

CK12063

HMAS SYDNEY II COMMISSION OF INQUIRY**Supplementary Submission of Philip George SHEPHERD**

Your ref: HMAS SYDNEY II COI/OUT/2008/53

In response to your request dated 3/6/2008 re above, I enclose a photo copy of the legally obtained photo copy of the SS *Cape Otway* Official Log Book No 2131, 1937-1941 held at the National Archives, Perth, Western Australia.

It is somewhat difficult to be specific in providing the information you require when working with black and white photo copies.

The insert pages (Record of Boat Musters etc) between pages 16 and 17 are a different colour to the main book pages and it is the differing serial numbers on these four pages and the manner of the pages inclusion within the log book which appear inconsistent.

The serial number/printers' number, consistent throughout the log book, is C.377/2.22 - C1527 (it does not show at P.8 due to a paste-over).

On the right hand side opposite P.16 is a blank page (marked "A") with no s/no. Next page (marked "B") is a Record of Boat Musters etc from 4/12/36 - 26/5/39 with s/no C.2196, and opposite, (marked "C") is a blank page.

Next page (marked "D") is a page the same as that marked "B", Record of Boat Musters etc covering the period 6/7/39 - 6/11/41 with another s/no. viz C.6337 and opposite (marked "E") is the continuation of "D".

Next page (marked "F") is blank and opposite (marked "G") is obviously a continuation of "B" covering the same dates.

Next page (marked "H") is blank and on the opposite page, the log continues at P.17.

Interference with the log is indicated by the fact that the last voyage entry at P.11 is dated 3/12/41 and refers to leaving Geraldton at 6p.m. on that date and arriving Fremantle 5/12/41 and the last notation entry at P.37 is dated 8a.m. 18/11/41.

The title page states the Official Log Book was delivered to the Superintendent Mercantile Marine at the Port of Fremantle on 27/3/1942 by the Ship's Master, A. Badman.

It is noted that on this page the Port and date entry for the voyage termination shows only port – Fremantle, no date is shown.

This would indicate Master Badman retained the Official Log for 111 days after the termination of the last voyage which appears to be confirmed with entries at Pages 4 & 5 which could only have been made during the 111 day period. Why was the log retained by Master Badman?

The entry at item 43 - P.4 requires explanation as do items 72, 75, 77, 78, 80, 81, 83, 85 and 86, all of which post date the final recorded voyage terminating at Fremantle on 5/12/1941.

There is a tenable explanation available for the non recording of Pages 36 and 37 by the Master J.H. Thompson between the 7/3/1940 and 2/4/1940 in that Master Thompson may have turned over 2 pages at the time. It is strange that the countersigning First Mate took no notice.

What requires further explanation is why Pages 36 and 37 were not voided as was the unused P.16 of the log, particularly when one notes the Deputy Director Navigation & Lights, inspection stamp dated 7/7/40 at the last entry on P.35 and also on P.39

The significance of the *SS Cape Otway* log is directly related to the indisputable fact that the *SS Cape Otway* was southbound on a voyage from Carnarvon to Geraldton between 2p.m. on Monday 1/12/1941 and the morning of Wednesday 3/12/1941 and at her usual speed of approx 7 knots would have been abeam of Zuytdorp Point at lat. 26.24S at approx 8a.m. on Tuesday 2/12/1941 and would have cleared the Zuytdorp Cliffs by approx 4p.m. the same day.

The penultimate entry at P.11 of the *SS Cape Otway* log covers that voyage and the last entry at P.11 is the final entry recorded relating to the ship's movements in 1941.

Evidence was given at the F.A.D.T. Inquiry in 1998 that the *SS Cape Otway* reported sighting bodies floating in the water whilst in transit off the Zuytdorp Cliffs and was ordered to leave the area immediately.

When the following factually recorded sequence of events is considered, a logical possibility exists that the SS *Cape Otway* sighted the remains of crew members of H.M.A.S. Sydney II on Tuesday 2/12/1941.

1: Late evening of Wednesday 19/11/1941 H.M.A.S. Sydney II sinks.

2: Aerial search from Geraldton commences at 0800 Tuesday 25/11/1941.

3: Wednesday 26/11/1941, an oil slick is reported by searching a Anson aircraft near 27S/113.32E , which is approx 12 n/miles seaward of the Zuytdorp Cliffs.

4: The aerial search was abandoned at the conclusion of operations on Saturday 29/11/1941, nearly 10days after H.M.A.S. Sydney II sank.

5: The SS *Cape Otway* whilst southbound traverses the Zuytdorp Cliffs during the daylight hours of Tuesday 2/12/1941.

I respectfully request the Commission of Inquiry to consider the following construction which brings to account a sequence of events involving the SS *Cape Otway* and culminates with badly decomposed bodies being unceremoniously buried on the Australian mainland.

Four of H.M.A.S. Sydney II's nine boats with lifesaving capacity have not been accounted for at the wrecksite of H.M.A.S. Sydney II.

In the five full days between the sinking HMAS Sydney II and the commencement of the aerial search, it is possible one or more of the four missing Sydney life-boats either under motor, sail or oar, could have traversed the distance between the wrecksite and the coast of W.A. and not been detected.

Between Cape Inscription on the northern end of Dirk Hartog Island and the southern end of the Zuytdorp Cliffs there are only two areas a small boat could have any chance of coming ashore in typical November-December conditions; they are at Steep Point and Dulverton Bay or as it is otherwise known, False Entrance.

Zuytdorp Point is at the southern end of Dulverton Bay.

It is presumptive to connect the oil slick sighted during the aerial search on Wednesday 26/11/1941 with the sinking or foundering of a lifeboat; it however has the potential to explain within an acceptable time frame, the presence of bodies in the water, within the area traversed by SS Cape Otway during the daylight hours of 2/11/1941.

Again, the following is presumptive and presented as such:

A lifeboat, probably heavily overloaded with weakened and potentially injured men, founders five or six days after Sydney sinks. Those on board drown on about 24-25 November.

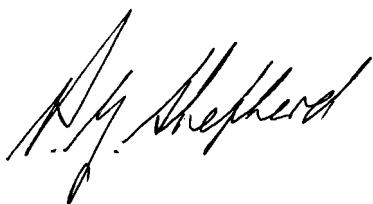
Drowned bodies sink shortly after drowning and stay down for up to eight days, depending on the water temperature. In this location, four to five days is most likely. When the bodies come up the aerial search is either concluded or operating as described on 28/12/1941, north and west of Cape Inscription, meaning the bodies remain undetected.

Two days later the SS *Cape Otway* traverses the area and sights the bodies which in that area under normal Nov/Dec conditions would be drifting north and being affected by not only the back-wash off the cliffs but also have the potential to wash ashore in Dulverton Bay.

The degree of putrifaction of the bodies described in the as yet unconfirmed evidence of a member of the Army burial party, is entirely consistent with the foregoing.

I respectfully advise the Commission of Inquiry that I personally visited the Dulverton Bay area two weeks ago and will further my investigations now that I am more familiar with water movement and topography in the area and having had the opportunity to compare 1943 aerial photography of the area with today's Google Earth imagery.

Respectfully, I beseech the H.M.A.S. Sydney II Commission of Inquiry to properly investigate each of the 10 points of my submission of the 21st May, 2008, as emerging new evidence is pointing inexorably to a unmarked gravesite in the False Entrance area.



20TH JUNE 2008

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WITNESS

x Dorothy B. Shepherd