

1 CMDR RUSH: Sir, I recall Mrs McDonald.

2

3 <GLENYS EILEEN McDONALD, on former oath: [9.33am]

4

5 THE PRESIDENT: Q. You are on your former oath.

6 A. Yes, sir.

7

8 <EXAMINATION BY CMDR RUSH CONTINUING:

9

10 CMDR RUSH: Q. I just want to finish off a couple of  
11 matters concerning *Cape Otway*. In your book, you refer to  
12 statements of the daughters of the Cape Leveque lighthouse  
13 keeper which were made to Mr Ted King at page 190 of your  
14 book. Do you see in the third or fourth paragraph the  
15 paragraph commencing:

16

17 *Another submission to my oral history*  
18 *workshop came from Ted King, who had*  
19 *interviewed the daughters of Kempston*  
20 *Davidson, the Cape Leveque lighthouse*  
21 *keeper. He, his wife Alma and four*  
22 *children travelled on the Cape Otway on*  
23 *that voyage. The two girls, Shirley and*  
24 *Sue, did not hear anything about bodies,*  
25 *but, unlike King, I do not think this*  
26 *necessarily means the ship did not locate*  
27 *bodies.*

28

29 *It was obvious from the comments of crew*  
30 *members in the other anecdotal stories that*  
31 *they only gave out information to ex-crew*  
32 *members, family or other lighthouse*  
33 *keepers. They also appeared to keep the*  
34 *information secret until later in the war.*  
35 *It is possible Davidson was told, but not*  
36 *surprising that two girls aged 15 and 8*  
37 *were not informed. However, it was other*  
38 *information in the King research that*  
39 *attracted my attention.*

40

41 Again, I'm not being critical, but I do need to put these  
42 matters to you. You relied on Mr Blythe's account, who was  
43 a young boy on the *Cape Otway*?

44

45

46 THE PRESIDENT: Aged 11, didn't someone say?

47

1 CMDR RUSH: Q. I think Mrs McDonald said that he was  
2 aged 11.

3 A. Yes, I said I wasn't sure how old he was.  
4

5 Q. You have tended to put these accounts of a 15-year-old  
6 girl and her younger sister into the background. I just  
7 don't understand why you do that.

8 A. It is probably quite subjective, but the issue with  
9 the letter is that that young man was told information to  
10 him. He was given information, which he recorded and wrote  
11 down and provided to the wreck location seminar. So that  
12 was first-hand information.  
13

14 With the girls, I felt that the fact that two young  
15 girls were not present or did not see bodies being found  
16 was slightly different. Again, I raised yesterday that  
17 they could have been in their bunks asleep and nobody is  
18 going to come and tell two young girls, "We've just found  
19 bodies." I was raising the hypothesis that it was not  
20 necessarily unusual that they would not know, even if they  
21 were on board.  
22

23 Q. But they also had a direct memory of the Captain of  
24 the ship coming to their father for assistance and  
25 translating a morse code message?

26 A. A signal, yes.  
27

28 Q. A message that asked for them to go out and search for  
29 something?

30 A. That's right. That in itself was unusual, because by  
31 the time that the last lifeboat was picked up, the  
32 *Cape Otway* was around Broome, so for the *Cape Otway* to be  
33 directed to search for anything was very strange.  
34

35 Q. But that message asked *Otway* to go and search for a  
36 downed aircraft?

37 A. No, it did not, not in the recollections of the girls.  
38 The recollection of the girls that you are saying is so  
39 spot-on is that the *Cape Otway* was directed to go and look  
40 for a lifeboat containing 40 sailors.  
41

42 Q. I'm not saying that the recollection of the girls is  
43 spot-on at all. I'm just asking you why you would not pay  
44 the regard to this account of someone on the ship --

45 A. I think I've answered that.  
46

47 Q. If we can go to what the girls said, which is at

1 WAM.003.0040, this is the paper of Mr King and it was  
2 provided to the West Australian Maritime Museum. Perhaps  
3 it is worth going from the top:  
4

5 *In November, 1941, Mr Davidson, the*  
6 *Cape Leveque Light-house Keeper and his*  
7 *family were aboard the Light-house Service*  
8 *Boat, the Cape Otway, on their way to*  
9 *Geraldton.*

10  
11 *Alma and Kempston had four children .. Joy*  
12 *aged 18, who celebrated her 18th Birthday*  
13 *aboard the Cape Otway. Shirley aged 15,*  
14 *Sue aged 8, and Michael. Both Joy and*  
15 *Michael have since passed away, leaving*  
16 *only Sue and Shirley to tell this story.*  
17 *The following are their Statements*  
18 *regarding the Cape Otway from two days out*  
19 *of Carnarvon to their destination being*  
20 *Geraldton. These Statements are very*  
21 *interesting as there is nothing official on*  
22 *the Cape Otway's involvement in the days*  
23 *following the HMAS Sydney and the Kormoran*  
24 *engagement.*

25  
26 *Statement from Mrs D Simonetti nee Shirley*  
27 *Davidson*

28  
29 *Two days out of Carnarvon at about 9.30pm*  
30 *Captain Bateman came to our quarters and*  
31 *asked if Dad would come up and have a look*  
32 *at a Morse-code message they had received,*  
33 *as he couldn't make head nor tail of it.*  
34 *When Dad returned he said that the Cape*  
35 *Otway had been requested to pick up a*  
36 *life-boat at a given position with approx*  
37 *40 people on board. When they arrived at*  
38 *this position they could not locate the*  
39 *life-boat. After searching for some*  
40 *considerable time without success they*  
41 *continued on their way to Carnarvon. When*  
42 *they docked at Carnarvon they were told of*  
43 *the loss of HMAS Sydney and that the*  
44 *life-boat they had been requested to pick*  
45 *up had German survivors aboard from the*  
46 *Kormoran and that they had been picked up*  
47 *off the Coast.*

1  
2 *Shirley stated that regarding the Sydney*  
3 *incident, this was the only event worth a*  
4 *mention, furthermore there were no bodies*  
5 *sighted at all, and if there had been they*  
6 *would certainly have known about it.*  
7

8 *It is interesting to note that the*  
9 *Cape Otway did not know of the loss of the*  
10 *Sydney until they arrived in Carnarvon, or*  
11 *that it was Germans in the life-boat they*  
12 *were requested to pick up. One would*  
13 *question the message they were supposed to*  
14 *have received asking them to search within*  
15 *5 NM of the coast for survivors. Was that*  
16 *message sent after they had left Carnarvon?*  
17

18 *Statement from Mrs S Richardson nee Sue*  
19 *Davidson*  
20

21 *In November, 1941 she was aboard the Cape*  
22 *Otway with her family sailing from Cape*  
23 *Leveque to Geraldton. Two days out of*  
24 *Carnarvon they received a morse-code*  
25 *message requesting them to pick up a*  
26 *life-boat at a given position with approx 40*  
27 *people aboard. On arrival at this given*  
28 *position they could not locate the*  
29 *life-boat and after an unsuccessful search*  
30 *they continued on to Carnarvon.*  
31

32 *Captain Bateman wasn't very pleased with*  
33 *this request as he said his job was*  
34 *maintaining the lights, not rescuing*  
35 *people.*  
36

37 *When they docked at Carnarvon they were*  
38 *told that the life-boat they had been*  
39 *requested to pick up had German survivors*  
40 *aboard from the Kormoran and that they had*  
41 *been picked up off the coast.*  
42

43 *The Cape Otway normally travelled close to*  
44 *the Coast as most of the lights they*  
45 *serviced were on the coast so it was*  
46 *pointless to sail out wide. They have to*  
47 *come in to service a light.*

1  
2           *There was no sighting of bodies and there*  
3           *was never any mention of this, then or*  
4           *years later. The First Officer from the*  
5           *Cape Otway kept in touch from time to time*  
6           *over the years and not at any time when the*  
7           *conversation turned to this episode was*  
8           *there any mention of floating bodies.*  
9

10          I take it that you had that material at the time you wrote  
11          your book?

12          A.    Yes, I did, and I referred to that material in my  
13          book. I referred to the fact that the girls said they  
14          didn't locate bodies. I also found it really strange that  
15          the *Cape Otway* would have been directed to the last  
16          lifeboat with what they thought were 40 Germans in it,  
17          which was picked up on 27 November, and at that stage the  
18          *Cape Otway* was between Broome and North West Cape.  
19

20          Q.    Is it your position that these girls on the ship and  
21          potentially some crew members on the ship *Cape Otway* could  
22          have been kept in ignorance of the sighting of bodies?

23          A.    I thought the whole oral history was quite confusing,  
24          because of the lifeboat pick-up requirement, and I thought  
25          that the girls of that age - 8 and 15 - might not be in a  
26          position to know.  
27

28          THE PRESIDENT:    Q.    Did you consider the likelihood of  
29          those two sisters' two elder siblings and their parents  
30          mentioning the matter to them in the ensuing 30 or  
31          40 years, if in fact bodies had been sighted?

32          A.    That's a fair point, but some people kept confidences  
33          or kept things quiet. I would assume that if you had  
34          passengers on board, the only person I thought that might  
35          know would be the father, and if he had been asked to keep  
36          something in confidence, people honoured their word in  
37          those days, so they didn't blab about it.  
38

39          Q.    So you assumed that the gentleman's wife and the two  
40          elder children were not told by the father?

41          A.    I listed this story in my book in detail, saying that  
42          the girls had not seen any bodies.  
43

44          Q.    I understand that, but what I can't understand is why  
45          you rejected that evidence?

46          A.    I didn't reject it; I included it, but it still, with  
47          the weight of the other evidence that I had seen, indicated

1 to me that the *Cape Otway* story needed much further work.

2

3 Q. And the other evidence was?

4 A. We went through that yesterday, Commissioner. It was  
5 the story of Jack Heazlewood and it was the letter from,  
6 I think his name was Jim Blythe.

7

8 CMDR RUSH: Q. Perhaps if we go back to page 189, at the  
9 bottom of that page you set out some dot points in relation  
10 to --

11 A. Where the rumour had come from.

12

13 Q. What you say, if we go to page 189 --

14 A. In assessing the rumour I listed some dot points.

15

16 Q. The way you put it in the book:

17

18 *In the case of the Cape Otway, the*  
19 *information has come from quite compelling*  
20 *sources:*

21

22 *Various ex-crew members of Sydney who*  
23 *identified their close link with Sydney to*  
24 *the captain and first mate.*

25

26 A. Where are you reading, sir?

27

28 THE PRESIDENT: Page 189.

29

30 CMDR RUSH: Q. The bottom of page 189.

31 A. Yes.

32

33 Q. Who were the various ex-crew members of *Sydney* who  
34 identified their close link, apart from Mr Heazlewood?

35 A. There was another one that I can't remember offhand,  
36 because I didn't come prepared for this questioning, and  
37 that was in the Parliamentary Inquiry, but I would have to  
38 go back to that.

39

40 Q. It is not a person you included in your book?

41 A. No, no. It was one of the Parliamentary Inquiry  
42 submissions from an ex-crew member of *Sydney*, who told a  
43 similar story to Heazlewood.

44

45 Q. "The family of a lighthouse keeper"?

46 A. That was Jim Blythe.

47

1 Q. If you accept for the moment that the log shows that  
2 the person that Mr Blythe relied on - I think it was  
3 Tom Arcus - wasn't on the ship at the time of the sighting  
4 of bodies?

5 A. No, but he could have relayed crew information, but  
6 I didn't know that detail at the time, no.

7  
8 Q. "The family of a crew member of the *Cape Otway*" -  
9 Mr Kempston?

10 A. Yes. "The family of the lighthouse keeper" - I was  
11 talking about Blythe there.

12  
13 Q. No, "The family of a crew member of the *Cape Otway*"?

14 A. Yesterday, you went through that and you proved that  
15 that was inaccurate. That was the gentleman who told me  
16 that his uncle had been a crew member on the *Cape Otway* and  
17 told the family stories of the bodies.

18  
19 Q. And "one or more signallers from another state"?

20 A. That was the letter that we went through yesterday  
21 that --

22  
23 Q. You put "one or more". I appreciate that we have the  
24 Park Orchards --

25 A. All right, I'm sorry, this research was four years ago  
26 where I summarised it and I don't have my files in front of  
27 me.

28  
29 Q. But, Mrs McDonald, you haven't referred to any other  
30 signal apart from the unidentified person who allegedly  
31 received a signal at --

32 A. If I remember rightly, that person alleged that there  
33 were others present at the time who had heard it.

34  
35 THE PRESIDENT: Q. If I could take you to the bottom of  
36 page 189, which you were just asked about, you said that  
37 you had a methodology for assessing the accuracy, if you  
38 like, of oral histories. You set out four dot points, and  
39 we have just been through those. You said that you got  
40 information from what you call quite compelling sources,  
41 namely, four different sources; is that right?

42 A. Yes. My methodology initiated with the Port Gregory  
43 sightings - that if one of the locals told me something,  
44 I never used it, I never put it forward in a paper until  
45 I had heard the same information from two separate  
46 unrelated sources. What I am trying to say here is that  
47 there is a whole raft of rumours and people coming forward.

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Q. Yes, I understand that.

A. And I was just listing that there was more than my criteria of two. If I only had Jim Blythe's letter to say that he was told that the *Cape Otway* found bodies, I would never have got involved in the *Cape Otway* story.

Q. So you applied your methodology in relation to determining whether or not you thought the *Cape Otway* rumours had any substance?

A. Yes, because of Jack Heazlewood, because of Jim Blythe's letter.

Q. You mentioned four things. The first one was the various crew members, which were Mr Heazlewood and another person you don't presently recall?

A. Yes.

Q. The second one was the family of the lighthouse keeper, who is Mr Blythe, and we've been through that, and we have established, I believe, that the person whom Mr Blythe relied upon was in fact not on board in November or December 1941, so Mr Blythe's account could not be accurate?

A. It's not accurate, no. That person would not have been relaying a first-hand recollection.

Q. The third one is "The family of a crew member of the *Cape Otway*". Who was that?

A. That's the one that we established yesterday is not correct. His uncle was on at a later date.

Q. So two of three so far are not correct?

A. That's right.

Q. The fourth one is "One or more signallers from another state".

A. That is the letter that the person wrote to the newspaper, the Derek Ballantine one that we went through yesterday. Unfortunately, he has not come forward, but information about where he said he was, it was certainly a signal listening --

Q. As far as the fourth one is concerned --

A. We don't have a name.

Q. -- we have an unattributed statement by a person who

1 wrote an anonymous letter to a newspaper, who has not come  
2 forward?

3 A. That's correct.

4

5 Q. That then led you, on the basis of those four matters,  
6 to say that it is therefore no surprise that the *Cape Otway*  
7 was ordered to leave the area?

8 A. Yes.

9

10 Q. Do you still maintain that view?

11 A. No, I think that if this Inquiry has obviously knocked  
12 out two of those points that I wrote four years ago, that  
13 would certainly change my perception on things. I think  
14 what Dr Michael McCarthy said yesterday - there are a  
15 number of people who have been trying to get people to look  
16 at this situation in an objective way and to provide  
17 answers to people.

18

19 Q. Yes. That is the first thing you said, "was ordered  
20 to leave the area", and, as I understand it, you may have a  
21 different view about that now.

22 A. If bodies were located, it makes sense to me that a  
23 ship carrying passengers and young people would have been  
24 ordered to leave.

25

26 Q. If they were ordered to leave, that would be after  
27 they had seen the bodies, would it?

28 A. After some people on board had seen the bodies and  
29 signalled --

30

31 Q. But the two people from whom an account was taken,  
32 namely, the two Davidson sisters, said that they were on  
33 board and they said that they didn't see any bodies and  
34 they have never been told by their parents or elder  
35 siblings of any bodies?

36 A. I think that this Inquiry has ruled out two of the  
37 points that I relied on, and if I were looking at it again  
38 today, I probably would not have come to the conclusions  
39 that I came to in 2004.

40

41 Q. The second point you said was that its crew, that is,  
42 the crew of *Cape Otway*, was sworn to secrecy. Is there any  
43 basis for your saying that?

44 A. I think that might have come from Jack Heazlewood  
45 and his discussion with the people who were purported to be  
46 crew members of *Cape Otway*. I did speak to  
47 Jack Heazlewood.

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Q. I don't recall any evidence of an account from Mr Heazlewood that suggested that any crew of *Cape Otway* were sworn to secrecy.

A. Well, my memory doesn't help me there, sir. But as far as I am concerned, there is something in my files or in my discussions with Jack Heazlewood or what Jack Heazlewood has written that has given me that indication.

Q. The third thing was that a page was removed from the *Cape Otway* log.

A. I examined the log, as I went through yesterday, in 1993, so at the moment I can't remember what I've written down in my notebook. I would have looked at it, and I was fairly sure that there was a page missing, and I can also guarantee in my diary I have written down that Dr McCarthy from the West Australian Museum informed me that there was a page missing.

THE PRESIDENT: Is it convenient, CMDR Rush, for the log to be shown to Mrs McDonald?

CMDR RUSH: I'll ask LEUT Kerr to deal with that.

LCDR KERR: Sir, I am handing up a log entitled "Commonwealth of Australia 1937 to 1941 Official Logbook" with both drills supplement for the *SS Cape Otway*. Mr Ralph from National Archives has requested that gloves be used when handling the log.

**EXHIBIT #161 COMMONWEALTH OF AUSTRALIA 1937 TO 1941  
OFFICIAL LOGBOOK SS CAPE OTWAY WITH BOTH DRILLS SUPPLEMENT**

THE PRESIDENT: After today, I would like it returned immediately to the Archives.

LCDR KERR: I will hand it up, sir.

THE PRESIDENT: I also have examined this log previously. I want to suggest to you that there is no page missing in this log at all. Where can we conveniently look at this - perhaps on a table here.

(Log examined)

THE PRESIDENT: Q. Just so that you know where we are going, there was in fact a change in the early 1920s which

1 changed the requirements of that which had to be recorded  
2 in an Official Logbook. The result was that the then  
3 printed and used logs had a page which contained five  
4 columns in which information had to be recorded.  
5

6 As a result of the regulation change, additional  
7 information was required to be recorded, and it required  
8 18 columns. What happened was that in this and, indeed, in  
9 the previous log of *Otway*, and in the next log of *Otway*,  
10 the new printed pages with the 18-odd columns were stuck in  
11 the middle of where the old pages were, and that's all that  
12 has happened.

13 A. That's what has happened.  
14

15 Q. The second thing that happened was that when whoever  
16 was writing up the log turned over the page on one  
17 occasion, in error he turned over two pages, so two pages  
18 were left blank. When they got to the end at page 49 or  
19 50, whatever the number may be, having realised that they  
20 still had two blank pages, they then went back in sequence,  
21 so I think page 36 follows immediately after page 49. It  
22 is as simple as that. All the pages are numbered with  
23 printed numbers. We'll just go through it together.  
24

25 You will see the first page is entitled "Official  
26 Logbook", and it does not have a number. The next page on  
27 the rear of the first page has a printed number "2". The  
28 next one has a printed number "3". The next one has the  
29 printed number "4". The next one has the printed number  
30 "5". The next one, which is not filled in, has the printed  
31 number "6" and the next one the printed number "7". The  
32 next one has the printed number "8" and then the printed  
33 number "9", printed "10", printed "11", printed "12",  
34 printed "13", printed "14", printed "15", printed "16", and  
35 somebody has drawn a line across it.  
36

37 There is then, as you will see, a sticking-in of some  
38 new pages. That page is blank, because it is the blank  
39 side of an inserted page.

40 A. Yes.  
41

42 Q. And that is the first page of the insertion after --

43 A. It did look like there was something torn from there.  
44

45 Q. Someone has used a backing strip to insert these  
46 pages?

47 A. Yes.

1  
2 Q. You'll see that there's the first page of this new  
3 requirement which is a "record of boat musters, boat  
4 collision, fire and rocket drills" is to be completed. The  
5 left-hand side of the page is complete. The right-hand  
6 side is a blank, because it is the back side of the next  
7 page, which is a similar record of "and examination of  
8 life-saving and fire-extinguishing appliances". You'll see  
9 the new requirement for all these columns.

10  
11 The next page on the left side is blank, because it is  
12 the back side of one of the pages that were inserted. The  
13 next page is in fact the corresponding page for the first  
14 one, two pages further back. Behind that, it is blank,  
15 because it is an insertion. Then we come to printed  
16 page "17".

17 A. Yes.

18  
19 Q. "18", "19", "20", "21", "22", "23", "24", "25", "26",  
20 "27", "28", "29", these all being printed pages, "30",  
21 "31", "32", "33", "34", "35", "36", "37", "38", "39"?

22 A. There was the blank back there for the dates in  
23 question.

24

25 Q. Whereabouts?

26 A. The 18th of the 11th, 1941.

27

28 Q. Mrs McDonald is referring to the fact that on page 37,  
29 after an entry of 18 November 1941, at sea there is no  
30 further entry on that page. As you will see, if you look  
31 at page 36 down across to page 37, there is only an entry  
32 made where there is something which is required to be  
33 entered. Pages 36 and 37 do not have an entry for every  
34 day, do they?

35 A. No, but there is quite a considerable number for  
36 October.

37

38 Q. There are three entries for 20 October and one entry  
39 for 22 October.

40 A. Yes.

41

42 Q. Nothing then for eight days until 30 October.

43 A. Yes.

44

45 Q. Nothing then for three days until 2 November, nothing  
46 then for a further 11 days until 13 November.

47 A. Yes.

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Q. And then two further days later, there's an entry for 15 November and then an entry for 18 November.

A. That's right.

Q. And nothing thereafter.

A. Nothing thereafter.

Q. Presumably, because nothing had happened which occurred which was required to be entered into the log.

A. Correct. It begins on April 1940; that was one of the issues, and the inserted pages were two of the issues that were noted.

Q. Page 38 commences with an entry of 2 April 1940. As I said to you at the beginning, if you go to the end - we will come to it in due course - 38 and 39 --

A. The previous page was 1941, and then page 38 goes to April 1940, sir.

Q. The previous page is in fact 1941.

A. 1941, number 37; and then the next page, number 38, is April 1940, sir.

Q. What did you draw from that?

A. They certainly weren't running in sequence.

Q. Did you look to see why?

A. I did try to ascertain why, but I could not come to any conclusion.

Q. Page 38 commences on 2 April 1940.

A. That's right.

Q. And runs on to page 39, which is again 1940.

Page 40 --

A. Is 1940 as well.

Q. Page 41?

A. Is 1940 as well.

Q. Page 42?

A. Is 1940.

Q. Page 43?

A. Is 1940 and goes down to 1941 at the end there, so there are a number of pages that seem to have been blank

1 and the sequence is all wrong, sir.  
2  
3 Q. Did you observe that there was no entry between  
4 9 November 1940 and 16 March 1941?  
5 A. No, I probably missed that, sir.  
6  
7 Q. A period of some four months.  
8 A. That's right.  
9  
10 Q. Over the summer period. Then there's page 44, again  
11 in 1941.  
12 A. Back to March 1941, sir.  
13  
14 Q. That's because it follows on from page 43, which  
15 starts with 16 March.  
16 A. But it is a bit different to the other one, being on  
17 page 37, sir.  
18  
19 Q. We will come to that. So there is page 43, March  
20 1941; page 44 commences March 1941; page 45 runs across  
21 to April 1941.  
22 A. Yes, sir.  
23  
24 Q. Page 46, April 1941. Page 47 commences in May 1941  
25 and has only three entries in the next three months down  
26 to August 1941.  
27 A. That's right, sir.  
28  
29 Q. Page 48, September 1941 through to 30 September 1941.  
30 A. Yes, sir.  
31  
32 Q. And page 50?  
33 A. That's down to October 1941. I didn't understand,  
34 sir, why 1941 ran to page 50, but way back on page 37 was  
35 the months in question.  
36  
37 Q. Did you see what is written at the bottom of page 50?  
38 A. Yes, I can see that.  
39  
40 Q. "See page 36".  
41 A. I can see that, sir, but I didn't understand how  
42 somebody could leave out all those pages.  
43  
44 Q. If you go back to page 36 --  
45 A. Pages 36 and 37 are totally out of sequence from  
46 page 50.  
47

1 Q. If you go to page 50, it says "see page 36", which is  
2 obviously the two pages which have been passed over in  
3 error, and the next entry follows on from the last entry on  
4 page 50; do you agree with that?

5 A. Yes, I do, sir.

6

7 Q. So an examination shows, first of all, that there is  
8 no page missing.

9 A. That's right.

10

11 Q. That it is obvious that the person completing the log  
12 passed over two pages, which were left blank.

13 A. Yes.

14

15 Q. When he got to the end at page 50, he made a note "see  
16 page 36", and if you go to page 36, it then continues in  
17 sequence as though it was continuing on after page 50.

18 A. Yes, and the inclusion in the log does look like  
19 there's a page torn out, but it is the way it has been  
20 included back in the logs. I'm quite happy with that  
21 explanation.

22

23 THE PRESIDENT: Thank you very much. One of the problems,  
24 if I may say something at this point of time, is that this  
25 whole edifice of bodies being sighted by *Cape Otway* has  
26 been supported by a very heavy reliance on the fact that it  
27 is asserted that the *Cape Otway* log has been, to use the  
28 expression of others, tampered with.

29

30 It has not been tampered with at all. It is complete.  
31 There are no pages missing. All that has happened is that  
32 there has been inserted a total of two double pages, making  
33 four in all, between pages 16 and 17, as required to meet  
34 the new requirements under the Navigation Act. If there  
35 had not been this great reliance on the so-called tampering  
36 of the log, this story would never have had any credence.

37

38 CMDR RUSH: Q. I have just one more question about  
39 *Cape Otway*. If I can ask you to turn to page 191 of your  
40 book, in about the fourth full paragraph, you will see that  
41 after discussing *Cape Otway*, you said this:

42

43 *I also wondered, after the air search was*  
44 *called off suddenly, why an army convoy of*  
45 *twenty trucks left Fremantle on 29 November*  
46 *and arrived at Carnarvon at 10pm the next*  
47 *day.*

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What were you wondering about?

A. Well, as the search was called off and as all the Germans had been transported to Perth, I didn't understand what a convoy of trucks would be doing leaving to go to Carnarvon. That convoy is listed in the No. 4 Flying School log. I was wondering what that convoy was doing. The search was called off, so they weren't necessarily supplying aviation fuel for the aircraft. They weren't going up to collect German prisoners. By then, the German prisoners were all in Fremantle, so my query was what was the role of those trucks?

Q. Was that somehow to be linked to bodies?

A. I was asking that question, because if bodies had been discovered, somebody would have had to have dealt with them. So, yes, my comment there, my query there, was linked to the bodies, but I had no evidence or proof. I only had proof that the convoy left after the search was called off and after the prisoners were - and I was just asking the question what their role was and if anybody that had been in that convoy could come forward, and nobody has come near me with any information.

Q. In asking the question, you were surmising that the convoy may have been sent up to this area to collect bodies?

A. If the *Cape Otway* found bodies, somebody would have had to have been sent to deal with them.

THE PRESIDENT: Q. There is a real problem about the bodies on the beach theory, because it necessarily flows from the *Cape Otway* story.

A. I agree, sir, and I have no evidence that anybody found bodies on the beach or anything like that. I did surmise, how would we deal with bodies in the heat that had been in the water for 12 days, but I have no information about graves on beaches or bodies on beaches. I've never gone anywhere. If anybody comes forward with that information, I always say, "Who is it? What is it? Where were they?" I need to know name, rank and serial number.

So I have nothing to do with bodies on the beach, but I did query what the role of this convoy was, and nobody has contacted me, nobody has got back to me. I've heard nothing. It was a query, but it certainly was linked with my belief that, at that time, the *Cape Otway* might have

1 found some bodies.

2

3 CMDR RUSH: Q. You went on to say:

4

5 *By that time the search was over, so no*  
6 *aviation fuel was required for searching*  
7 *aircraft, and the German prisoners were*  
8 *safely in Perth.*

9

10 The issue of refuelling for aviation was a very, very  
11 significant issue, I suggest, for those aircraft in those  
12 stations that were based up the Western Australian coast?

13 A. Yes. It was just that there were movements of a  
14 number of convoys. Usually, the convoys were to cart  
15 aviation fuel or they were going up to bring back  
16 prisoners. This one seemed to be after it was all over, so  
17 I asked the question.

18

19 Q. So they would have been desperate for fuel, because  
20 all those aircraft had been in the air searching for  
21 Sydney?

22 A. I think that they were back at their bases by then.

23

24 Q. Desperate for fuel so they could fly?

25 A. Back in Perth and back in Geraldton.

26

27 Q. What about Geraldton and Carnarvon?

28 A. The convoy went to Carnarvon.

29

30 THE PRESIDENT: Q. The point being put to you is this:  
31 if the aircraft stationed north had been flying for  
32 considerable periods of time in search, they would have  
33 diminished the supplies of aviation fuel north. Therefore,  
34 those supplies have to be renewed. Therefore, it would be  
35 sensible to think that trucks would have gone up there  
36 taking fuel to replenish those supplies, not to pick up  
37 bodies from the beach.

38 A. That's fair enough.

39

40 CMDR RUSH: Q. Sir, could we have NAA.018.0182. You see  
41 that this is a report from the Commanding Officer of  
42 14 Squadron. It is a brief report on reconnaissance  
43 operations from 24 November to 28 November 1941. If  
44 I could ask you to go down the page where we see the  
45 heading "Refuelling" and go three-quarters of the way down  
46 the page, do you see about halfway along the screen,  
47 Mrs McDonald, it is reported as follows:

1  
2           *In addition, the stocks of fuel held at*  
3           *Carnarvon were quite inadequate for one*  
4           *weeks operations, and two road convoys were*  
5           *necessary to replenish it. The petrol*  
6           *delivered by the first of these convoys was*  
7           *used in one day. It should also be*  
8           *reported that the first convoy was actually*  
9           *a double one, and that the first half to*  
10           *arrive, approximately 5,000 gallons, could*  
11           *not be used owing to oil being mixed with*  
12           *the petrol. The painting of CONTAMINATED*  
13           *on all these drums to ensure they were not*  
14           *used was a further call upon the time of*  
15           *men already overtaxed by more important*  
16           *work.*

17  
18           *On the subject of replenishment, it is*  
19           *further desired to report that the Army was*  
20           *using every available vehicle, even*  
21           *impressing old civilian vehicles unequal to*  
22           *the strain, many of which broke down and*  
23           *were left along the road. The time taken*  
24           *for a convoy was 20 hours, to cover the*  
25           *distance from Geraldton to Carnarvon, a*  
26           *days maintenance and endeavouring to*  
27           *collect stranded vehicles, then 16 hours to*  
28           *return to refill, total time 60 hours.*

29  
30           That gives some perspective to the use of convoys, doesn't  
31           it?

32           A.   Yes, yes. I knew that the convoys were taking up fuel  
33           during the search and I also knew that a lot of Geraldton  
34           trucks were commissioned, if you like, to do that, as it  
35           says there.

36  
37           Q.   I have to ask, Mrs McDonald, why didn't you put that  
38           in your book?

39           A.   I've never seen this before, sir.

40  
41           Q.   But you knew, you said, of the way in which these  
42           trucks were operating?

43           A.   That was during the search, sir, but now I take the  
44           point that they might have had to replenish stocks after  
45           the search. The trucks were certainly carting fuel during  
46           the search.

47

1 CMDR RUSH: Sir, perhaps I should tender that document.  
2 It is annex B to a report of search for lifeboats of  
3 *HMAS Sydney* and the *Kormoran*, dated 4 December 1941,  
4 barcoded NAA.018.0182.  
5

6 **EXHIBIT #162 ANNEX B TO A REPORT OF SEARCH FOR LIFEBOATS OF**  
7 ***HMAS SYDNEY* AND THE *KORMORAN*, DATED 4 DECEMBER 1941, TITLED**  
8 **"BRIEF REPORT ON RECONNAISSANCE OPERATIONS - 24 NOVEMBER TO**  
9 **26 NOVEMBER 1941 AFO 10/A/6, BARCODED NAA.018.0182**

10  
11 CMDR RUSH: Q. You became aware of an account that was  
12 given by a gentleman, Pastor Wittwer, of an account that  
13 was given by a person called Groesmann to him when he, in  
14 the early 1950s, was at the Snowy Mountains  
15 Hydro-Electricity Scheme, the works that were being  
16 undertaken?

17 A. Yes.  
18

19 Q. On becoming aware of that, you undertook some research  
20 in relation to attempting to establish the identity of this  
21 person Groesmann, who had reported to Pastor Wittwer that  
22 he had been on *Kormoran* and had witnessed activity,  
23 including submarine activity, surrounding the loss of  
24 *HMAS Sydney*?

25 A. Yes. When I first heard Pastor Wittwer's claims that  
26 Gerhardt Groesmann, whom he called "Heinz", was a member of  
27 the *Kormoran* crew and was telling a story about a Japanese  
28 submarine being involved in the sinking, I first contacted  
29 the National Archives to call for any information about the  
30 ASIO discussion that Pastor Wittwer was talking about, and  
31 they contacted ASIO on my behalf.  
32

33 I also contacted one of the German crew members that  
34 I had interviewed and asked him if he had the home address  
35 of Gerhardt Groesmann and also Heinz Grossmers, because  
36 there was a bit of a problem at the beginning as to which  
37 German Pastor Wittwer was referring to.  
38

39 I found out that Grossmers had never returned to  
40 Australia, but it was more difficult trying to track down  
41 Gerhardt Groesmann, who was the man in question, because he  
42 had been repatriated back to East Germany. With the  
43 address, I had a friend who lived in Koblenz, who was  
44 German, obviously. I faxed her a list of questions, and  
45 she was able to ring Grossmann's wife, Jenny, and put to  
46 her my list of questions. It turns out that - and, again,  
47 I have to use my memory - I think they were married in

1 1948. He could not speak English. They had never left  
2 East Germany. He had not returned to Australia. His two  
3 brothers, one of whom was mentioned by Pastor Wittwer, had  
4 also never, ever left East Germany. It was not possible.  
5 So I think that I proved that whoever had spoken to  
6 Pastor Wittwer was not a crew member of *Kormoran* and  
7 therefore an imposter.

8  
9 THE PRESIDENT: Q. That's a very good piece of research,  
10 if I may say so.

11 A. Thank you, sir.

12  
13 CMDR RUSH: Q. There is one other topic I want to go to,  
14 and it is the topic of signals. I think you were in Sydney  
15 when the DSTO evidence was given. The Commission has also  
16 received other evidence to the same effect, and that is  
17 that *Sydney* was incapable of sending voice transmission.

18 A. Yes.

19  
20 Q. Do you accept that?

21 A. Absolutely, sir. I've known that for a couple of  
22 years.

23  
24 Q. As a consequence, in relation to oral histories of  
25 those persons who allege that they received voice  
26 transmissions from *Sydney*, you would agree that that is  
27 impossible?

28 A. Anybody who alleges voice transmissions from *Sydney* is  
29 incorrect, sir. I do have an issue, though, with one  
30 signal that I believe was plain language morse, but it has  
31 an "R/T" written on it.

32  
33 Q. I think probably that is the one that we went to  
34 yesterday with Dr McCarthy.

35 A. Yes, it is, sir. If I could just say that there was  
36 confusion in the archives about signals from *Sydney*. There  
37 was a signal that went out that was worded such that it  
38 said, "No further news from *Sydney*", so that led some  
39 people to believe that *Sydney* must have contacted somebody.  
40 Even the Prime Minister's announcement said, "No subsequent  
41 communication has been received from the *Sydney*". There is  
42 a minute in the archives that Richard Summerell has in his  
43 wonderful publication that says, "Subsequent intelligence  
44 suggests *HMAS Sydney* sent out a weak and corrupt Q distress  
45 message under extreme difficulties". So for researchers  
46 looking into the signal issue, even the archives seem to be  
47 suggesting that it was possible.

1  
2           Having seen the damage on *HMAS Sydney* and being  
3 present when the scientists analysed that damage, I believe  
4 now that certainly no messages could ever have been  
5 received overseas, but I do believe that the stern of  
6 *Sydney* was relatively undamaged compared to the rest of the  
7 ship, and there was an aft wireless room and they did have  
8 jury rigging. I did wonder, given the dire straits of  
9 *Sydney's* last hours, if somebody would have been tasked to  
10 try to get messages out, but I realise that it would have  
11 been extremely difficult.  
12

13 Q.   Just dealing with the issue of signals concerning the  
14 SWACH log, we went through those signals yesterday. Just  
15 as a reminder, if I could ask that NAA.016.0070 be brought  
16 up on the screen, please. If you go down to "Saturday,  
17 6 December, 0054", you might recall from yesterday,  
18 Mrs McDonald, when this was shown in the Inquiry, that this  
19 was the signal put in on 6 December after the issues of  
20 those entries in the SWACH log had been gone through with  
21 Dr McCarthy concerning *Sydney*, Singapore, Leichhardt and  
22 various other matters. This was entered to read as  
23 follows:  
24

25           *Signalled CWR = information received from*  
26           *Darwin that short wave broadcast overheard*  
27           *on 4th of December was from PMG Sydney to*  
28           *PMG Darwin. In view of confusion caused*  
29           *request information whether this a regular*  
30           *or authorised channel ...*  
31

32 Do you accept that entry in the log?

33 A.   I've certainly had a copy at home of the SWACH log for  
34 ages and I've seen those entries. They do seem  
35 self-explanatory. That is possibly why I was hoping that  
36 the first Parliamentary Inquiry and, indeed, this one would  
37 really look at the concerns people had about that entry and  
38 how it was problematic, given particularly Gordon Laffer's  
39 story.  
40

41           You asked the other day, sir, if Gordon Laffer was  
42 related to the Laffer on *Sydney*. Yes, he was. It was his  
43 cousin. Gordon Laffer was probably inspired to research  
44 the *Sydney* because of this signal and this issue. He was  
45 shown this signal after Germany surrendered but before the  
46 war was over when he was in Signals Intelligence with the  
47 RAAF. He told his Commanding Officer that he met his aunt

1 and uncle for the first time, who had lost their son on  
2 *Sydney*, and they were very cool to him, because they  
3 believed that the RAAF was responsible for the loss of  
4 *Sydney*. So he raised this with his Commanding Officer and  
5 was given a *HMAS Sydney* file from Intelligence. In it, he  
6 saw a number of things, but they included a signal very  
7 similar to this one, sir, and he said that it was plain  
8 language morse.

9  
10 He had been talking about this signal for years and  
11 years and years before the signal finally materialised in  
12 the Summerell notes. I still have some concerns about why  
13 that signal was in an RAAF Intelligence file if it had been  
14 completed dismissed.

15  
16 I have two issues with it. The first is that he said  
17 it was plain language morse, not voice, and if it was  
18 voice, you rule a line through it straight away. The other  
19 issue is that the signal has the name "Bailash" in the  
20 corner of it. SubLEUT Bailash did arrive in Geraldton on  
21 19 November 1941. We can prove that. I have no idea when  
22 he left Geraldton, but I would imagine that he would not  
23 have still been there on 4 December, because he was a staff  
24 duty officer in Perth.

25  
26 Q. That's LCDR Bailash?

27 A. Yes.

28  
29 Q. Why would you imagine that, if he had been sent there?

30 A. I think it would be really wonderful if you could find  
31 out his movements and where he was on 4 December. But from  
32 19 November to 4 December is a considerable number of days,  
33 and it was in the period when the search was going on for  
34 *Sydney*; it would have been a highly busy time. You would  
35 imagine that if he had just been making a courtesy visit to  
36 Geraldton Aeradio, that visit would have been well and  
37 truly terminated and he would have returned to his post.  
38 So they are the only concerns that I still have outstanding  
39 on that signal.

40  
41 THE PRESIDENT: Would you mind scrolling down so that  
42 I can see Sunday, 7 December on the screen, please, and  
43 over the next page. Thank you.

44  
45 CMDR RUSH: Q. Mrs McDonald, are you aware of anyone who  
46 has questioned the integrity of the SWACH log, if I can put  
47 it like that?

1 A. No. The SWACH log was held in private hands for a  
2 number of years, so the integrity of it, if you like, could  
3 have been compromised. But, no, I think that it looks a  
4 very reasonable record of the search and what happened.  
5

6 Q. If you accept the chronological entries that are made  
7 in the SWACH log, if you look at the SWACH log in its  
8 entirety and then look at the particular event that we are  
9 discussing, there is nothing to suggest that this has been  
10 tampered with or interfered with in any way?

11 A. No. I agree, but when things do not add up, people  
12 have to have total faith in their Governments to never hide  
13 things, and I have some questions I still would like  
14 answered on that particular signal. Then I'm quite happy  
15 to draw a line through it.  
16

17 Q. This has nothing to do with Government or Navy or  
18 anyone else.

19 A. No, that's fine.  
20

21 Q. I'm looking at a document. Do you say that the  
22 document does not represent the entries that are properly  
23 made in it?

24 A. I believe that there's nothing wrong with this  
25 document, that it has not been tampered with, but other  
26 people have a different view to that.  
27

28 THE PRESIDENT: Q. Who is it who says that this has been  
29 tampered with?

30 A. Well, I'm not going to name them, sir.  
31

32 Q. Why not? I want to know about them.

33 A. It has been raised by --  
34

35 Q. Or if it can be demonstrated that that is a complete  
36 furphy. If someone says this has been tampered with, I  
37 would like to know about that, too.

38 A. I don't believe it has been tampered with. What I was  
39 trying to do in my research was to wonder whether the  
40 Geraldton messages, because they were so sparse, had not  
41 been originally identified as coming from *Sydney*, and it  
42 was only later on when the importance of them occurred that  
43 they could have been passed on on 4 December. But if you  
44 like, I'm quite happy for you to rule a line through the  
45 signal.  
46

47 CMDR RUSH: Q. It is not a matter of you being happy for

1 us to do that, but I appreciate your sentiments. One of  
2 the issues - and you'll remember Dr McCarthy's evidence  
3 yesterday - is this very document and this very signal.

4 A. Yes, and I'm one of those people who have concerns.

5  
6 Q. I just want to understand, with the SWACH log, what  
7 your concern is. If you accept the entries that are made  
8 chronologically, what is the concern?

9 A. My concern is that the message might have been  
10 received and only relayed on 4 December, and it had  
11 actually been received on 19 November and not considered  
12 important.

13  
14 Q. But if one just accepts the entry of the SWACH log for  
15 Saturday, 6 December, which refers to the matters that are  
16 entered for 4 December, which are those very signals, then  
17 that sets the dates of 4, 5 and 6 December, doesn't it?

18 A. Yes, yes, it does.

19  
20 THE PRESIDENT: Would you go back on the screen to  
21 4 December, please.

22  
23 CMDR RUSH: That is at page 0069. 1520 is the first one,  
24 sir.

25  
26 THE PRESIDENT: We went through this the other day, but  
27 are there three entries there?

28  
29 CMDR RUSH: There is 1520, 1543, 1545 and 1553.

30  
31 THE PRESIDENT: Q. They are in a book which has  
32 continuous entries for 3, 4, 5, 6 and 7 December. Are you  
33 seriously suggesting to me that those three entries entered  
34 chronologically, with one irrelevant entry to the topic  
35 we're presently dealing with in between, were received on  
36 the 19th and not the 4th?

37 A. I do not have it in front of me, but in the Summerville  
38 archives that listed those two signals, the time frame on  
39 those signals is different to the time frame here.

40  
41 Q. Let us look at that. Is this NAA.023.0143 one of the  
42 documents you are talking about?

43 A. Yes. The timing there is 2150, 2140, 2150, 2240,  
44 2255, and they would fit with the last hours of the Sydney  
45 wallowing and they seem to be different to the time frame  
46 in the SWACH log.

47

1 Q. What is your supposition about 2140? Is that H time?  
2 A. That's H time. That's the time it was received.  
3 These are the questions and why the signal has played on  
4 people's minds.

5  
6 CMDR RUSH: Q. If you just look at 2150 on the screen:

7  
8 *R/T Sydney calling Darwin distress signal.*  
9 *Short Leichhardt.*

10  
11 What is Leichhardt?

12 A. It's been suggested it's a crew member of *Sydney*. The  
13 words "distress signal" caused people concern.

14  
15 Q. Was there a Leichhardt in the crew?

16 A. You're testing my memory. There is a similar name,  
17 and he was a wireless operator, but I'm under oath and  
18 I would have to check my facts. It certainly has been  
19 raised. I was not sure whether that "short", or whatever,  
20 was "*Straat*" for *Straat Malakka*.

21  
22 THE PRESIDENT: Q. It then says, "Send morse after  
23 2450". Is it seriously suggested that somebody sent a  
24 signal in morse, because it couldn't be anything else,  
25 because *Sydney* can't send voice messages?

26 A. No, *Sydney* would have had to have sent morse.

27  
28 Q. That they sent a morse message saying, "Send morse  
29 after 2450"?

30 A. I've no idea, sir.

31  
32 Q. It makes no sense at all, does it?

33 A. The whole signal doesn't make sense, whether it is PMG  
34 or coming from *Sydney*.

35  
36 Q. There is no "Leichhardt". There is a "Lockard" in  
37 those who were lost.

38 A. That's right.

39  
40 CMDR RUSH: Q. At 2240:

41  
42 *Singapore call Darwin AS Sydney calling*  
43 *2450.*

44  
45 A. And somebody had written in on the archival copy  
46 "HMAS".

47

1 Q. Someone has, but that's not what was written by the  
2 person who recorded it, is it?

3 A. No. It's just "AS", which doesn't make any sense.  
4

5 Q. It doesn't make sense perhaps to you or me, but it  
6 could well make sense to the person receiving it as a  
7 capital "A" and a capital "S".

8 A. Yes.  
9

10 Q. At 2255:

11  
12 *Message received. Frequency satisfactory,*  
13 *will put through in morse.*  
14

15 A. Yes.  
16

17 Q. That would be an extraordinary message from a ship,  
18 wouldn't it?

19 A. Yes. I certainly don't know - the distress signal  
20 issue was what captured people there and the timing does  
21 seem to be different to the SWACH log, and that was all  
22 I was raising.  
23

24 THE PRESIDENT: Q. But what is it that those who  
25 question this say? Is that "2255" meant to be a signal  
26 from *Sydney*?

27 A. I'm sure that people believed that these were part of  
28 messages that *Sydney* was trying to send out.  
29

30 Q. Which means that at 5 minutes to 11 at night, which at  
31 least on the German account is some five hours after the  
32 battle, *Sydney* sent a message saying:

33  
34 *Message received.*  
35

36 So *Sydney* was saying, "We have received a message":

37  
38 *Frequency satisfactory, will put through in*  
39 *morse ...*  
40

41 That's just nonsense.

42 A. Okay.  
43

44 Q. Isn't it?

45 A. Well, it does seem strange.  
46

47 Q. Doesn't that indicate to you that it could not

1 possibly have come from *Sydney*?

2 A. That particular one at that time of the *Sydney*'s  
3 struggle certainly - now, having seen the wreck and the  
4 damage, it does seem strange. But you have to remember,  
5 sir, that when we were all looking at this, we had not  
6 found the wrecks.

7  
8 Q. I understand that.

9 A. And *Sydney* could have had structural integrity to be  
10 able to stay afloat for some considerable time.

11  
12 Q. I understand that as well. We now know, having seen  
13 the damage that the *Sydney* suffered, that this message  
14 could not possibly have come from *Sydney*. But put that to  
15 one side. Before we knew that, did anyone seriously think  
16 that at 5 to 11 on the night of its loss, *Sydney* sent a  
17 message which said:

18  
19 *Message received. Frequency*  
20 *satisfactory ...*

21  
22 In other words, "The frequency on which you are sending us  
23 messages is satisfactory":

24  
25 *Will put through in morse ...*

26  
27 *Sydney* will put something through in morse. That doesn't  
28 make any sense at all.

29 A. It doesn't make any sense. One of the issues that the  
30 people at the Esplanade Hostel and I believe Geraldton  
31 Aeradio that picked up the signal said was that it was very  
32 difficult, because there were about four areas signalling,  
33 for them to be able to decipher what was actually being  
34 said.

35  
36 Q. Yes, but my concern is that people apparently looking  
37 at these documents and knowing that *Sydney* could only  
38 transmit in morse seriously considered that documents which  
39 said, "We will send things in morse later on", meaning that  
40 these signals must have come in in plain language, not in  
41 morse, could have ever thought that this came from the  
42 *Sydney*.

43 A. Even the Government, sir, gave it --

44  
45 Q. Never mind the Government. What's the logic of it  
46 all?

47 A. Well, I don't know, but they gave it a rating of "high

1 credibility" for the people who were saying what they had  
2 taken down, but a rating of "F" for not knowing where this  
3 signal had come from. So it concerned a lot of people for  
4 a long time. Otherwise, they would not have given it that  
5 rating. The rating is on the signal that's in the  
6 archives.

7  
8 Q. What about the other one? The other one is  
9 NAA.023.0142.

10 A. This is the one with Bailash's name on it. It says  
11 "call from sea".

12  
13 Q. It starts off, "R/T to morse".

14 A. I realise that the "R/T" is on that, sir, but I'm just  
15 saying that all my knowledge of this signal has been that  
16 it was plain language morse, unless somebody wrote down  
17 "radio telegraphist reading morse" or something. I don't  
18 know.

19  
20 Q. "Calling Darwin or technical telegraph operator". Did  
21 anyone seriously think that Sydney would be calling a  
22 technical telegraph operator?

23 A. It depends who was left on board to be trying to  
24 communicate, sir. The "call from sea" and "all men on  
25 board" has been the wording that concerns some people.

26  
27 Q. Again, if it came from Sydney, you had Sydney sending  
28 a message saying:

29  
30 *Message received. Frequency satisfactory,*  
31 *will put through in morse at 2310.*

32  
33 A. That's the other one. Yes, I agree, sir.

34  
35 Q. It's just nonsense, isn't it?

36 A. To me it's nonsense, but there are some other --

37  
38 Q. If that's nonsense, the whole lot is nonsense; it  
39 couldn't have come from Sydney?

40 A. That's what we have asked the Inquiry to deliberate  
41 on.

42  
43 Q. If there is some other argument against this, please  
44 tell me.

45 A. Some of us have some concerns, sir.

46  
47 Q. What are they?

1 A. Because it says "call from sea" and it says "distress  
2 call", and the timing, sir, was when *Sydney* would, if she  
3 could, have been trying to signal.

4  
5 Q. It goes on:

6  
7 *Message received. Frequency satisfactory,*  
8 *will put through in morse at 2310.*

9  
10 So this is meant to be a signal from, so some say, *Sydney*,  
11 which could send only morse, saying, "We will send you a  
12 morse signal at a later point of time", which makes no  
13 sense at all. Then it says "Call" - is it Dawson?

14  
15 CMDR RUSH: "CPL Dawson".

16  
17 THE PRESIDENT: Q. Just after 2310, "CPL", is it?

18 A. Above that, this signal has got "*MS Sydney*", whereas  
19 the other one had "*AS Sydney*", so this one has an "M" in  
20 it.

21  
22 Q. I understand that. It then says, "CPL Dawson", is it?

23 A. CPL Dawson was one of the people who relayed the  
24 signal. This signal has so much writing added to it that  
25 it's a bit hard to detect.

26  
27 Q. That's not added. It's in the same pen.

28 A. Yes, this has been written down by somebody who has  
29 had the message relayed to him, obviously by CPL Dawson and  
30 Aeradio Geraldton, which were the two places that it seemed  
31 to have come through.

32  
33 Q. Then it says:

34  
35 *Four stations....*

36  
37 A.

38 *... transmitting in morse on about same*  
39 *wavelength.*

40  
41 So that's why it was difficult to read. The bottom one  
42 says:

43  
44 *Sydney calling Darwin distress signal.*

45  
46 Then there is that word "Straits".

47

1 Q. "Straits"?

2 A. *Straat Malakka*. Who knows? That's what people  
3 inferred.

4

5 CMDR RUSH: The same as on the previous signal. The same  
6 word, "Leichhardt", as referred to on the earlier page.

7

8 THE PRESIDENT: At the top of this page, it says:

9

10 *Taken over phone by signal clerk western*  
11 *area.*

12

13 Is that right?

14

15 CMDR RUSH: Yes, sir.

16

17 THE PRESIDENT: From "FLTLT Cooper", is it, "Geraldton"?

18

19 CMDR RUSH: "Squadron Leader, Geraldton".

20

21 THE PRESIDENT: Q. This purports to be a message that  
22 someone wrote down, presumably the person who signed at the  
23 bottom, Mr Leichhardt, of what --

24

25 A. I understand the person from the hostel contacted  
26 SQNLDR Cooper, who was the officer in charge at that time,  
27 and he has then relayed it by phone. He apparently is now  
28 saying that he sent this through on 19 November. But in  
29 the 1991 Fremantle forum, it was stated that when he was  
30 interviewed by Gordon Laffer, he didn't remember the date.  
31 So in 1991 he didn't remember the date, and now, as he's  
32 got older and there's been more pressure on him and more  
33 interviews, he's lately saying the 19th.

33

34 CMDR RUSH: Q. It goes from Dawson at the Esplanade

35

36 Hotel to FLGOFF Bogue and then to Cooper and then to SWACH?  
37 A. So it could be Chinese whispers by the time it got  
38 through.

38

39 Q. If I could go to one other entry in the SWACH log and  
40 then come back to where we were on 6 December,  
41 Mrs McDonald, at NAA.016.0069, at 1520 you see this entry:

42

43 *[Western Area Command] phoned message*  
44 *received from Geraldton. Geraldton heard a*  
45 *call on 24.50 metres possibly from*  
46 *HMAS Sydney and requested Peace to call*  
47 *Darwin for bearing.*

1  
2 We have the other entries made in the log following that.  
3 Then if we go over the page to where we started, on  
4 Saturday, 6 December there is the entry, I suggest,  
5 following an inquiry into what has gone on at 054:  
6

7 *Signalled CWR: Information received from*  
8 *Darwin that short wave broadcast overheard*  
9 *on 4th of December was from PMG Sydney to*  
10 *PMG Darwin. In view of confusion caused*  
11 *request information whether this a regular*  
12 *and authorised channel ...*  
13

14 What I suggest you have in the SWACH log following in  
15 chronological order are the issues that were raised, the  
16 messages that were received and a report of the  
17 investigation that takes place. That's right, isn't it?

18 A. Yes. It's very self-explanatory. If that was the  
19 date, then *Sydney* is ruled out, anyway.  
20

21 THE PRESIDENT: Q. The messages that are referred to in  
22 the SWACH log are, in substance, the messages referred to  
23 in these two documents.

24 A. That's right, so if that date is correct, then --  
25

26 Q. It has nothing to do with the loss of *Sydney* on  
27 19 November 1941.

28 A. Exactly. But there was a fair bit of rivalry going on  
29 at the time between the Air Force and the Navy, and  
30 certainly when this signal was first raised, the fact that  
31 people thought there were some chaps and sheilas in a hotel  
32 believing that they were hearing a distress signal from  
33 *Sydney* - it was actually fairly heavily put down at first.  
34 I'm just relying on that being the correct date and a  
35 proper, thorough investigation.  
36

37 CMDR RUSH: There is just one more matter, sir.  
38

39 Q. Mrs McDonald, you refer to a signal allegedly received  
40 in Singapore by Mrs Hetty Hall.

41 A. Yes, I now believe that Hetty's diary precludes her  
42 from hearing anything from *Sydney*.  
43

44 THE PRESIDENT: Q. She wasn't on duty.

45 A. I know, sir. I was led to believe that she had a  
46 diary to back up the evidence that was put forward.  
47

1 Q. She has a diary which establishes the contrary.

2 A. Exactly, sir.

3

4 CMDR RUSH: Sir, they are the matters for Mrs McDonald.

5

6 THE PRESIDENT: Thank you, Mrs McDonald. You have been  
7 very helpful.

8

9 <THE WITNESS WITHDREW

10

11 **SHORT ADJOURNMENT**

12

13 LCDR KERR: Sir, the next witnesses that you will hear  
14 from are Mr Alan Ralph, who is the State Director of  
15 National Archives; then Mr Max Cramer; and then  
16 Mr Philip Shepherd.

17

18 Some of the evidence that you have heard so far and  
19 more that you will hear has to do with *Cape Otway's*  
20 Official Log. The evidence given by Mrs McDonald in  
21 respect of that log was heard this morning. Before I call  
22 Mr Ralph, I would like to say something else about the  
23 legislative changes that affected that log.

24

25 It is not clear precisely when the Official Log used  
26 by *Cape Otway* between November 1946 and March 1942 was  
27 printed. Commonsense dictates that it must have been  
28 printed prior to the date of the first entry on 28 November  
29 1936. However, the strongest indicator of the date that  
30 this logbook was printed is page 16, which is used to  
31 record, as you, sir, have observed, collision, boat and  
32 fire drills and the examination of lifesaving fire  
33 extinguishing appliances.

34

35 Page 16 of *Cape Otway's* 1936 to 1942 Official Logbook  
36 appears in the form that was in use prior to the  
37 legislative amendments that were made in late 1924.

38

39 This, of course, strongly suggests that this Official  
40 Logbook was printed prior to December 1924. The  
41 information required to be recorded in an Official Logbook  
42 of the kind used by *Cape Otway* during the relevant period,  
43 1936 to 1942, was regulated by the Navigation Act 1912 and  
44 a range of regulations or statutory rules that were made  
45 under that Act. Subsection 171(1) of the Navigation Act  
46 requires a vessel such as the *SS Cape Otway* to keep an  
47 Official Logbook in the form prescribed by the regulations.