

CHAPTER 6

THE AFTERMATH

The reason why we are still talking about [the loss of Sydney] 55 years on is that there are so few facts and so many possibilities of finding an explanation.¹

6.1 This Chapter examines what the official history said about the searches that took place in the days following the battle, discusses possible reasons for the complete lack of *Sydney* survivors, and examines the veracity of accounts of the battle which emerged from the interrogations of *Kormoran* survivors. Discrepancies between the evidence presented by the official history, and testimony that a search was sent out earlier than the official history suggests, are also examined in this Chapter.

6.2 The public was not officially made aware that *Sydney* had been lost until 11 days after the encounter. When the Australian Government decided to inform the public:

News of the action, and of the presumed loss of *Sydney*, was publicly released in an official statement by the Prime Minister, Mr Curtin, on the 30th of November 1941. The next of kin had been informed by personal telegram three days earlier. Unfortunately, however, through failure to observe correct censorship procedure in which both the Naval Board in Melbourne and the Government in Canberra were equally culpable, leaking of information occurred on the 25 November and gave rise to rumours which circulated throughout Australia and caused deep distress to the next of kin.²

6.3 By the time an official announcement that *Sydney* had been lost was made on 30 November 1941, rumours had already begun to spread about how the ship might have been lost. The circumstances surrounding the event were immediately sensationalised, giving rise to a proliferation of theories about who was responsible for sinking *Sydney*. Rumours about *Sydney* survivors being murdered in the water after the battle circulated throughout the general public.

6.4 Of concern to many was the manner in which information was released to the bereaved families and to the Australian people. The fact that the only accounts of the encounter were pieced together from the information provided by *Kormoran* survivors left many with a perception in the years that followed that the whole story was not known.

1 Creagh, Transcript, p. 112.

2 Gill, op. cit., p. 459.

Discovery of *Kormoran* Survivors

6.5 *Sydney's* fate had been sealed several days before the first *Kormoran* survivors were picked up by Allied ships. According to Winter's account:

Just before 0600 on Sunday 23 November, a cabin boy on the liner-transport *Aquitania* saw a low-lying raft bobbing on the pearly morning sea. The 26 men on the poorly equipped raft had seen her long ago, and were waiting anxiously for a sign that they had been noticed.³

6.6 The *Aquitania* picked up these *Kormoran* survivors at 24°35'S, 110°57'E,⁴ 200 kilometres off the coast of Western Australia. The official history, and indeed subsequent accounts, has *Aquitania* maintaining radio silence and not reporting the discovery until her arrival off Wilson's Promontory on 27 November (see paragraph 6.24).⁵

6.7 Soon after, on 24 November, the British Tanker MV *Trocas* picked up 25 Germans in another life raft, and sent a coded signal to this effect to Navy Office.⁶ Later, another lifeboat landed, with 46 men, at Quobba Station, north of Cape Cuvier.⁷ This boat was one of two which were found along the coast north of Carnarvon, the other with 57 men.

The Search for *Sydney* Begins

6.8 According to Gill's account, the search for *Sydney* began on 24 November 1941.⁸ The search was coordinated by Captain Farquhar-Smith, District Naval Officer, Western Australia,⁹ who had 'operational control over *Sydney* when she was working out of Perth or Fremantle ... He was the one who initialled the search action so he obviously had some operational control responsibility of the ship. He initiated search action once [*Sydney*] was missing and he also reported back to the Chief of Naval Staff and to the navy office'.¹⁰

6.9 Once Navy Office had received word from *Trocas*, indicating that she had rescued survivors from a ship (which, according to Gill was the first the authorities knew about *Sydney's* fate), a full scale search was mounted, which included 'every available aircraft in Western Australia'.¹¹ HMAS *Wyrallah*, *Olive Cam*, *Heros*, *Bonthorpe* and *Alfie Cam* were

3 Winter, op. cit., p. 145.

4 ibid.

5 There have also been suggestions that *Aquitania* stopped at Gage Road, Fremantle, but was ordered to proceed with her journey to the eastern states. This has also been disputed equally vehemently (see for example, Eneberg, Submission, p. 4115).

6 Winter, op. cit., p. 147.

7 ibid., p. 151.

8 There is some confusion as to the estimated time of arrival of *Sydney* in Fremantle. Some sources put the time at pm on 19 November, while others state that it was am on 20 November. According to Poniewierski, '*Sydney* had been due in Fremantle on the afternoon of 20 November' (Poniewierski, Submission, p. 295). In any case, '*Sydney* would not have signalled her ETA Fremantle, her ETA Fremantle would have known before she sailed ...' (Ryding, Submission, p. 627). Regardless of the exact time *Sydney* was due, criticism has nevertheless been directed at the RAN for delaying the search. How delayed it was is a matter of contention.

9 Summerrell, op. cit., p. 168.

10 Department of Defence, Transcript, pp. 38-39.

11 Winter, op. cit., p. 149.

sent out the same day.¹² *Hermoin, Pan Europe, Saidja, Herstein, Sunetta and Centaur*, all ships of the merchant navy, were 'instructed to pass through positions between 24 degrees 06 minutes south, 111 degrees 40 minutes east'.¹³ An indication of the activity can be seen from the chronology of events assembled by CMDR R J Hardstaff RAN (Retd).¹⁴

6.10 According to Mr Summerrell:

The search that ensued over the next five days, until search operations were concluded on 29 November, involved more than 825 flying hours by RAAF aircraft and the participation of 21 naval and merchant vessels.¹⁵

6.11 During the six days of searching for survivors or a sign of *Sydney*, it became evident that the *Kormoran* had fared much better in the confrontation than had the Australian ship. As an increasing number of survivors from the German ship were rescued by Allied ships or landed on the Western Australian coast, and as the picture of *Sydney's* fate became clearer, hope of finding survivors faded.

6.12 The search for *Sydney* survivors formally ended at 10.48pm on 29 November 1941 following instructions from the Central War Room.¹⁶ On Sunday 30 November, the Secretary of the Department of the Navy sent the following message to the Governor-General and the Prime Minister:

The Naval Board regret that after intensive air and surface search of the area, no evidence of HMAS *Sydney* has been sighted except two RAN lifebelts and one Carley float badly damaged by gunfire. It is concluded that *Sydney* sank after the action and further search has been abandoned.¹⁷

6.13 The only traces of *Sydney* acknowledged in Gill's account were a carley float picked up by *Heros* and several lifebelts.¹⁸ Of the 645 men on board *Sydney*, not a single survivor was found.

6.14 Table 6.1 provides details of the people and items recovered after the engagement. Table 6.2 provides details about some of the searches undertaken.

12 *ibid.*, p. 148.

13 Summerrell, *op. cit.*, p. 18.

14 Hardstaff, *Submission*, pp. 50ff.

15 Summerrell, *op. cit.*, p. 46.

16 *ibid.*, p. 47.

17 *ibid.*

18 This carley float is accepted by Department of Defence as being from *Sydney* (Department of Defence, *Transcript*, pp. 12-13).

Table 6.1 People and Debris Recovered after the Engagement, November 1941

INSERT TABLE (2 pages)

Table 6.2 Air Searches and Their Outcomes¹⁹

Date	Search Area	Search Vehicle(s)	Objects Located
24 November 1941	Fan search from Rottneest Island to 480 kilometres, between 260° and 340°	6 Hudsons	None
25 November 1941, a.m.	24°10'S, 108°53'E - 23°S, 111°E 29°56'S, 112°30'E - 28°50'S, 114°48'E	7 Hudsons	None
26 November 1941, a.m.	23°03'S, 110°28'E - 23°03'S, 113°49'E 25°10'S, 110°28'E - 25°10'S, 113°49'E	4 Hudsons	Found boats picked up by <i>Koolinda</i> and <i>Centaur</i>
26 November 1941, p.m.	24°40'S, 109°E - 24°40'S, 113°35'E 27°20'S, 109°E - 27°20'S, 114°E	4 Hudsons	
26 November 1941, p.m.	26°04'S, 110°57'E - 26°04'S, 113°10'E 27°37'S, 110°57'E - 27°27'S, 113°57'E	8 Ansons	
27 November 1941, a.m.	24°12'S, 107°40'E - 24°12'S, 109°15'E 27°S, 107°40'E - 27°S, 109°15'E	2 Catalinas	
27 November 1941, a.m.	Parallel track search, South East Datum Point - 25°43'S, 112°56'E°	5 Hudsons	
27 November 1941, a.m.	Parallel track search, South East Datum Point - 27°S, 113°36'E	7 Ansons	Boat found picked up by <i>Yandra</i>
27 November 1941, p.m.	Square Search 20°08'S, 111°07'E - 20°08'S, 112°43'E 24°14'S, 110°27'E - 24°14'S, 111°56'E	4 Hudsons	
28 November 1941, a.m.	Square Search 22°S, 109°E - 22°S, 111°E 24°S, 109°E - 24°S, 111°E	2 Catalinas	

6.15 Of the wreckage, the RAN carley float believed to be from *Sydney* is now in the Australian War Memorial in Canberra. An official investigation of it was conducted in 1993 by the AWM.²⁰ The location of the two lifebelts is not known.

6.16 *Sydney* researcher Mrs Glenys McDonald suggested that several other items which may have been from *Sydney* (and which were not included in the official history) came ashore at Port Gregory. Among these items were:

19 Winter, op. cit., pp. 161-162.

20 See Chapter 7 for more detailed information on this investigation.

... a four-gallon tin of cabbage; a brand new tyre on a very damaged rim, which [the finders] put on their truck and later on a tractor; a hissing four-gallon tin of metho[lated spirits], which they did not touch because it looked too dangerous; a 150-gallon tin of kapok and four or five lifebelts that were knocked around a bit but not burned.²¹

6.17 Mrs McDonald also gave evidence that :

... [a] packing case board with HMAS *Sydney* painted, attached to a fired flare was picked up by a VDC patrol and handed in to the military authorities in Geraldton. I do not know why it has not appeared on any list. There was [also] a box marked HMAS *Sydney* that was found on Green Islet, a record of which is in the Australian War Memorial but which is also not on any official list.²²

6.18 Mrs McDonald learnt of the retrieval of these additional pieces of 'wreckage' from *Sydney* when she collected oral evidence from residents of the Port Gregory area. It was also suggested to her, and later substantiated, that a grey lifeboat had come ashore near Baleine station, but admits that she has 'got no other information other than that the Forrester family obviously believed that a boat came in and that it was taken away'.²³

An Earlier Search?

6.19 The veracity of Gill's account of the search for *Sydney* has been challenged by a number of people. It has been suggested that the official search for *Sydney* was started not on 24 November, but one day earlier than Gill states. This view also challenges the position taken by the Department of Defence and Australian Archives, that the search for *Sydney* commenced on 24 November, five days after the engagement.

6.20 The challenge to the official history is largely based on the evidence of one man, Group Captain C A V Bourne, MBE, AE, (Retd) that he participated in an aerial search for *Sydney* on 23 November. GPCAPT Bourne argues that the search was sent out directly in response to a radio message received from the *Aquitania*, soon after it had picked up *Kormoran* survivors in the early hours of 23 November. GPCAPT Bourne told the Committee that:

[When we flew out from Pearce on 23 November] We flew from Pearce to Rottnest. We set course from the lighthouse on Cape Vlamingh and flew along the normal shipping lane, which was about 15 miles to seaward. This was shown on our aeronautical chart, which was in fact a Mercator's projection. The Germans on board the *Aquitania* had said that the battle took place 130 miles south-west of Fremantle. The logical thing for us to do would have been to go down and search that area with a square search, but we went down a parallel track search. We were nowhere near that area.²⁴

21 McDonald, G, Transcript, p. 191.

22 *ibid.*

23 *ibid.*, p. 199.

24 *ibid.*, p. 239.

The total significance [of this earlier search] is the fact that the *Aquitania* broke radio silence. That is why I was sent south because that morning the Germans in the lifeboats of Detmers and Gosseln (sic) both said they saw the *Aquitania* in the morning five miles and eight miles away. That afternoon they were circled by an aircraft. It was a strange aircraft. It was a yellow and black aircraft and Bunjes said it was a bomber. In fact, it was a Fairey Battle ... My flight, together with this flight by a yellow and black Fairey Battle confirms that *Aquitania* did break radio silence. There has been a colossal web of deceit woven around the *Aquitania*.²⁵

6.21 GPCAPT Bourne claimed that entries in the Unit History Sheet for November 1941 of the No. 4 Service Flying Training School showing the Fairey Battle on towing duties are 'false and an attempt at deliberately covering up the real purpose of this flight on this day'.²⁶ GPCAPT Bourne's reference to the Fairey Battle target tug was picked up by Mr David Vincent, who contacted the pilot of the aircraft, Mr David Daly. According to Mr Vincent:

Mr Daly has confirmed that his aircraft ... was ordered from Geraldton to Pearce for towing duties on 23 November 1941 as indicated in No. 4 Service Flying Training School's records ... there is no indication from his log book entries or what he has told me that suggests he was involved in anything other than 'towing duties' ...²⁷

Mr Vincent also challenged assertions by GPCAPT Bourne that RAAF Pearce had their own Fairey Battles, noting that there 'were only two Fairey Battles in Western Australia at this time ... Both aircraft were on the strength of No. 4 Service Flying Training School ...'.²⁸

6.22 In evidence to the Committee, Mrs McDonald explained the significance of GPCAPT Bourne's claims:

Group Captain Bourne was making it clear to you that he definitely searched on 23 November [and the significance of that was] 'it means that *Aquitania* radioed'. I do not think he made it clear enough, because to me that means there was a 4 1/2-day delay in initiating the search. The reason for that delay has always been: 'We did not know that *Sydney* was in trouble until 3 p.m. on 24 November when the *Trocas* picked up the Germans'. ... The point is that we have always stated that we did not search for 4 1/2 days because we [the RAN] did not know that there was anything wrong. [GPCAPT Bourne's] point is that we must have known something was wrong for him to be up there on the 23rd.²⁹

6.23 Mr Bernard Eneberg also told the Committee of his concerns about *Aquitania*'s role in the aftermath of the tragedy. He pointed out that:

25 *ibid.*, p. 242.

26 Bourne, Submission, p. 1040.

27 Vincent, Submission, p. 4318.

28 *ibid.*

29 McDonald, G, Transcript, p. 295.

... the *Admiralty* had the ability to control *Aquitania's* movements – not only hers, but *Sydney's* as well, of course. *Sydney* was due at Sunda Strait about midday on 17 November. The *Aquitania* could have left on the 15th and met her. Why did she not do so? Logic suggests that she should rendezvous with *Sydney* for protection but she does not. She stays in Singapore. This suggests that *Sydney* was not going to be available to escort her south. Was it because *Sydney* had business elsewhere, perhaps a date with the *Kormoran*?³⁰

However, the Committee notes it could equally be argued that, given her speed, *Aquitania* could outrun most enemy shipping she was likely to encounter and was therefore in no need of an escort from *Sydney*.

6.24 After being detained in Singapore dry dock for eight days³¹ *Aquitania* proceeded south through Sunda Strait. She came across the German survivors early in the morning of 23 November, and stopped to pick them up. *Aquitania* then proceeded south and according to the official history did not break radio silence until approaching Wilson's Promontory on 27 November. Mr Eneberg suggested that Captain Gibbons of the *Aquitania* may have been under orders from Admiralty to stop and pick up any survivors.³² Mr Eneberg stressed that:

... the point about *Aquitania's* options after picking up German survivors is the impact her knowledge could have had on the fate of the 645 personnel lost on the *Sydney*. It would seem apparent that, if the *Aquitania* had taken a different action, the fate of some of the *Sydney* survivors could have been changed.³³

6.25 That a search was sent out shortly after *Aquitania* picked up survivors, is, GPCAPT Bourne argues, clearly a sign that the *Aquitania* broke radio silence. He argues that as the search in which he participated was sent out a full day before the official history records, this is proof a conspiracy was taking place in which the Australian Government was aware that there may have been *Sydney* survivors who were not rescued. In his submission, he asks:

But what is the point of debating whether or not the *Aquitania* broke radio silence at about 7 a.m. on Sunday 23 November 1941? The point is to show that the RAN was being deceitful in their official stance that the Australian Naval Board knew nothing of the *Sydney/Kormoran* battle until 4 p.m. on Monday 24 November 1941 when they were advised of a signal from the tanker *Trocus* (sic) relayed through Singapore that at 3 p.m. that day she had picked up a liferaft with 25 survivors ...³⁴

6.26 GPCAPT Bourne is not alone in his claim that a search was sent out for *Sydney* one day earlier than the official history claimed. For example, in the Westhoven Report

30 Eneberg, Transcript, p. 415.

31 *ibid.*

32 *ibid.*, pp. 415-416.

33 *ibid.*, p. 416.

34 Bourne, Submission, p. 1218.

(prepared by Third Officer Westhoven, WRANS)³⁵ cited in the Australian Archives' Guide to HMAS *Sydney* papers, the initial search was dated 23 November. GPCAPT Bourne took issue with the correction made to this entry by Archives which stated:

... [w]hen [*Sydney*] had not arrived on November 21, a signal was sent out to Navy Board, and on November 23 [in fact November 24] an air search was carried out from Rottneest.³⁶

6.27 The Department of Defence in its first submission initially indicated that a search was sent out on 23 November, but this was corrected in a supplementary submission, in which Defence stated:

The statement [was] made that the initial air search commenced on PM 23 November. This is not so, the decision to conduct an air search was made on PM 23 November. The actual air search was initiated the following day.³⁷

6.28 In the source document cited in this submission, it is not clear when the decision to mount a search took place. The document includes the following entry:

MONDAY 24th November 1941: Air Search: A diverging search was carried out from Rottneest Island between bearings 270 and 340 to a depth of 300 miles by six (6) Hudsons. Result negative.³⁸

6.29 However, in this document, it is not stated that this was the initial search or that another search had not been carried out prior to this one, one day earlier, and no date is given for when the decision was made to send out this particular search. Therefore, it cannot be assumed from this search report that the 24 November search for *Sydney* was the initial search.

6.30 Evidence given to the Committee by Australian Archives is quite clear that there is no documentary evidence that the *Aquitania* broke radio silence, and that her Captain had very sound reasons for not doing so. According to a report cited by Richard Summerrell:

... Captain Gibbons [the Captain of *Aquitania*], initially thought that the sailors [picked up by *Aquitania*] may have been victims of a German raider attack and he did not radio this to the authorities because he feared a German raider might still be in the area. Once he had determined that the survivors were from a raider which had been in action with a cruiser he assumed the cruiser would report the action and therefore did not break wireless silence. It was not until 27 November that the *Aquitania* signalled the Wilson's Promontory Signal Station with this advice.³⁹

35 Summerrell, op. cit., p. 15.

36 ibid., p. 18. See also Bourne, Submission, p. 1086 and pp. 2588-2589.

37 Department of Defence, Submission, p. 2469.

38 Bourne, Submission, p. 1914.

39 Summerrell, op. cit., p. 56.

6.31 Gill also argued that *Aquitania* did not at any time break radio silence, stating that '[n]ot until *Aquitania* passed Wilson's Promontory at 1.20pm on the 27th and was able to pass a visual signal, did the Naval Board learn that she had met the raft and had [*Kormoran*] prisoners on board'.⁴⁰

6.32 The Bourne proposition is also contrary to the view expressed in secret and confidential Navy correspondence files, that 'it was not until 27 November that the *Aquitania* signalled the Wilson's Promontory Signal Station [that it had picked up survivors]'.⁴¹ Mr Ian Farquhar-Smith, the son of the then District Naval Officer, echoed these sentiments and is also adamant that *Aquitania* did not break radio silence immediately after picking up *Kormoran* survivors.⁴² The claims made by GPCAPT Bourne regarding a search being sent out for *Sydney* on 23 November are not supported in any official records and GPCAPT Bourne's own log books were lost during the war.

6.33 While not doubting the sincerity of the views held by GPCAPT Bourne, a number of aspects of his account, particularly in relation to the movements of *Aquitania*, troubled the Committee. The first issue is whether there was sufficient time for *Aquitania* to have sighted the raft, picked up the crew, conducted an interrogation and notified authorities, leading to GPCAPT Bourne being tasked at 0745 hrs.⁴³ There is some confusion about the time the raft was sighted, and the time the Germans were actually picked up. GPCAPT Bourne has stated 'HTM *Aquitania* picked up 26 Germans ... at 0600H ...'.⁴⁴ However, in an earlier paper, he asserted 'At 5.50 a.m. (WST) ... *Aquitania* ... stopped for 45 mins ... [to pick up the Germans and] and at 7 a.m. (WST) the *Aquitania* resumed cruising ...'.⁴⁵ Captain Gibbons of the *Aquitania* stated that he picked the survivors up at 2230 GMT (6.30 a.m. WST).⁴⁶ Winter stated that the sighting was just before 6.00am and that it 'was nearly 2 hours before *Aquitania* had them safely on board ...'.⁴⁷ The delay between sighting and boarding of the Germans was also suggested by Mr Eneberg, who indicated it could have taken 1½ hours for *Aquitania* to slow, turn back and pick up the raft.⁴⁸

6.34 Associated with the time discrepancies, is the issue of what was learned from the initial discussions with the Germans. GPCAPT Bourne claims that the Germans gave a fictitious battle site 130 nm south west of Fremantle and that '*Aquitania* broke radio silence between 6-7 a.m. WST...' to advise authorities of this. However, in a report to DNI, dated 31 December 1941, detailing the questioning of the *Aquitania* prisoners when they arrived in Sydney, the Germans gave a location of 130 miles due west of Perth as the site of the battle.⁴⁹ GPCAPT Bourne's flight, he claims, was from the western end of Rottneest Island down the normal shipping lane 'as far south as Lat 34°30'S to abeam Point D'Entrecasteaux, then to step aside 40 nm to the west and return ... on a parallel track'.⁵⁰ He acknowledges that it

40 Gill, op. cit., p. 452.

41 Secret and Confidential Correspondence Files 1923-1950, MP1185/8, referred to in Summerrell, op. cit., p. 56.

42 Farquhar-Smith, Submission, p. 3877.

43 Bourne, Submission, p. 1092.

44 Bourne, Submission, p. 1783.

45 Exhibit No. 3, *HMAS Sydney/HMT Aquitania* (2nd Edition), p. 3.

46 Report to Secretary, Naval Board, 2 Dec 1941, reproduced in Exhibit No. 3.

47 Winter, op. cit., p. 145.

48 Eneberg, Submission, p. 4570.

49 Reproduced as Appendix in Bourne, Submission, p. 1808.

50 Exhibit No. 3, op. cit., p. 10.

would have been more logical to conduct a square search from a datum point 130 nm south east of Fremantle. He explains this difference as an Air Commodore directing the search 'without consulting his ... more experienced maritime Operations Officers'.⁵¹

6.35 Captain Gibbons' account of events on the morning of 23 November stated that the prisoners were turned over to the Staff Captain for interrogation and 'it was not until nearly noon (local time) that [he] read the results of the interrogation of the prisoners and realised that there had been an action ...'.⁵² An examination of files relating to *Aquitania* and her prisoners provides no further details beyond those already noted above.

6.36 What troubled the Committee the most, however, was the apparent lack of an appropriate response by authorities had *Aquitania* indeed broken radio silence to report her discovery. One aircraft on a limited search, as proposed by GPCAPT Bourne, would seem a disproportionately small response if indeed *Aquitania* had advised of her find, particularly as the following day five aircraft were ordered out to search for the overdue *Sydney*. No plausible explanation has been put forward as to why the RAN in those circumstances failed to act.

6.37 Given the passage of so much time, the fallibility of memory and the lack of documentary evidence, the purpose of GPCAPT Bourne's flight on 23 November may never be clear. The Committee does note that rumours were circulating in Fremantle about *Sydney* being overdue, and it may well have been a flight authorised by the RAAF as a low-key attempt to see if *Sydney* could be located.

6.38 Ultimately, even if GPCAPT Bourne is correct and a search was sent out under government direction on 23 November 1941, and not 24 hours later, the outcome of the search might have been no different. As Gill suggested:

It is therefore probable that the delays in receiving information from the wireless stations of the receipt of *Kormoran*'s mutilated 'suspicious ship' message, and from *Aquitania* of the earlier rescue of survivors from *Kormoran*, unfortunate though they were, had no bearing on the ultimate fate of such of *Sydney*'s complement as survived the actual fighting.⁵³

51 Bourne, Submission, p. 4287.

52 Report to the Secretary of the Naval Board, 2 December 1941, reproduced in Bell, Submission, pp. 3901-3903.

53 Gill, op. cit., p. 459.

Release of Information about the Loss

6.39 As has been stated previously in this report, there has been considerable criticism of the handling of the immediate aftermath of the loss of *Sydney* by the RAN and the Australian Government, particularly in relation to the enforcement of censorship restrictions on the release of information, following the loss of *Sydney*.

Censored

6.40 Despite it being war time, the controversy surrounding the loss of HMAS *Sydney* was ignited, in part, by the manner in which the Australian Government dealt with the release of information after the event. This suspicion has, over time, been compounded by the absence of particular pieces of information, for example the log books of ships which may have come across the wreckage of *Sydney*. Many feel they may contain significant (and hitherto undisclosed) information about how *Sydney* was lost.

For twelve days the government maintained the strictest secrecy, issuing no less than 11 censorship notices preventing the publication of details. Even after the Prime Minister's public statement announcing the loss the broadcasting licences of three radio stations were suspended for contravention of a 48 hour ban on broadcasting the details.⁵⁴

6.41 Attempts to contain news of the disaster were unsuccessful, and 'Despite the government's concern that nothing be disclosed, by the afternoon of 25 November *The Herald* in Melbourne had heard that an Australian warship had been sunk. Earlier that day, G Hermon Gill advised the Chief of Naval Staff that "to issue a censorship instruction at this stage would be to start a flood of rumour throughout Press channels"'.⁵⁵ The issuing of a censorship instruction at 2.30pm on 25 November proved to be a mistake, fuelling more rumours than it dispelled.⁵⁶

6.42 As Winter suggested:

Although there was a censorship order prohibiting speculation, the papers had had five days to collect information. They knew a great deal, and the guidelines as to what they could not publish had not foreseen all the things the navy might have wished to forbid.⁵⁷

6.43 A negative reaction to the lack of 'official' information was explicable in part because:

For the public the shock of the loss was accompanied by a sense of bewilderment that such a disaster could occur ... A suspicion that information was being concealed was strengthened by several factors: the delay in making the official announcement despite widespread public rumour; the lack of any real explanation when the

54 Summerrell, op. cit., p. 13.

55 ibid., p. 77.

56 ibid.

57 Winter, op. cit., pp. 181-182.

announcement did come; the secrecy which surrounded the official investigation of the disaster, which continued into January 1942; and the many obvious questions which the government failed to publicly address.⁵⁸

6.44 Many rumours later emerged which may have had their origin in the initial handling of censorship restrictions on *Sydney*. Following the loss of *Sydney*:

... [and] in the absence of any official statement on the *Sydney* from the 25 November the 'grapevine' began circulating a spate of disturbing rumours especially when it leaked out that German survivors had started arriving on the coast of Western Australia.⁵⁹

6.45 In his official history, Gill attempted to dispel some of the rumours about the botched handling of information about *Sydney*'s loss in the days following the disaster. By way of explanation, Gill blamed the Naval Board for failing to properly brief the Chief Publicity Censor. According to Gill, Naval Intelligence followed up any information which may have shed light on the fate of *Sydney*, but to no avail.⁶⁰ The instruction, for 'No reference press or radio to HMAS *Sydney*'⁶¹ drew attention to the ship and gave rise to a perception that there was something to hide in regard to *Sydney*'s condition. In retrospect, giving no instruction at all would perhaps have been a wiser approach to minimising discussion about *Sydney*.

6.46 By late November the news that a German raider had sunk *Sydney* was being broadcast in Germany, and in Britain and in the United States the information had also been released. Advice of the censorship restrictions had been sent to the British government. Problems, however, arose due to the fact that:

These instructions, however, had not been imposed on the B.B.C. and United Kingdom press and the broadcast of information by the B.B.C. on 2nd December and publication in the United Kingdom press forced the premature release to the Australian press of other material which it was desirable for the time being to withhold.⁶²

6.47 Three radio stations in Australia (3AR, 3KZ and 2UW) were suspended for broadcasting information about *Sydney* while the media blackout was on.⁶³

58 Summerrell, op. cit., p. 13.

59 Gascoyne Historical Society, Submission, p. 1253.

60 Gill, op. cit., p. 460.

61 ibid., p. 459.

62 War Cabinet Meeting Minute of 4 December 1941, reproduced in Summerrell, op. cit., p. 71.

63 Summerrell, op. cit., p. 80.

Justification from the Government

6.48 According to Summerrell:

The government was well aware of the damage that would be done to national morale by disclosure of the *Sydney's* loss. However, from the records it appears that the main reason it delayed an announcement and imposed blanket censorship restrictions on any news of the *Sydney* was the Navy's concern that an enemy supply vessel may have scheduled a rendezvous with the *Kormoran*. It did not wish to scare off such a vessel by prematurely announcing details of the *Kormoran's* sinking.⁶⁴

6.49 The government also tried to justify not releasing information on the grounds of 'maintain[ing] public morale by not allowing publication of the fact that there were so many German survivors yet none from the *Sydney*'.⁶⁵

6.50 In retrospect it is easy to say that the handling of the release of information to the public was unnecessarily secretive. However, there is a danger in underestimating the uncertainties of 1941, a time when Australia was at war and faced a difficult situation. Actions taken then should not be judged from a perspective of the 1990s, when the public expects far higher standards of transparency and openness from the government. It is unfortunate that information on the loss of *Sydney* was handled as it was, with many of the lingering doubts about the event in large part able to be sourced back to decisions taken in the aftermath of the loss.

The Interrogations

6.51 The interrogations of *Kormoran* survivors began almost immediately after they were picked up. The following account appears in the Australian Archives Guide:

Except for survivors recovered by the *Trocas* and the 26 men picked up by the *Aquitania*, the prisoners were transported by sea and land to Carnarvon, where the first interrogations took place. These were conducted by Lieutenant Commander Rycroft, the Staff Officer (Intelligence) in Fremantle aided by an interpreter. Both had been sent by air to Carnarvon to begin the interrogations early on 26 November. The information they obtained was supplemented by reports of the interrogations conducted on board the *Trocas* and the *Yandra*. As information emerged it was cabled and telephoned to the Naval Board in Melbourne, where it was passed to the government. The *Trocas*, with its 25 survivors proceeded directly to Fremantle, while the *Aquitania* continued its voyage east. When it landed in Sydney the interrogation of the 26 Germans it had recovered was undertaken by Captain Farncomb, the Commanding Officer of HMAS *Canberra*. Once the prisoners from Carnarvon and from the *Trocas*

64 *ibid.*, p. 77.

65 *ibid.*, p. 68. For further discussion of possible reasons for the lack of survivors, see paragraphs 6.74-6.84.

arrived in Fremantle the interrogations continued, with the officers being taken to Swanbourne Barracks, headquarters of the 5th Garrison Brigade in Perth, and the men to No. 11 Internment Camp at Harvey, 87 miles south of Perth. Some interrogations were also conducted at Fremantle Detention Barracks.⁶⁶

6.52 Attempts to ascertain details about the *Sydney/Kormoran* encounter did not stop with the initial interrogations. A sustained effort was made for many years to elicit the truth from the German survivors. It is interesting to note the observations of Winter, that:

Those who maintain that interrogations in Australia were not thorough enough are offering a **gross insult to Commander R.M.B. Long**, also a friend and colleague of Captain Burnett, and to a lesser extent to Admiral Sir John Crace, Captain Farquhar-Smith, Captain Farncomb, and Lieutenant-Commander Rycroft, and others who were involved in interrogations. For years, Long in particular, with the cooperation of the army, tried every known interrogation trick, from hidden microphones to informers and guards who were not allowed to admit they understood German. There was nothing more, short of thumbscrews and the rack, that they could have done.⁶⁷

6.53 Winter's claims are also supported by Frame, who wrote that 'While the broad details of the German accounts seem to have been accepted by the Naval Board in early 1942, [the RAN] obviously felt that the entire story might not have been told. Listening devices were placed in the POW quarters while attempts were made to infiltrate the camp with Australian agents. Neither method obtained any useful information'.⁶⁸

6.54 The evidence obtained through the interrogation process has been assessed quite differently. For example:

The one thing that gives the German story more credibility is the fact that the survivors were quite dispersed when they were picked up and they were interrogated in different positions ... So there was a remarkable consistency within the story of what actually occurred, as it unfolded, to give it more creditability (sic).⁶⁹

But ...

What I am saying is and from the record ... is that all the evidence I have and, I think, people way above me have is that the whole German story is a mass of contradictions; it is a mass of lies ...⁷⁰

66 *ibid.*, p. 87.

67 Poniewierski, Submission, p. 2290. Emphasis in original.

68 Frame, *op. cit.*, p. 107.

69 Department of Defence, Transcript, pp. 36-37.

70 Doohan, Transcript, p. 279.

Criticisms of the Interrogation Process

6.55 Several problems were encountered in the interrogation process, which may have led to inaccuracies in the way the action between *Sydney* and *Kormoran* came to be understood. According to the Australian Archives Guide:

Until 2 December the interrogations were carried out with little formal guidance and were not handled well in the view of some. ... The failure to segregate the prisoners in the early stages appears to have escaped the attention of Captain Farquhar-Smith ... The *Instructions for Interrogating Prisoners of War ex No. 41* were finally issued on 2 December by Rear Admiral Crace, but by then a considerable amount of interrogation had already been undertaken ... By December 9 all the prisoners in Western Australia had been interrogated except for two who were still hospitalised, and preparations were made for their transfer to Victoria. They were interned at Murchison prisoners of war camp in northern Victoria, along with those rescued by the *Aquitania* and taken to Sydney. The officers were later moved from Murchison to nearby Dhurringile and in 1943 the men were transferred to a timber felling camp at Graytown. The prisoners were finally repatriated in 1947.⁷¹

6.56 Frame also criticised the manner in which the interrogations were carried out. He wrote:

As practically no preparation had been made for such a contingency, the whole interrogation was handled poorly from the beginning. It was disorganised, very amateur, lacked a sense of urgency ...⁷²

6.57 Frame also compared the methods of interrogation in Sydney and Western Australia, and concluded that '... the circumstances for conducting interrogations in Sydney were very different from those prevailing in Western Australia, where the prisoners had been reunited and discussion between them was taking place'.⁷³

Veracity of the German Accounts Given in Interrogations

6.58 Over the past 57 years, many criticisms have been directed at the German accounts of the battle, and many questions have been raised about their accuracy. These criticisms have not always been logical, however. On one hand, there are those who use the consistencies in the German accounts as evidence that complicated conspiring took place between Germans before they were rescued or arrived on land. On the other hand, there are those who use the inconsistencies in the German accounts to defend their belief that the German were lying. They take the position that if the Germans were telling the truth, their stories would be identical in every way.

6.59 From the initial interrogations, it appeared that the government was largely satisfied that it had obtained a clear picture of what had happened to *Sydney*. It was felt that:

71 Summerrell, op. cit., p. 88.

72 Frame, op. cit., p. 80.

73 *ibid.*, p. 81.

... from th[e] interrogation it was possible to get from the Germans an almost complete picture of the action. How far this account varied from the truth, however, is something that it would be almost impossible to establish.⁷⁴

6.60 In his second and final public announcement on 3 December 1941, the Prime Minister noted that:

In releasing this information [ie a reconstructed account of the action], I emphasise that in the absence of any information from the *Sydney*, one side only is given from direct evidence. Certain of the aspects on board the *Sydney* must remain a matter of surmise as to details. The broad canvas can, however, be taken as giving an accurate picture.⁷⁵

6.61 Notwithstanding the official endorsement of the German⁷⁶ accounts, and contrary to Gill's claim that 'no room for doubt was left as to its accuracy',⁷⁷ doubt still remained for many about the veracity of the German version. It was not the 'Germanness' of the accounts that called into question their integrity. Rather, it was the nature of the way in which the information was obtained that gave rise to doubts about its accuracy. In his book *Who Sank the Sydney?* Michael Montgomery pointed out that 'it should be borne in mind that most officers, on whatever side, held in captivity considered that they had an absolute duty to do all they could to deceive the enemy'.⁷⁸

6.62 Others also shared Montgomery's scepticism about the content of the Germans' accounts. Given that it was war time, it would have been unrealistic to expect the German survivors to offer any more information than they had to. Montgomery's suggestion that a systematic method of deception was practised in interrogations was echoed in several other submissions. For example, it was noted in one submission that 'the Germans gave false information at the time during the interviews. This was 'par for the course' as it still is today. Captured Allied soldiers and officers during World War II were notorious for leading German interrogators 'up the garden path' with misinformation.⁷⁹

6.63 Although the German accounts have largely stood the test of time, a degree of scepticism about their veracity still exists. One of Captain Burnett's sons, CDRE Rory Burnett RAN (Retd), suggested in a submission to the inquiry that:

There is certainly no obligation to give the German version any official seal of approval, despite recent pressure from *Kormoran* survivors to have themselves cleared of any possible guilty conduct.

74 Summerrell, op. cit., p. 20.

75 ibid., p. 22.

76 It is correct to say that the post-battle accounts were overwhelmingly, if not exclusively, German. It is commonly stated that the only account of the battle came from *Kormoran* survivors, and this is also true. However, there were four Chinese on board the German ship when it sank the *Sydney* [they had been taken captive from the *Eurylochus* 10 months earlier – see Summerrell, op. cit., p. 87], and three of those prisoners survived the sinking. According to Winter, 'interrogation of only one of these [Chinese] is retained in the files relating to *Sydney* ... At least one of them was interviewed, about April 1942 ...' (Poniewierski, Submission, p. 307).

77 Gill, op. cit., p. 453.

78 Montgomery, op. cit., p. 90.

79 Loane, Submission, p. 200.

On the contrary, there is an obligation to the lost Australian seamen to ensure that while doubt exists, as it always must, no official sanction is given to the German version.⁸⁰

6.64 In his submission to the inquiry, Captain Burnett's other son, CMDR Patrick Burnett, RAN (Retd), echoed his brother's sentiments, stating that 'we cannot be certain that there are not some errors or omissions in the German version which, if identified, might show the events leading up to and during the action in a different light'.⁸¹

6.65 In his book *Frame* was more specific about the inconsistencies in Captain Detmers' account of the battle. According to *Frame*:

There were four significant differences between the information Detmers had given under interrogation at Swanbourne Barracks, and in the action report which was later confiscated. First, Detmers stated that *Kormoran* was ordered to stop before the cruiser signalled in plain language for the secret callsign of the *Straat Malakka* to be hoisted. Second, that *Sydney* was preparing to lower a boat. And third, that the cruiser had fired first. Fourth, that *Kormoran*'s first salvo fell short of *Sydney*. Detmers' later descriptions were inconsistent with these statements.⁸²

6.66 Rather than focusing on the possibility that new information might come to light, some concentrated on criticising the Germans for misleading their captors. For example, Mr E V Ryding expressed a sentiment that:

... if all the [Germans] who were able were on the upper deck to abandon ship, they would all have been told the circumstances prior to opening fire and what had happened when they did open fire. They are being told that by their captain who was, we believe, a real Nazi. There was no way that any of those men were going to tell anything else. They were all national heroes. Were any of them going to admit that they opened fire with a white flag, thereby spoiling their position as national heroes after knocking off the Australian pride of the fleet? You believe in Father Christmas if you believe that.⁸³

6.67 It is important to bear in mind the fact that few of the men on board *Kormoran* would have been in a position to see the engagement, or been privy to the motivation and tactics behind it. On this basis it is possible to challenge the German accounts, if only because at some point some of them were probably relaying information which had been passed on to them, rather than recounting their own personal recollections of the incident.

6.68 LCDR Ean McDonald RAN (Retd) also expressed concern about the correctness of German accounts of the battle. He believed the Germans had received instructions that 'this is the story you will all tell – You will learn it well – and you will stick to it forever'.⁸⁴

80 Burnett, R, Submission, p. 16.

81 Burnett, P, Submission, p. 121.

82 *Frame*, op. cit., pp. 87-88.

83 Ryding, Transcript, p. 149.

84 McDonald, E, Submission, p. 530.

However, the Committee believes that while fabricating a story under such circumstances, in the aftermath of a fierce battle and in the process of abandoning ship, would have been very difficult, it is highly improbable that the German crew would hold to the story for 57 years with so very little deviation.⁸⁵

6.69 Allegations of inconsistencies in the German accounts were refuted in some submissions to the inquiry. For example, one submission suggested that 'It must be considered that the battle was both fierce and intense in its ferocity leaving no time for any individual to consider an outcome or what statements should be rehearsed in the event of a defeat and subsequent capture. The allegations that the crew of HSK *Kormoran* conspired to cover up alleged atrocities at the conclusion of the battle are imaginative in the extreme'.⁸⁶

6.70 Of all those who commented on the veracity of German accounts of the action between *Sydney* and *Kormoran*, one submission noted the following:

If it is the considered belief that the *Kormoran* survivors were lying at the time, then its only outcome has been (ultimately) to protect those on the bridge of the *Sydney*.⁸⁷

6.71 In the absence of any Australian eyewitness accounts of the battle, it is extremely difficult to establish to what extent the Germans' accounts clearly and accurately reflected the events of 19 November 1941. While it was likely that during war time, the Germans would have attempted to deceive the Australian interrogators (as their Australian counterparts would have done), without any Australian accounts it is almost impossible to know if the Germans were lying and if so, to what degree. A great deal of research had been done into what the Germans told the Australian authorities during the aftermath of the battle. The fact that Captain Detmers and some of his men attempted to escape from POW camps has also been suggested as 'proof' that he lied.⁸⁸ However, the Committee was not convinced that there was necessarily a link between the two, and believes that Captain Detmers' escape attempt cannot be used to discredit the information obtained through the interrogation process.

Conclusion

6.72 Significant, in the Committee's view, was the fact that, despite years of questioning and cross-examination, the *Kormoran* survivors have maintained that they told the truth in interrogations. The relationship between *Kormoran* survivors and Australians who question the official accounts has become strained as a result of the lack of acceptance of the German accounts among many *Sydney* researchers. Winter believes that:

The Germans who have been involved ... [in 'harassment' from those seeking 'the truth'] have developed a great contempt for the mean-spiritedness of those Australians who are not mature enough to accept

85 Frame notes that key events 'could have been observed by as few as four or five individuals in *Kormoran* ...' (Frame, op. cit., p. 105).

86 McDonough, Submission, p. 859.

87 Mackenzie, Submission, p. 1336.

88 End Secrecy on *Sydney* Group, Submission, p. 3010.

an unpalatable truth (namely, that the captain of *Sydney* blundered), and who therefore seek to blackguard others.⁸⁹

6.73 While the Committee accepts that relatively few of those on board *Kormoran* would have known exactly what happened on 19 November 1941, the endurance of the German accounts over time lends weight to the survivors' recollections of events.

No Survivors

6.74 One of the most tragic dimensions of *Sydney's* loss was the fact that there was not a single Australian survivor, and yet over 300 Germans survived the loss of the *Kormoran*. The fact that history was recorded on the basis of the information contained in the German accounts of the battle was unacceptable to the families of *Sydney's* crew and those Australians who had known and fought with men lost on *Sydney*. For those people, the loss of *Sydney's* entire complement was inconceivable, and the official history provided no satisfactory explanations for the loss.

6.75 Gill was convinced that there was nothing sinister in the total lack of survivors from *Sydney*. Accordingly, in the official history, Gill wrote that :

It is not surprising that there were no survivors, for after the punishment she received from shells and bullets, and the ravages of the fires on board, it is unlikely that much that could float remained.⁹⁰

6.76 Gill explained the complete lack of survivors by the sheer number of hits *Sydney* received, and saw no connection between delays in transferring messages intercepted from the *Kormoran* and the rescue of *Kormoran* survivors by *Aquitania*, and the total lack of *Sydney* survivors.⁹¹

6.77 The speculation surrounding the lack of *Sydney* survivors is fuelled by a widespread perception that there have been no other cases of ships sinking with a total loss of life. There have in fact been quite a significant number of ships that have sunk with heavy or total loss of life. Those ships and their casualties are listed in Tables 6.3 and 6.4.

6.78 In each of the cases where survivors were picked up, it is clear that this was possible because 'there were other ships in the immediate vicinity able to pick them up shortly after their sinking'.⁹² This was not the case with *Sydney* and *Kormoran*, who were each unaccompanied at the time of their encounter. This alone, however, does not explain the difference in survival rates from the two vessels.

89 Poniewierski, Submission, p. 306.

90 Gill, op. cit., p. 459.

91 ibid.

92 Exhibit No. 23.

Table 6.3 Naval Vessels Sunk With All Hands⁹³

Name	Type	Nationality	Crew Loss	Location	Cause
<i>Good Hope</i>	Armoured cruiser	British	800	Coronel, 1914	Shelled, Fire. Magazine explosion
<i>Monmouth</i>	Armoured cruiser	British	800	Coronel, 1914	Shelled, Fire. Magazine explosion
<i>Scharnhorst</i>	Armoured cruiser	German	750	Falklands, 1914	Shelled to destruction
<i>Defence</i>	Armoured cruiser	British	900	Jutland, 1916	Shelled, Fire. Magazine explosion
<i>Black Prince</i>	Armoured Cruiser	British	900	Jutland, 1916	Shelled, Fire. Magazine explosion
<i>Pommern</i>	Battleship (Pre-dreadnought)	German	844	Jutland, 1916	Torpedoed
<i>Jarvis</i>	Destroyer	American	247	Savo Island, 1942	Aircraft bombing
<i>Friedrich Eckoldt</i>	Destroyer	German	295	Barents Sea, 1942	Shelled to destruction

Table 6.4 Major Warships Sunk With Heavy Loss of Life⁹⁴

Ship	Type	Crew	Survivors	Location	Cause
<i>Invincible</i> (British)	Battlecruiser	1000	6	Jutland, 1916	Shelled, Magazine explosion
<i>Indefatigable</i> (British)	Battlecruiser	1000	2	Jutland, 1916	Shelled, Magazine explosion
<i>Queen Mary</i> (British)	Battlecruiser	1000	10	Jutland, 1916	Shelled, Magazine explosion
<i>Hood</i> (British)	Battlecruiser	1419	3	N Atlantic, 1941	Shelled, Magazine explosion
<i>Bismarck</i> (German)	Battleship	2200	110	N Atlantic, 1941	Shelled and torpedoed
<i>Scharnhorst</i> (German)	Battleship	1968	36	N Cape, 1943	Shelled and torpedoed

93 Exhibit No. 23.

94 *ibid.*

6.79 The Department of Defence suggests that the reason for there being no survivors from *Sydney* was that most hands would have been closed up at battle stations and would have been inside the ship. Those who were on the upper decks 'manning some of the lighter armament would be likely to be concussed or killed by the severity of the explosion'.⁹⁵ After the initial explosion, a large number of the command team would in all likelihood have been killed or incapacitated.

6.80 Some submissions contained information which tended to support the view expressed in the official history. As Mr Alastair Templeton wrote:

It is no wonder there were no survivors. Torpedo damage, progressive flooding, 20 tonnes or more of explosive from *Kormoran's* main armament plus thousands of rounds of 37mm and 20mm shells ... spelt wreckage and slaughter ...⁹⁶

6.81 The Department of Defence pointed out that 'there would have been [some men outside on the decks with the light armament], but they would have been relatively few. Of the 645 men on board, there would only have been in the tens, twenties or thirties manning some of the light armament'.⁹⁷ This would have meant that the vast majority of *Sydney's* crew would have been below decks during the encounter, and may not have had the opportunity to abandon ship before it sank.

6.82 The view that very few men on board *Sydney* would have been in a position to abandon ship was challenged by Mr Ryding in a submission to the inquiry. He stated in evidence given to the Committee that:

... [the officer in charge of the X and Y turrets] would have seen that *Kormoran* was in a state of surrender when she opened fire ... [and] there would have been at least 100 men on *Sydney* down aft at guns crew – the lobby crews, the magazine and shell room crews were all scattered down aft. Medical and repair parties had not been damaged at this point in time. At least 100 men could possibly have got off the *Sydney* from down aft, let alone those who may have got off from forward.⁹⁸

6.83 The Committee received many submissions suggesting possible alternative explanations for the lack of *Sydney* survivors. Some of these suggestions contradicted each other, and were quite unique. For example, one person suggested that:

It is ... our considered opinion after much research and actual contact with the *Kormoran* survivors organisation that the HSK *Kormoran* picked up Australian crew survivors from the HMAS *Sydney* after the war ship went down ... And held them prisoners on the *Kormoran* until the night of the 22nd November 1941 ... We consider that the HMAS *Sydney* survivors all perished but two who took to the rubber

95 Department of Defence, Transcript, p. 31.

96 Templeton, Submission, p. 1996.

97 Department of Defence, Transcript, p. 40.

98 Ryding, Transcript, pp. 148-149.

curley (sic) float from the deck of the HSK *Kormoran* and one being washed up on Christmas Island ...⁹⁹

6.84 Unpalatable as it may be, it is important to remember that the area in which *Sydney* is thought to have sunk, approximate as it may be, was in shark-infested waters. It is not necessary to examine the implications of that geography in detail, except to take note of the observations of *Kormoran* survivor Mr Adolf Marmann, that:

Sydney having been very severely damaged, in particular her superstructure, it cannot be expected under the best of circumstances to come across reliable rescue material other than debris. This means however that survivors are fully submerged and easy prey in a heavily shark-infested area. In my boat we had a school of sharks following us in our wake until we got into shallow waters in sight of the coast. In my opinion – and I regret very much having to say so – there is absolutely no ground for expectations of *Sydney* survivors.¹⁰⁰

Did Sydney Explode?

6.85 During the inquiry, the Committee received a number of submissions which addressed the issue of whether or not *Sydney* blew up. The Committee examined this evidence in the context of the complete lack of *Sydney* survivors, in the knowledge that if it could be demonstrated that *Sydney* exploded, this might explain why there were no survivors.

6.86 The submissions supporting the theory that *Sydney* exploded differed from the official history, which stated that *Sydney* was 'last seen about ten miles off, heading approximately S.S.E. Thereafter, until about 10 p.m., a distant glare in the darkness betokened her presence. Then occasional flickerings. Before midnight they, too, had gone'.¹⁰¹

6.87 In evidence to the inquiry, questions were raised about the accuracy of this account. For example, one submission cited evidence that Admiral Crabb (sic) had noted:

... at close range naval gunnery is like shooting a .22 rifle into a matchbox at three yards. The trajectory (sic) is flat. There is no doubt that at this point blank range, *Sydney* could well have exploded killing all of her crew. How else would they all be lost?¹⁰²

6.88 Other submissions described *Sydney*'s final minutes, writing that:

... [a]n hour later HMAS *Sydney* was 20 miles away [from *Kormoran*], but the speed would have been detrimental to the firefighting. The fire would have inevitably reached the magazines and the ship blown-up, all flotsam burned beyond recognition. HMAS SYDNEY WAS SUNK WITHOUT TRACE ... The last sighting of HMAS *Sydney* by the

99 Montagu, Submission, pp. 114 and 116.

100 Marmann, Submission, p. 3797.

101 Gill, op. cit., p. 456.

102 Davis, Submission, p. 499.

survivors of the encounter, was steaming away, with smoke and flames coming from her.¹⁰³

6.89 One submission to the inquiry by Mr L J Luxton recounted the testimony of a projectionist in 3 A.O.D. Camp Cinema at Wallangarra Camp, QLD, during the war. While at the camp, Mr Luxton had met and talked with a German projectionist, who said that *Kormoran* and *Sydney* 'were only in action for about 20 minutes, when the *Sydney* blew up from one end to the other (from stem to stern). I asked him were there any survivors, he told me there were two'.¹⁰⁴ The submission did not include any documentary evidence to support this claim, and Mr Luxton did not remember the name of the gentleman who gave him this information. Again, it is difficult to assess the veracity of such claims when there is no evidence, for example from interrogations, that German survivors actually witnessed *Sydney* exploding.

Did Sydney Roll?

6.90 Another suggestion about the possible explanation for the lack of *Sydney* survivors was given by Mr Bernie O'Sullivan, who wrote that:

It is quite understandable, that when the ship heeled over, and stayed over, it was accepted, this was because the water was laying on that side, not that, because of the loss of stability, the ship had listed, allowing the centre of buoyancy and centre of gravity to act in the same vertical line, and assume neutral stability (angle of loll). If this state was allowed to continue without losing this 'top weight', then the ship would remain stable, but should the firefighting continue, then, the angle of loll would increase, until such time as it reached a point of no return when the ship would turn over ... giving very little hope for any survivors.¹⁰⁵

6.91 In other evidence given to the Committee, other reasons for the lack of survivors were given. It was suggested that:

As to the reason for the lack of survivors although the ship was still afloat and under way when last seen by German survivors from the raider. Eyewitness accounts indicate that the *Sydney* vanished from the surface of the sea rather than over the horizon. There are many accounts of sailing ships from the windjammer days being 'sailed under' when proceeding in heavy seas. I suggest, the *Sydney* being heavily down by her bows and under way, she 'sailed under' with most of her crew. Of the handful of survivors who might have been able to get off at the last moment, their chance of being recovered in that vast sea was indeed slim.¹⁰⁶

103 O'Sullivan, Submission, p. 601. Emphasis in original.

104 Luxton, Submission, pp. 1125-1126.

105 O'Sullivan, Submission, p. 3765.

106 Arnold, Submission, p. 2710. Another theory was that there were in fact *Sydney* survivors. According to one submission, 'During the war, rumours were rife that there were survivors from the *Sydney* in

Theories About Murdered *Sydney* Survivors

6.92 One of the recurring accusations relating to the aftermath of the battle between *Sydney* and *Kormoran* is that there were survivors of the engagement from **both** ships, but that the *Sydney* survivors were 'massacred' in the water after the battle. This accusation is commonly raised in conjunction with the theory that a Japanese (or other)¹⁰⁷ submarine was responsible for, or involved in, sinking *Sydney*.¹⁰⁸ There is no direct evidence to support the theory that survivors were massacred in the water, except the fact that there were no survivors.

6.93 When Montgomery suggested that the Japanese were somehow responsible for sinking *Sydney*, he stated that '[the fact that] the Japanese either assisted in, or were wholly responsible for, the disposal of *Sydney* survivors in the water has an altogether greater probability'.¹⁰⁹ To illustrate his claim, Montgomery cited an order issued to commanders of the First Submarine Force, 'Do not stop with the sinking of enemy ships and cargoes; at the same time that you carry out the complete destruction of the crews of enemy ships, if possible seize part of the crew and endeavour to secure information about the enemy'.¹¹⁰ He presents this order as possible evidence that the Japanese were responsible for killing *Sydney* survivors.

6.94 Montgomery suggested that the carley float picked up by *Heros* constitutes evidence that *Sydney* survivors were machine gunned in the water. He stated that:

The *Heros* float ... was also considerably marked by gunfire. The five or six larger holes caused by shrapnel are spread haphazardly over its circumference, but there is a much greater number of machine gun perforations ... and the depth of their penetration all point to their having been inflicted at a much closer range than the consensus figure of 1,200 yards ... [and] suggest that the float was fired on not while it was still on board the *Sydney*, but after it had been launched into the water.¹¹¹

6.95 Montgomery also included a photograph of the carley float in the Australian War Memorial in his book, which appears with the caption 'note the numerous machine gun bullet punctures'.¹¹² In fact, an investigation carried out by the Australian War Memorial in 1993¹¹³ conclusively found that the holes in the carley float were not from machine gun fire, but were the result of shrapnel damage.¹¹⁴ Those who seek to prove that *Sydney* survivors were machine gunned in the water, and who cite this float as evidence of a slaughter, fail to acknowledge the findings of the AWM examination. Montgomery has repeated the claims of 'small arms' damage to the carley float, despite being well aware of the AWM investigation

Japanese prisoner-of-war camps. With the end of the war, however, these rumours were found to be false ...' (Pless, Submission, pp. 230-231).

107 See for example Heazlewoods Solicitors, Submission, pp. 1346 and 1349.

108 For a discussion of the possible involvement of a Japanese submarine in the sinking of *Sydney*, refer to Chapter 5.

109 Montgomery, op. cit., p. 181.

110 *ibid.*

111 *ibid.*, pp. 142-143.

112 *ibid.*, photograph no. 22.

113 See Exhibit 30: *The Scientific Investigation of a Carley Float*, Australian War Memorial, 1993.

114 See Chapter 7 for more details of this examination.

and its findings. He has sought to imply that the AWM investigation was not independent or was flawed. In a submission to the inquiry, he stated that:

I would also venture to suggest that a fresh examination be made of the Carley float in the War Memorial by independent experts; although it is marked by some two dozen perfectly circular perforations which could only have been inflicted by bullets rather than shrapnel splinters, the report of the examination carried out in 1993 by the Memorial's scientists concluded that 'no identifiable bullets or bullet holes were found' ...¹¹⁵

6.96 Montgomery's book led to a proliferation of theories supporting his claim of Japanese responsibility for sinking *Sydney*. The book *Betrayal at Pearl Harbour* also contains the claim that 'the only one of the *Sydney*'s life rafts to be found was riddled with bullets, plainly suggesting that her survivors were machine-gunned in the water to ensure that there were no witnesses to the incident'.¹¹⁶ No evidence is provided in the book to support these claims, except for Montgomery's book, whose claims have been the subject of sustained debate and widespread criticism since it was published in 1981.

6.97 Theories about who might have murdered *Sydney* survivors are not limited to Japanese involvement. While Mr Ryding supported the view that *Sydney* survivors were killed in the water and stated that '... the cover up is that it was the Japanese who machine-gunned the HMAS *Sydney* survivors, not the Germans',¹¹⁷ this opinion is contradicted by other views. For example, LCDR McDonald suggested that the Germans, not the Japanese, were responsible for machine gunning *Sydney* survivors in the water after the battle.¹¹⁸

Refutations of the Murdered Survivors Theories

6.98 There were also many submissions to the inquiry which did not support Montgomery's theory about Japanese involvement in murdering *Sydney* survivors. According to one *Kormoran* survivor, Mr Philipp Berhard, in a letter written in 1981, 'The allegation that the crew of the *Kormoran* killed survivors of the *Sydney* is not true and must be rejected as an outrageous insinuation'.¹¹⁹ Mr Berhard, who was in the underwater torpedo room during the battle between *Sydney* and *Kormoran*, states in his letter that:

... a meeting between a Japanese submarine and the *Kormoran* has never occurred, neither before, during or after the battle with the *Sydney*. Therefore, there cannot have been a 'slaughter' of survivors from the *Sydney*. I personally have never had any knowledge of the use of a Japanese submarine during or after the battle with the *Sydney*.¹²⁰

6.99 For those who defend the official history, and refute claims that a Japanese submarine was responsible for sinking *Sydney*, theories about those same Japanese

115 Montgomery, Submission, p. 638.

116 Rusbridger, J and Nave, E, *Betrayal at Pearl Harbour*, Summit Books, New York, 1991, p. 134

117 Ryding, Transcript, p. 151.

118 McDonald, E, Transcript, p. 234, and Submission, p. 552.

119 Exhibit No. 24, p. 2 of translation.

120 *ibid.*

submariners brutally murdering *Sydney* survivors warrant no attention whatsoever. Given the dependence of those theories on the claim that the *Heros* float was riddled with machine gun bullet holes, the findings of the 1993 Australian War Memorial investigation effectively removes the foundation of their argument (see paras 7.37 to 7.39).

6.100 Bearing in mind the findings of the Australian War Memorial investigation, Mrs Glenys McDonald asked that those who do not support the theory that *Sydney* survivors were machine gunned in the water give a measure of understanding to those who do. She wrote that:

Some researchers have been at pains to decry any persons who stated that this carely (sic) float was damaged by machine gun fire in addition to shrapnel damage. One needs to be aware that when *Heros* called into the port of Geraldton, the damaged float was visible for all to see. I assume the same might be said of her arrival in Fremantle. The float looked as if it had received shrapnel and machine gun damage, and indeed this is how it was described to the Australia War memorial by the Commodore-in-Charge, Senior Naval Officer of Western Australia.¹²¹

6.101 Notwithstanding the fact that these misconceptions are founded on honest misunderstandings, the Committee was convinced that the evidence given in the AWM investigation was sufficient to remove any possibility that the float had been damaged by machine gun fire.

6.102 The Department of Defence submission lent support to the argument that *Sydney* survivors were not machine-gunned in the water. It was its contention that :

[The machine gun theory] is a speculative theory with no solid evidence to support it. It has usually been associated with attempts to link Germans with war crimes or justify the lack of survivors from *Sydney*. One solid piece of evidence which does help to counter this theory is the inclusion amongst the survivors of Chinese laundrymen. Had the Germans acted as claimed then these potentially independent and hostile witnesses would not have survived.¹²²

Claims of criminality

6.103 Mr John Doohan, in a submission on behalf of the End Secrecy on *Sydney* Group, recounted his attempts to have a criminal investigation conducted by the Attorney-General into the deaths of the *Sydney* crew, and in particular 17 personnel for whose families Mr Doohan was acting. Mr Doohan indicated he believed the deaths occurred 'in circumstances which prima facie indicate gross criminality of agency/ies still to be positively identified'.¹²³ The office of the Attorney-General indicated that as the Committee's inquiry was underway,

121 McDonald, G, Submission, p. 2310.

122 Department of Defence, Submission, p. 1851. Of the four Chinese on *Kormoran* in November, three survived the engagement. There have been claims of the fourth being murdered on land, but this has not been proved.

123 End Secrecy on *Sydney* Group, Submission, p. 2064.

'Any investigation that the Committee may wish to make is a matter for the Committee'.¹²⁴ Mr Doohan called for a 'clear statement by Committee (sic) that it will specifically investigate the 17 identified deaths in conjunction with the overall 645'.¹²⁵

6.104 The Chairman of the Committee responded to Mr Doohan in February 1998 indicating that the Committee did not propose to treat the deaths of those 17 named persons any differently from the rest of the ship's complement. The Chairman also noted that, depending on the conclusions and recommendations of the Committee, it will be a matter for the Attorney-General to consider any future requests for such an investigation.

6.105 On the evidence before it, the Committee can see no justification for a criminal investigation into the deaths of the *Sydney* crew, as called for by Mr Doohan. The deaths occurred as a result of a wartime engagement, and while there were no Australian survivors to provide an account of the battle, there was no evidence presented to the Committee to suggest that any agencies or individuals acted in a 'criminal' manner.

6.106 The Committee also notes that Captain Detmers' record in both the Atlantic in early 1941 and later in the Indian Ocean does not support accusations of criminal behaviour. While *Kormoran* accounted for 12 ships and there was some loss of life during attempts to stop those vessels or prevent them from signaling, Captain Detmers took crew from the ships on board after each encounter.¹²⁶ Frame notes in his book that 'His [Detmers] treatment of prisoners appeared to be humane and considerate'.¹²⁷

6.107 Several submissions also referred to the deaths of at least 75 *Kormoran* crew, and suspicions held that the injured from that ship were all placed on one lifeboat which subsequently capsized, to avoid them being interrogated, thus telling a different story from that agreed by the Germans.¹²⁸ The Committee has also found no evidence to support these suspicions.

Was an Inquiry Held?

6.108 In the aftermath of the tragedy, and before the official history was released in 1957, several reports were written about the loss of *Sydney*. The Dechaineux Report (completed on 16 January 1942),¹²⁹ the Eldridge Report (submitted to the Director of Naval Intelligence on 28 January 1942)¹³⁰ and finally the nine page Westhoven Report (1945), all endeavoured to shed light on the fate of *Sydney*. However, no report of a formal inquiry has been located, and doubt exists as to whether such an inquiry was in fact held.

124 Quoted in *ibid.*, p. 2109.

125 *ibid.*, p. 2064.

126 Winter, *op. cit.*, pp. 37-101; Frame, *op. cit.*, pp. 45-79

127 Frame, *op. cit.*, p. 56

128 See for example, Ryding, Transcript, p. 144; McDonald, E, Submission, p. 529.

129 Frame, referred to in Summerrell, *op. cit.*, p. 28.

130 *ibid.*, p. 24.

6.109 In his guide to Commonwealth records, Richard Summerrell states that:

No records of anything that could be described as a 'full inquiry' have been found. A large number of consolidated reports of the searches and interrogations exist, many of which were submitted to the Naval Board, but nothing that could be considered a comprehensive review or inquiry, formal or otherwise, into all the evidence and circumstances surrounding the *Sydney's* loss.¹³¹

6.110 While no concrete evidence of a court of inquiry has ever been found, Richard Summerrell pointed out that 'there is, however, one puzzling reference to a "Court of Enquiry" in the records of the Advisory War Council. This occurred at a meeting of the Council on 18 March 1942'. The minutes of this meeting note that:

In reply to an enquiry by the Prime Minister, the Chief of Naval Staff said that a Court of Enquiry had investigated the circumstances surrounding the loss of HMAS *Sydney*.¹³²

6.111 The minutes of the Advisory War Council Meeting of 18 March 1942 go on to describe the conclusions of the aforementioned Court of Enquiry, which were that:

The *Sydney* had worked into a position approximately 1500 yards from the raider. The raider opened fire and launched two torpedoes, one of which hit the *Sydney*. The raider had given a wrong name and was not on the daily list. The Captain of the *Sydney* was 24 hours late in arriving at his rendezvous and had taken a risk in getting so close to the raider. In doing so he had not followed his orders. Further, the Gunnery Officer of the *Sydney* was not ready. He should have been able to fire first and get in two salvos before the raider attacked.¹³³

6.112 It would appear from these minutes that the conclusion of the War Advisory Council was that the blame rested with Captain Burnett, first for taking a risk in bringing the *Sydney* in too close to the raider, and secondly, for not following orders. The minutes reflect the 'official' belief that a lack of preparedness (rather than any clandestine outside intervention) is what led to the loss of *Sydney*.

6.113 There is some doubt as to what investigations were being referred to by the Chief of Naval Staff when he said a court of inquiry had been held. One view held that 'The only other identified source that may be the basis of the Chief of Naval Staff's reference to a 'full inquiry' [into the loss of *Sydney*] is an investigation apparently carried out by Commander Emile Dechaineux, an officer of the Directorate of Naval Intelligence who was seconded to assist with the interrogations in Western Australia'.¹³⁴ It was suggested to the Committee that pages were missing from the Dechaineux Report.¹³⁵ However, in his last submission to the inquiry, Mr Wes Olson stated that '[although] I thought that there were pages missing from this document ... after careful scrutiny, I have found that the document, including the 'Interim

131 *ibid.*

132 *ibid.*, p. 23.

133 *ibid.*, p. 25.

134 *ibid.*, p. 24.

135 Olson, Submission, p. 4198.

Report', is complete. Dechaineux ... appears to have had the confusing habit of not numbering the first page [of his reports]'.¹³⁶ The final report has never been found.

6.114 In his guide to Commonwealth records, Mr Summerrell cites what he calls 'the nearest to what might be called a systematic examination of the evidence' – a report by Mr F B Eldridge, a senior master on the teaching staff at the Royal Australian Naval College.¹³⁷ Mr Eldridge examined existing material, and his report was approved by the Chief of Naval Staff on 6 February 1942.¹³⁸

6.115 This report was criticised in one submission to this inquiry, in which it was claimed that 'The Eldridge Report, compiled almost single-handedly from the Western Australian interrogation "evidence", embodied all the German fabrications and "red herrings". It was, nevertheless, unquestioningly "accepted" by Military Intelligence Systems and Governments of Australia, Britain and Canada. The Eldridge Report ... is the first officially "accepted history" of [the] loss of *Sydney* and her 645 crew'.¹³⁹ However, as Mr Olson indicated:

Generally, the report prepared by Eldridge shows how [*Sydney*] was lost but not why. The naval board did not seem to come to any sound conclusion as to why *Sydney* was lost ... While the Eldridge Report says 'This is what happened, and we have got reason to disbelieve the Germans', there is no explanation as to why the vessel was lost. There is no criticism of the procedures, Admiralty instructions, how the vessel was commanded or whom it was commanded by, so I think there should have been a board of inquiry.¹⁴⁰

6.116 Regarding the likelihood of a court of inquiry, Mr Eneberg observed:

The Chief of Naval Staff must not make casual remarks at a meeting with the heads of government and this meeting was chaired by the Prime Minister himself, so a court of inquiry must have been held, although no evidence of one has surfaced. There has to be a large box somewhere holding all these missing documents.¹⁴¹

6.117 On the available evidence, it is not possible to prove that a court of inquiry into the circumstances surrounding the loss of *Sydney* actually took place. Anecdotal evidence suggests that one may have been conducted, however, no documentary evidence exists to support this claim. As Mr Olson pointed out:

If the Eldridge Report was the 'final' report into the loss of HMAS *Sydney*, it would be logical to assume that such a report would have been used in evidence at a Board of Inquiry. However, it is conceivable that on the strength of the Eldridge Report, the Naval

136 *ibid.*

137 Summerrell, *op. cit.*, p. 24.

138 *ibid.*

139 End Secrecy on *Sydney* Group, Submission, pp. 3001-3002.

140 Olson, Transcript, p. 212.

141 Eneberg, Transcript, p. 413.

Board decided not to convene a Board of Inquiry into the loss of the *Sydney*.¹⁴²

6.118 However, if an inquiry was indeed held, Mr Olson noted:

... a copy of an Admiralty fleet order issued in December 1939 [which read]: 'Reports of boards of inquiry held to investigate losses of, or damage to, HM ships, other than small craft, by enemy action, are to be rendered to the admiralty in duplicate'. And this is 1939 and it applied to all HM ships, including Australian ships. It would be logical to assume that an inquiry was conducted for the loss of the *Sydney*. The Royal Navy conducted two boards of inquiry into the loss of the *Hood*. The sister ship of the *Sydney*, HMAS *Hobart*, was torpedoed in July 1943, and a board of inquiry was conducted into how she was damaged.¹⁴³

6.119 Inquiries were also held into the loss of *Perth* and *Canberra*. Given that it seems to have been common practice to conduct formal inquiries when HM ships were lost, it seems highly likely that this practice would have been implemented following the loss of *Sydney*. As noted earlier (para 3.16) the British Ministry of Defence has confirmed that no report of such an inquiry is held by the Ministry. However, the possibility remains that the report may be on files held by the British Public Record Office.

6.120 The Committee recommends that:

2. **a search be undertaken by the Australian Government at the Public Record Office in London for any records of a court or board of inquiry report into the loss of HMAS *Sydney*.**

142 Olson, Submission, p. 4198.

143 Olson, Transcript, p. 205.