

2ND SUBMISSION DATED 2.12.08

Dear Commissioner Cole,

I wish to add the following comments on areas which I feel were not sufficiently addressed in the Hearing of my evidence:

- 1) You will observe from the copy of my interview notes with Mr. Pat Young that the Kormoran survivor who accompanied him to Carnarvon also includes the statement made to him that KORMORAN WAS FLYING THE NORWEGIAN FLAG AND HAD PAINTED BOARDS 'NORGE' HANGING OVER THE SIDE. (my capitals) When added to the already-quoted evidence from several different sources that Kormoran was flying the Norwegian flag at the time she encountered Sydney, I submit that this more specific evidence entirely demolishes the German claim that she was disguised as the Straat Malacca and in turn the official story which uses this claim to underpin it.
- 2) On casting my mind back to my interview with Captain Nave (my notes of which are back in the UK), I now think it unlikely that he had any direct communication with Bernard Hall, and that when he told me that he had been the source for Hall's report he in fact meant that he was responsible for decrypting Japanese signals indicating the presence of a submarine, which he then passed to FECB in Singapore where they were relayed in turn to Hall; he would, of course, have received these signals in his FECB-linked interception station in Melbourne, and I must again totally repudiate the suggestion made yesterday by Counsel that my omission of his presence there in my submission was done with any intention to deceive.
- 3) I have subsequently learnt that Hetty Hall regularly volunteered for extra duty in C-in-C China's HQ cipher station, and that it is therefore entirely possible that she was still present after she had signed off at the end of her rostered duty when the signal from Sydney was intercepted.
- 4) Your statement that the photographs of the Christmas Island skull do not indicate the presence of any perforation at the back raises two very important questions, namely:
 - A) How was it that Capt. Parsons/Lt. Perryman came to give such a very specific description to the contrary – 'A LOW-CALIBRE PERFECTLY ROUND BULLET HOLE' – to Mr. MacGowan?
 - B) Why is it that the Navy is still refusing to release these photographs?
- 5) You expressed scepticism at my argument that the Governments of Australia, The UK and the USA have co-ordinated and perpetuated such a cover-up over such a length of time. I wish, however, to draw your attention to Churchill's instruction (as discussed on pp.210-1 of the second edition of my book) that a memorandum of his former Ambassador in Tokyo Sir Robert Craigie to the effect that war could have been averted if the negotiations for a modus vivendi had not been broken off 'SHOULD BE KEPT MOST SCRUPULOUSLY SECRET... it was a blessing that Japan attacked the US and thus brought America wholeheartedly into the war.' It thus hardly needs me to paint the

disastrous - and still ongoing - political consequences which would have accrued to all three parties if news of Churchill's use of the report of Sydney's loss at the hands of the Japanese to persuade President Roosevelt to break off these negotiations had ever been disclosed.

6) The phenomenon of the total absence of survivors from Sydney's 645 men was only very briefly explored, and I would draw your attention to the following comparisons:

KORMORAN	398 crew	318 survivors
HMAS PERTH	c645	300+
HMS BARHAM	c900	300+ (after a cataclysmic explosion of her magazines, but in similarly temperate waters)

These figures, I submit to you, can only be explained by a deliberate and systematic elimination of the survivors that remained after the second, fatal, torpedo strike which occurred several hours after her disengagement from Kormoran.

7) Counsel used the assertion that Commodore (as he then was) Collins was already in Tokyo in 1945 in another capacity when he received the official instruction to investigate rumours that Sydney survivors had been held there to undermine my case that the Navy must have accepted that there was some evidence to support them. I have, however, since been in touch with Mrs. Judith Bennett whose father was a close associate of Collins on board Sydney, and she informed me that he had told her father of this instruction shortly BEFORE his posting to Tokyo.

Yours sincerely,



Michael Montgomery