. They did not give a latitude or a longitude. I would say that probably 10 miles would be a reasonable guess. If the current was flowing north, the oil would surface probably two or three miles or a mile north of where the ship actually sank.

Mr HICKS—You mentioned that Australian gunners may have been involved in the sinking of the *Sydney*. What do you mean?

Mr Eagles—The reason I brought that up is because it was like the call sign of the *Straat Malakka*. When I put the incorrect call sign in, I was amazed because, although the fact it was incorrect was picked up straight away, nothing about the *Straat Malakka* seems to be known at all. It seems to be a complete mystery. From the time that Holland was invaded—although the Netherlands East Indies stayed independent—there was not one report of the *Straat Malakka* being in Australian ports until 1942. Yet all of the ships of the K.P.M. shipping line had been coming to Australia since 1902. At least 12 of their ships ended up running between Townsville and Milne Bay. Two ships, the *Straat Malakka* and the *Straat Soenda* are the only two ships that seem to be a total mystery. I was hoping that some information would be forthcoming regarding the *Straat Malakka*'s movements. Nothing has been forthcoming at all.

Mr HICKS—How does that involve Australian gunners?

Mr Eagles—It was a defensively equipped merchant ship. It had an Australian crew on it. Nobody seems to be able to tell me anything about it. I have the merchant ship movement card from Canberra. I cannot say for sure, but it appears that the first card is missing. The second card appears to be a continuation of a previous card, including the fact that the call sign PKQI has been crossed out on it, which puzzled me a little bit. Whether the ship was armed and whether it was armed in Australia—it must have been Australia if it was armed, and apparently it was—I cannot find any information about that at all. Apparently it was under charter to the British in 1942, but what it was doing before that I do not know. It could have been anything.

CHAIRMAN—Getting back to that light speedboat, yours is the only submission that postulates that they laid mines in advance of *Sydney*. Would that have been a really

practical thing to do?

Mr Eagles—That is one of those things. You could say the same thing about Nelson. A lot of the things that he did were not exactly practical, but they were brilliant.

CHAIRMAN—He only had one eye, though.

Mr Eagles—But he lost it in extremely excellent circumstances, you might say. Detmers was a motor torpedo boat captain. He was a torpedo specialist, although the motor torpedo boat was not armed with torpedoes. I believe that his two assets, the things that he knew most about—the motor torpedo boat and underwater torpedoes—are the two things that he would have used, because they were the two things that he was an expert on.

CHAIRMAN—How many mines would that boat have carried—two, three, or four?

Mr Eagles—There have been various suggestions. I think Conway's Maritime Press suggests two. I think in his book Detmers says four. Several other people have said three or four. I think two would probably be pretty close to it.

CHAIRMAN—He would have had to have that boat in the water before *Sydney* came into close contact.

Mr Eagles—I think he did, yes.

CHAIRMAN—You are presupposing a set piece game plan here.

Mr Eagles—Yes. I do not believe it would have been possible without the call sign, but everything else was quite reasonable. There was not one single thing that would have been particularly unusual about such an effort.

CHAIRMAN—What was the ultimate fate of that boat? Was it beached?

Mr Eagles—I believe after the battle—one of the problems is that I do not believe *Sydney* was very far from the *Kormoran* when it sank, for the simple reason that Detmers gave a completely different position. I do not believe any ship's captain would have done that unless he already knew that there were no survivors from the *Sydney*.

CHAIRMAN—Why would Detmers have concealed the site of the battle?

Mr Eagles—For a start, the position that he gave was the position that he put in the Q signal that he sent. To my way of thinking, I do not believe that the battle took place there at all.

CHAIRMAN—Why would Detmers have fudged that point?

Mr Eagles—I do not think he would have ventured into the shipping lanes as such with the *Sydney* prowling around. To think that he would have been unaware of the *Sydney*'s presence I do not believe is credible. I believe he knew that the *Sydney* was operating at least off the west coast. There is enough evidence to show the battle took place 300 miles west of Carnarvon. Why he gave a wrong position, I do not know. I think that what he was doing was sending the signal to give the impression that the raider was already somewhere else. The Dutch ship was stopped in the water and on fire and actually looking like an attacked ship. I think that when *Sydney* approached the *Straat Malakka* or the *Kormoran* the ship was already stopped in the water, smoke coming out of it, damage apparent, people running around with hoses and all the rest of it. Detmers was trying to show, as soon as the *Sydney* saw him, that he was an innocent ship, that he was not a raider or a threat. In a case a year later where the *Adelaide* came upon a raider, they did almost exactly this same thing: sent a radio signal, sent a boat away, there was an explosion, smoke on board. The *Adelaide* just opened fire and got stuck straight into them. But they did that as the *Adelaide* approached. I believe the *Kormoran* did that long before the *Sydney* had turned up.

CHAIRMAN—If that scenario is so and the *Sydney* came up to *Kormoran* in the belief that it was a victim of the raider, why would *Sydney* have stopped and lowered a boat? It would have been apparent that that was a very recent action. Why would not *Sydney* have flown off its aircraft, and initiated a search for the raider, which arguably would probably have been within 20 or 30 nautical miles of the ship.

Mr Eagles—Regarding the aircraft, they may well have been going to fly it off; however, you have to have the ship in a position where you can fly the aircraft off into the wind. Depending on the movements of the ship, the *Sydney* may have well have turned away from the wind and decided to not the launch the aircraft. It might have been that simple.

CHAIRMAN—I return to the point that here you are, you are in a warship. You have found a raider victim. It is burning. It is not badly burning. It is still afloat. You cannot see any real signs of damage on it, so you assume that the possibility is that the raider is in the area. You have an immediate task to find that. You do not have to worry about this ship; it is afloat. It is on fire, but they can get their boats away and you can come back to it tomorrow if need be.

Mr Eagles—It depends. I would not know really what sort of precedence may have been put on the appearance of damage or fire on board the ship. If they did a quick survey and saw that the position in the radio signal was only a bit over 100 miles away and towards the land rather than towards the sea, *Sydney* may well have said, 'Okay, we can stop here for an hour, put a boat over, send a doctor or whatever we want to do. We can still have the raider bailed up against the coastline further south.' That would not have

been unreasonable, even with dark coming on. There are any number of scenarios that would explain all of these things.

What I tried to do in my submission was that with things that were already in print, I tried to point out the fact that there may well have been another explanation for all this which is just as valid as any other. There were too many contradictions between things that one person said and things that another person said. I tried to go through them and point out some of the contradictions that did not make sense.

CHAIRMAN—On page 77 you claim that Commander Long amassed all the files and burnt a lot of them. What is your basis for that?

Mr Eagles—It is pretty well established, I think, that he did burn a lot of files at the end of the war

CHAIRMAN—Did he personally burn them?

Mr Eagles—I think he personally did, yes. Apparently, he was not the only one. From what I understand, the British government issued instructions that a lot of these files should be burned, not only in Sydney but in Canada and other places as well. The reason I think that the *Sydney* stuff might have been included in that is that every time I tried to follow something back, it always seemed to end up with Commander Long. He just seemed to be turning up in all sorts of places that you did not expect him to be, including apparently at the court of inquiry in Perth. Working through Detmers's book, it looks like the court of inquiry took place on 30 November, which gave Long time to get back from Singapore. Detmers in his book said, I think quite clearly, that he had to face a court of inquiry and there was an admiral and two commanders, one of whom he described as an ex-destroyer man, who I would say would be Dechaineux, who was a decorated destroyer captain in England. The admiral could only have been Crace and I think the other commander was Commander Long. Lou Lind, who was a notable naval historian, was in no doubt that Long was there and yet there seems to be no record of him anywhere having been in Perth.

CHAIRMAN—You quote Long saying that there were a number of reasons why the full analysis should not be published. The principle of such an analysis would still not be accepted by some people as being any confirmation of the loss of all of *Sydney*'s complement. What do you think are the reasons that might have led Long to that theory, as it were?

Mr Eagles—It is hard to know whether Long was acting under the orders of perhaps the naval board or whether he was acting on his own behalf as the DNI. He does seem to have taken action on his own volition at various times. That was written, I think, towards the end of 1945, or something—I think November 1945, was it?

CHAIRMAN—I think it was in that era.

Mr Eagles—As I have put in my submission, it was not so much that letter that I was interested in; it was the one that was written to him and why he should reply in that manner. It seemed to me that the inquiry from Fremantle from the naval intelligence officer there, to my way of thinking, perhaps queried what the naval board and others had published about the *Sydney* because it did not agree with what they knew first-hand.

CHAIRMAN—Do you think the interrogation of the crew was skilfully handled?

Mr Eagles—I think Admiral Crace was quite satisfied, but I do not believe that he went over there for the interrogations; I believe he went over there for the court of inquiry. The thing is that I do not think they really knew things about the *Kormoran,* that they did not ask questions about, including the MTB. The *Kormoran* was the first one to have one that was really successful. I do not think anybody really knew what its capabilities were. A light speedboat sounds like a light speedboat, but if it was a midget MTB, according to Conways, capable of 45 knots and laying mines, it is an entirely different thing. You can only ask questions about things that you are aware of, like aircraft on the ship. They asked questions about aircraft, which was fair enough—a lot of ships carried aircraft—but it would be interesting to see just how far they went into other equipment that was carried by the *Kormoran*, including the radar.

Mr TED GRACE—What evidence do you have to support your claim that Gill, against the rules of censorship under which he worked, deliberately left clues about *Sydney*'s fate?

Mr Eagles—When he wrote about the Christmas Island body, he wrote that it was buried with full military honours. It may well have been, but it seemed to me that he was forever putting things in the naval history that virtually begged for someone to look at it a bit deeper. Everybody says that Gill's account of the battle was accurate and straightforward, yet at the end of his account he asked virtually all the same questions that everybody else has been asking ever since. He is asking: why did it all happen? I cannot believe that he believed it.

Mr TED GRACE—Could you briefly outline what you think? You have given us an idea of what you think happened to *Sydney*. What is the bottom line as far as you are concerned?

Mr Eagles—During the battle?

Mr TED GRACE—Yes.

Mr Eagles—I think the *Sydney* was decoyed by a radio signal, which would have been quite easy, without actually transmitting a signal. That can be done quite easily. I

think when the *Sydney* arrived—it was decoyed off its course—and I think when it arrived, it found a ship stopped in the water, smoke coming out of it everywhere and damage to the ship. I think it approached, it challenged the *Kormoran*, the *Kormoran* gave the correct signal, and it was *Kormoran*'s—or as the *Straat Malakka*—job to put a boat in the water to send their papers to the *Sydney*. If *Sydney* was lowering a boat, it could have been only to send some sort of aid or to send an anti-scuttling party. In either case, the Germans had either surrendered or asked for help, one of the two.

Mr TED GRACE—That is the only reason she lowered the boat?

Mr Eagles—There was no reason for the *Sydney* to lower a boat and it was not their job to do it.

Mr TED GRACE—That was the procedure?

Mr Eagles—That was the procedure.

CHAIRMAN—We have spent quite a bit of time talking about signal traffic out of *Sydney*. Is there any evidence that *Kormoran* made any signal? You would have a period there where it might have been four or five hours after the engagement was broken off.

Mr Eagles—There would not be any need for them to actually send a signal to decoy the *Sydney*.

CHAIRMAN—No, this is after the action.

Mr Eagles—After the action?

CHAIRMAN—And they knew that they were going to destroy *Kormoran* because of the fires. Is there any record of any signal traffic coming out of *Kormoran*?

Mr Eagles—Not that I know of, although several—Hans Linke, I think, said that they did and I think some other German said that they did.

CHAIRMAN—It would have been a reasonable move for them to have made if they had the capability because they could lose their ship and presumably motivate their rescue?

Mr Eagles—Again, that is one of those things. I have mentioned in the submission that in the parliamentary notes it is said that *Sydney* got 12 shells into the *Kormoran*. Detmers and several others account for about three shells and nobody really knows where the other nine went. Nine 6-inch shells can make a bit of a difference to your radio capability if they are in the right place. So nobody really knows what their capabilities were—any more than anybody knows what codes they had after the *Kulmerland* resup-

plied them. They could have had anything.

Mr HICKS—I was going to ask a question about the torpedo boat. You said that it was laying mines. I did not quite grasp this. Did you think that it was a set battle plan? Do you think the *Sydney* hit a mine or something; that they had set them up?

Mr Eagles—If the *Kormoran* already had the MTB in the water on the side of the ship away from the side that *Sydney* approached, the sudden appearance of the MTB around the bows of the *Kormoran* would have given enough time to distract the *Sydney* just long enough for them to be able to fire an underwater torpedo. But once that torpedo hit under A and B turrets, virtually putting them both out of action, there was almost nothing to fire on the MTB with. The X and Y turrets would not have been able to train that far forward. The only thing that *Sydney* was capable of doing at that stage, apart from replying with X and Y turrets, was to put on speed and withdraw out of range, the same as the original *Sydney* did with the *Emden*. Putting a couple of floating mines into the water across *Sydney*'s bows, which may have been the reason it turned to port so sharply, would certainly have limited its capability of putting on speed and withdrawing out of range.

CHAIRMAN—Do you have any evidence that there was either a white flag flying or a white ensign flying?

Mr Eagles—There is no evidence, that I know of, of a white flag being raised or anything like that. But several of the Germans have said that there was smoke. They had hoses lying around the ship's decks. Under the international rules of distress, a ship which has smoke pouring out of it is automatically considered to be in a state of distress. Importantly, raider tactics would have been studied by all of the raider ships' captains, and that included the First World War. During the First World War, a Count Von Luckner had command of a raider, a square-rigged sailing ship, an ex-American ship. There is a reference where he came across a British ship which was sailing away from him. It was out of gun range and he could not catch it. He used his smoke generators to simulate a fire on board. He had a sailor dressed as a woman running around on the stern of the sailing ship. The British steamship turned around and came back to their rescue and was shelled and sunk. When you see a ship and smoke is issuing from it, it is automatically considered as a sign of distress. You do not have to raise a white flag.

CHAIRMAN—Thank you very much for your evidence this morning, Mr Eagles.

Mr Eagles—I have also got these documents which I would like to leave with you. There are a few things in here. There is a copy of the 1938 BR105, which is a ship-to-ship recognition silhouette. It shows the *Straat Malakka* as being about this big. In my opinion, an ink blot or a coffee stain could easily have made the stern of the ship unidentifiable. There is another document here about the *Indianapolis*, which was mentioned earlier. In fact, it has just been found out that the captain was tried by the

American navy because they did not want it to be known that the codes had been broken by the Japanese. Another document refers to the discovery of the *USS Yorktown* 2,000 miles from Hawaii in water five kilometres deep. There was another note on the LS1, which is an extract from Conway's Maritime Press. There are a few other things there which the committee may find of interest.

CHAIRMAN—Thank you very much, Mr Eagles. You will be sent a copy of the transcript of your evidence to which you can make corrections to grammar.

Resolved (on motion by **Senator MacGibbon**, seconded by **Mr Hicks**):

That the committee authorises the publication of the evidence taken by it at the public hearing this day.

CHAIRMAN—The public hearing for this morning is now completed. At 1.45 p.m., the committee will be taking evidence relating to the military justice inquiry.

Committee adjourned at 12.48 p.m.