

29 Speculation and conspiracy: Mr James Eagles

Operation Fish and the wreck of SYDNEY

29.1 Mr James Eagles wrote a book entitled *HMAS Sydney II and Operation Fish 1941*, self-published in 2003.¹ The theory he advanced in the book was that two Dutch submarines had transported gold reserves from Singapore to a planned meeting with SYDNEY after she had parted from ZEALANDIA. He wrote:

It is also highly likely that on or around November 14, the gold was loaded onto the Dutch submarines. Both submarines then stood by to meet with the *Sydney* at a secret rendezvous designated for 17 November 1941, the day after *Sydney* was to hand over the *Zealandia* to the *Durban*, just south of Sunda Strait. Possibly personal items of Chiang Kai-shek and the Dalai Lama were also included ... After handing over the *Zealandia*, *Sydney* would then meet with the submarines and use her crane to load the gold for shipment to Fremantle.²

The gold reserves were said to have been transferred at sea to SYDNEY.

His thesis was that the Dutch needed to be re-supplied with ammunition:

Therefore, the ammunition loaded onto *Sydney* was probably being sent to re-supply the Dutch. This achieved two aims, to get ammunition to the 6-inch guns in Java, and serve as ballast on the submarines to replace the weight of the gold to be unloaded.³

Mr Eagles explained the storage of the gold on SYDNEY:

It is possible that Y turret, having used its ready-use ammunition, was unable to be supplied with more ammunition from the shell handling room and magazine simply because it may have been full of boxes of gold bars.⁴

He asserted that CAPT Detmers was aware of the date of the rendezvous between SYDNEY and the submarines:

¹ PTE.003.0001_R

² SUBM.001.0212_R at 0234_R to 0235_R

³ SUBM.001.0212_R at 0235_R; TRAN.023.0001_R at 0078_R

⁴ SUBM.001.0212_R at 0239_R

The Germans may have known the rendezvous date. Captain Detmers confirmed two dates that indicate he was aware of a rendezvous. After the re-supply from the *Kulmerland* (between 16 and 26 October and on departing from *Kulmerland*) the captain of the *Kormoran* sent a short-signal to Germany: "SUPPLY SHIP DETACHED RENDEZVOUS 17TH DAY FOLLOWING MONTH. SCHIFF 41" The "17th day following month" was 17 November. It appears more than just a co-incidence, as Detmers had no known rendezvous to keep in the following month. During October, the date set for the handover of *Zealander* was up to 13 days earlier, so that could not be the rendezvous mentioned by Detmers. Somehow, Detmers was aware of the 17th as part of *Sydney's* schedule and was ordered to intercept, trap or destroy her any way he could, even at the cost of his own ship. Nevertheless, he may not have been aware of the exact nature of the rendezvous and, due to problems of his own, was forced to lay in wait until the *Sydney* finished her business and was returning to Australia alone.⁵

He concluded:

The *Sydney* left her escort duties to deliver munitions to the Dutch, and substantial evidence shows that the probable cargo on *Sydney* for her return journey to Australia was nearly the entire gold reserves of Hong Kong and Singapore. Because *Sydney's* magazines were filled with the gold, it enabled her to be out-gunned by *Kormoran*. Considering the times, the prevailing politics, the types of *modus operandi* and the conjunction of events during the early 1940s, it is entirely probable that the *HMAS Sydney's* crew went to their eternal sleep with gold bars for their pillows – cold comfort indeed.⁶

29.2 Regarding the location of the battle, Mr Eagles wrote:

The Inquiry's conclusion focused around the location of the battle, and stated that any search should begin with the position provided by Captain Detmers in 1941 [26°.32" South 111°.00" East]. The accepted position since 1942 when the Royal Australian Navy decided to accept the German version of the story [sic]. There is now enough evidence to suggest that this position is wrong. Research suggests that the battle did not take place where the German crew stated. Rather, it took place in the Indian Ocean 300 miles west of Carnarvon.⁷

In evidence he maintained that the location of SYDNEY had been intentionally kept secret.⁸

29.3 He also maintained that CAPT Detmers had disguised KORMORAN's LS-3 motor torpedo boat as a Royal Australian Navy patrol boat and

⁵ SUBM.001.0212_R at 0238_R to 0239_R

⁶ SUBM.001.0212_R at 0248_R

⁷ SUBM.001.0212_R at 0250_R

⁸ TRAN.023.0001_R at 0074_R Line 28

disguised KORMORAN as a ship that had been in battle with a raider.⁹ In relation to this assertion—for which there is not a scintilla of evidence—the following exchange occurred:

Q: Then you theorise, do you not, that Detmers put a strategy in place whereby he used the LS-3 motor torpedo boat and disguised it as an RAN patrol boat?

A: Possibly. There is no reason why he couldn't.

Q: And not only that, he managed to disguise the *Kormoran* as a ship that had been in battle with a raider?

A: Yes.

Q: Is that your evidence?

A: It is a theory.

Q: But there is no basis for it.

A: There is nothing to prove that it is not right. It is a scenario that was used by raiders previously, and all the raider captains studied the tactics and operations of all the previous raiders in World War I and in World War II. There is no reason why he wouldn't have used the same tactic.

Q: There is no reason why he would have.

A: Exactly.

Q: So it is just speculation on your part.

A: Well, it is speculation about everything, because there is not enough information available.

Q: There is, you see, but you won't accept it. There are hours of videotape and still photography, which enables analysis.¹⁰

29.4 This was a reference to Mr Eagles' most recent theory at the time of giving evidence, which was that the vessels shown in the underwater photographs taken from SV GEOSOUNDER were not SYDNEY or KORMORAN. His position was exposed in the following exchanges in evidence:

Q: Do you maintain that the ship said to have been located by Mr David Mearns and the Finding Sydney Foundation is not *HMAS Sydney*?

⁹ TRAN.023.0001_R at 0079_R to 0080_R

¹⁰ TRAN.023.0001_R at 0079_R to 0080_R

A: Most certainly, it is not.¹¹

...

Q: Mr Eagles, we know, I think, that Australia had three Modified Leander class ships?

A: Yes.

Q: We certainly know that New Zealand had one, at least a Leander class, called the *Leander*, I think. We know, after the *Sydney* loss, that the remaining two Australian ships were still afloat and we know what has happened to them. Yet you are saying that it is none of those ships. You are saying that this is made up?

A: I know that at least three sections of the ship can be identified as a Leander class cruiser, the bows are of a different type of ship and the rest of the ship could be anything. There is absolutely nothing on the ship that I have seen that identifies it as *HMAS Sydney*. No archeologist in his right mind would accept the evidence that was produced identifying that ship as the *Sydney*.

Q: The difficulty with that is that a considerable number of scientists and Naval architects, who are familiar with *HMAS Sydney*, have done so. There are also photographs taken underwater which indicate the Crest as being the Crest of *HMAS Sydney*. That is fairly powerful and persuasive evidence, to my mind, particularly as we know that Australia had only three of those ships and the other two were still afloat after *Sydney* was lost. We also know that *Sydney* was on the West Australian coast. The improbability of this not being *Sydney* is very, very high, indeed.

A: Well, I think these photographs have been produced from several different sources purely and simply to verify the German version of the story.

Q: Who would do that?

A: There are several ships with identical or very similar upper decks works. There are also ships with sections of the upper deck that are completely different from *Sydney*, and these are often shown in the photographs.

Q: Is your suggestion that somebody—you may wish to tell me who—set about fabricating some 35 hours of underwater video and 3,000 or 4,000 still photographs of a vessel taken at about 2.56 kilometres below sea level to set up some elaborate hoax that they had found *Sydney*? Is that your contention?

¹¹ TRAN.023.0001_R at 0067_R Line 39

A: I'm not saying that they haven't found the *Sydney*. What I'm saying is that these photographs that have been released to the public are not of the *Sydney*.

Q: Do you dispute that they have found *Sydney*, or do you just dispute the photographs?

A: Well, the only evidence that we have is the photographs, and they are not of the *Sydney*. I don't see how those photographs can possibly be representative of the *Sydney*, because it is so obvious that it is not; it is a completely different ship or ships.

...

Q: Who is responsible, do you say, for producing the imagery to the Commission of Inquiry that is not *HMAS Sydney* in order to, in effect, back up, as you have indicated in your evidence, the German evidence?

A: ... I can't see that anyone except the Navy and the Government has been involved in this. You don't have to be blind to be able to see the differences. I have put two lots of photographs in each of those sections there – one from the Australian War Memorial and one from the Finding Sydney Foundation – and most of them bear absolutely no correspondence whatsoever.

Q: So is it the Government?

A: One has to presume that.

Q: The Navy?

A: Presumably.

Q: Mr Mearns?

A: Probably.

Q: The Finding *Sydney* Foundation or organisation?

A: Well, I don't know whether they are involved or not.

Q: Those that were on *Geosounder*?

A: I don't know. I'm not accusing anybody of anything. All I'm saying is that these photographs are not of the *Sydney*. Who was responsible I have no way of knowing or no way of checking.¹²

29.5 There is thus another unsupported conspiracy theory, this one that the Australian Government, the Navy, Mr Mearns and possibly the Finding Sydney Foundation all conspired to deceive the Australian public and

¹² TRAN.023.0001_R at 0070_R to 0072_R

the relatives and descendants of the crew of SYDNEY into believing SYDNEY had been found when she had not. Further, in pursuit of this conspiracy, those involved had created a composite visual record of more than 40 hours of video and some 4,000 still photographs of the two vessels found to create this deception.

How anyone would achieve this was not explained. Nor was it explained why anyone would want to.

29.6 The reality is that Mr Eagles' position is a nonsense. The tragedy is that some people might have regard to it. No one should.

29.7 At the factual level, it is sufficient to address only the following matters:

- *The supposed exchange and transportation of gold.* There is no evidence to support the theory.
- *Signals relating to the supposed rendezvous of SYDNEY and the Dutch submarines to exchange ammunition for gold.* As explained in Chapter 4, the signal on which Mr Eagles relies had nothing to do with any meeting between SYDNEY, the supposed submarines, or CAPT Detmers' knowledge of such a supposed rendezvous. It related to a rendezvous between KULMERLAND and SPREEWALD.
- *The assertion by Mr Eagles that certain aspects of images of SYDNEY established that the ship found was not SYDNEY.* Mr Eagles drew up a 'list of mistakes, incorrect labelling and falsehoods in the FSF [Finding Sydney Foundation] photographs'¹³; the Defence Science and Technology Organisation and the Royal Institution of Naval Architects responded to each instance advanced by him.¹⁴ By way of example, Mr Eagles made the following claims:
 - The crests of SYDNEY depicted on the lifeboats in the photographic and video imagery of the wrecks are the wrong SYDNEY II badges and have been added to the original photographs.¹⁵

In fact, the design of the crest depicted in the photographs is identical to the design of the ship's badge of HMAS SYDNEY I. Dr S Cannon and Mr J Jeremy stated, 'The design of the boat badges is identical to the design of the ship's badge of the first HMAS Sydney. A modified design was approved for the second

¹³ EML.006.0039_R; EML.006.0036

¹⁴ DSTO.004.0001

¹⁵ EML.006.0036 at 0038

Sydney, but it was controversial and it appears the original design was used. (See Cassells, Vic, *The Capital Ships, their battles and their badges*, Kangaroo Press, Sydney, 2000, p.143 and p.151).¹⁶

- A Kitchen or Kitchener rudder was not on any of the SYDNEY's boats.¹⁷

In fact, Kitchen rudders were fitted to several of SYDNEY's boats, as demonstrated in the as-fitted drawings, and cleats visible on the wrecked boats are also consistent with the as-fitted drawings.¹⁸

- Photographs of SYDNEY's anchor are probably from HMS LIVERPOOL, and the single anchor photograph is not a Naval anchor at all.¹⁹

In fact, LIVERPOOL was fitted with a different type of anchor, a Byers or Admiralty Stockless Anchor.²⁰ It is apparent that Mr Eagles' confusion about the photograph of a SYDNEY anchor arises from his ignorance of the fact that SYDNEY was also equipped with kedge anchors, which were stowed port and starboard and are depicted in Figure 52 of the DSTO-RINA report.²¹

- Y turret is covered by fishing net and plastic pipes.²²

In fact, there are no fishing nets or plastic pipes depicted in the photographs of Y turret. The pipes depicted are waste-steam pipes from the boilers.²³

- Photographs of what is said to be SYDNEY's propeller are wrong: the propeller is the wrong size (it is too small). Additionally, it shows exactly the same details as for USS DE HAVEN, an American destroyer sunk later in the war in the Pacific. The 'A' bearing is missing as well.²⁴

In fact, DE HAVEN was fitted with 12-foot diameter three-bladed propellers delivering 30,000 shaft horsepower per shaft.

¹⁶ DSTO.004.0001 at 0009

¹⁷ EML.006.0036 at 0038

¹⁸ DSTO.004.0001 at 0009

¹⁹ EML.006.0036

²⁰ DSTO.004.0001 at 0002

²¹ DSTO.004.0001 at 0003

²² EML.006.0036 at 0037

²³ DSTO.004.0001 at 0007

²⁴ EML.006.0036 at 0038

SYDNEY was fitted with four 10 foot 3-inch diameter three-bladed propellers delivering 18,000 shaft horsepower per shaft. The photographs of SYDNEY depict her fitted propellers. The 'A' brackets are not missing; they are broken and displaced as a result of the impact with the sea bed.²⁵

There is no substance in Mr Eagles' allegations.

- *The assertion that the engagement occurred not where CAPT Detmers said but 300 miles west of Carnarvon.*²⁶ This is wrong. The finding of the wrecks of SYDNEY and KORMORAN established the location of the engagement. It occurred where CAPT Detmers said it did.

Conclusion

29.8 Before the discovery of the wrecks of SYDNEY and KORMORAN, Mr Eagles wrote:

Many people are divided over whether a search should be conducted for the *Sydney*. The location of the wreck site(s) will establish once and for all the veracity of the German story and the Australian government owes that to the families of the lost crew. Also, it will hopefully answer many of the other questions surrounding the loss of the *Sydney*. As indicated in this document, sufficient proof that the *Sydney/Kormoran* battle took place 300 miles west of Carnarvon does exist.²⁷

Mr Eagles' continuing denial of the discovery of the wrecks allows him to avoid acknowledging any part of the 'veracity' of the 'German story', and it allows him to avoid a re-assessment of his conspiracy theory relating to the non-disclosure of gold bullion transportation and a necessary acknowledgment that his theory is baseless.

To avoid this consequence, Mr Eagles has evolved a new and equally baseless conspiracy theory that the Australian Government, the Navy, the Finding Sydney Foundation and perhaps others have conspired to deceive Australians and the relatives of those who perished in SYDNEY by pretending that SYDNEY and KORMORAN have been found when they have not.

The incongruity in the fact that some of those supposedly engaged in Mr Eagles' alleged conspiracy appointed me to investigate the loss of SYDNEY does not appear to have been appreciated by him.

²⁵ DSTO.004.0001 at 0007

²⁶ SUBM.001.0212_R at 0250_R

²⁷ SUBM.001.0212_R at 0295_R

29.9 Dr M McCarthy, Director of the Western Australian Maritime Museum, was correct when he wrote that Mr Eagles has '[taken] over the mantle of chief conspiracy theorist'.²⁸ Mr Eagles' latest theory demonstrates that. I have no doubt he will continue to write to anyone he thinks might be obliged to respond. His writings on SYDNEY are groundless, have no substance, and should be disregarded.

²⁸ WAM.070.0010 at 0036

