

## **An insight into the Genesis and Evolution of the HMAS *Sydney* Controversy**

**Prepared for the HMAS SYDNEY II Commission of Inquiry.**

M. McCarthy  
Curator of Maritime Archaeology  
WA Museum  
Cliff St  
Fremantle 6160  
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### **Background:**

On 30 October 2008, Counsel Assisting the HMAS SYDNEY II Commission of Inquiry (COI) requested the author to provide an 'overview of the genesis and evolution of the controversy and conspiracy theories' that surrounded the loss of HMAS *Sydney* II and its adversary HSK *Kormoran* in November 1941.

Following is the response to that request from the author's perspective as Curator responsible for the WA Museum's HMAS *Sydney* and HSK *Kormoran* program since the early 1980s. It begins with an annotated sequence of some *Sydney*-related events from November 1941 through to October 1945. Much of this had earlier been provided to the 1997/8 *Joint Standing Committee on Foreign Affairs, Defence and Trade Defence Sub-Committee Inquiry* into the circumstances of the sinking of HMAS *Sydney* in order to help that Committee develop an understanding and appreciation of the genesis of the issues before them. It was also hoped it might allow the members to treat some of the theories then being presented to them, with some equanimity no matter how strange they might appear after over half a century.

The materials appearing in this analysis can be located by a 'key word' search of the 304-page index to the Museum's 64 volumes of *Sydney/Kormoran* files up to the point of finding. These were all subpoenaed and scanned by the COI and are now in its possession.

Detail or corroboration of the sources for what follows can be obtained in that index and the full file entries. The same applies to Museum Report No. 230, *HMAS Sydney Search Chronology*. Produced in 2007, it outlines why the search has taken so long despite earlier efforts and is accessible at <http://www.museum.wa.gov.au/collections/maritime/march/publications.asp>. Given that when the wrecks were found in March 2008, the finding process itself also became a source of controversy, this work is also relevant to the COI request. So too is the Museum's website. It was produced in 2001 and was upgraded in 2003 to cater for events up to that time. It is at <http://www.museum.wa.gov.au/collections/maritime/march/shipwrecks/sydney/Sydney.html>

### The Wartime controversies

Issue	Notes
24/11/1941 Rear Admiral Crace writes in his personal diary that the Naval Board thought that there was a possibility that a Vichy <u>submarine</u> was involved.	Genesis of submarine Theories
25/11/1941. Navy Board records ... at 2030 H.. 'appreciate possibility severely damaged HMAS <u>Sydney</u> proceeding Singapore or Sourabaya where nearest dock is located'.	Where is <i>Sydney</i> ?
25/11/1941. Signal ex Navy Office records <i>Kormoran</i> survivors rowing towards <i>Sydney</i> which ' <u>disappeared believed sunk</u> '.	Conflicting report
26/11/1941. Advisory War Council meeting including the PM, Chiefs of Staff, Blamey, Hughes, Menzies, debate whether to admit that the men are missing, noting that <u>rumours are everywhere</u> .	Public disquiet mounts.
28/11/1941. Signal ex Navy Office 'HMAS <i>Sydney</i> sank enemy raider in position 026° S., 111°E.' Last seen heading south.	Position of <i>Kormoran</i>
28/11/1941. Catalina sights oil slick 5NM south east of the 'battle position'. 26° S., 111°E.	Position of <i>Sydney</i> ?
29/11/1941, Captain J.S. Airey, Master of MV <i>Koolinda</i> which picked up German survivors records a statement from a German sailor that <u>HMAS <i>Sydney</i> fired first</u>	Genesis of an alternative battle sequence
1/12/1941 Navy advise the PM that the Naval Board have 'continuously under review the <u>possibility of two raiders</u> ' They wish to delay announcing the loss in the hope that the other will <u>break radio silence</u> for an announcement may serve to deny 'the opportunity of locating her by <u>direction finding</u> '. Concerns were expressed that <i>Sydney</i> 's crew ' <u>could have been taken off or picked up by these vessels</u> '.	Two raider issue surfaces. DF operating? Survivors from <i>Sydney</i> ?

<p>Bernard Hall of the London Daily Express on 1/12/1941 made the claim that <u>Sydney had defeated <i>Kormoran</i> and was then sunk either by it or an 'attendant submarine' using torpedoes.</u> Later he advised that his source was a RN press briefing.</p>	<p>Surrender and submarine theories spread</p>
<p>Undated. Aeradio Geraldton hear via SL Cooper (RAAF) weak '<u>Call from Sea . . . Men on board . . . This "MS" Sydney . . . Sydney calling Darwin Distress Sig -Strats Lykard</u>' . A transcript of the same message? contains similar &amp; the times 2140-2255H with '<u>[HM superimposed] AS Sydney Calling 2450 . . . Heard . . . at the Esplanade hostel . . . passed by COIC by secraphone</u>' Also in SWACH log for 4/12/1941</p>	<p>Genesis of signals from HMAS <i>Sydney</i></p>
<p>R.S. Close (also of the Melbourne Truth), in an article dated 1/1/1942 provides a reconstruction in which <u><i>Kormoran</i> sank <i>Sydney</i> with torpedoes after its (<i>Kormoran's</i>) crew had abandoned ship and were rowing towards the victorious <i>Sydney</i> , but at the same time abandoning their wounded on <i>Kormoran</i>.</u></p>	<p>Surrender? Questions arise re the <i>Kormoran</i> wounded</p>
<p><u>c. 16/2/1942 Radio Tokyo claims the crew of HMAS <i>Sydney</i> are prisoners in Tokyo.</u></p>	<p>First claim of Japanese involvement</p>
<p><u>c. 17/2/1942 a Chinese Radio announcement of the 'internment of <i>Sydney's</i> officers in Tokyo' Reference also made to submarine and 'other ships which sank the <i>Sydney</i>'.</u></p>	<p>Second claim re POWs in Japan</p>
<p>Unprovenanced Australian press c. late 1941, early 1942, reads: '<u>Tell us the whole story of the <i>Sydney</i>. Australians have reason for some wonderment at the fashion in which a more detailed description has been at last allowed to reach them. Now by way of New York, we learn another instalment of a story which was presumably obtained from survivors of the <i>Kormoran</i> in Australia... Australians are entitled to the full story of this action which has been gradually revealed in a piecemeal fashion.'</u></p>	<p>Public disquiet. American sources.</p>
<p>RAAF unable to declare its 6 aircrew on <i>Sydney</i> dead until 9/6/1942. 'The Naval Board has presumed the deaths [of RAN personnel] on the basis of reports from <u>prisoners of war</u>' interviewed by <u>International Red Cross</u> and the negative results of the air and sea search. The <u>RAAF were not convinced</u> that a plane was not in the air when HMAS <i>Sydney</i> sank. 'The evidence negating this possibility was not at all conclusive'.</p>	<p>POWs an issue to 6/42. RAAF at odds with RAN.</p>
<p>13/6/1942. A Japanese lifebelt and flag, together with a box marked HMAS <i>Sydney</i> is found by the army (44<sup>th</sup> Batallion) at Green islets, near Jurien Bay, Western Australia</p>	<p>Adds to Japanese stories.</p>
<p>1943. Former HMAS <i>Sydney</i> Lt-Paymaster W.H. (John) Ross</p>	

<p>publishes <i>Stormy Petrel</i>, believes the <i>Kormoran</i> survivors were 'obviously well coached' . . . very little fact could be garnered'; <i>Kormoran</i> was flying the <u>Norwegian [neutral] flag</u>. Believed the <u>battle had taken place on 22 November</u>, part-based on the clean shaven appearance of the men taken on board <i>Aquitania</i> on the 23<sup>rd</sup>.</p>	<p>Genesis of Norwegian Flag.  Former <i>Sydney</i> officer casts doubts.</p>
<p>1943. The noted maritime writer E. Keble Chatterton in an account of the 'Commerce Raiders' say <i>Kormoran</i> was flying a <u>Norwegian flag</u></p>	<p>Norwegian Flag.</p>
<p>22 September 1945. <i>The West Australian</i> carries a story taken from an account of August 1944 from Dr Habben who had been repatriated ex <i>Kormoran</i>. Refers to the mystery of radio silence during the battle being resolved by Habben's statement neither ship used their radio.</p>	<p>An indication of the extent which the radio silence issue was a concern to the press.</p>
<p>1 October 1945 Minute Paper prompted by the <u>re-emergence of the Japanese POW</u> story reads: 'In accordance with your instructions ... Commodore Collins...was directed to ascertain any information regarding the fate of HMAS <i>Sydney</i> <u>from Japanese sources</u>. German Naval Attaché at Tokyo...does not know whether ship was torpedoed but stated that <u>subsequent Japanese broadcast that ship was towed to Japan were definitely incorrect.. no survivors were picked up by any Axis vessel and none were brought to Japan...</u>Collins feels... no information is known anywhere in Japan which could support hopes that any personnel of HMAS <i>Sydney</i> are alive'.</p>	<p>POW rumours remain till 1945.</p>
<p>Allied to this were wartime rumours HMAS <i>Sydney</i> had been seen at anchor during Lt.Col. Doolittle's allied raid on Tokyo in April 1942.</p>	
<p>October 1945. Despite urgings from RAN staff in WA, CMDR Long, Director of Naval Intelligence, refuses to publish data compiled by Third Officer Westhoven (WRANS) on the basis that the analysis would still <u>not be accepted by some people as being absolute confirmation of the loss of all of the crew</u>. He then stated that <u>'it is intended not to publish anything further concerning this action, and its results, unless the Board is forced by Ministerial pressure . . .'</u></p>	<p>The case is closed without satisfactory <u>explanation</u>.</p>
<p><u>December 1945 and January 1946 letters to and from politicians including Mr K.E. Beazley (Snr.) expressing concern about the loss of the ship and crew and urging further investigation.</u></p>	<p>Disquiet in Parliament</p>

It is evident that in the face of such a range of information and controversial claims during WWII that Commander Long's October 1945 decision not to publish an account, despite requests from Naval staff in Western Australia to do so, led to the deepening of the HMAS *Sydney* mystery. That Western Australia subsequently became the hotbed of rumours can be in part-traced back to these differences. That the two ships were lost off Shark Bay and that many of the searches and landings of survivors were conducted along the coast, in and out of western airfields and

harbours, often utilizing local personnel, were other factors in providing a western bias in the early years after the war. Also evident is dissent within the armed forces themselves—itself a potent source of controversy and speculation.

### **The controversies and conspiracies in the 1970s**

A small band of Western-Australian based researchers became increasingly active in the mid-1970s, as the release of wartime archives coincided with a post-Vietnam War populace beginning to lose its trust in Government, politicians, the armed forces, and the intelligence service. Called the *Sydney Research Group* (SRG), its principals were Malcolm Barker a former Telecom engineer; the late Gordon Laffer, who served as an aircraftsman with the RAAF; John McArthur (later Dr), a former police officer and lecturer; LCDR Ean MacDonald (RAN Retd.), who as a signalman rating had served on HMAS *Sydney* and WCDR Dr Edward Strahan (RAAF retd). They and other members felt sufficiently troubled by the ‘official’ accounts of the *Sydney/Kormoran* battle and its aftermath to band together to share their independent insights and to agitate for action. Most of the SRG believed there had been signals from HMAS *Sydney* with two, Laffer and MacDonald, stating they had actually seen record of them while in Service. Some of the group believed that in the course of the battle there had been breaches of the Geneva Convention (see following) and some believed that another vessel (possibly Japanese) must have been involved in sinking the *Sydney*. Another SRG member was Vic Jeffery (later AM). He was also the Public Relations Officer to the RAN and later also to the RAAF at HMAS *Stirling*. In that capacity came to field a great deal of *Sydney*-related inquiry.

While the thrust of their claims is visible in the wartime sequence, it is evident that in the main the SRG were following in the footsteps of Lieutenant Jonathan Robotham. He had been a former POW in Germany during WWI, and in WWII was a German-speaking guard to the *Kormoran* survivors, accompanying some on board SS *Centaur* from Carnarvon down to Fremantle. Later he became an Intelligence Officer at their prison in the east and served there for two years. Convinced something was wrong with the existing accounts, his became an obsessive post-war quest, part driven by a belief that the *Kormoran* had surrendered and that another vessel was involved. After the war Robotham spent years searching the cliffs north of Carnarvon for clues to the battle, which he believed were buried there. Known thereafter as the ‘old hermit’, he mixed with Carnarvon identities becoming a talking point around town and in the close-knit north-west communities generally. His influence, knowledge of some of the wartime controversies, together with their own experiences were such that north-west residents generally became convinced that the German story was a fabrication and that the Australian navy and government were involved in some form of ‘cover-up’.

J. Robotham’s effect is evident when it is recalled that he would show to all who expressed interest a crew members ‘diary’ (see Kitsche Diary following) with words he translated to read that ‘the ship had surrendered’. Being a cursive script in what he claimed was ‘Old German’ and having little real knowledge of the events he described, none were in a position to question his claims. He also kept an archive of his work—sometimes carrying it in the back of the old utility in which he travelled. When he died in 1978, Bryan Clarke a journalist in Carnarvon (who knew Robotham well) came to conduct his own research. Clarke was later instrumental in having a

typescript (*Eagle in the Crow's Nest*) that Robotham was developing under the pseudonym Hickory Prior copied to the archives. Convinced the 'Unknown Sailor' at Christmas Island was from HMAS *Sydney*, and angered by the lack of action, Clarke was also an early agitator for action on that issue.

### **Events as reflected in the WA Museum files to 1981**

The Department of Maritime Archaeology at the Western Australian Museum became active when, under the terms of the 1976 Commonwealth Historic Shipwrecks Act, its Director became responsible for all the historic wrecks lost off the coast of Western Australia. Many new shipwreck files were opened as staff sought to become familiar with their history and the circumstances of their loss. This included wrecks that were still to be found and in 1978 the Department opened a file (4/78) entitled *Naval Wrecks* with HMAS *Sydney* and HSK *Kormoran* two of the best known in Western Australian waters. In the *Sydney/Kormoran* case this responsibility was joint, given that by international agreement the two navies retained ownership of their lost ships. Early in the *Naval Wrecks* file appear a series of inquiries commencing in January 1978 from West Australian-born, German-speaking scholar Barbara Winter (Barbara Poniewierski) who had begun researching the HMAS *Sydney* story via wartime archives that had been opened after 30 years. In that same period the SRG, entered on the Museum's horizon as their members sought to solve the HMAS *Sydney* mystery and occasionally brought their research to the Museum's attention.

In 1979 Winter again wrote referring, amongst other things, to her investigating Radio Tokyo claims the *Sydney* had been taken to Japan by a skeleton crew. In 1980 she wrote of further investigations and her attending to other claims she understood to be false. One was reference to the body of a *Kormoran* crewman that had been 'located' in the Montebello Islands, but which had since proved to be that of a worker sent to establish the post-war atomic testing facility there. From this first example, the location of bodies from the battle at sea and on land, has evolved to prove a common theme. Winter also advised that, in investigating a range of archives, including some 'German Intelligence reports in the United States', she had 'demolished almost all the stories' told re HMAS *Sydney* to that point, including one she described as the 'nastiest'. This she traced back to Robert Shaw Close mentioned in the wartime sequence above and following. The reference to relevant material appearing in overseas archives is yet another recurrent theme.

In that same period an undated Teachers Higher Certificate Thesis entitled '*The Mystery of the Sydney*' was copied to File 4/78. While noting that there were many 'wild stories', the author R.G. Lamb, expressed disbelief that *Sydney* could have been sunk in the manner appearing in the various accounts produced after the war. As a result he concluded his work with the observation that there were eighteen 'questions, which need answers'. This piece, albeit a brief overview, is significant. One, as an indication of the spread of controversy and conspiracy even amongst casual observers of the wartime sequence appearing above, two because it reflects what was being said in the late 1970s.

According to Lamb 'questions which need answers' were

1. Why did the *Sydney* sail so close to the *Kormoran* when she had an aircraft and superior speed?

2. Why didn't she ask Navy Board for information on whereabouts of the *Straat Malakka*?
3. Why did *Sydney* take a massive four seconds to return *Kormoran*'s fire? (Some calculations put it at 6 seconds).
4. Did the *Kormoran* have a submarine consort which assisted in the trap?
5. Did the *Kormoran* ask for medical aid and open fire while the doctor and party were in transit?
6. Did the *Kormoran* lay a mine trap while under the Dutch flag and entice *Sydney* into a massive mine field?
7. Why were there no survivors from *Sydney*?
8. Why was there no debris from *Sydney* except one life raft?
9. Why was the *Sydney* so inaccurate in shell fire and torpedos at such close range?
10. If X turret could be fast and accurate why not Y turret? They were both well armoured and outside the destruction region as reported by the Germans.
11. Why did the Germans turn WSW and prolong the day (when before radar night was their ally)?
12. Where is the camera and equipment reported to be buried on the Quobba Station coast?
13. Did the Germans act against accepted rules of war? They had long enough to make up a *better* story.
14. Why were the Germans allowed together before interrogation could be carried out?
15. Did the Japanese help (they were not at war at the time)?
16. Where is the *Sydney*?
17. Did Doolittle see the *Sydney* in Tokyo Bay?
18. How could a second ranging shot from *Kormoran* land over by 300 yards and not strike the *Sydney* when at the stated range the shell must have been below *Sydney*'s deck line?

Around the same time, LCDR J. Gabbedy (RAN ret'd.) presented a lecture to the West Australian Branch of the Australian Maritime History Association. The typescript of that meeting shows that after advising his listeners that he had worked with Captain Dechaineux during the interrogation of the Germans in WWII, he went on to suggest that the raider had fired under a neutral flag, that the HMAS *Sydney* survivors had been shot in the water and that the life-boats had been towed from the battle scene by motorised boats. While the signals issue was evident during the war, as indicated above, this is the first reference to war crimes and the use of motorised boats in the Museum's *Sydney*-related files. During question time, which was also recorded, SRG member Ean McDonald advised of his knowledge of signals from HMAS *Sydney* while it was in action against *Kormoran*. What is also evident both here and earlier is the part played by ex-Service personnel in the development and promulgation of conspiracy theories after the war. Again this is a common thread.

Around 1980 W.P. Evans, formerly of the Australian Army advised that he had found an HMAS *Sydney* kitbag on the beach north of Kalbarri containing a wooden box, in which were authentic wartime memorabilia. There was also a 'letter of proceedings' ostensibly typed by HMAS *Sydney*'s last surviving officer Sub-Lt B.A. Elder. This typescript, purporting to account for the last hours of HMAS *Sydney* is an important piece, again echoing much of what is produced above, but with some additions. According to the 'Elder' typescript, an hour after first sighting a Japanese submarine *Sydney* came across the *Kormoran* which was under a Norwegian flag. When challenged, *Kormoran* hoisted a Dutch flag and after providing the flag hoist of *Straat Malakka* hove to under threat from a suspicious *Sydney*. Then, amongst other things, *Kormoran* opened fire with six salvos before surrendering to the then badly-damaged warship. When in the process of sending an anti-scuttling party boat across, *Sydney* was struck by a torpedo fired from *Kormoran*'s underwater tube.

The bag, the box, its contents and the typescript, were later proved by a team assembled by the Australian War Memorial—after the expense of considerable time, effort and resources—to be the result of an elaborate fraud. This instance is relevant to the COI request as an example of the ends to which some were prepared to go in order to fill the vacuum and to promote their own theories. Again this is a common thread.

### **The Montgomery-Winter debate**

In his correspondence with the Museum Michael Montgomery indicated that he had accessed newly-opened war-time archives in Britain after 1976 and though he missed meeting Robotham, who died shortly before he landed in Australia, Montgomery had established contact with Australian researchers. Angered at what he perceived as flaws in the accounts of how his father, the HMAS *Sydney* and all her crew were lost, Montgomery published in 1981 under a provocative title *Who Sank the Sydney?* adding further to the existing controversies. Other than those appearing above, and/or not supported by the underwater evidence from the 2008 search and survey, these are in the main

- 1) An RAAF Plane had sighted *Kormoran* on 11 November 1941 between Fremantle and Geraldton and as a result Captain Burnett was aware of a raider presence
- 2) *Kormoran* had a Norwegian disguise and opened fire under a neutral flag.
- 3) An account ostensibly written by P.O. Kitsche and taken from him by J. Robotham at Carnarvon was translated and published in a 'Melbourne-based magazine dated 1 January 1942. (see Robotham and R.S. Close above). According to Montgomery, it was then 'reincorporated in a notebook Kitsche kept during his imprisonment' and on his short-lived escape from captivity was hidden in the house of a sympathiser to be found after the war.
- 4) *Kormoran* used a Norwegian (neutral) disguise and Detmers having told a Major Schrader one of his interrogators that *Kormoran* had heaved to and *Sydney* had lowered a boat.
- 5) In 1942 a French magazine *Sept Jours* carried information Montgomery considered similar to that (but not copied from) the Kitsche notebook. Reference was made to *Kormoran* being ordered to 'close *Sydney* to half a mile' and that *Sydney* was preparing to render medical assistance in response to a distress call conveyed to *Sydney* by flag. (similar to 3 above)
- 6) *Kormoran* fired a torpedo from the underwater torpedo tube 'before declaring herself'
- 7) Detmer's account of *Kormoran's* 80 plus injured perishing when their raft capsized is a fabrication designed to hide the extent of the damage wrought on *Kormoran* either before, or during the exchange of fire with *Sydney*.
- 8) H. Evans, Third mate of *Koolinda* reported that one German survivor brought on board soon after the battle claimed *Kormoran* had surrendered.
- 9) The *Sydney* crew were shot in the water by *Kormoran* men using motor powered boats which were either later scuttled or had their machinery removed and jettisoned while at sea or on the way to or near Red Bluff.
- 10) Cryptograms produced by *Kormoran* crew-member Dr List after the battle indicate that assistance was received from Japan, *Sydney* crew were taken prisoner, and a submarine (possibly IJN I 124) was involved.
- 11) An entry in the diary of W. Grun '... bored. . . sea-going liner must soon be met' indicates *Kormoran* was lying in wait for the troopship *Aquitania*.
- 12) The lighthouse tender *Cape Otway* found bodies and its log was later tampered with removing all entries after 8AM on 18 November from the record.
- 13) There was an official cover up.

Here and in a contemporary file entry are the first references the Museum has to a number of conspiracy theories, including the *Cape Otway* story. Also new to the burgeoning list of controversies entering the Museum's consciousness were claims that *Kormoran* was lying in wait for *Aquitania* and that the *Kormoran* injured were deliberately abandoned, rather than having been lost in a capsized of their life-raft as

explained by T.A. Detmers. As but one example how these early notions evolved, the latter morphed into claims from John Doohan—who had become a member of the SRG and who first made contact with the Museum in 1991—that the *Kormoran* wounded had been taken onboard HMAS *Sydney* to be housed in the sick bay. He also claimed they subsequently died there when it sank. This particular thread evolved even further when he was advised quite some years ago that the Museum would not countenance entry into the two ‘war graves’ (as they were then loosely called) if they were ever to be found. This he perceived as evidence that the Museum was an integral part of the ‘official cover-up’ by trying to hide this crucial evidence. The latter is another common thread.

The claim that Captain Burnett was aware that a raider was in the Indian Ocean close to his area of operation and that he was preparing to intercept it, was another development evident in Montgomery’s work. It too became a common thread. Two poignant letters to that effect, both emanating from deceased crew of HMAS *Sydney* also appear on the Museum’s file. While the latest, an undated note from steward Dave Rolley, was received in 2007; a similar note from RAAF aircraftsman Keith Homard is dated October 1941. While copies were in other hands, the Homard letter was not received at the Museum until after the wrecks were found. The latter is important in the context of the COI request because it illustrates that the Museum files—albeit comprehensive after 1981—contain many gaps and cannot therefore be relied upon to prove a complete account of all the conspiracy theories and controversies. For the full picture, recourse needs to be made to the published works mentioned in what follows and to files of the RAN, the Sea Power Centre (SPC), intelligence units here and overseas and to the files of the Australian War Memorial (AWM).

Michael Montgomery’s work prompted the first post-war public expression of concern from an Australian institution that has entered the Museum’s record. On that occasion Lt Cmdr W.O.C. Roberts, DSC (RAN ret’d.), the Sydney-based General Secretary of the Royal Australian Historical Society, wrote on 23 July 1981 to the Hydrographer RAN, referring to Montgomery’s ‘far fetched theories’, yet expressing concern should any have substance. In noting that the battle appeared to have occurred well outside the Sunda to Fremantle sea-lane, Roberts postulated it must have occurred much further east and as a result he called for HMA ships to be on the lookout for the two vessels as they transited the region. He also sought an inquiry if the accepted accounts were proved problematic by the location of the wreck (s) in places other than those given by the German survivors. Here is an indication of the nagging grain of doubt resident in many informed and objective minds at that time.

On the other hand, in respect of these same doubts, file entries lodged after the Museum commenced its own search of the archives show that a Captain Young, who was part of the interrogation team, advised his superiors that the German’s POW camp was ‘bugged’ and every word recorded. The officers were also plied with liquor during their captivity to induce them to divulge any secrets. Another guard RSM N.C. McLymont hid under the floorboards of their huts and listened intently for further clues, again to no effect. Further, on 2 January 1942, Captain J.L. Hehir one of the senior intelligence officers involved with the *Kormoran* men produced a report headed ‘*Eavesdropping Activity*’, advising that though there were microphones in the roof and a few built into the walls, nothing new was heard. According to

contemporary accounts this led the interrogators to accept their account of the battle and release it to the public.

But again illustrating the reasons why doubt has remained, Captain Hehir kept in his possession documents, sketches, shorthand and cryptograms that were seized from the survivors after they landed north of Carnarvon in 1941. They were deciphered and copied. While the originals were destroyed by flood around 1974, his daughter Maria provided the copies to researchers. While Barbara Winter subsequently cast doubt on the identification of the shorthand types and the methods used in deciphering the cryptographs, the wartime translation and deciphering of these items formed part of the basis for some of Montgomery's claims, including the Japanese intervention theory. That Michael Montgomery was applauded by a large percentage of the audience at the Museum's November 2008 lecture series in Geraldton after he unexpectedly rose to introduce himself at the Question and Answer sessions, attests to both the flowering of these early seeds of doubt and the attitude to those prepared to champion the resultant theories. Here, another very important effect in promoting controversy and speculation becomes visible—the enhanced status given to the commentary and concerns of the bereaved, then and now.

In April 1984 Barbara Winter's book, *HMAS Sydney Fact Fantasy and Fraud* appeared on the bookshelves. Equally polemic in its title, she challenged much of what appears in Montgomery's work. Rather than quashing speculation as perhaps she had hoped, her attacks on Montgomery, the SRG and others served to intensify the debate and to draw many otherwise passive observers into an increasingly acrimonious debate. To some in correspondence with the Museum in the early 1980s she was an unabashed apologist for the Germans, willing to accept their every word and defend them at every turn; to others he was a bitter conspiracy theorist whose views were often outlandish and his conclusions unreliably emotive.

In presenting the middle ground in a November 1984 review of Winter's work appearing in *Australian Sea Heritage* the Journal of the Australian National Maritime Museum, Roberts—again writing in his official position at the Royal Australian Historical Society—observed that

Most of those who have studied the action would agree and would join in her contempt of the more esoteric rumours which have circulated from time to time. Nevertheless, be that as it may, I must confess to having trouble divorcing from my mind a small recurring seed of doubt . . . the last word is still to come . . . in due course the wrecks of our two protagonists will be located and examined. Should the evidence thus revealed confirm the official view . . . all speculation can at last be buried . . . but on the other hand wreckage grossly out of position or exhibiting anomalous damage will stir again the old controversy and doubtless result in a spate of new investigation and speculation.

### **Claims to have found HMAS Sydney**

The analysis of the damage sustained by the two ships is yet to come, initially per favour of the COI and its expert advisers and subsequently by what is predicted to be a rush of commentators. In the interim it is observed that many of the controversies and conspiracies surrounding the location of the two ships and the site of the battle have since proved spurious by the location and examination of the wrecks at or near the position(s) given by the Germans in 1941. Nonetheless, it is worth noting in the

context of the COI request that when the Museum opened a specific *Sydney/Kormoran* File in 1981 (630/81) the first items to appear after those items carried across from 4/78 were documents pertaining to M. Montgomery's belief that *Sydney* could have limped in towards the coast after the battle only to succumb in local waters. Seismic and magnetic records at the Department of Mines were examined as a result, revealing evidence of a very promising magnetic anomaly off the Zuytdorp cliffs. This resulted in a combined Museum and RAN inspection on board HMAS *Moresby*.

Throughout the mid 1980s and well into the 1990s', the RAN examined equally promising seabed anomalies on behalf of the Museum. They also acted independently, sometimes on good authority. In one telling instance to the contrary, the navy also acted on the basis of a very strange report from diver Wayne Sampey to the effect that he had located HMAS *Sydney* in a 'kelp bed' not far from the top end of Dirk Hartog Island in Shark Bay. There he claimed to have found skeletal materials and amongst other things three torpedo holes in its hull. He also advised of the burial of one of the crew ashore. An RAAF PC3 Orion was subsequently tasked with a magnetometer search of the region and in 1987 HMAS *Geraldton* was despatched in search for a possible gravesite, which they found, but left untouched. None of this appeared in the public domain, nor was it ever conveyed to the Museum, despite it having co-responsibility for the two wrecks in harness with their owners the Australian and German navies respectively. The surveys did appear during the Museum's fact-finding examination of the holdings at Australian Archives, however. Using the coordinates provided by the RAN, the Museum subsequently found the HMAS *Geraldton* 'grave' and recently excavated it, finding nothing.

These instances are significant, first showing the willingness of the Services to act, even where there was good cause to doubt; secondly to illustrate the extent of the belief that after the battle HMAS *Sydney* may have travelled quite some distance in towards the coast (or elsewhere) before succumbing. This helps explain why finders linked anything remotely connected with wreckage off the mid-west and north-west coasts to HMAS *Sydney* after the HMAS *Moresby* inspection in 1981.

In all, well over 25 shallow-water (under 500m) reports of finding wrecks or relics believed to be related to HMAS *Sydney* were received by the Museum and the RAN from 1981-2008. That some reports found their way into the press via the finders, added further to the public interest. The last example appearing after the two wrecks were found in 2008, was an oar found much earlier on the Zuytdorp cliffs. It was headlined in the Geraldton press as being from HMAS *Sydney* despite the proponents having received unequivocal advice from historical officers in the RAN it could not have been so. This was preceded by front-page news in the West Australian and elsewhere across Australia claiming that HMAS *Sydney* had been found in 2001 near the Abrolhos Islands and then in 2007 off Shark Bay—again despite (in this instance) the Museum unequivocally advising the proponents in both these cases it could not be so. In the latter instance, indications of a wreck had been found in 1999, but all details (other than a bolt which had been recovered) were suppressed by the then President of the Shire of Shark Bay and the original finders. Eventually, having got wind of the subterfuge, and having ascertained the position of the wreck, it was located and inspected with rudimentary equipment by enthusiasts from the Geraldton region. This led them to make the claim to have found HMAS *Sydney* that headed the national

press just before the recent search got underway. Subsequently those who made the original 'find' emerged to counter the claim, stating they had found it earlier, but though believing it was related to HMAS *Sydney*, had kept the details secret in order to protect their regional interests. Another claim to have found the two wrecks, near the 'Detmer's position', this time by satellite imagery, was received in 2007. While the science was considered questionable at best, and while specialists advised it was impossible, the report received considerable press, here and overseas—exciting the public, remote sensing companies and navies across the globe. Inquiry totally ceased in all bar a few isolated pockets of the media when proponent also claimed to have found a 'Japanese aircraft carrier' in the vicinity. That the claimant, a British inventor, is still pressing his case today is further indication of the difficulty the Museum has had in managing these issues over the years.

These examples are doubly important—a pointer firstly to regional jealousies that often led to conspiracies, secrecy and inordinate rumours and secondly to the underlying reasons why the controversies, conspiracies and false claims have been so prominent in the last decade. One factor in the many claims was the sometimes innocent, but often self-serving and occasionally fraudulent, filling of the vacuum left by official inaction post CMDR Long's decision. The second was the parallel evolution of an uncritical press willing to carry even the most implausible stories relating to HMAS *Sydney* as hard copy in the papers, as television news, as current affair, and recently in the virtual media. Speculative reporting these last two decades has been the major driver in spreading controversy and conspiracy theories. Hundreds of press items of this nature, most centering on the sensational, appear in the Museum's files. Further, some journalists evolved becoming activists and researchers in their own right, often presenting their concerns in a Robotham-esque attempt to force official action. Much of the conspiracy and controversy post-finding (notably references to bodies being found onshore and buried near Shark Bay) appears of that ilk, for example. On the other hand, this all served to ensure nothing remained hidden or unsaid. Additionally some journalists obtained important primary source information in the course of their inquiries. German-speaking David Kennedy of *The Australian*, for example, produced a very important video record of interviews with key figures—many now deceased. Of importance, these interviews also show that throughout the passing of these 67 years, the German story has not changed—a point often referred to by those angered by unsubstantiated speculation.

The formal complaints penned by those who had come to believe the *bona fides* of the various claimants and who subsequently decried official protestations are revealing. Firstly most honestly believed what they had been told or had read of the claim and secondly to some, any government or semi-government institution that questioned the claims that *Sydney* or objects from it had been found, was 'proof' of an all-of-government involvement in the cover-up. Again these deliberations often found their way to the media. The high profile established by many of the conspiracists with the aid of an uncritical press also caused many relatives to attach to them in the hope of finding answers in the face of what they perceived as an indifferent bureaucracy. The delay in establishing a bereaved relatives' support structure until recently was a key driver. In providing their tacit support and unassailable moral position as bereaved kin, relatives also served to strengthen the hand of those purveying false, spurious or hopeful claims. The most damaging of these, until recently, were the claims of the late Lindsay Knight and his associate Lt. Col. (retd.) Warren Whittakker OBE. Using the

Knight Direct Locating System (KDLS), in 1989 they claimed to have found HMAS *Sydney* and HSK *Kormoran*, a Japanese ship, samurai swords and human bones. While at the time this find—initially ‘map dowsed’ and then ‘proved’ from an aircraft—deservedly received little credence. Initially sidelined, the Whitaker/Knight campaign evolved and slowly gathered support to re-emerge a decade later to have a devastating effect, especially on the families and on plans to conduct a search. The slow lead up to the search was partly as a result of this phenomenon and it appears examined in the report *Sydney Search Chronology* mentioned earlier.

### **The 1991 HMAS *Sydney* Seminar**

The extent to which the controversies and belief in a government conspiracy evolved also became evident as the Museum co-ordinated, chaired and assisted with conferences, seminars and inquiries centering on the loss of the two ships and the aftermath. The first, designed to see if HMAS *Sydney* could be located was convened in 1991 subsequent to the Museum receiving a positive response from Woods Hole Oceanographic Institute (WHOI) finders of *Bismarck* and *Titanic* regarding a possible combined search for HMAS *Sydney*. Assembled with the support of the then Minister for Transport and Communications Kim Beazley, and the Naval Officer Commanding Western Australia, the group included oceanographers; meteorologists; search and rescue specialists; an RAN contingent including hydrographers, Vic Jeffrey PRO/RAN and Lieutenant Tom Frame—who, very significantly, had just completed a PhD on the loss of HMAS *Voyager*; —the SRG; established authors Winter and Montgomery; cognitive scientist Dr Kim Kirsner (who helped lead the seminar); and staff from other institutions such as Australian Archives and the Australian War Memorial.

For their part, the scientists proved beyond doubt that on oceanographic and drift evidence alone, the battle position of 26° 32-34’S., 111° E., provided by T.A. Detmers (the ‘Detmer’s position’) was valid, fixing a searchable area for the battle and for *Kormoran*. The whereabouts of HMAS *Sydney* remained a mystery however, with the assembly unable to reduce its search box below 7000 square kilometres. The origin of the *Unknown Sailor* at Christmas Island also vexed the meeting, with (of the established researchers) Tom Frame at odds with Bryan Clarke and Barbara Winter. Here Frame was reflecting the post-war opinion of the then Director of Naval Intelligence, Captain George Oldham (RN).

While often at loggerheads and fragmented in their understanding of the battle sequence and subsequent events, the assembly unanimously agreed to eight recommendations. In the context of the COI request, all relate to the development and promulgation of the ongoing controversies.

- a) The search for HMAS *Sydney* and the *Kormoran* is strongly endorsed by the Forum
- b) That the RAN and all government agencies involved be urged to continue their efforts to locate the wrecks and examine all archives.
- c) That Commonwealth and State government funding for the search, archival studies and future reporting, should be encouraged.
- d) The various Ministers responsible be requested to facilitate the release of all HMAS *Sydney* documents (if any) held by any institution or archive as a matter of national importance.
- e) That the Minister responsible publicly advise all present and former government servants and private individuals that they are now no longer bound to keep silence on specific HMAS *Sydney/Kormoran* issues, including the sending, receiving or hearing of messages or telecommunication of any sort relating to the loss of the ship.

- f) That Lt. T.R. Frame (RAN) be encouraged to write an account of the HMAS *Sydney*. Further that he be given any and every assistance and the intellectual and professional freedom required to complete the work by the RAN and archives.
- g) That the Australian War Memorial takes immediate steps to make a full and thorough examination of the HMAS *Sydney* Carley Float if this is not already in process. (Mark Whitmore advises a sponsor has surfaced as a result of the Forum publicity and work has actually begun).
- h) That the sub-aqua search be made of the immediate foreshore of Red Bluff for evidence of the *Kormoran* survivors.

When h) a search for pistol(s) reported to have been jettisoned by at least one of the *Kormoran* officers at Red Bluff was ruled out after an initial visit, critics suggested the Museum, (as an integral part of the cover-up), did not want to look for the scuttled boats and/or their engines that some believed had been abandoned just offshore. As 'proof' there must be others boats involved in the landings at Red Bluff and at the 17-Mile-Well further south, reference was made to the photographs of heaps of equipment shown stored in the caves at Red Bluff. To the conspiracy theorists the sheer impossibility of a small boat carrying these stores and all the sailors from the battle was self-evident and to them other boats had to have been involved. This theme has been repeated on a number of occasions over the years. That M. Montgomery personally raised the same issue with the author in November 2008, just prior to his leaving on board HMAS *Manoora* for a commemorative service above the wreck of his father's ship, is some indication of his belief in that story.

Attention to Item g) the examination of the Carley float in the Australian War Memorial (AWM) was commenced soon after the Forum and it showed that there were no German or Japanese machine gun bullets inside.

In respect of Item f) above, Tom Frame's book *HMAS Sydney, Loss and Controversy* which was published in 1993, contains a chapter entitled '*The Genesis of a Controversy*' that is essential reading in the context of the COI request of this author. Of relevance, and at the heart of the suggestion that he write the next book after Winter and Montgomery was his apparently-fearless handling of the HMAS *Voyager* incident(s) for the purposes of the thesis and an internal naval review. The subsequent publication of the thesis, in what appears to have been a step-too-far for many in Service, unequivocally showed that internal investigations of Service tragedies were undeniably fraught by Service and external politics and that nothing other than an independent inquiry, staffed by independent, yet militarily savvy legal counsel trained in such matters, would satisfy the relatives and the nation-at-large. Of all works dealing with HMAS *Sydney*, Frame's illustrates best the tensions a practitioner loyal to the Services had to deal with when presented with the *Sydney/Kormoran* instance. There amongst other things, he traces J. Ross' claims in 1943 to one of the original interrogators, LCDR J.L. Rycroft (RAN), the 2IC of Naval Intelligence. It was he who had unsuccessfully urged CMDR Long to publish an account and during the war had doubts about the veracity of the German story. That in a letter to the Museum, Barbara Winter felt Rycroft may have been the author of the 'letter of proceedings' is significant in any analysis of the genesis of the controversies and in any examination of the involvement of service personnel in many contrary claims. Frame also referred to the inadequacies of G.H. Gill's 1957 history and to questions about Burnett's capacities. These were to surface regularly over the years, as did the signals-from-*Sydney* issue, which Frame roundly refutes in a chapter headed *Stirring*

*the Pot or Whipping up Ill-Will?* On the other hand he also dealt with the possibility that Detmers did commit a war crime in the course of the battle. In this respect, his work reflects the seed(s) of doubt remaining in many very capable minds. On the other hand, in his strong defence of Capt Oldham's statement that the *Unknown Sailor* was not from HMAS *Sydney*, the book was seen as a defence of the RAN to whom Frame had remained loyal, despite having left the Service by then.

As Frame's book was in press John Doohan of the *End of Secrecy on Sydney* group (ESOS) independently recruited Greens Senator Chamarette in respect of items c- e) from the 1991 Seminar above. In answer to the question: 'Will the Minister instigate an archival search within the Australian War Memorial and Australian Archives and other holdings of naval historical records to draw together all records relating to the sinking of HMAS *Sydney*?', this reply was received:

There is no justification for the conduct of a nation wide search for documents which may sometimes in an obscure way, relate to the loss of HMAS *Sydney*. The loss of *Sydney* has already been the subject of previous books and the authors of these books have conducted their own search of the Archives. The conduct of such a search would not convince the sceptics and the revisionist historians who will still claim that the Government of the day was hiding something.

The Chamarette exchange was nonetheless indicative of the fact that the HMAS *Sydney*/*HSK Kormoran* saga post-war was gradually creeping back into a wider political psyche, albeit via the political fringe. As the exchange developed even more of the current knowledge and prevailing attitude was revealed when the following appeared

**14 December 1992**

**Weekly Senate Hansard Page 4798**

**QUESTIONS WITHOUT NOTICE – HMAS SYDNEY**

**Senator CHAMARETTE-** I direct my question to the Minister representing the Attorney-General. With regard to my Question on Notice No. 2420 and the answer provided on Thursday by the Minister for Defence, I ask: firstly, what, if any, secrecy provisions still apply to present and former members of the Australian Defence Force which would prevent them from speaking about the sinking of the HMAS *Sydney* in World War II and the subsequent investigation of that sinking? Secondly, what, if any, secrecy provisions apply to present and former members of the Australian Public Service which would prevent them from speaking out about that sinking and the subsequent investigation?

**Senator TATE-** I understand that the Minister for Defence, Senator Robert Ray, has conveyed an answer to a question on notice from Senator Chamarette. Unfortunately, I am not familiar with either the question or the answer. In relation to the question that she directs to me, insofar as it is seeking some sort of definitive opinion as to whether any particular secrecy provision under Commonwealth legislation applies to the circumstances of any possible disclosure by those who may have some knowledge of the sinking of HMAS *Sydney*, I cannot offer such a definite opinion.

However, it would be wise for the persons concerned and their legal advisers- I do not say this in a threatening way; I simply refer to their willingness to

adhere to the legislation of this Parliament concerning secrecy- to have regard to section 70 of the Crimes Act. This section applies to both past and present members of the Australian Public Service. It requires them to observe secrecy in relation to matters which have come to their attention or knowledge in the course of carrying out their service to the Australian community as part of that Public Service structure.

I believe that this is a matter where legal advice should certainly be sought in order that, in some sense of obligation to disclose, there is not an unwitting trespassing on the Crimes Act, such as would put these people in a vulnerable position whereby the full force of that Act might be brought to bear upon them.

That one of the questions directed to the author at the Geraldton commemorations in November 2008 was related to the belief that the Government still bound its military and government servants to secrecy reminds of the unsatisfactory treatment of this issue post Chamarrette. The question why has the government not made a clear and public statement freeing former servants in the *Sydney/Kormoran* case was put. Clearly it was felt even as late as this year that some were remaining silent in the spirit of wartime agreements (if they indeed existed) and that those that knew were mindful of the advice proffered in 1992 above.

In respect of Item b) of the 1991 Forum recommendations, Australian Archives', presentation of a loosely bound 'source analysis' to the assembly was an important milestone. This was followed by Guide Number 3, to the Commonwealth records. Entitled *The Sinking of HMAS Sydney* produced by Richard Summerrell. It provided reference to many original and important documents, including copies of the 'Cooper signals' referred to earlier. A full copy of these had earlier been obtained by Gordon Laffer of the SRG subsequent to an approach to the Hon. Kim Beazley in July 1988. The files show that Laffer's claim to have seen signals on an RAAF file had resulted in an RAAF Minute prepared for the Minister with a copy of signals and the note that this 'might have a bearing on the matter even though it is understood that the reference to 'Sydney' is a reference to the City of Sydney, not the ship'. The Minister's office in turn sent them on to Laffer.

With references to 'call from sea'; 'men on board, all men on board'; 'distress signal', '... [HM] AS Sydney calling' and other indicators, including a note in the margin re it being 'passed [to?] COIC per secraphone'; the Museum's files show that the adviser's suggestion that it was not from a ship, or of a military nature, was not at all well received by Laffer or the SRG. Richard Summerrell's understated analysis of these same signals as they appeared in the *Australian Archives* guide is indicative of a much wider inability to dismiss them as readily as Barbara Winter and Tom Frame had previously.

Further, Winter advised the Museum in November 1984 that she had found another reference to signals from *Sydney*. These were reputed to have been received at HMAS *Harman* a communication station in Canberra. This caused her to observe in November 1984—soon after having cast great doubt on the 'Cooper signals' in *Fact Fantasy and Fraud*—that 'if it is true then there has indeed been a conspiracy-one might be tempted to say a criminal conspiracy to cover up a serious slip on the part of certain naval officer'.

The Museum's interview with Robert Mason, Chief Clerk to the CO at HMAS *Harman* was as a result of a reference to him and his link to these signals in her next work, *The Intrigue Master*. An analysis of CMDR Long, it was published in 1995. Mason believed that he had heard signals from HMAS *Sydney* and had lodged his recollections of them in the Mitchell Library. In examining this evidence and in listing six wireless stations alleged to have received signals, Winter found that while some were clearly false and others in error, a few had a 'ring of truth'. This added further to the widespread belief that the signals issue required far greater attention than it had otherwise received.

On examination of all the conspiracy theories and controversies extant to that point, it becomes evident that along with the *Unknown Sailor* at Christmas Island, the signals issue was the only controversy for which the supporting evidence at least balanced that used to counter claims the two were *Sydney*-related. To those believing in a 'cover up', the signals issue became a cornerstone and the files show that claims regularly surfaced, some from totally unexpected sources.

In March 1995, for example one lady advised the Museum that she was on telephone duty with another operator on the evening of 19 November 1941 when a call came through from the telegraphist at Geraldton. She advised that, in receipt of morse, he had called her by telephone advising that HMAS *Sydney* had signaled that it had been in an engagement and though damaged was heading in to that port. She advised that they were jubilant, later to have their joy dashed when news that it was lost ultimately came through. So sure was she, that thirteen years later, the day after *Kormoran* was found, confident that *Sydney* would be found on a direct heading in to Geraldton, she called pleased to be advised that the information was to be immediately relayed to SV *Geosounder*. While the SRG/Laffer effect is referred to above, the question what effect these personal recollections would have had amongst this lady's coterie over the intervening years is inestimable. Either way this is yet another example of the extent of the widespread belief appearing in many of the Museum's file entries, that something was wrong with the *Sydney* story.

### **The southern battle theory**

In respect of the 1991 Seminar Recommendation a) to search the battle position, there were originally only two schools-of-thought. The first 'battle position' was at or near the 'Detmers' position, the second—espoused by some, including two former navy personnel Ean McDonald and LCDR Reg. Hardstaff (RAN ret'd), a former hydrographer— was further east on the Fremantle-Sunda line. Their beliefs were along the lines of WOC Roberts' thoughts outlined earlier. That Hardstaff, as a former naval officer was also inclined to support the Japanese submarine theory is also significant.

A fundamental shift occurred in the mid-1990s as two mid-west researchers, Ted King a resident of Kalbarri and later Glenys McDonald of Port Gregory garnered sufficient accounts of a wartime event in offshore waters, to become convinced they were linked to HMAS *Sydney*. They independently conducted their own exhaustive oral history programs after 1991 and together came to the belief that military activity of some sort had occurred immediately out to sea. Wreckage found north of Port Gregory, was also believed to be associated with HMAS *Sydney*, adding further to

these convictions. In 1994 G. R. McKenzie-Smith's *Australia's Forgotten Army*, appeared on the bookshelves containing a reference to the army finding a Japanese lifebelt and box marked HMAS *Sydney* at Green Islets near Jurien Bay in June 1942, as mentioned in the opening sequence of this work. These various investigations, and the subsequent papers and reports all had an effect in leading some to believe that the battle took place much further south than the place provided by the Germans.

Further in late 2000, at the instigation of Glenys McDonald, the RAAF and RAN went out in the examination of promising seabed anomalies near the Abrolhos Islands. That the Museum became aware of these events only when rumours began circulating in Canberra, to reach the ear of the national press and ultimately to be entered into the Museum's files in the following year is revealing of the way in which some of the controversies spread across the nation from west to east and then back again gaining momentum and credence, even where there was none. In this instance, the Museum's inquiries showed that someone had inexplicably provided three very promising target anomalies with code names 'Sydney' 'turrets' and 'Kormoran' before they were analysed. The subsequent examination of them under those names by the RAN, the RAAF and a local remote sensing company, naturally led to considerable speculation in the press, some of it front page.

In 1996 G. McDonald and Dr Don Pridmore, a principal with the remote sensing company that had together with the RAN/RAAF examined the anomalies mentioned earlier, joined to host a public gathering in Geraldton. McDonald also formed the *Midwest Sydney Group*. As a result it is in this period that the mid-west region generally, took from Carnarvon what little remained of its mantle as regional font of conspiracy theory and driver of controversy. That many came to see a southern battle position in the Abrolhos/Port Gregory/Northampton region the only possibility was a corollary of this gathering. That folk in Geraldton were subsequently led to strongly support a drive to fund and establish what is now the evocative HMAS *Sydney* memorial in Geraldton in part-reflects their belief that Geraldton was central to the battle.

In 1997 at the Flying Angel seafarers club in Fremantle John Doohan ran a well-attended, but ultimately very acrimonious forum inquiring into the battle and its aftermath. Doohan, who had left the SRG to form his own group *End of Secrecy on Sydney*, also became a very aggressive activist, using what he saw as flaws in the HMAS *Sydney* story to press his own agenda and to lobby government at all levels. As but one example, in one short period he is found writing to the Prime Minister, P. Keating; G. Edwards, Minister for Police (WA); J. Pollard Chief of Staff, *Sunday Times*, Sir Frances Burt, Governor (WA) J. M. Berinson, Attorney General (WA), the Chairman, War Crimes Commission, N. Bolkus, Minister for Administrative Affairs, and Bill Hayden, Governor General. This broadly-cast net is an example of how otherwise uninvolved decision-makers were becoming affected by the conspiracies and controversies in the mid 90s, even if it were only to sign a reply prepared by junior staff.

### **The effect of Ministerial advisers on conspiracy theory**

A very important point in any study into the development of conspiracies and controversies appears visible in an examination of the 'ministerials' prepared in the *Sydney/Kormoran* case. Unbeknownst to most people, these are routinely prepared for

the Minister's office by staff well down in the chain and often in a cross-portfolio context. They then pass on up and across via progressively busy (and often understandably less well-informed) senior intermediaries, with few changes other than the odd editorial to finally emerge at the relevant Minister's office for signing. With HMAS *Sydney*, this became a real problem when the 'experts' penning a draft for the Ministerial chain were themselves convinced that there was no need for explanation. It is especially evident where the adviser was encouraged not to get too involved, or to commit too many resources to the task. The Chamarrette exchange above appears as one example.

On the other hand, it appears that in the Laffer instance above, where the Minister had an interest or an understanding of the saga, or as was occasionally evident, was personally committed to furthering a resolution the prevailing tide was briefly turned. K. Beazley's refusal to 'bury' the Cooper signals by sending them on to Gordon Laffer and the SRG is significant in that respect.

It is also worth noting that in the mid 1990s Minister Beazley and senior office staff often expressed their support for an archival search to be led by the Museum. A plan to obtain a grant to utilize the skills of the archives study unit at Monash University was part of that scheme. That the Minister expressed his disappointment via one of his staff when the proposal was not activated is again indicative of pockets of support within government at the time. Later the tide completely turned as a result of the formation of the various HMAS *Sydney* trusts and foundations (see following).

Notwithstanding, it is evident that the 'expert adviser effect' can have a very positive influence in the right climate. This became evident when one traces the successes at Christmas Island and the lead up to the ultimately successful search at sea to a facilitatory attitude within naval historical advisory structures around that time.

In the *Unknown Sailor* instance, for example, in 1995 Wes Olson proved that the float came from HMAS *Sydney*. Via a parallel development, Ted McGowan, a former magistrate in Victoria, came to believe it was possible that the sailor was his brother. His subsequent agitation for action, carefully written and presented, was another force leading to a widening of the controversy that has also received a great airing in the press these last two decades. That it was recognized that the *Unknown Sailor* could have been related to a wide range of people from all walks of life and from all over Australia and possibly in Britain, Italy and elsewhere, also served to widen interest. The possibility he may have been a German sailor was also raised in one discussion. Widely publicized, and after much agitation by McGowan, G. McDonald and others, these activities led to two Service expeditions and the much-publicised location, exhumation and examination of the remains. Even that welcome event became an extremely controversial issue when claims emanating from an RAN source, that he had received a bullet wound to the head, received national press.

### **Trusts, foundations and education as a vehicle for raising political consciousness**

Numerous groups, trusts and foundations were formed after 1994 to locate HMAS *Sydney*. These sprang up soon after the Museum was forced to abandon its own plans when Woods Hole Oceanographic Institute (WHOI), finders of *Bismarck* and RMS *Titanic* pulled out in that year. WHOI did so—forcing the Museum to follow suit in the absence of suitable deep-water search expertise—not because there was any doubt

about locating *Kormoran* and/or the battle site, but due to a perceived lack of sufficient data to allow *Sydney* to be located.

Even in the face of this uncertainty, the trusts and foundations proved a crucial step in lifting the HMAS *Sydney* saga onto the national political scene. The first trust was led by the late Wayne Sydney Born, a car salesman, assisted by well-known war veteran Graeme Edwards a State MP, who later joined Federal parliament. Severely injured in battle himself and a part of the attempts to interest WHOI in the search, he had earlier written to the Special Minister of State, but had been advised the Commonwealth Government was unwilling to undertake a search for *Sydney* due to financial circumstances and uncertainty of its exact location. On the death of Wayne Born, filmmaker Ed Punchard, G. Edwards, Ted Graham (a remote sensing and marine service professional) and Kim Kirsner, joined forces to form another Foundation and together they gradually changed the official tide as they brought more and more senior politicians and academics in support.

As this tide was slowly turning and as news and controversy spread, teachers and students in history at universities and schools also felt empowered enough to examine the *Sydney/Kormoran* story. While a few took a conspiratorial position using their position to promulgate their beliefs, most remained objective, seeing it as a valuable adjunct to their history and social studies. Surprisingly it is in this context that an indigenous element surfaced in October 2008 when Bryan Clarke formerly of Carnarvon commented on the draft of a children's book on the *Sydney/Kormoran* engagement being prepared by the former head of the Museum's Education section. He advised of the involvement of Indigenous station hands, notably Ahmat Doo, in the discovery of the Germans at Quobba Station. This instance is evidence of the slow diffusion of some important elements of the story and it illustrates the growing interest shown by educators serving even the youngest of Australians in the modern day.

Students in the Museum's own postgraduate courses in maritime archaeology also chose the subject for some of their course requirements, with some unexpected results. After graduating in the 1980s for example, Ed Punchard, as but one student who began inquiring into the saga, formed Prospero Productions with Julia Redwood and together they produced many shipwreck films. One of the first was on HMAS *Sydney*. Evocatively called *No Survivors*, this film and others similar carried the story to a national audience, again broadening both the knowledge base and the numbers of the public convinced of conspiracy. This instance also illustrates the fact that the Museum itself has had a role in promoting controversy and conspiracy theory, albeit unwittingly. Having introduced many to the saga, having encouraged *bona fide* research and inquiry, having facilitated the tying together of regional loose ends in order to get it into a form where it could be judged on its merits, this was perhaps inevitable. Despite their training and the advice proffered, a few of those assisted came to take a subjective approach. Of itself this caused controversy. To some the Museum was providing 'oxygen' to conspiracy theory by filing subjective discourse, or by accessioning speculative books to its library, by carrying some in its bookshop or by even talking to the proponents. To others it was using its position to entice researchers to conduct research and to promulgate works supporting the 'official position'.

### **The 1997/8 Parliamentary inquiry**

The many high-ranking politicians who were joined in support of the newly-formed Foundation were also the launching point for the 1997/8 Parliamentary Inquiry which examined and recorded all the controversies and conspiracies presented to them. Like the chapter in Frame's work, its index and conclusions are compulsory reading in any analysis of the genesis and development of conspiracy theory and controversy. A full 18 volumes of evidence was received much of it conspiratorial in nature. The fact that people voluntarily appeared before the Inquiry attests to a confidence in their ability to defend their beliefs on a political stage.

A search of British archives was a result with a subsequent publication produced in 2001 by Capt. Peter Hore (RN Retd.) indicating that while nothing new had been found there, his work reinforced the need to search 26° 111° or thereabouts. The Committee also urged further work at Christmas island part-leading to the successes referred to earlier and sought the convening of a seminar/workshop to augment the 1991 Forum 'to try and confirm the accuracy of the wreck locations, prior to a full in-water search'. Echoing the findings of a decade previous, to it the 'logical starting point' was to commence an initial search for HSK *Kormoran* at or near 26° 32-34'S, 111° E., the 'Detmer's position'. Of importance to the COI request the Parliamentary Inquiry also attended to all the known conspiracies and controversies still extant at that time, finding few with any substance. In that the submissions (which are all indexed) reflect the WWII sequence, Robotham, the SRG, Evans, Montgomery, King and McDonald on the one hand and Winter, Frame, Olson and others on the other, they do not require listing here.

### **The 2001 Sea Power Centre Seminar**

A seminar hosted by the RAN's Sea Power Centre at the request of the Parliamentary Inquiry advised against a search on the basis that researchers could not agree whether the battle took place at the 'Detmers position' or near the Abrolhos Islands. The reasons for this decision are apparent in the range of submissions received in favour of a southern battle position, a notion supported by a not-inconsiderable number of RAN specialists former and still serving.

The 'southern battle' theory was a key plank in many conspiracy theorists platform and in the lead up to 2001 it neatly dovetailed into new claims by Whitaker/Knight to have located *Sydney* and *Kormoran* with a newer version of their KDLS technology. This claim, albeit a few kilometers away from the original 1989 report was repeated as front-page news. To many the Museum's public denials was proof of its duplicity in trying to hide the wrecks, with some relatives of those lost especially vociferous and critical, resulting in a number of 'ministerials' in reply.

Surprisingly, and controversially not tabled at the SPC seminar was specialist advice sent by Andrew Lockwood of the University of Western Australia in September 2001 to the Sea Power Centre. It totally destroyed the scientific basis of the Whitaker/Knight KDLS wreck finding system that was driving many of the proponents of a 'southern battle' hypothesis. Adding to the import of this omission, the Chair of the Scientific Committee at the seminar also failed to adequately question the nature of the KDLS system. The impact of these failings and the extent of the ongoing controversies up to that time are visible in this abridged précis of the

submissions to that seminar prepared and promulgated in early 2002. Omitted are those (only two) submissions having no bearing on the COI request.

Name	Subject
K Baker	With R Hardstaff, defines a 360 sq mile search in the 'northern, or Detmer's area', provides an analyses of elements of a list of 19 estimated positions for <i>HSK Kormoran</i> and 4 for <i>HMAS Sydney</i> .
A.D. Black	Recommends a NE search datum line from a starting point near the 'northern area', recommends a re-assessment of reports of a grave on Dirk Hartog Island and a wreck nearby (see Sampey/ <i>HMAS Geraldton</i> report, above).
N Brown-T. O'Leary-F. Leahy-J.Leach Department of Geomatics. Uni Melbourne.	Define a series of possible search areas using a 95% 'confidence region' for <i>Kormoran</i> in the Detmer's position based on 'network adjustment', compare results with other research, recommend further study areas.
J. Bye	Hindcasts the source of debris from the release of drift cards, analyses other natural and oceanographic phenomena to settle on a battle position west of the Abrolhos. Recommends a search of that area.
J. Doohan	Through the medium of letters to other parties, questions veracity of the German and archival accounts, queries the past and present management of the controversy, questions the veracity of evidence presented to the 1998/9 Parliamentary Inquiry by government instrumentalities, questions the Inquiry's terms of reference, provides 'random inclusions' to argue that the accepted version of events is flawed, e.g. <i>inter alia</i> an analysis of the passage and role of the <i>Kormoran</i> lifeboats, discusses the <i>Kormoran</i> wounded, presents engagement scenarios, analyses the battle, the Christmas Island grave issues.
J.C Dunn & K. Kirsner	Use a 'temporal triangulation' technique to recommend a search area and starting point for the search of the 'northern area'.
I Farquar-Smith	Attests to the difficulty in position fixing during WWII, opposes the search on the basis that an inspection of the wreck(s) would prove inconclusive and looting may occur subsequently.
S.Gratte	Advises of his research dating back to 1971, refutes claims that the battle was heard/seen from Port Gregory, suggests practice shoots were the cause of the reports from that region
G. Hielscher	Analyses lifeboat voyage of <i>HSK Kormoran</i> survivors Meyer and von Malapert, concludes they

	started their voyage near the Abrolhos Islands and as a result HSK <i>Kormoran</i> and probably HMAS <i>Sydney</i> lie in that vicinity. Believes the KLDS Target 3 is <i>Kormoran</i> .
D.W. Hitchins	Queries why there is a gap in official surveys of the seabed in the region between Cape Inscription and North Island, in believing HMAS <i>Sydney</i> may lie there he requests an explanation for the gap.
HMAS Sydney Search Pty Ltd	Provides details of its company structure, contacts, and aims
S. Hughes	Provides details of developments in search and rescue planning techniques since 1991, outlines Australian Maritime Safety Authority's Net Water Movement System as an aid to locating the wreck(s). Produces search coordinates for the 'northern area', considers the Abrolhos Island positions of low probability.
G. Jackson	Analyses Burnett's actions during the engagement, presents a study conducted by Messrs Boichel, Chilman, Francis, himself, Kagi, Moir and unspecified others, examining the battle and its antecedents, supports a 'northern area' location for the battle.
D. Kennedy	Indicates the 'official history' is deficient due to the withholding of archives and/or poor translations of originals, provides copy of an original document, calls for a speedy resolution.
DRE King	Provides a battle position off Kalbarri with supporting oral histories from people resident in that region.
R. Lloyd	Recommends the RAN use an air-born laser system to search the Knight position near the Abrolhos, reproduces an earlier paper entitled 'When did they know?' questioning the timing of official knowledge of the loss of HMAS <i>Sydney</i> .
J. McArthur	Questions the validity of the processes and structure of the Seminar itself, questions the objectivity of two organising Committee members and one Chair, discusses the accessibility and veracity of archives generally, refers to modern bias in the analysis of HMAS <i>Sydney</i> -related archives, comments on the Meyer account, questions other analyses, questions the 'official' accounts, suggests that all searches begin with the Whittaker/Knight locations off the Abrolhos Islands, replies to the organiser's return letter re conflict of interest re-iterating his earlier concerns, raising the issue of PMG archives, refers to the post-war destruction of Volunteer Defence Corps and other records, notably those of CMDR R. Long.
M. McCarthy	Recommends a search of the 'northern area' and all sites outstanding as a result of the seminar, tables a letter received in 2001 from Mr J. Blythe re: SS <i>Cape</i>

*Otway* and bodies in the water, seeks statement from all government instrumentalities involved that they hold no un-accessed HMAS *Sydney*-related records, refers to the unsatisfactory explanations for the 'Cooper signals' and the loss of HMAS *Sydney* aircrew.

- D. McDonald. A serving RAN officer. Examines W. Whittaker's contention that the lifeboat voyage commenced further south. Accepts the validity of the Whittaker data and assumptions, agrees with the conclusions reached, recommends a re-assessment of the Meyer/von Malapert sailing notes and voyage as a result.
- E. McDonald Queries the processes of the Seminar, expresses concern about the lack of public discussion, queries the objectivity of workshop members and leaders, considers the German account 'suspect', rejects the Detmer's position, concludes the Meyer voyage emanated from the Abrolhos Islands region and that the battle occurred near there, decries 'vested interests' of Museum, Navy and HMAS Sydney Foundation Trust, considers the Whittaker and Knight positions near the Abrolhos to be confirmed, urges an inspection of the KLDS site 3 on that basis and in regards to the cost effectiveness of examining a GPS 'fix'.
- G. McDonald Outlines previous searches of the Port Gregory area, one by the RAN and RAAF, refers to the Bye drift card experiment, proposes a search area based on contemporary reports from the land adjacent Port Gregory, provides a compass bearing for the search, provides a table of the course of the Whittaker and Knight reports since 1989.
- J. Montagu Deduces that HMAS *Sydney* sank in the 'northern area', claims HSK *Kormoran* picked up survivors and then sailed off only to sink after an accident, fixes the position of the *Kormoran* just south of the 'northern area', claims to have supporting declarations by HSK *Kormoran* crew member, urges further action.
- C. Munyard Provides analysis of Dr List's cryptographs, comments on the Red Bluff camera, questions the Meyer account of the lifeboat voyage appearing on the photographs donated to WAMM, recommends a search of the 'northern area'.
- B. O'Sullivan Analyses the engagement and its antecedents, providing his reasons 'why' particular events occurred, concludes HMAS *Sydney* sank at the 'Detmer's position' in the 'northern area', discounts the Christmas Island Carley Float as HMAS *Sydney*-related and the 'drift card analysis'.
- B. Severne, B. Walker, G. Riley &

M. Cooper (Sub Ocean surveys).	Report on side scan sonar and magnetometer survey of a seabed feature north east of the Abrolhos Islands, that proved geological in origin.
T. Watson	Urges a search be mounted, refers to the limitations of air-born methods, offers assistance, supports an inspection of the Whitakker/Knight reports, comments on American and British intelligence records urging action on them.
T. W. Whittaker-L. Knight	Report on three aerial searches producing targets west and south-west of the Abrolhos Islands using the Knight Direction Location System, concludes the German account is false, rejects the 'northern area,' as a possibility, provides 9 supporting documents including an overview of the research, a record of the three searches, their failure to locate anything in the 'northern area', provides their evidence to support a battle site west of the Abrolhos, including an analysis of the Meyer voyage, the Bye drift card experiment, a report on meteorological conditions, a description of the technology used, presents 14 testimonials to their system.

That the seminar concluded with a recommendation that a search was not warranted, partly because the various researchers could not agree, was itself a matter for controversy adding further to claims of a 'cover up' on the part of a navy reluctant to be committed in any way. In that context, the efflorescence of support for a southern battle position evident at the seminar was strengthened by advice from RAN specialists in the list above and then by another group of RAN officers later assembled by the SPC as an expert committee. They found that the lifeboat voyages were impossible unless they emanated from a place much further south than the 'Detmer's position'.

In that same period the *Finding Sydney Foundation* (FSF) was formed under Ted Graham with its energies part-focussed via Kim Kirsner and John Dunn on narrowing a search area in the Detmer's position. Convinced it too was part of the 'cover up' their most vociferous opponents were the proponents of a 'southern battle' theory.

It was only when oil search companies in 2003 and finally—in the face of continued disbelief from the proponents of a southern battle position—in 2007 proved that Whitakker/Knight wrecks did not lie on the seabed near the Abrolhos that a search for HMAS *Sydney* finally became possible. David Mearns self-belief, his appointment to the *Finding Sydney Foundation* and his clear statement that he could find the wrecks, despite the SPC findings were also crucial. The controversies, acrimony and conspiracy theories surrounding the battle for credibility that raged until the Whitakker/Knight group were proved wrong are legion, but in not being new to this discussion, bear no repetition here.

Wes Olson's *Bitter Victory*—where little in support of conspiracy theories appears—was published the year before the SPC Seminar. It was followed in 2005 by Glenys McDonald's *Seeking the Sydney: a Quest for Truth*. In contrast with Olson, who tends to remain with comparative and technical studies, McDonald's work carries many of

the theories above with a few regional additions. Though poles apart—again engendering controversy and causing considerable discussion from the various camps—both were the result of exhaustive and comprehensive research and both were published by University of Western Australia Press, a very well-respected publishing house, with strict editorial standards.

On the other hand a phenomenon that appeared before the search got underway was manifest in a number of self-published books. A rarity previously, self-publishing is common today adding yet another dimension to conspiracy theory and the spread of controversy re HMAS *Sydney*. While ensuring that nothing remains unsaid, that self-published material is generally produced without the benefit of peer review or editorial scrutiny became a problem of relevance to the COI request. Appearing under titles like *The Truth is so Precious* (2001); *Enduring Deception* (2005); *The lost souls and ghosts of HMAS Sydney II*; *Somewhere Below: the Sydney scandal exposed* (2007); and *HMAS Sydney 1941: the analysis* (2007); they reflected the conspiracy theories that remained after 2000. In the first appear a number of the earlier theories, though the author generally felt constrained by the ‘official secrets act’. Another combined oceanographic analysis with speculation about submarines and intelligence subterfuge; others harked back to M. Montgomery and the SRG and one was a fictional account in the wake of J. Robotham. In all only a few new items emerged—that bodies were buried on north-west beaches; that some of the dead were possibly buried in a Perth cemetery; and that one body was the subject of an autopsy by a Captain Laurence Snook. This issue generally has been the most obvious controversial matter in recent months. Well after the wrecks were found, for example the *Subiaco Post* carried a number of stories, and in attesting to the depth of beliefs held in some circles, the journalist involved (and founder of the newspaper) Brett Christian went numerous times into the field with the proponent David Angwin in what was to prove a fruitless search. That many in the mid-west and elsewhere have since become involved on the basis of a number of letters reported to have been written by soldiers involved in the burials attests to the spread of that notion. When none of the letters were proved to be real, the observer was taken full circle back to the fraudulent ‘letter of proceedings’ J. Robotham, W.P. Evans and their methods in trying to force official action.

In hindsight it is apparent that the position of HSK *Kormoran* as located by D. Mearns *et al.* in March 2008 reasonably corresponds with the ‘Detmer’s Position’ and it is almost exactly the same as that appearing in a signal sent by Navy Office on 28 November 1941. This ‘fixed’ the position of 026°S., 111° E. as the place that ‘HMAS *Sydney* sank the enemy raider’ (see the wartime sequence above).

The wreck of HMAS *Sydney* lies a very short distance from *Kormoran* towards the south-east at a place appearing in a Navy Office signal on 25 November, that told of the German survivors rowing towards the cruiser ‘which disappeared believed sunk’ i.e. it lay very close nearby, perhaps within eyesight of *Kormoran*. This also tallies with the wartime report of an oil slick found 5NM south east of the ‘battle position’.

That the RAN in 1941, Wes Olson in recent times; Captain Peter Hore (RN) in 2005; together with Kim Kirsner and John Dunn researching for the various Foundations, all looked to 26°S., 111°E., as the position, came as little surprise to those who believed the German account.

Notwithstanding, claims that the RAN already knew where the wrecks lay and that David Mearns' search endeavours were all 'theatre' as a result, became yet another source of virulent controversy and dissension these last few months. On the other hand, it has logically been observed that if the Germans and the resultant RAN signals had been given credence from the outset then the search box for both *Sydney* and *Kormoran* would perhaps have been the smallest D. Mearns (who clearly believed the German account) had ever been presented with in his illustrious wreck searching career.

Finally, in this same context and in taking over the mantle of chief conspiracy theorist from those who went before, James Eagles, who first entered correspondence with the Museum in 1997, came to induce some remaining theorists, and tragically some relatives, to follow him in recent times. He has claimed that the location of the two wrecks and the subsequent identification of HMAS *Sydney* and HSK *Kormoran* is an elaborately staged fraud designed to lull a gullible populace into believing the German accounts. These claims—that the wrecks are a cunningly designed set—while continuing to this day even in the face of overwhelming evidence to the contrary, are indicative of the damage to hearts and minds caused post-CMDR Long's decision. Illustrating this is a letter on the author's desk dated 12 October 2008. It was penned by a relative of one who was lost on HMAS *Sydney* and was sent just prior to his leaving for the November 2008 commemorations at Geraldton and the services above HMAS *Sydney* off Shark Bay. In serving to close this account. It reads:

*It was wonderful that you were on the SV Geosounder when they [inspected] the ships, it must have given you a great lift, it gave me one.  
You know what is being said about the wrong shadows, could you help me, I saw on my daughter's computer that you said that David Mearns put his own lights on the ROV, were they internal lights in the frame or external lights outside of the frame, [I] could not see them on the DVD of your search.  
The photo that caught my eyes is the wire rope sticking out of the sand, the shadow seem to be in the wrong place.*

*Thanks . . . J.  
[Name withheld. Reproduced with permission]*

How far entrenched the conspiracy theories have become and the continuing effect on all involved, is clearly evident here.