

Summary

The controversy

HMAS SYDNEY II was lost on 19 November 1941. She sank after an engagement with HSK KORMORAN, a German armed raider that was disguised as the Dutch merchant vessel MV STRAAT MALAKKA. KORMORAN also sank, being scuttled by her commanding officer, CAPT Detmers. SYDNEY's commanding officer, CAPT Burnett, and all her 644 crew were lost; CAPT Detmers and 317 of his crew managed to take to lifeboats and survive.

That consequence led to doubt and controversy about the circumstances of the engagement because the account given by the German survivors was that SYDNEY had approached to a position of great danger should KORMORAN be a disguised German raider, as she was. On the German account, SYDNEY had acted in a manner not expected of an Australian warship under the command of a competent and experienced officer. This led to many people being unwilling to accept the German account of the engagement – particularly since there was no survivor from SYDNEY who could verify or refute the German account.

As early as December 1941 there started to emerge a number of theories and speculations about the following:

- deceits engaged in by KORMORAN, some allegedly contrary to international law
- a conspiracy among the German survivors to tell a fabricated and inaccurate account of the engagement in order to avoid charges of having committed war crimes
- third-party involvement in the action between the two ships
- various 'cover-ups' by the Australian and British Governments and Naval authorities, with the aim of concealing knowledge of the true circumstances of the loss of SYDNEY and her crew.

These theories and speculations arose for two main reasons. The first was the absence of evidence about the engagement from an Australian perspective. The second was an unwillingness to accept that CAPT Burnett would have acted in the manner described by the German survivors, resulting in SYDNEY being placed in a position of disadvantage and danger immediately before the battle began. People were loath to accept that CAPT Burnett would have been deceived by KORMORAN's actions, as described in the German account. They thus sought exculpatory factors for his conduct.

The developing controversy was fuelled by the publication in 1957 of volume I of what became accepted as the 'official history' of the Navy during World War 2—*Royal Australian Navy 1939–1942*. The author, G Hermon Gill, accepted the German survivors' account of SYDNEY's approach to KORMORAN and the subsequent engagement. He wrote, 'The story of how SYDNEY was lost would appear to be straightforward. What induced Burnett to place her in the position where her loss in such a way was possible, must remain conjecture'. This produced a flowering of groups and researchers seeking to resolve that conjecture.

The other major aspect of the emerging controversy concerned why there were no Australian survivors. Many people could not accept that, whilst 318 survivors from KORMORAN were found, no survivors from SYDNEY were found. The German statements that SYDNEY had suffered artillery damage that, when combined with the fires observed burning in her, made it unlikely there would be any survivors or that sailors could have escaped the ship in lifeboats were not readily accepted. There emerged theories and speculations that there were, in fact, SYDNEY survivors who had been machine-gunned or otherwise killed in the water by KORMORAN's crew or by crew members of a Japanese submarine that had taken part in the engagement.

The public controversy became so great that in 1997 the Australian Parliament asked the Joint Standing Committee on Foreign Affairs, Defence and Trade to inquire into the circumstances of the loss of SYDNEY. The committee took evidence and received voluminous submissions over two years. Aided by historians, it produced a report that was ambivalent. Its conclusions were as follows:

- CAPT Burnett was aware that there had been raider activity in the Indian Ocean, and while he may not have been alerted to the presence of one particular raider, should have been extremely cautious in approaching any unknown vessel;
- It was common practice, however, for warships to come close to unknown ships to identify them, and to prevent scuttling. It was CAPT Burnett's and his crew's misfortune that a practice that had worked on other occasions should end so disastrously on this occasion;
- The account of the engagement as given by the Germans is feasible, given that very few of the KORMORAN survivors would have been in a position to be privy to all of the command decisions taken, and to all aspects of the engagement; both the SYDNEY and the KORMORAN fought a fierce battle with bravery and great tenacity. While SYDNEY was mortally wounded, she had inflicted so much damage on KORMORAN that the German ship had to be scuttled.

One question the Parliamentary Inquiry considered was the mounting of a search for SYDNEY and KORMORAN. There was, however, controversy about whether CAPT Detmers' location of the engagement was correct or whether

other material derived from various studies indicated a different location. The Parliamentary Inquiry therefore recommended that there be a conference of all interested parties in order to decide on a search area and, if an area could be agreed, that consideration be given to funding a search.

A seminar was held in 2001, but no agreement could be reached on the most prospective area for finding the wrecks. Subsequently, in 2005 and again in 2007, the Australian Government agreed to fund a search in an area derived from CAPT Detmers' accounts. That search was carried out in March 2008, and the wrecks of KORMORAN and SYDNEY were found on 12 and 16 March 2008 respectively. Modern technology allowed video and still photography of the wrecks to be taken and analysed. This provided empirical evidence against which the German account could, for the first time, be measured. Accordingly, the Chief of the Defence Force established this Inquiry to inquire into 'circumstances associated with the loss of HMAS SYDNEY (II) in November 1941 and consequent loss of life and related events subsequent thereto'.

The search for SYDNEY

SYDNEY expected to arrive in Fremantle 'PM' on Thursday 20 November 1941, after having escorted HMAS ZEALANDIA to the Sunda Strait. During wartime, warships maintained radio silence, so SYDNEY did not notify Naval authorities of her position. She had not arrived by 21 November, as the District Naval Officer Western Australia advised the Naval Board that day. By 22 November it was known that ZEALANDIA was a day late arriving in Singapore, and thus it was thought SYDNEY might also have been a day late in returning to Fremantle. When she had not arrived by Sunday 23 November, however, many signals were sent to her, directing her to report her estimated time of arrival in Fremantle. There being no response, a full-scale air and sea search began at 0800H on Monday 24 November.

On 24 November MS TROCAS recovered 25 German sailors; on 26 November SS KOOLINDA recovered 31 sailors, and MS CENTAUR recovered two lifeboats containing 62 men; and on 27 November HMAS YANDRA recovered 72 sailors, and two lifeboats reached the shore north of Carnarvon, where survivors were recovered. On 28 November HT AQUITANIA informed the authorities she had recovered 26 sailors from a lifeboat; she had not broken radio silence to inform them until she reached Wilsons Promontory en route to Sydney.

The search continued until 29 November. Among those recovered was CAPT Detmers, who when questioned informed the authorities that the action had taken place at latitude 26°31'S longitude 111°39'E.

The only relics recovered were one RAN-type life belt, a Carley float recovered by HMAS HEROS, a foreign life belt, and two German-type floats, one

containing the body of a German sailor. On 6 February 1942 a Carley float containing the remains of a sailor was recovered off Christmas Island.

The German account

The evidence establishes that before abandoning ship CAPT Detmers did not give to his officers or crew any instructions about what they should say if they were to survive and be captured. Having been rescued by different vessels at sea and from shore, the survivors were kept segregated in their rescue groups for some time. They were interrogated by five experienced Naval officers assisted by interpreters, each officer interrogating a different group. Each of the interrogators independently formed the view that the groups they were interrogating were telling the truth, and the conclusions they drew about SYDNEY's approach to KORMORAN and about the engagement and its aftermath were generally consistent. That produces a high degree of probability that the general account as given is accurate.

All 318 survivors were interrogated. Usually they responded only to questions asked of them, and many were not asked about the approach or the engagement. That was because the interrogators' main concern was to learn as much as possible about the operation of raiders with a view to diminishing their effectiveness in the future.

All the interrogating officers' reports, and the interrogation notes themselves, were made available to Mr FB Eldridge in January 1942 to enable him to prepare a comprehensive report for the Navy. That report was as follows:

8. The Action

The story of the action between the "Sydney" and the Raider was frankly told by the Captain, Fregatten Kapitan Detmers and other prisoners, and the story as told seems to ring true, though there is no explanation on the surface as to why the "Sydney" came so close, or why she came so close before attempting to launch her aircraft.

At about 1600G/19 the raider in position approximately 26° 111° E was proceeding northward at a speed of about ten knots, (14 knots according to Sub-Lieutenant Bunjes) when what at first appeared to be a sail was sighted by the lookout to the north on the starboard bow. (About N.N.E. according to Sub-Lieutenant Bunjes.) The stranger was soon identified as a cruiser and Commander Detmers immediately turned away into the sun (250°) and increased to full speed which he estimated at 15 knots. The cruiser had obviously sighted them for she too turned and came up on the starboard quarter at high speed, repeatedly making the signal by daylight lamp NNJ, for about half an hour, no reply being made by the "Kormoran" as the Commander was of the opinion that the use of a powerful signalling lamp would have betrayed his identity as he was at the time posing as the Dutch ship "Straat Malakka", and merchant ships did not carry such lamps. In addition, he said, he did not understand what the signal NNJ meant.

Some time before the action was joined, "Kormoran" broadcast QQQQ 26 S, 111 E, "Straat Malakka", and repeated it once. Pachmann, an operator, stated that this message was given twice, about ten minutes before the action began. It is worthy of note that a QQ message was picked up by Tug "Uco", at about 1000 G.M.T. on 19th November, but the position and ship's name could not be read by the P.O. Telegraphist in "Uco." Geraldton also read a mutilated time and position message at 1005Z/19. No Q's were distinguished and when after ten minutes there was no repetition, a message was sent out to ships asking if there was anything to report, but no reply was received.

At a distance of about 7 miles "Sydney" made the signal by flashing, "Hoist your signal letters." In reply "Kormoran" hoisted PKQI ("Straat Malakka") on the triatic stay between the foremast and the funnel, but the funnel prevented the message being clearly seen aboard the "Sydney". When "Sydney" made the signal "Hoist your signal letters clear", Ahlback the Yeoman of Signals stated that he lengthened the halyard and drew it towards the starboard side. It is reasonable to suppose that this apparent inefficiency in signalling by the "Kormoran" was a "ruse de guerre" in the hope that "Sydney" would close to investigate, for "Sydney's" signal had to be repeated continuously before it was complied with.

"Sydney" came up with the "Kormoran" with all guns and torpedo tubes bearing, and when she was approximately abeam of the raider she asked by flags and flashing "Where bound?" According to Ahlback this was spelt in English by flashing. "Kormoran" answered "Batavia", and "Sydney" apparently made "IK" which "Kormoran" could not understand as in the International Code this means "You should prepare for a cyclone, hurricane or typhoon," but which was in fact the two interior letters of the secret call sign "Straat Malakka" (IIKP). To this "Kormoran" made no reply.

"Sydney" then made by flashing "Show your secret sign". Having no reply to this the raider captain decided to fight, which up to this time he had tried to avoid doing. According to Ahlback "Sydney" did not order the raider to stop, and this statement is made by other prisoners, but Captain Detmers mentions an order to stop immediately before the signal by searchlight in plain language to give the secret call.

At about 1700G/19 when the two ships were proceeding on parallel courses in a westerly direction at approximately 15 knots, the "Sydney" being on the "Kormoran's" starboard beam at a distance of "somewhat more than a mile" (Commander Detmers) (or at a distance of 1200 or 1500 metres according to other prisoners of war), "Kormoran" dropping her gun-concealing plates and hoisting the German flag, opened fire with four of her six fifteen-centimetre guns. (The particulars obtained by the Military authorities upon further enquiry would reduce the range still further to about 1100 metres). The first salvo hit the "Sydney's" bridge. Almost simultaneously, but probably just afterwards, "Sydney's" first salvo went over, though Sub-Lieutenant Bunjes states that "Sydney's" first salvo hit the raider amidships. Her second salvo found the raider's engine-room and fuel tanks and caused a fire. In the meantime the raider had fired two torpedoes, one of which struck the "Sydney" forward (about 20 metres from the bow according to Commander Detmers), at the same time that a salvo struck her amidships.

The "Sydney's" forward turrets were apparently put out of action by the explosion caused by the torpedo, and the "Sydney's" aircraft, which is reported to have been warming up at the time that the engagement began, was shot to pieces. The range was so close that prisoners stated that they could see men about the plane and an anti-aircraft gunner stated that the A.A. guns were used against the cruiser so that her A.A. guns and torpedoes might not be used.

"Sydney's" X and Y turrets were still in action. "Sydney" now fired four torpedoes which "Kormoran" turned to meet, and three passed ahead and one astern. A torpedo fired by the raider about the same time also missed its mark. Both ships were now on fire, "Sydney" being heavily afire amidships and on the bridge, and down by the bows about six feet. The raider's bridge had been hit but not put out of action, "Sydney's" first hit had destroyed the radio and a large fire was burning in the engine room. Approximately half an hour after fire opened the action was over, "Kormoran" was stopped, "Sydney" proceeding in a south easterly direction at a speed of about five knots, and throwing out a dense cloud of smoke which some of the prisoners interrogated thought was a smoke screen, but which was probably simply result of fire. At about 1900 the Captain of the raider ordered his engine-room personnel and those of the ship's company who were not required, to abandon ship, retaining aboard about 100 men and all his officers. At about 2300/19 Captain Detmers decided to abandon his ship, which was blown up about midnight. The cruiser was still in sight, distant about 10 km. when the first boats left the "Kormoran", and for some time the glow of the fire could be seen. Before midnight it had disappeared. No explosion was heard. According to Bohm (one of the survivors picked up by "Trocas") three wooden lifeboats and three rubber rafts were launched first leaving one boat for those still on board. Commander Detmers mentioned that it took three hours to get lifeboats out of a hatch because of the lack of power. The motor-boats had been destroyed and even if the big boat which was carried had not been destroyed, there was no power available to move it. One of the floats collapsed; men jumped overboard and though a number of these were picked up by the life-boats that had been launched it would appear that about eighty were lost.

Commander Detmers expressed the opinion that "Sydney" sank as a result of the punishment she had received, and that there could be no survivors as the whole superstructure had been so smashed, boats on deck must have been destroyed, while any boats stowed below must have been burned by the fires which were raging. At the time that Commander Detmers was preparing to abandon ship the blaze from "Sydney" was still to be seen, but when he looked around before leaving the ship it had disappeared. This evidence is supported by other statements which go to show that "Sydney" disappeared somewhat before midnight, and that "Kormoran's" sinking was hastened by an explosion after midnight. The weather at the time was rough, as it had been for two or three days before the encounter.

The first definite information to the outside world was received at 0816Z/24th when the Tanker "Trocas" reported by W/T that twenty-five German Naval men on a floating raft had been picked up in position 26° 06' S, 111° 40' E.

Mr Eldridge's report is a synthesis of the interrogation evidence and of the reports of RADM Crace, CAPT Farncomb, CMDR Dechaineux, CMDR Ramage and LCDR Rycroft, who conducted the separate interrogations of segregated groups of survivors. Considerable weight is to be given to the conclusions of those experienced officers, who, as noted, each formed the view that the group they were interrogating was generally giving a truthful account of the engagement.

Independently of the conclusions drawn by the investigating officers and Mr Eldridge, I analysed the interrogation evidence of all survivors who could see the approach and engagement or part thereof. Some of those interrogated gave later accounts of their recollections, including evidence given to me in 2008. The evidence of the survivors who could see all or part of the approach and engagement supports the following findings.

The signals

- SYDNEY began flashing signals from about 7 miles' distance, when her entire structure was just visible over the horizon. She signalled 'NNF' or 'NNP'.¹ The signal was not understood.
- SYDNEY signalled by daylight lamp and flag, 'Hoist your signal letters'. KORMORAN responded with flags, making the four-flag signal 'PKQI', meaning STRAAT MALAKKA. KORMORAN's funnel obscured the signal flags from SYDNEY's view.
- SYDNEY continually signalled, 'Hoist your signal letters clear'. She came nearer, on a course 10° off the stern. CPO Ahlback, KORMORAN's chief signaller, then drew the signal halyard to starboard so SYDNEY could read the four-flag hoist: KORMORAN did not want to draw SYDNEY any closer.
- SYDNEY had steamed up parallel to KORMORAN on KORMORAN's starboard side. She was at a distance of about 1,200 metres.
- SYDNEY asked, in English by flashlight and flags, where STRAAT MALAKKA was bound. KORMORAN replied, 'Batavia'.
- SYDNEY then hoisted a two-flag signal that meant under the International Signal Code 'Have you suffered damage from cyclone, typhoon or tempest?' (That two-flag hoist must have been 'IK', which means 'You should prepare for a cyclone, hurricane, typhoon'.) Neither CPO Ahlback nor CAPT Detmers understood the two-flag signal 'IK', and CAPT Detmers checked the signal himself.

¹ 'NNF' means 'Is there a time signal here or at (place indicated)'. 'NNP' signifies 'Am, is, are'. The signal must have been 'NNJ'—'You should make your signal letters'. PO Ahlback understood a received signal 'Hoist your signal letters'.

- KORMORAN did not answer the signal 'IK'.
- By flashlight and in plain language SYDNEY signalled, 'Show your secret sign'. At this point SYDNEY was on a course parallel to KORMORAN's, to starboard and abeam of her, the ships still about 1,200 metres apart.
- KORMORAN did not reply with any signal because CAPT Detmers did not know STRAAT MALAKKA's secret call sign.
- CAPT Detmers rejected the option of scuttling his ship and thus had no choice but to fight, although his orders were to avoid fighting with warships.

The battle

- Shortly after 1800H the battle began. Just before that time KORMORAN had sent out two Q messages², on a wavelength of 600 metres (or 500 kilocycles) on 200-watt power. The position of KORMORAN given in the messages was 26°S 111°E. (The messages were intended to distract SYDNEY's attention from KORMORAN.) Those were the only signals KORMORAN sent. No acknowledgment of either message was received.
- As SYDNEY approached KORMORAN from aft, her main guns were trained on KORMORAN, as were her port torpedo tubes. Her aircraft was on the catapult with the engine running.
- On the order to fire being given by CAPT Detmers, the screens disguising KORMORAN's armaments were dropped. Simultaneously, the Dutch flag was struck and the German war ensign raised. This was done by AB Otte. The ensign, raised on the larger aft mast, was 2.5 metres by 3.6 metres, had already been unfurled, and was plainly visible as soon as the hoist began. It took between 8 and 15 seconds to hoist the ensign.
- The German war ensign was flown before the first shot was fired.
- When fire was opened the distance between SYDNEY and KORMORAN was less than 1,500 metres. KORMORAN's gunnery officer, LEUT Skeries, took a range at 1,300 metres, after which SYDNEY came closer. The first salvo fell short; the next shot, fired at a range of 1,600 metres, was too high.
- When fire was opened SYDNEY was directly abeam KORMORAN, her position relative to KORMORAN being 90° to 100°.

² A QQQQ signal was a distress message, made by W/T, used by merchant ships to alert the Admiralty to the sighting of or upon being attacked by an armed merchant ship.

- It seems KORMORAN fired first, although SYDNEY fired or returned fire almost simultaneously.
- KORMORAN fired about eight salvos with her 15-centimetre guns while SYDNEY was on her starboard beam. Early salvos hit SYDNEY's bridge near the funnel, the 'forward tower' (the director control tower), the engine room and the aeroplane on its catapult, causing extensive damage and fires, particularly amidships. Most of SYDNEY's superstructure was carried away.
- In addition to being hit by KORMORAN's 15-centimetre guns, SYDNEY was fired on by KORMORAN's starboard 3.7-centimetre gun and her machine guns, which opened fire with the first salvos. This machine-gun fire was directed so that SYDNEY could not use her port side anti-aircraft (4-inch) guns and torpedoes and was effective in preventing SYDNEY's crew from using her smaller guns.
- During the first stages of the battle KORMORAN fired two torpedoes at SYDNEY while the ships were steaming on a parallel course. One missed but the other struck SYDNEY forward, about 20 metres from the bow. After the torpedo struck, SYDNEY's two fore turrets (A and B) stopped firing, either as a result of the torpedo strike or having been hit by earlier salvos. SYDNEY's bows dipped, she dropped astern and then turned to port, appearing as though she was going to ram KORMORAN but passing close astern. By that time all SYDNEY's guns were out of action.
- From the first firing of her 6-inch guns to the time those guns became progressively disabled before she passed astern of KORMORAN, SYDNEY continued firing, scoring three or four hits on KORMORAN. Some of SYDNEY's salvos missed. Her first hit was through KORMORAN's funnel. Another hit damaged a starboard gun. KORMORAN's wireless communication system was rendered ineffective, as was the fire-fighting equipment. One salvo hit the engine room, smashing machinery and engines and causing an uncontrollable fire. All this had happened by about 1840H. With the failure of her engines, KORMORAN came to a halt.
- Having passed astern of KORMORAN, SYDNEY turned to starboard to fire her starboard torpedoes at KORMORAN. She fired four. KORMORAN turned towards this spread of torpedoes and they missed. The battle continued: SYDNEY's starboard was exposed to KORMORAN's 15-centimetre guns, which continued to fire salvos systematically.
- Shortly after, SYDNEY turned away, bearing 150° from KORMORAN, making much smoke from fires on board and heading south. After firing her starboard torpedoes and with her major armaments no longer operative, she steamed off slowly, at about 5 knots, burning heavily amidships.

- The last shots fired were from KORMORAN, and the action ended when the vessels were about 10,000 metres apart. By that time SYDNEY's bow was dipping and she had listed slightly.
- The battle lasted about an hour, ending by 1900H.
- When last seen by KORMORAN survivors, SYDNEY was burning fiercely. She suddenly disappeared at some time between 2130H and midnight.
- CAPT Detmers gave the order to abandon ship at about 2300H. KORMORAN sank at about midnight, exploding from scuttling charges shortly thereafter.
- KORMORAN had fired about 450 of her 15-centimetre shells at SYDNEY.
- At some point SYDNEY fired a further two torpedoes, which missed.

Chapter 9 provides a detailed analysis of the German account, as derived from those who could see the engagement.

The essential elements of the accounts of the German survivors, as assessed by RADM Crace, CAPT Farncomb, CMDR Dechaineux, CMDR Ramage and LCDR Rycroft and consolidated by Mr Eldridge, accord with the assessment I made of the evidence of those whom I am satisfied could see the engagement.

Empirical evidence

Analysis of the observable state of the wrecks of SYDNEY and KORMORAN shows the following:

- SYDNEY suffered a torpedo strike on the port side, about 20 metres from the bow and adjacent to A turret.
- SYDNEY suffered at least forty-one 15-centimetre shell hits to her port side.
- SYDNEY suffered at least forty-six 15-centimetre shell hits to her starboard side.
- There was fire damage to the entire bridge structure and across the breadth of the forecastle deck down to the lower deck hull on the port side and the upper deck hull on the starboard side, midships below the aircraft platform and across the upper deck, and to the aft superstructure and upper deck on the port side and aft superstructure on the starboard side below the aft control position. The upper deck was burnt below X turret, and the starboard hull (lower deck) was burnt around the site of a shell impact.
- Five ship's boats were found in the debris field. Some show fragment damage.

- The shell trajectory revealed by penetrations to the port side whaler suggests a flat trajectory of shell fire and thus close proximity between the ships.
- The bridge and director control tower were severely damaged.
- All SYDNEY's 6-inch gun turrets are oriented to port. The four 4-inch guns are oriented to both port and starboard. Three of the 4-inch guns are elevated.
- SYDNEY's four starboard torpedoes had not been fired, three of them remaining in their tubes and the fourth found in the debris field. Two of the port torpedoes remained in their tubes, making it clear that SYDNEY fired only two port torpedoes.
- The forward portion of KORMORAN's hull remains intact and is not damaged by gunfire. The stern portion is missing, a widely scattered debris field being consistent with explosion of the stern portion.

The empirical evidence supports the German account in the following respects:

- CAPT Detmers stated that the engagement occurred at 26°S 111°E. This was verified by the finding of the wreck of SYDNEY at 26°14'45"S and 11°12'55"E and the wreck of KORMORAN at 26°06'32"S and 11°04'21"E. The wrecks are about 12 nautical miles apart.
- The German account of the initial battle being fought with the ships on a close and parallel course about 1,000 to 1,500 metres apart is confirmed by the extent and severity of shell damage. The range of 1,000 to 1,500 metres is, in Naval warfare terms, point blank. Of the at least forty-one 15-centimetre shell hits SYDNEY suffered on her port side, 34 were to the hull and superstructure of the ship, four to A turret, one to B turret and two to the catapult. Further, the flat shell trajectory, and thus close proximity between gun and target, suggested by the penetrations to the port side whaler is consistent with the German account.
- The German account of the battle has SYDNEY struck on the port side by a torpedo, about 20 metres from the bow and adjacent to A turret. This is evident in the wreck. The German account also has SYDNEY, having suffered heavy damage on her port side, falling astern after being struck by a torpedo and then turning to port, passing astern of KORMORAN and thereafter turning to starboard. KORMORAN's guns continued to fire on SYDNEY successfully, hitting her on many occasions. Of the at least forty-six 15-centimetre hits SYDNEY suffered on her starboard side, 42 hit the structure, one hit X turret, one the director control tower, one the starboard torpedo mount, and one the 4-inch gun locker. This confirms that SYDNEY must have passed astern of KORMORAN, turning to present her starboard side.

- The German account has SYDNEY's bridge and director control tower suffering severe damage early in the battle, probably resulting in the death of many officers and disrupting her firing. The underwater imagery shows there is severe damage to the bridge, the director control tower and the high-angle control station.
- The German account has the catapult hit early in the engagement, causing a fire that destroyed the aeroplane. It is established that SYDNEY suffered two 15-centimetre port side shell hits to the catapult.
- The German account has SYDNEY suffering fires that made her visible for some hours after the battle. It is now established that there was fire damage to the entire bridge structure, across the breadth of the forecastle deck, midships below the aircraft platform, across the upper deck, through the aft superstructure and upper deck on the port side, and to the aft superstructure on the starboard side below the aft control position.
- Some German survivors thought shell damage and fire made it unlikely that SYDNEY's boats would be usable. That is confirmed by observable damage to five boats found in the debris.

The German account is that KORMORAN sent a Q message at about 1800H and repeated it. That account was given without any knowledge of whether the signal had been received by any Australian installations. Distorted versions of the signals were picked up by the tug UCO at 1803H and by Geraldton radio at 1805H. This confirms the German account.

The German account is that KORMORAN was scuttled, the scuttling charges causing a significant explosion of mines. The forward section of KORMORAN remains relatively intact on the sea bed, but it is apparent that the aft portion of the vessel was subjected to a catastrophic explosion, causing pieces of the debris to be scattered throughout the debris field. That is consistent with the German account. So, too, is the fact that there is no observable shell fire damage to the forward section. Some German survivors said SYDNEY's shell fire did not hit the forward section.

The German survivors' accounts of torpedoes fired varied. Initially CAPT Detmers and CPO Jürgensen said SYDNEY fired two torpedoes from her port mounts, both of which missed KORMORAN. Six of SYDNEY's torpedoes are observable in the underwater photographs, meaning that SYDNEY did fire two torpedoes, which did come from the port mounts. The initial statements by CAPT Detmers and CPO Jürgensen were thus correct. CAPT Detmers and many other German survivors gave evidence, however, that SYDNEY, having turned to port and passed astern of KORMORAN, fired four torpedoes from her starboard mounts. That evidence is not correct. Three torpedoes remain in SYDNEY's starboard mount and the fourth was found in the debris field.

Apart from the account of SYDNEY firing torpedoes from her starboard mounts, all the damage observable in photographs of the wrecks confirms the accuracy of the German account of the engagement and its aftermath. The fact that the wrecks are some 12 nautical miles apart is consistent with SYDNEY having sailed away from KORMORAN at slow speed, subsequently sinking rapidly without survivors. There is thus empirical evidence confirming the accuracy of the German account in relation to the sending of the Q messages, the location of the battle, the positioning of the two vessels at the time of battle, the damage SYDNEY suffered and the aftermath of the battle. There is no reason to doubt the general accuracy of the German account in relation to the approach and the signals.

The sinking with no survivors

As noted, the main hull of SYDNEY lies about 12 nautical miles from the wreckage of KORMORAN. SYDNEY's bow lies about 470 metres from the main hull. SYDNEY suffered severe damage from a torpedo hit to the forward section, about 20 metres from the bow on the port side, and incurred at least eighty-seven 15-centimetre shell hits. She was subjected to additional small-arms fire from a 3.7-centimetre gun and multiple 20-millimetre machine guns. She suffered severe fires. It can be assessed with confidence that by the time battle ceased there were many casualties on board, probably in the order of 70 per cent of her complement.

Damage-control measures were restricted as a result of flooding, fire, smoke and difficulties with access. It is, however, probable that there were still some alive on SYDNEY as she slowly sailed away from KORMORAN. They had available to them no lifesaving measures that would allow them to leave the ship, the observed damage pointing to a high degree of probability that all boats and Carley floats that had not been blown overboard during the battle were unserviceable because of shell and fire damage. Those who were alive when the battle ceased died when SYDNEY sank. The unknown sailor in the Carley float recovered off Christmas Island in February 1942 had suffered a serious shrapnel wound to the head, which caused his death immediately or shortly thereafter.

The photographs of the wreckage have enabled experts to determine how SYDNEY sank. Structural analyses have shown that after the torpedo strike the hull retained sufficient structural integrity to prevent the bow separating from it. That separation occurred during the sinking process, probably in the first 200 metres.

SYDNEY sank because of a loss of buoyancy. This could have been the result of one or other of two causes, or a combination of both. As the sea state increased from 3 to 4 the amplitude of SYDNEY's rolling motion increased. This resulted in many additional openings caused by shell penetrations allowing the ingress of water. As the rolling motion increased other flooding points such as hatches and stairwells also allowed ingress. Such a flooding process is rapid. The

second cause of loss of buoyancy might have been that one of the internal bulkheads collapsed rapidly, causing sudden flooding. This would cause the ship to trim by the bow and nosedive. In either event, buoyancy is lost and the ship sinks. Studies showed that once the sea state reached 4, SYDNEY, with her torpedo and shell damage, had no prospect of remaining afloat for more than four-and-a-half hours, regardless of her heading. As she sank some internal spaces would have been intact and full of air. Given the speed of her sinking, the external water pressure would have caused the intact compartments to implode. There is much visual evidence of implosion in SYDNEY's hull.

The sinking of a ship is violent. The force of water passing the sinking SYDNEY would have torn off the masts and rigging and dislodged loose items on the deck. Heavier items, such as funnels, the top of the bridge and the director control tower, would have soon followed. Boats that were still secure in their cradles would have been torn off and could have been further damaged by striking the ship or other wreckage. Very close to the surface the force of water entering the damaged bow would have twisted and torn the bow from the ship, and in the process parts of the side shell plating, decks and bulkheads would have twisted and broken away. The differing shapes of the various pieces of wreckage would mean they sank at a speed different from the speed at which the main hull sank. Thus fittings and equipment were scattered throughout the debris field.

The prospect of any crew members, particularly if they were injured, surviving that violent event was negligible.

Why did SYDNEY approach close and parallel to KORMORAN?

SYDNEY approached KORMORAN in order to identify the unknown vessel. It was CAPT Burnett's Naval obligation to do so. Warships were obliged to identify all merchant vessels encountered to ensure that they were friendly and not a disguised German raider. This was necessary for the protection of the movements of friendly mercantile ships.

CAPT Burnett knew there was a possibility of a raider being off the Western Australian coast. Commanding officers had been alerted to that possibility by the Combined Operational Intelligence Centre's Weekly Summary of 22 September 1941. On 3 October CAPT Burnett had recovered what he considered might 'just possibly' have been a target dropped by a raider. On 4 October SYDNEY had investigated whether a vessel identified as SALLAND was in fact a suspicious vessel but had concluded she was not after a 'close inspection' and an exchange of signal letters followed by 'correct procedure exchanging secret call sign'. On 5 October CAPT Burnett informed his crew, 'There is an enemy raider out there'. On 20 October the Weekly Summary advised commanding officers that, in the light of the non-arrival of a Greek vessel, the view was strengthened that 'a raider is operating in the Indian

Ocean' and 'such raider could now have reached the western section of the Australia Station'. That report also described Raider G, which was 'possibly operating in the Pacific'. The description of Raider G was a description of KORMORAN.

Nonetheless, CAPT Burnett was aware of the remoteness of the possibility that the vessel sighted on 19 November 1941 was a raider. Although it was known that mines had been laid off the Australian coast, no raider had ever been encountered in that area. SYDNEY was close to the Australian coast, in or adjacent to a shipping lane, and approaching the focal port of Fremantle. CAPT Burnett had previously noted that most encounters with raiders occurred 'clear of the focal areas on the trade routes and some distance to seaward of such routes'. CAPT Burnett would also have been aware that, as far as intelligence extended, there were only seven known German raiders.

As a result of the need to identify merchant vessels, a vessel recognition system had been developed. It was laid down in Naval Control Service Instructions 181 and 371. The system current on 19 November 1941 had been operative since 25 December 1940. Each merchant vessel had two call signs. The first, which was publicly known and recorded in general books of reference, was a four-letter sign, the vessel's international call sign. This was an international convention that had been operating at least since 1931. The first two letters stood for the vessel's nation and the last two letters identified the particular vessel. Thus STRAAT MALAKKA's call sign was 'PKQI'. 'PK' represented the Dutch East Indies.

The second call sign was the ship's secret war call sign. It was a different four-letter call sign known only to the captain or senior officers of the particular merchant ship and to all warships, which carried a register of the secret call signs. The war call sign for STRAAT MALAKKA was 'IIKP'.

The four-step merchant ship identification process required, as step one, the warship to signal 'NNJ', which, under the International Code of Signals meant, 'You should make your signal letters'. Step two required the merchant ship to turn away, increase to full speed and reply with her four-letter international signal letters—in this case, 'PKQI'. The third step was for the warship to then consult the books of reference she carried, determine the vessel's name, from that determine the vessel's secret call sign, and signal the inner two letters—here 'IK'. The final step was for the merchant vessel to respond with the two outer letters of the secret call sign—here 'IP'.

Of course, to carry out the procedure each ship needed to be able to read the other ship's signals. SYDNEY and other warships usually signalled by lamp, which could be read at great distance. Most merchant ships signalled by flag, which, depending on conditions, could be read from between 1 and 5 nautical miles. Because merchant ships signalled by flag, a warship was obliged to proceed to a point that was within the known gunnery range of raiders: it was

known that they could fire, and had fired, with accuracy up to 8 nautical miles. This danger was not fully appreciated by Naval authorities.

In July 1941 Australian Squadron Tactical Note No. 9, covering 'Procedure for dealing with merchant vessels suspected of being raiders', was promulgated. It provided that when a 'stranger is sighted', course and speed will be altered as necessary 'to intercept, until the general features of the stranger can be discerned'. It then required the captain of the warship to make an assessment of whether the vessel 'appears innocent' or 'appears suspicious'. Two different procedures were set out—'Case A', where the vessel 'appears innocent', and 'Case B', where the vessel 'appears suspicious'. Paragraph 9 under the heading 'Case A: vessel appears innocent' read:

If, as the stranger is closed, her appearance in conjunction with known movements of shipping, gives no cause for suspicion, the vessel will be approached until within signalling distance, when her name will be ascertained and, in the case of a British ship, the secret challenge procedure will be carried out. In the case of a Foreign ship, it will generally be desirable to ascertain her port of departure and destination, if these facts can be checked.

The Case A procedure did not require the warship to go to action stations. Under Case B, however, where the vessel 'appears suspicious', the requirement was that 'if the stranger behaves in a suspicious manner or if during the approach any doubt arises as to her character, the Hands will go to Action stations'. The warship was then to stand off 7 to 8 miles from the suspicious vessel and require it to stop under threat of being fired on.

CAPT Burnett assessed the sighted vessel as appearing 'innocent', did not go to action stations, and approached the vessel to 'within signalling distance' to ascertain her name.

Naval officers had reference tools to help them recognise merchant vessels. On their warship they carried recognition books such as Talbot-Booth, which showed a silhouette of all known merchant vessels, plus each vessel's tonnage, length, bow and stern form, superstructure shape, masts, samson posts and other identifying features. Thus, once they knew the name of the ship sighted, obtained by signals from her, officers could consult the books of reference and determine if the ship in view had the features described for her. If she did not she would be treated as suspicious. The difficulty was that this recognition process could occur only after the ship's name was known, which meant the warship had to be able to read the merchant vessel's signals.

There was one other crucial tool in the recognition system—the VAI, the list of 'vessels in area indicated'. At Naval Headquarters in Melbourne the Mercantile Movements Section kept an index card for every merchant vessel trading around the Australian coast or known to be entering or leaving the Australia Station. The card recorded a ship's age, size, length and other identifying details, as well as her average speed. Each reported arrival or departure was

also shown on the card, together with the ship's destination and expected arrival date. Using those cards, charts of the areas around the coast were created, showing the location of every known merchant vessel. The charts were updated regularly. Twice daily the Mercantile Movements Section sent a signal to each warship, telling her, in code, all the ships that were expected to be in her area and their position, course and speed. The Australia Station was divided into six areas, known as areas A to F. As a warship approached within 200 miles of the border with an adjacent area, a signal was sent to her, advising her of all the ships expected to be in the adjacent area.

On board the warship a 'plot' was maintained. A chart was marked with the continuously updated position of the warship, and the vessels expected in the area, including their expected location, were shown. Thus, on sighting a ship, a commanding officer could check his plot to see whether a vessel was expected in the area and, if so, her name. By then consulting the books of reference, the captain would learn the features of the ship he might expect to see. No doubt that is why Tactical Note No. 9 directed the warship to alter course and speed to intercept 'until the general features of the stranger can be discerned'. No doubt, too, that is why paragraph 9 of the Tactical Note stated, 'If, as the stranger is closed, her appearance, in conjunction with known movements of shipping, gives no cause for suspicion ...'

SYDNEY's plot was lost with the ship. The Inquiry was, however, able to locate the signals sent to SYDNEY in the days leading up to and including 19 November 1941. The signals have been decoded. It is now known, therefore, what SYDNEY was told in relation to ships expected in her area and that she might see. The Inquiry was thus able to re-create SYDNEY's plot current up to the morning signal on 19 November. The re-created plot shows that at the time SYDNEY sighted KORMORAN in the afternoon of 19 November no ships were expected to be in the area. Apart from the tug UCO, which was about 115 nautical miles from SYDNEY's position and close inshore, no other vessel was expected to be within 300 nautical miles of SYDNEY's position. Had CAPT Burnett consulted his plot on sighting KORMORAN, as undoubtedly he would have, he must have realised he should not expect to see a ship in that area. Had regard been had to 'known movements of shipping', it should not have been assessed that the vessel sighted 'appears innocent' when the vessel was not shown on the plot. The absence of the ship from SYDNEY's plot should have resulted in there being 'a cause for suspicion' and thus the Case B procedure being followed.

It is known, and CAPT Burnett knew, that the information provided by the Mercantile Movements Section was not always accurate. The evidence suggests, however, that CAPT Burnett placed considerable reliance on that section and the plots it maintained and communicated to warships. The problem confronting the commanding officer of a warship was that, unless he assumed the information on which his plot was based was accurate, he had no information with which to make an initial assessment of innocence or suspicion

until he had closed within a range sufficient to read the merchant vessel's identification signals, which would allow him to compare the physical features of the ship with those for that ship in the books of reference.

It can never be known what influenced CAPT Burnett to make the initial assessment that KORMORAN 'appears innocent' when she was not on his plot. He must have given weight to the fact that the ship was close to the Australian coast, was in or close to a shipping lane, and was within a day's sailing of a focal port—as well as the circumstance that no German raider had ever been encountered in such an area.

As SYDNEY approached KORMORAN four events occurred. The first was that KORMORAN turned from her northerly course of 020° to 025° into the sun on a course of 250° to 260°, increasing speed. A British merchant vessel was not expected to do that until *after* she had signalled her signal letters in response to the signal 'NNJ' from the warship. CAPT Burnett obviously did not regard that as rendering the ship suspicious, perhaps because he was aware that merchant vessels often performed the ship recognition procedure imperfectly. He had written on a number of occasions about problems in that regard. Further, the heading into the sun, which was not required by the recognised procedure, made SYDNEY's reading of the ship's flags and the distinguishing of her physical features very difficult. The second event was the failure to promptly or efficiently respond to SYDNEY's 'NNJ' signal when she started making it continuously from at least 7 miles away. CAPT Burnett might, however, have thought that was simply incompetence on the part of the merchant ship. The third event was the extended chase of the ship and the decision to shut down the Walrus aircraft. SYDNEY pursued the ship, heading into the sun for about an hour while her signals were either ignored or responses to them delayed. During this time CAPT Burnett decided to prepare the Walrus for launch and later to shut it down. Whatever might have been the reason to shut down the Walrus, the decision to prepare it for launch can only have been related to the sighted ship and been based on a doubt about whether the ship was friendly and thus there was a need to investigate it, track it to prevent its escape or call the fall of shot. If there was such doubt, the ship should have been assessed as 'suspicious'. The fourth event was the Q signal KORMORAN sent at about 1800H, which SYDNEY would have heard as she monitored the distress channel. Although the Q signal was not precisely in the form required by regulations, it was very similar to it—identifying the ship and the location from which the signal was being sent. In any event, by the time that signal was sent it is clear that SYDNEY was approaching fast on KORMORAN, towards a close and parallel course.

None of those five circumstances—the absence of any ship on SYDNEY's plot, the premature turn into the sun accompanied by an increase in speed, the fumbled and delayed flag signals from KORMORAN, the extended chase and the decisions to prepare to launch the Walrus and then close it down, and the Q signals—individually or cumulatively caused CAPT Burnett to amend his

assessment that the ship appeared innocent. That is known to be so because at no time did he act otherwise than in accordance with the Case A procedure described in Tactical Note No. 9. By the time SYDNEY read 'PKQI' and was thus able to consult the books of reference to determine if the physical features of the ship before her equated with those of STRAAT MALAKKA and then determine STRAAT MALAKKA's secret call sign, SYDNEY was in a close and vulnerable position if STRAAT MALAKKA was a disguised raider.

It is difficult to accept that, as the chase into the sun proceeded for about an hour, with consequential difficulty in reading flags and discerning features, there was not on SYDNEY's bridge an appreciation that she was being drawn ever closer to the unidentified ship without being able to identify her. If the ship was a disguised raider, SYDNEY was placing herself in great danger.

Putting aside hindsight, as one must, it is more difficult to understand the initial decision to assess KORMORAN as appearing innocent when she did not appear on SYDNEY's plot. The very purpose of maintaining the plot was so ships would know what they might expect to encounter. The sole empirical fact available to CAPT Burnett when making his initial decision was that the ship was not expected to be there. The terrible consequence of his erroneous decision was that SYDNEY did not go to action stations and approached to a position of great danger, where all her tactical advantages were negated and the advantage of surprise was given to KORMORAN. It resulted in the loss of SYDNEY.

Frauds, theories and speculations

In Volume 3 I examine various frauds, theories and speculations that have arisen since the loss of SYDNEY in November 1941. They include the following:

- *The fraudulent letter of proceedings.* This is a letter of proceedings said to be by SBLT Elder, a junior officer in SYDNEY. The letter is said to have been washed up on a beach in Western Australia in August 1980.
- *The two Montagu letters.* The two letters, one supposedly German and the other supposedly British, were used by Mr John Montagu to support theories put forward in his book *The Lost Souls and Ghosts of HMAS Sydney II*, 1941. The letters are patent forgeries.
- *The unique story of a Japanese submariner.* This is a fictionalised, fabricated account by a Mr Alexander McAndrew. It purports to be the account of a sailor on board a Japanese submarine that is said to have sunk SYDNEY.
- *The Kitsche diary.* This was said to be the diary of Theo Kitsche. In fact, it was a translation into German of an article written by journalist Mr Robert S Close and based on a story he heard while travelling on a bus between Warrandyte and Melbourne.

- *The McLeod Story.* This was said to be an account by a Mr McLeod, who was said to have been on board SYDNEY, to have survived its sinking and to have been rescued by a British ship that disembarked him in Sydney. In fact, the account was a fabrication by a sailor who joined the Navy in 1943.
- *The allegations by GPCAPT Bourne.* These allegations were that Area Combined Headquarters Fremantle knew of the loss of SYDNEY on 19 November 1941 and that before 0700H on 23 November 1941 AQUITANIA sent a signal reporting the rescue of German sailors and details of the encounter with SYDNEY. This was said to have led to a single flight on 23 November 1941, manned by FLGOFF Bourne. On the basis of the allegations GPCAPT Bourne alleged a 'cover-up' by Naval authorities, to hide their earlier knowledge of the loss of SYDNEY and their failure to react immediately to that knowledge.
- *Interception theories.* SYDNEY was said to have been directed by Commander-in-Chief China to intercept KORMORAN, and KORMORAN was said to have been directed by German authorities to sink AQUITANIA. The action against AQUITANIA was to occur in conjunction with a Japanese submarine.
- *Bodies in the water.* It was alleged that bodies of sailors from SYDNEY were seen in the water by those on board SS CAPE OTWAY in late November or early December 1941. When Naval authorities were told about the bodies, it was said, the authorities directed CAPE OTWAY to leave the area immediately.
- *A log book that had been tampered with.* It was said that, in order to hide the finding of bodies in the water, the log book of CAPE OTWAY was tampered with.
- *Burial on a beach.* It was alleged that Australian Army personnel had recovered bodies of SYDNEY sailors on a beach in Western Australia and buried them on or above that beach.
- *An autopsy.* It was alleged that a Captain Snook performed an autopsy on the body of a sailor from SYDNEY in December 1941 or early 1942.
- *A Japanese submarine.* The allegation was that a Japanese submarine acted in concert with KORMORAN in the sinking of SYDNEY.
- *Japanese submariners killing survivors.* The allegation was that the crew of a Japanese submarine killed SYDNEY survivors who were in the water, either by machine-gunning them or by burning them.
- *A conspiracy.* It was alleged that the British Government, the Australian Government, the Australian Commonwealth Naval Board, the Royal Australian Navy, the Admiralty, the British Navy and others conspired to

cover up the involvement of a Japanese submarine in the sinking of SYDNEY.

- *Bullion.* The allegation was that on her return from the Sunda Strait SYDNEY was carrying bullion deposits from Singapore. These deposits were said to have been stored in her ammunition spaces, which restricted her capacity to defend herself, and to have been transferred to her by Dutch submarines at sea.
- *Approaching so close to KORMORAN.* Various speculations were advanced as to why SYDNEY came so close to KORMORAN, among them the following:
 - KORMORAN was flying a Norwegian flag.
 - KORMORAN pretended to surrender.
 - KORMORAN feigned an engineering or medical emergency.
 - KORMORAN emitted a smoke screen from her smoke dispenser.
 - KORMORAN stopped on order from SYDNEY.
 - KORMORAN knew and used STRAAT MALAKKA's secret call sign.
 - KORMORAN opened fire before raising the German battle ensign.
- *Prisoners of war in Japan.* It was speculated that there were SYDNEY survivors who had been taken to Japan as prisoners of war.
- *Tallies.* It was claimed that in 1947 a British intelligence officer recovered from a Japanese island tallies (hatbands) from the caps of SYDNEY sailors.
- *The wrecks.* Most recently, it has been alleged that the wrecks found in March 2008 are not those of SYDNEY and KORMORAN.

Each of the frauds, theories and speculations mentioned was investigated. None has any substance whatsoever.