

COMMISSION OF INQUIRY INTO THE LOSS OF HMAS SYDNEY II

Before The Hon TRH Cole AO RFD QC

Held at level 5, Commonwealth Law Courts Building
1 Victoria Avenue, Perth

Counsel Assisting: CMDR JT Rush RFD QC RANR
 LCDR PW Kerr RANR

On Friday, 6 February 2009 at 9.45am
(Day 29)

1 LCDR KERR: Good morning, sir. Before I call
2 Mr Christian, yesterday during Mr Doohan's evidence he
3 mentioned a Mr Crawford Addison Young and identified that
4 Mr Young's son, David, was in the courtroom. I spoke to
5 Mr Young Junior yesterday about some of the comments that
6 had been attributed to his father. Mr Young was unable to
7 provide any further information that would substantiate
8 that, apart from what was heard yesterday by this
9 Commission.

10
11 THE PRESIDENT: Thank you.

12
13 LCDR KERR: I call Mr Brett Christian.

14
15 **<BRETT RONALD CHRISTIAN, affirmed: [9.47am]**

16
17 **<EXAMINATION BY LCDR KERR:**

18
19 LCDR KERR: Q. Mr Christian, would you please tell this
20 Commission your full name, your professional address and
21 your occupation?

22 A. Brett Ronald Christian. My professional address is
23 276 Onslow Road, Shenton Park, Western Australia.

24
25 Q. And your occupation?

26 A. Publisher and editor.

27
28 Q. You are the owner and editor of the Subiaco Post; is
29 that correct?

30 A. It is Post Newspapers. Subiaco Post is one of the
31 papers that we publish.

32
33 Q. Over the years, in that particular newspaper, you have
34 published a number of articles and letters concerning
35 *HMAS Sydney*?

36 A. Yes, we have, yes.

37
38 Q. In answer to a summons served upon you by this
39 Commission, you have provided copies of some of those
40 articles and letters?

41 A. Yes.

42
43 Q. I would like to take you to a number of those and ask
44 you some questions about them. Before I do, it's the case,
45 isn't it, that you have on at least one occasion travelled
46 to north-western Western Australia in the area of
47 Dirk Hartog Island?

1 A. Yes, I have.
2
3 Q. With other people - Mr David Angwin?
4 A. Yes.
5
6 Q. And I think Mr Les Hall?
7 A. Les Moss.
8
9 Q. To search for evidence of bodies buried in that area?
10 A. Well, they were searching; I was observing.
11
12 Q. How many times have you accompanied anybody up there,
13 sir?
14 A. I've been there three times, to different areas.
15
16 Q. And each time with Mr Angwin?
17 A. No.
18
19 Q. Who have you travelled with?
20 A. The first time I went with Mr Barry Thompson,
21 a dentist from Geraldton, and our pilot, Tony Rees.
22
23 Q. That was the first time, you said?
24 A. That was to Dirk Hartog Island.
25
26 Q. On the second occasion?
27 A. The second occasion was with Les Moss and David
28 Angwin.
29
30 Q. And the third occasion, sir?
31 A. With those two again.
32
33 Q. If we could return to the first time with Mr Thompson
34 and Mr Rees, do you remember when that was?
35 A. It was autumn 2007, I believe, probably about May.
36
37 Q. And the second occasion?
38 A. About a year later, almost exactly a year later, yes.
39
40 Q. On the third occasion?
41 A. I think it was July 2008.
42
43 Q. On any of those occasions, did you or the people whom
44 you were with find any evidence of bodies being buried in
45 that area?
46 A. Certainly not, no.
47

1 Q. Are you aware as to whether there are going to be
2 further inquiries made by those people in that area?

3 A. Mr Angwin has already been back this year.
4

5 Q. Have you any knowledge of whether or not he found
6 anything?

7 A. He's told me he found nothing, nothing.
8

9 Q. If I could bring up, please, SUBM.008.0004. You will
10 see that on the screen in front of you, sir.

11 A. Yes, I can.
12

13 Q. It's a letter from Mr Jim Blythe dated 6 July 2001 to
14 Dr Michael McCarthy of the West Australian Maritime Museum.
15 It concerns, as you're probably aware, sir, a claim by
16 Mr Blythe that he was told by his father - if we could turn
17 to the second page, please - he talks about his father's
18 practice of trying to find a wavelength to send weather
19 information. At the top paragraph on the page:
20

21 *It was normal practice for lighthouse*
22 *keepers to tune in the radio set before*
23 *making the weather transmission in order to*
24 *pick up the precise frequency and in doing*
25 *so [his father] picked up a very clear and*
26 *loud transmission in what [his] father*
27 *described as Japanese dialogue. The reply*
28 *was also heard loud and clear in the same*
29 *dialogue.*
30

31 How did you come to have this letter, sir?

32 A. Mr Blythe sent it to me to pass on to John Samuels.
33

34 Q. You'll note in that letter, sir, that there is no date
35 referred to by Mr Blythe of when his father is said to have
36 heard this?

37 A. That's right, yes.
38

39 Q. If we could bring up SUBM.008.0079, as I understand
40 it, sir, this is an article written by you?

41 A. Yes. Yes, it looks like that, yes.
42

43 Q. If we could move to the second page of that document,
44 about halfway down the page:

45 *This week a researcher came forward with*
46 *evidence of loud, clear signals in Japanese*
47

1 *being monitored at the North West Cape*
2 *lighthouse just as the Sydney engaged the*
3 *Kormoran.*

4
5 A. That's right.

6
7 Q. That's a reference to Mr Blythe's letter?

8 A. I believe it is, yes, yes. Oh, no, no; I interviewed
9 Mr Blythe.

10
11 Q. You interviewed him?

12 A. Yes.

13
14 Q. That's when he told you that it occurred at the same
15 time as the *Sydney* --

16 A. Yes, that was his assertion, sure.

17
18 Q. Did you make any checks of the lighthouse record, sir?

19 A. No. I took his word that he'd been searching for the
20 log. He'd had great interest in his father's writings.

21
22 Q. Are you aware that he was unable to find the log,
23 according to him?

24 A. Yes, he told me that, yes.

25
26 THE PRESIDENT: Q. Could we go back to the previous
27 letter, please, at SUBM.008.0006. At the bottom of page 3
28 of the letter from Mr Blythe dated July 2001 it says:

29
30 *I have recently been told that this*
31 *information was very sensitive at the time*
32 *and that "higher authority" ordered the*
33 *Captain of the Cape Otway to ignore the*
34 *bodies sightings.*

35
36 In your discussions with Mr Blythe, did you inquire about
37 that matter?

38 A. I don't recall, sir. It was some time ago. We may
39 have discussed it. I simply don't remember.

40
41 Q. He goes on to say:

42
43 *I am unable to confirm these last few*
44 *lines.*

45
46 You don't recall if you spoke to him about that matter?

47 A. I'm sure I would have, but I don't remember how the

1 conversation went.

2

3 LCDR KERR: Sir, if we could go to SUBM.008.0014.

4

5 Q. This is a letter said to have been written by one of
6 the members of an alleged burial party, addressed to
7 Mr Samuels, and provided to you by Mr Samuels?

8 A. That's right.

9

10 Q. Can you tell the Commission when it was provided to
11 you?

12 A. I've been racking my brains. I didn't date stamp it.
13 I think it was some time in 2007.

14

15 Q. Did Mr Samuels give you any information about its
16 origin?

17 A. Oh, yes, he did, yes.

18

19 Q. What was that?

20 A. Just to go back a bit, I had been trying to get the
21 letters from him, or the details of the persons alleged to
22 have written them - that letter and another one - for well
23 over a year. In the course of those conversations he had
24 made a lot of statements about the persons who had written
25 them. He finally provided them a very, very long time
26 after I first asked for them.

27

28 Q. Did he tell you how he came to be in possession of
29 them?

30 A. This letter particularly he said was the second letter
31 he received after publication of his book and it was sent
32 to him. I've even got a feeling that he said he actually
33 had an encounter of some kind with the author, either by
34 phone or personally. I can't swear to that, but that's my
35 memory of it. I've got a very clear memory that he had
36 a good idea - well, he knew who the author was.

37

38 Q. You said that was the second letter, sir. What was
39 the first letter you were referring to?

40 A. The first letter was one that was all typed up in
41 capitals, and he said that that came to him via Pastor
42 Wittwer, who had received it from a person.

43

44 THE PRESIDENT: Q. Have you seen the transcript of the
45 evidence that Mr Samuels gave before this Inquiry?

46 A. Yes, I have, yes.

47

1 Q. You will have noted that he, in essence, said that he
2 had no basis for making any of the allegations that he put
3 in his book.

4 A. Yes, I saw that, yes.

5
6 Q. He has recanted on everything that he had written.

7 A. Yes. Well, I don't think he specifically said it of
8 the letters, but I imagine his global statement would
9 include the letters.

10
11 LCDR KERR: Q. If we could go to page 2 of that letter
12 and if I could ask you this, Mr Christian: is that the
13 form in which this letter was given to you, and by that
14 I mean you haven't deleted or changed anything?

15 A. Oh, no, I haven't, no.

16
17 Q. You haven't added anything?

18 A. No.

19
20 Q. You'll see down the bottom, it says, "All the best,
21 Harry"?

22 A. Yes.

23
24 Q. That's the way you got it?

25 A. Yes. I'm not sure that - I'd need to look at the
26 letter I gave to you in response to the summons. This
27 seems to have a different sign-off line. This does say
28 "Harry", but it does seem to be differently set out.

29
30 Q. Perhaps if I could assist you in this way: I can tell
31 you that this is the first time that the Commission has
32 seen a letter in that form purported to be from a person
33 named Harry.

34 A. Right.

35
36 Q. Any other letter that has been provided to the
37 Commission has not had any kind of signature line on it
38 whatsoever.

39 A. Right. Now, I must point out that Mr Samuels did say
40 that the letter had been typed from the original, so it was
41 a typed copy of the original letter that he received.

42
43 Q. So do I understand you to mean that Mr Samuels, as far
44 as you understand it, has another letter?

45 A. Yes, yes; that's a transcription of his original,
46 according to him.

47

1 THE PRESIDENT: Did Mr Samuels produce the original of
2 this letter to the Inquiry?

3
4 LCDR KERR: Not that I'm aware, sir, no.

5
6 THE PRESIDENT: And we don't know who Harry is, do we?

7
8 LCDR KERR: No, sir. The letter is the first time that
9 we've seen the name "Harry".

10
11 THE PRESIDENT: Q. Do you know who "Harry" is?

12 A. No. I wish I did. I tried very hard to get his
13 details, if he indeed exists.

14
15 THE PRESIDENT: We'll make some more inquiries of
16 Mr Samuels about it, I think.

17
18 LCDR KERR: Q. Did Mr Samuels tell you that he had
19 interviews with the family members of this Army burial
20 party?

21 A. There is a passage in his book that purports to do
22 that, yes.

23
24 Q. And that is the source, I take it, of your statement
25 in SUBM.008.0047, in the fifth paragraph down:

26
27 *He puts forward new evidence in the form of*
28 *interviews with family members of an Army*
29 *burial party.*

30
31 A. That's right, yes.

32
33 Q. Did you ever speak to him about that?

34 A. I did, yes.

35
36 Q. Did he tell you the source or the names of those
37 family members?

38 A. No. I tried many, many times, I can tell you, over
39 a long period of time, to get that information. Obviously,
40 I wanted to interview them myself, if they existed.

41
42 THE PRESIDENT: Q. What's the basis on which you, as
43 a journalist, work? If someone tells you something and
44 they won't tell you, or can't tell you, the basis for what
45 they say, do you just accept it and then publish it?

46 A. No. This is an extremely difficult situation,
47 I found. Mr Samuels had already put this information into

1 the public domain.

2

3 Q. In the book.

4 A. In the book, and people were talking about it. The
5 whole basis of this and many other stories that circulate
6 about the *Sydney* is secrecy; that's actually the core of
7 the problem, so it's a unique situation.

8

9 Q. I'm not quite sure what this so-called secrecy is.

10 A. Almost everybody, and especially in this case, who
11 purports to have first-hand information is adamant that,
12 for one reason or another, they have to keep their identity
13 secret.

14

15 Q. That must make you very suspicious about the accuracy
16 or truthfulness of that information?

17 A. It does. That's why - yes, it does.

18

19 LCDR KERR: Q. Sir, can I take you to SUBM.008.0076, the
20 fourth paragraph from the bottom. There is a reference to
21 Mr Samuels again.

22

23 *He [Mr Samuels] said he had been approached*
24 *by members of Army and RAAF burial parties,*
25 *who said they secretly buried the bodies,*
26 *some in HMAS Sydney life jackets, on Dirk*
27 *Hartog Island in mid-December, 1941.*

28

29 A. That's what he said and that's what the letters
30 purport to show.

31

32 Q. That passage, sir, says that Mr Samuels told you that
33 he had been approached.

34 A. Yes.

35

36 Q. Did you question him about that?

37 A. I did. I did, because in my quest to find out who
38 these people were, I wanted to try to establish whether he
39 had had direct contact with them.

40

41 Q. What was his response?

42 A. "Yes".

43

44 Q. He told you that he had had direct contact?

45 A. Yes, yes.

46

47 Q. With members of the burial party?

1 A. Yes, yes. Well, he certainly led me to believe that.
2 You know, the passage of time has blurred it, but that's
3 the memory I have - that he had had contact with them.

4
5 Q. And do you remember in what form you spoke to
6 Mr Samuels - was it face to face?

7 A. On the phone.

8
9 Q. Could I ask, sir, that EML.005.0112 be brought up.
10 I'm going to turn to the life vest or the life jackets,
11 Mr Christian. You would be aware from the evidence that
12 has already been given in this Commission that former
13 members of Sydney's crew have provided evidence that
14 lifebelts were not stamped with "HMAS Sydney", which is
15 a position that is contested by Mr Samuels to some point,
16 and the relevance of this, of course, is the claim that
17 bodies that were buried were wearing Sydney life vests.

18 A. Yes.

19
20 Q. And it's also relevant to the autopsy claim concerning
21 Dr Snook or CAPT Snook. This is a copy of a CNI, which
22 I understand is a Chief Navy Instruction. This particular
23 one - it's not evidenced here, but I'm informed and advised
24 that it was issued on 28 November 1939, and it concerns, of
25 course, lifesaving equipment. Paragraph 3 states:

26
27 *Each officer and rating embarked, if not*
28 *already in possession of a lifebelt, is to*
29 *be issued with one on "permanent loan" by*
30 *the vessel which he joins. The belt is to*
31 *be retained in the possession of each*
32 *officer or rating for the period of the*
33 *War. The Commanding Officer of each Ship*
34 *is to take the requisite action to ensure*
35 *that every officer and rating is conversant*
36 *with the proper methods of wearing,*
37 *inflating and using the equipment and that*
38 *regular musters and inspections are carried*
39 *out.*

40
41 Paragraph 5, the third line states:

42
43 *Particulars of each issue on "permanent*
44 *loan" are invariably to be noted at the*
45 *time in the Ship's Quarterly Ledger; those*
46 *to a rating being recorded also on his*
47 *Service Certificate, whilst an officer's*

1 *issue is to be shown on Transfer List when*
2 *he is transferred to another Ship.*

3

4 It's clear from that instruction, Mr Christian, would you
5 agree, that the issue of life vests was done once, and the
6 vest was carried by the member from ship to ship for the
7 period of his service?

8 A. That's right, that's what it says.

9

10 THE PRESIDENT: I will mark that document exhibit 198.

11

12 **EXHIBIT #198 CNI TITLED "LIFESAVING EQUIPMENT",**
13 **EML.005.0112; CNI TITLED "BRANDING OF RUBBER INFLATABLE**
14 **LIFEBELTS AND COVERS", EML.005.0111**

15

16 LCDR KERR: If we could go then to EML.005.0111.

17

18 Q. This is another CNI. I'm advised that this one was
19 issued on 16 June 1942, some time after *Sydney's* encounter,
20 but it reinforces and confirms the evidence given by the
21 former *Sydney* sailors. It says:

22

23 *Rubber inflatable lifebelts and covers are*
24 *to be indelibly branded with the names of*
25 *officers and ratings, and also with the*
26 *official numbers in respect of ratings.*

27

28 THE PRESIDENT: I will add that document, EML.005.0111, to
29 exhibit 198.

30

31 LCDR KERR: Could I ask that SUBM.008.0091 be brought up.

32

33 Q. This is one of the documents you provided to us,
34 Mr Christian. It appears to be a letter written to your
35 paper from Mr Walter Witt of Wood Street, Swanbourne. He
36 refers to a letter by Mr John Samuels concerning Laurence
37 Snook and the autopsy. In the second paragraph, Mr Witt
38 says this:

39

40 *I heard in the Royal Australian Navy from*
41 *1939-45 ...*

42

43 And I would anticipate that that should say "I served in
44 the Royal Australian Navy from 1939-45 ..."

45 A. Yes, this was an unproofed draft.

46

47 Q. This is as you received it, not as it was published?

1 A. Well, it had been typeset but not proofread. It
2 didn't go in the paper in that form.

3
4 Q. It states:

5
6 *I served in the Royal Australian Navy from*
7 *1939-45 and during that time I never saw or*
8 *heard of anyone with a life jacket with*
9 *a ship's name on it.*

10
11 At the last paragraph:

12
13 *Anyway, security as to our ship's movements*
14 *prohibited the use of the ship's name on*
15 *any clothing or equipment. Even sailors'*
16 *cap tally bore the plain initials "HMAS",*
17 *and no reference to the name of the vessel*
18 *or establishment which was the practice in*
19 *the early ways of the War. For this reason*
20 *I must question the alleged advice of*
21 *a body with a lifebelt being identified as*
22 *a "Sydney lifebelt".*

23
24 LCDR KERR: I tender that letter, sir.

25
26 THE PRESIDENT: That will be exhibit 199.

27
28 **EXHIBIT #199 LETTER WRITTEN TO MR CHRISTIAN'S NEWSPAPER**
29 **FROM MR WALTER WITT OF WOOD STREET, SWANBOURNE,**
30 **SUBM.008.0091**

31
32 LCDR KERR: Could I ask that SUBM.008.0109 be brought up.

33
34 Q. This, sir, is also a letter that you have provided to
35 the Commission. It is said to come from a G Lumley, and it
36 refers to a report that appeared in your paper on the
37 12/5/2007. She says:

38
39 *... I would like to tell you that I, too,*
40 *heard an SOS from the SYDNEY, along with*
41 *a group of other people at the Esplanade*
42 *Hostel in Geraldton.*

43
44 *I was 12 at the time, the youngest daughter*
45 *of the proprietors Walter and Christine*
46 *Willcocks*

1 *The message I heard was "SOS, SOS, Straats*
2 *Malacca", repeated over and over.*

3

4 Going down the letter:

5

6 *At the time, Joe Rogers, a greengrocer in*
7 *Marine Terrace and resident in the hostel,*
8 *told me how important it was to remember*
9 *the SOS, as I was the youngest there.*
10 *Everyone assumed it was an SOS from*
11 *HMAS Sydney. From memory I don't recall*
12 *there being an accent.*

13

14 *Among the group around the radio were*
15 *several RAAF officers who were also*
16 *residents at the hostel with their wives*
17 *and families. They were based at the*
18 *aerodrome which was in bicycling distance*
19 *from Geraldton.*

20

21 And she goes on to name those persons. I tender that, sir.

22

23 **EXHIBIT #200 LETTER FROM MS G LUMLEY, SUBM.008.0109; AND**
24 **HANDWRITTEN NOTE, SUBM.008.0016_R**

25

26 LCDR KERR: I believe this is the redacted document. If
27 SUBM.008.0016_R could be put on the screen.

28

29 THE PRESIDENT: Q. Did you make any further inquiries
30 after receipt of this letter from Ms Lumley?

31

32 A. I have had conversations with people who said they
33 were in the hostel. I don't recall whether it was her or
34 somebody else. It's the sort of thing I would have
35 followed up, I imagine, but, sorry, I can't give any direct
36 evidence about that.

36

37 LCDR KERR: Q. This document is a handwritten note that
38 has been provided by you. It refers to "Gloria Willcocks
39 (77)", which I presume was her age at the time that this
40 was written, and "(now Gloria Lumley)". I suspect that
41 that is the G Lumley referred to in the letter that we've
42 just looked at.

43

43 A. Yes.

44

45 Q. How did you come into possession of this document,
46 sir?

47

47 A. I think that's a note left for me by one of my

1 reporters who took a phone message.

2

3 Q. Did you follow up? There is a phone number redacted
4 there.

5 A. I think I did. I remember following up a call about
6 someone who was at the Esplanade Hostel. That may have
7 been it.

8

9 Q. Did you speak to Mrs Lumley?

10 A. I just don't know. I can't remember.

11

12 Q. Is it likely that if you did, you would have kept
13 notes about it?

14 A. I would have taken notes.

15

16 Q. Taken notes?

17 A. I would have taken notes, yes.

18

19 Q. And they would have been on your *Sydney* file?

20 A. No. They would have been on my work pad.

21

22 Q. You've heard other evidence, have you, sir, about
23 messages that were said to have been sent by *Sydney*,
24 received in the Geraldton hostel?

25 A. Yes, I have.

26

27 Q. I note for the record that this message, as described
28 by Gloria Lumley, has no resemblance to the messages that
29 were said to have been heard.

30 A. That's right. That's the story of this saga.

31

32 LCDR KERR: I tender that document, sir.

33

34 THE PRESIDENT: That will be added to exhibit 200.

35

36 LCDR KERR: If I could move then to another topic -
37 SUBM.008.0025.

38

39 Q. Halfway down the page, under the subheading,
40 "The *Cape Otway* saga", the second paragraph states:

41

42 *Jim Blythe, of Doubleview WA, writes that*
43 *as a passenger on the lighthouse ship*
44 *Cape Otway in 1950 he was told by*
45 *long-serving crew members that during the*
46 *war the ship had spotted bodies floating in*
47 *the sea as it sailed south.*

1
2 Have you heard the previous evidence to this Commission
3 about that matter, sir?

4 A. Yes, I have, yes.

5
6 Q. And you would be aware that one of the persons
7 identified by Mr Blythe didn't join *Cape Otway* until quite
8 a period after 1941?

9 A. That's right, yes.

10
11 Q. If we could move to SUBM.008.0048, this is an article
12 by you, sir, that appears in your material and presumably
13 appeared in your paper. Mr Samuels is referred to in
14 paragraph 3.

15
16 *Mr Samuels said there were 159 unidentified*
17 *graves at Karrakatta, 66 of them possibly*
18 *belonging to Sydney crewmen.*

19
20 That's what Mr Samuels advised you?

21 A. Yes.

22
23 Q. Did you make any inquiries about his basis for making
24 that statement?

25 A. Yes, I did, yes.

26
27 Q. What did he tell you?

28 A. He'd apparently gone to the records, but I checked
29 with the Cemetery Board, and they basically shot him down.

30
31 Q. In what way?

32 A. Well, they said that these unidentified graves
33 couldn't possibly be - well, sorry, they weren't the words
34 they used. The spokesman I spoke to was very circumspect,
35 but his answers really negated Mr Samuels' assertions.

36
37 Q. I can advise you, sir, that the Commission of Inquiry
38 has contacted the Karrakatta Cemetery, and if we could
39 bring up MCB.001.0005, this, sir, is a table - I think
40 there are five pages - of all unidentified or unknown
41 burials at Karrakatta Cemetery. If we could go to page 2,
42 about halfway down that page, if you look in the "date
43 died" column, you will see that there are two entries
44 together from 1942 - 17 February 1942 and 24 May 1942.

45 A. Yes, yes.

46
47 Q. There is no information about those unidentified or

1 unknown burials?

2 A. Well, that correlates with what we published in the
3 same article as that one you quoted of John Samuels. It
4 correlates exactly.

5

6 Q. If we could go to the next page, there are a number of
7 entries - for 3/03/1942, there are at least five. The
8 first one is in the sixth line down. Reading from left to
9 right, there is an application number; the deceased being
10 an unknown Dutch child, aged 1 year and if you look at the
11 other 3 March 1942 entries, they all relate to persons of
12 Dutch origin.

13 A. Yes.

14

15 Q. They are the only entries that relate in any way to
16 1942.

17 A. That's what the story said.

18

19 LCDR KERR: I tender that, sir.

20

21 THE PRESIDENT: I will mark the analysis of the unknown
22 burials at Karrakatta Cemetery as exhibit 201.

23

24 **EXHIBIT #201 ANALYSIS OF UNKNOWN BURIALS AT**
25 **KARRAKATTA CEMETERY, MCB.001.0005**

26

27 LCDR KERR: Could I ask that SUBM.008.0063 be brought up.

28

29 Q. This is a letter to your paper from Mr Matthew
30 Richardson. Mr Richardson is the nephew of CAPT Snook.

31 A. Yes.

32

33 Q. And the son of Grace Richardson, who made a statement,
34 referring to a conversation she had with her brother,
35 CAPT Snook, about an autopsy. Mr Richardson is also, I am
36 advised, the owner of the publishing company that published
37 Mr Samuels' book.

38 A. Is that right?

39

40 Q. Mr Richardson, in the second-last paragraph, refers to
41 his uncle's Army file. He says:

42

43 *In 1997, part of his Army file [being his*
44 *uncle's] was embargoed for 30 years. Why*
45 *would that be, unless to hide evidence from*
46 *that year's Sydney inquiry?*

47

1 That is referring to the Parliamentary Inquiry. One might
2 suspect that Mr Richardson had some knowledge of the
3 Archives Act, being the owner of a publishing company.
4 But, in any event, the Commission of Inquiry has requested
5 and identified the part of CAPT Snook's Army file that was
6 sealed under the provisions of the Archives Act for
7 30 years from the date of the correspondence within that
8 envelope, and it is on the record that it contains a letter
9 from CAPT Snook to the Australian War Memorial requesting
10 a copy of his service record.

11 A. I've read that evidence, yes.

12
13 Q. And the response from Army providing his records.

14 A. Yes.

15
16 Q. And it is sealed because it has not yet become public,
17 because 30 years hasn't passed since the date.

18
19 If we could go, then, to SUBM.008.0090, this is
20 another letter from Mr Samuels to your paper. It refers to
21 a picture that I suspect was published, being of Laurence
22 Cecil Snook, CAPT Snook, who is said to have conducted the
23 autopsy. In paragraph 5, it says this:

24
25 *Laurence also told his sister that "the*
26 *body had been found a long way from where*
27 *it was supposed to be". Later, a nurse*
28 *bundled up the report and sealed it for*
29 *sending to the British Admiralty in London.*

30
31 I can tell you that that sentence is news to this
32 Commission. Mr Samuels had not told this Commission of
33 that, nor had he advised us of this, where he says:

34
35 *The nurse's name isn't known, but it is*
36 *known that she was married to*
37 *a Don Allan/Allen, or other spelling, from*
38 *Perth.*

39
40 *The evidence is irrefutable.*

41
42 Did you make any inquiries of Mr Samuels about that
43 information? I appreciate that it is not written by you.

44 A. I don't recall having a conversation with him about
45 it, no.

46
47 Q. Were there any responses to the request in that letter

1 for people to contact the paper in respect of either their
2 knowledge about the autopsy or whether or not they were
3 connected with the 22nd Construction Company?

4 A. There were not. It's not something I'd forget.

5
6 Q. So there was no response at all?

7 A. No.

8
9 THE PRESIDENT: I'll mark the letter SUBM.008.0090 as
10 exhibit 202.

11
12 **EXHIBIT #202 LETTER FROM MR SAMUELS, SUBM.008.0090**

13
14 LCDR KERR: Counsel assisting will write to Mr Samuels and
15 ask him about that, sir.

16
17 THE PRESIDENT: Yes.

18
19 Q. Mr Christian, as you know, I am seeking any evidence
20 at all which might support some of these various theories
21 that have been written about over the years in books and,
22 obviously, in letters to your newspaper.

23 A. Yes.

24
25 Q. Do you have any material or information that you think
26 might assist me?

27 A. I provided everything that I thought would assist you
28 last year, I think, sir, and anything else I come across
29 I'm happy to forward. I think the Commission has done
30 a terrific job and should be assisted where at all
31 possible.

32
33 THE PRESIDENT: Thank you.

34
35 LCDR KERR: There is one further matter, sir,
36 SUBM.008.0100.

37
38 Q. This, sir, is a letter from Mr George Karlov to your
39 paper and he refers to a letter published on 19/12/2007
40 from a Mr Hal Colebatch. I was unable to find a copy of
41 Mr Colebatch's letter in the material that you provided to
42 us. Would you have another look, please?

43 A. Yes. That'll be easy.

44
45 Q. Thank you.

46 A. Could I raise one point just for the record.
47 Dr McCarthy from the Maritime Museum has apologised to me

1 yesterday for an error he made in his submission with
2 regard to my role in going to the Shark Bay area, and he
3 has undertaken to write to the Commission to correct that.
4 I'm not sure whether he has at this point.

5
6 CMDR RUSH: We haven't received anything as yet, sir, but
7 there was a note with the material provided by the witness
8 noting the matter that was raised by Dr McCarthy. Once
9 that is received, we will deal with it, sir. The letter
10 received from Mr Christian is SUBM.008.0001.

11
12 THE PRESIDENT: Yes. I've read that letter and I will
13 bear that in mind. Thank you, Mr Christian.

14
15 **<THE WITNESS WITHDREW**

16
17 CMDR RUSH: Sir, I call Mr Montagu.

18
19 **<JOHN ALEXANDER MONTAGU, sworn:** [10.30am]

20
21 **<EXAMINATION BY CMDR RUSH:**

22
23 CMDR RUSH: Q. Mr Montagu, could you state your full
24 name to the Commissioner, please?

25 A. John Alexander Montagu.

26
27 Q. And your business address?

28 A. [REDACTED]

29
30 Q. And your occupation?

31 A. I'm retired.

32
33 Q. Mr Montagu, you have indicated in your submission to
34 the Commission of Inquiry that you have been an engineer.

35 A. That's correct.

36
37 Q. What was the nature of your engineering background?

38 A. Investigation. This included marine engineering
39 investigation also.

40
41 Q. Could you repeat that, please?

42 A. Investigation. Engineering investigation was one of
43 many things I specialised in.

44
45 Q. And you say that you are a licensed investigator?

46 A. I was. I've recently retired now, but, yes, I was
47 a licensed investigator.

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Q. What was the nature of that investigation?

A. Insurance claims, small craft investigation - that's about it, I suppose.

Q. Mr Montagu, I want to understand the theory as to the nature of the engagement between *Sydney* and *Kormoran* that you propound. As I understand it, firstly, you assert that the German story in relation to that engagement is flawed.

A. Yes, I think so, yes.

Q. In relation to the engagement, you have indicated that both ships, on the research that you undertook, were 180 nautical miles apart.

A. That's correct.

Q. Do you still assert that?

A. This was based basically on information I received from the Chief Petty Officer of the *Kormoran*, who was Otto Jurgensen. I communicated quite a lot with him, and this is one of the assumptions - well, he gave me coordinates which specified that, basically.

Q. Do you still assert that they are 180 nautical miles apart?

A. I have some doubts about the *Kormoran*, because the *Aquitania*, which picked up one lifeboat, or life raft, actually, was on coordinates 24 degrees plus I think it was 05 and 110 59, and that's where the *Aquitania* picked up the life raft. The five airmen who were on the life raft were clean shaven and had only been on the raft for about four or five hours. This was as from the log of the *Aquitania*, as far as I can understand, yes.

Q. Do you accept the evidence that the Commission of Inquiry has received from those that were on *Geosounder*, who have indicated that they found the wrecks of *Sydney* and *Kormoran*, and they were 12 nautical miles apart?

A. I accept that the *Sydney* is where she is, but the *Kormoran* I have doubts about. I think that she's further north than the Foundation mentioned. I think she's a bit further north, for this reason: possibly for people who want to trophy hunt it, maybe. This happened to the --

Q. Perhaps if I can ask you this: can you give any reason, Mr Montagu, why would the GPS coordinates given by those on *Geosounder* be incorrect as to the precise position

1 of *Kormoran*?

2 A. It depends on what she had on board. I think she --

3

4 Q. No, my question is this: the Commission of Inquiry
5 has the coordinates of where *Geosounder* said it located
6 *Kormoran*. Can you give any reason to the Commission as to
7 why those persons would give incorrect coordinates as to
8 *Kormoran*?

9 A. Basically, there is a lot of secrecy about the
10 *Kormoran* because - and this is my opinion, anyway - maybe
11 there might be some recoverable booty on it, like gold or
12 something like this. The survivors who were picked up on
13 the 24th parallel latitude were clean shaven, and that
14 means - I think it was 2 degrees or something further south
15 where the action was.

16

17 THE PRESIDENT: Q. Mr Montagu, are you seriously
18 suggesting to me that those on the *Geosounder* thought there
19 might be recoverable booty on the *Kormoran* and therefore
20 gave a false location for her?

21 A. Well, sir, I'm not sure, but the coordinates of the
22 *Titanic* were given, and she was in international waters and
23 pretty deep, about 4 miles, so I suppose it's not
24 inconceivable that the coordinates were withheld from the
25 public, or whatever it is.

26

27 Q. And that's the only basis you have for suggesting that
28 they gave false coordinates for the *Kormoran* but accurate
29 coordinates for *Sydney*?

30 A. No, not really. One of the considerations was where
31 the lifeboats were recovered by the *Aquitania*, because it
32 was probably 2 degrees north of where the wrecks had been
33 reported by the Search Foundation.

34

35 CMDR RUSH: Q. Your theory goes on, does it not,
36 Mr Montagu, to assert in the book - I should establish that
37 you had a book published called, "The Lost Souls & Ghosts
38 of *HMAS Sydney II* of 1941"?

39 A. That's correct.

40

41 Q. And that book was published I think in 2006?

42 A. 2006, yes.

43

44 Q. The theory you propound in that book is that *Sydney*
45 was sunk as a consequence of running into a practice
46 minefield that was being laid by *Kormoran*; is that right?

47 A. That's correct.

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Q. And then two days later *Kormoran* was sunk as a consequence, it seems, of some negligence of its own crew when it ran into one of its own mines.

A. Basically, yes, that's the assumption.

Q. Do you still maintain that theory?

A. I don't want to digress too much from you, but the damage inflicted on *Sydney*, which was a 7,000ton warship, the torpedos of the *Kormoran* would not have caused that damage by knocking the bow off it. It would have had to have been a bigger explosion, possibly like the capabilities of the Japanese - I'm not going on about the Japanese, but one of their torpedos, long-lance torpedos, had a hell of a clout. Otherwise, with the power of explosion, it would had to have been a mine.

Q. You also assert, do you not, that after *Sydney* ran into a mine in the practice minefield, members of the crew were taken on board *Kormoran*?

A. That's correct.

Q. What's your evidence for that?

A. I suppose a lot of it's just conjecture, but with a crew of 845 men and in ideal weather conditions, you would expect some survivors out of that capacity of crew. It's just logic. You can't put that on paper. I haven't seen anything on paper, apart from - oh, I have seen something on paper. There's a document that was in the book.

Q. A document that was in the book?

A. Yes. It stated that there were 30 survivors off *Sydney* and they were picked up by the *Kormoran*.

Q. Where did you get that document from?

A. I've been researching this for about 10 years or so. I can probably give you the number, if you like, sir.

Q. You have referred to a document in your book that indicated that 30 survivors were picked up from *Sydney*. I'm asking you a pretty direct question: where did you get it from?

A. The document?

Q. Yes.

A. Yes, I've been researching this for about five or

1 six years, maybe a bit more - maybe 10 or 15 years, but it
2 just seems like five or six years - and I've travelled
3 overseas on about eight occasions, I think, and all my
4 family and relatives are all related to the Navy, and they
5 do a lot of work for me in England and in America, in
6 Virginia, where the files of the German Navy, the
7 Kriegsmarine, were stocked.

8
9 Q. Where did you get the document --

10 A. Well, I've just told you. I couldn't say. It's
11 either America or England that it came from.

12
13 Q. You referred to three documents in your book, and if
14 I can ask that the first one be brought up, sir. It is
15 CORR.010.0082. Where did that document come from?

16 A. This is a standard document, I should say, that came
17 from a small pack of stuff we got from the UK.

18
19 Q. From the UK?

20 A. Yes.

21
22 Q. From where in the UK?

23 A. It was down Cornwall way. I think it was the Cornwall
24 Maritime Museum or something down that way.

25
26 THE PRESIDENT: Q. Did you go there personally and get
27 it?

28 A. I didn't go there, but this is where my relatives
29 procured it from, apparently.

30
31 Q. When you say "apparently", do you know that, or is
32 that conjecture?

33 A. My relatives got it, sir.

34
35 Q. I beg your pardon?

36 A. My relatives got it from down at Cornwall.

37
38 Q. Yes, you told me that, but do you know which relative
39 it was who got it?

40 A. Well, my wife's son is a McElhinney and I think it was
41 Terry. He was in the submarines and he was down that way
42 and he just brought this up when he was over there in - it
43 would have been about 1996 or something like this. He
44 brought a batch of stuff over for me. That's basically
45 what I can tell you, that's all.

46
47 If you don't mind, in the book, I've authenticated

1 only two items from the documentation, and that was from
2 Otto Jurgensen, which was a copy of the *Kormoran*, and also
3 a letter from Jurgensen. I think that's in your hands, the
4 letter from Jurgensen.

5
6 CMDR RUSH: Q. Who wrote the note towards the bottom on
7 the left-hand side:

8
9 *Note: Otto Schmiewind was a personnel*
10 *friend of Kormoran's Kapitan Theodore*
11 *Detmers.*

12
13 A. Yes, the spelling's wrong on that, but --

14
15 Q. Who wrote it?

16 A. I'm not sure if that was on the document when it came
17 or that we inserted it; I'm really not sure.

18
19 Q. The spelling's wrong in what way?

20 A. Well, the "S-c-h-m" should have been "n". It was
21 Schniewind.

22
23 THE PRESIDENT: Q. When you refer to "we", do you mean
24 you?

25 A. I have people who were doing some research for me,
26 sir. We - I put it together. I'm responsible for the
27 book, but it was more or less a team effort.

28
29 CMDR RUSH: Q. Perhaps if we can go to 0084, two pages
30 on in your book, to a German document that you have
31 inserted in the book?

32 A. It's a Kriegsmarine document.

33
34 Q. If we could go to the top.

35 A. I don't speak German, sir.

36
37 Q. If we could scroll up to the heading, how did this
38 document come to you?

39 A. As I told you, it came from either the English
40 connections or from the United States, I think it was in
41 Virginia, where all documents were available, all documents
42 were available, and released 1954 to 1958, I think it was.

43
44 Q. The Commission of Inquiry has searched documents in
45 the relevant US archives, has searched documents in the
46 relevant UK archives and never have we found a description
47 that matches the top of this correspondence, which spells

1 "Deutschen" as D-E-U-T-C-H-E-N. It should be "Deutsche",
2 without an "N", shouldn't it?

3 A. I'm not sure.

4
5 Q. You don't know?

6 A. As I said in the book, sir, we put in a disclaimer
7 that there were only two documents that we could
8 authenticate, and they were from Otto Jurgensen. That was
9 the two of them. We inserted in the book stuff that we
10 thought was relevant to the case.

11
12 Q. Would you put in a document that was a fraud?

13 A. It's not been a fraud. Who's saying it's a fraud?
14 You're saying it's a fraud, sir.

15
16 Q. You purport that this is a German document.

17 A. I think so, sir.

18
19 Q. You can't tell us where you got it from?

20 A. Yes, I told you.

21
22 THE PRESIDENT: Q. No, you haven't told us. You said
23 that you got it from either America or England?

24 A. I can turn around and say it's English or American.
25 I can say that but I can't be sure. That's why I put this
26 disclaimer in the book, because any documents that were in
27 the book, apart from two from Jurgensen, I can't verify.

28
29 Q. But you must know where you got it from?

30 A. I just told you - I got it from either England or the
31 United States. People who did research for me did so in
32 these two countries.

33
34 Q. Who were the people who did the research in America
35 from where you think you may have got this document? Who
36 were the people who did the research that you say occurred
37 in America, or England, who gave you this document?

38 A. It was a friend of the family's. Her name was - I say
39 "a friend of the family's", but not an awfully good friend.
40 I think it was Simons or something. Simons, I'm sure.

41
42 Q. How did she come to be doing research for you?

43 A. She worked for the British Government as a typist or
44 a clerk or something. That's basically it. She was
45 a friend of the family's.

46
47 Q. How did she come to be doing work for you? How did

1 she come to be doing research for you?

2 A. We have probably about 150 family members around the
3 world, and when I was researching for this I wrote to these
4 people and asked them, "Is there anything pertaining to the
5 *Sydney/Kormoran* affair?", and I got this stuff back over
6 the last 10, 15 years, maybe, and that's basically it.

7
8 Q. You say that these people did research and got it from
9 official records, so why did you require to put
10 a disclaimer about it?

11 A. I put a disclaimer in, because if it comes from
12 another person, then obviously I didn't know where she got
13 it from. That's basically what I'm saying. But I know she
14 got it from Virginia, the girl in America - she got it from
15 Virginia. I think there's an American Navy base there.
16 That's all I can tell you, sir.

17
18 CMDR RUSH: Q. Who is Irene Moore?

19 A. She's a relative of my wife's basically - well,
20 a friend of the wife's, not a relative.

21
22 Q. What does she do?

23 A. She was a - what the ladies do here, a stenographer.

24
25 Q. You describe her in your book as a British
26 Intelligence woman officer.

27 A. I didn't say that she was a British Intelligence
28 officer. What page was that?

29
30 Q. If we could go to 0081.

31 A. 0081, was it?

32
33 Q. It will come up on the screen. Do you see at the top
34 of the page:

35
36 *The Kriegsmarine documents were also*
37 *examined. A British Intelligence woman*
38 *officer by the name Irene Moore located an*
39 *incident concerning the German raider*
40 *Schiff ...*

41
42 You have described a stenographer as a British woman
43 Intelligence Officer.

44 A. Stenographers can be Intelligence Officers just the
45 same as anybody else, sir, if they work for the
46 Intelligence Department.

47

1 Q. I'm sorry?

2 A. Stenographers can be the same as anybody else. If you
3 work for the Intelligence Department, that's it. She was
4 working for British Intelligence, as far as I know.

5

6 Q. You just said before, before we took you to that, that
7 you've never described her as that, but now you say that
8 you have and give a justification, which I suggest is being
9 manufactured on the spot.

10 A. It's not a justification; it's a fact. If the person
11 has worked overseas and she works for the British
12 Intelligence or the British Government, then that's
13 basically it. It's not a big issue, really.

14

15 Q. If we can go back to 0084, please. Do you think that
16 in a German document, Mr Montagu, the Germans would spell
17 the Admiral's name correctly?

18 A. That has been pointed out to me on numerous occasions.

19

20 Q. That's not my question. My question is: do you think
21 that in a German document, purporting to come from German
22 Military Archives, the Admiral's name would be spelt
23 correctly?

24 A. You would expect so, yes.

25

26 Q. Is it spelt correctly in this letter?

27 A. I'll have to put my glasses on, if you'll excuse me.

28

29 Q. If you go right down to the bottom of the page, and
30 perhaps if we could enlarge it a little bit.

31 A. Yes.

32

33 Q. "Konteradmiral Otto Schiewind".

34 A. Yes, it looks as though the "N" is missed out there.

35

36 Q. Missed out?

37 A. It looks like it. It's got an "I", is it? That's
38 supposed to be an "N", is it?

39

40 Q. This is a document that you say is produced --

41 A. Sorry, excuse me, I'm looking at the bottom line
42 instead of the one up on the right.

43

44 Q. Otto S-C-H-I-E-W-I-N-D.

45 A. Yes, there's an "N" missed out on that, that's for
46 sure.

47

1 Q. So this document has incorrectly spelt the name of the
2 Admiral, who is meant to have signed it?

3 A. If that's his signature, yes, it looks like it,
4 doesn't it, sir?

5

6 Q. If we can go up to the top of the document, do you see
7 where it has "Vizeadmiral Herman Densch"?

8 A. Yes.

9

10 Q. I suggest that in German, there are not two As in
11 "Admiral".

12 A. You've got it over me with your education, but I don't
13 speak German, so I'm not sure.

14

15 Q. It didn't strike you as somewhat anomalous that there
16 would be two As in "Admiral"?

17 A. Oh, sorry, just the "Admiral".

18

19 Q. "Vizeadmiral".

20 A. That's the German spelling, is it?

21

22 Q. You can't speak German?

23 A. My language is probably "Sprechen zie Deutsch?", and
24 that's about it - "Do you speak German?"

25

26 Q. What about the English words that are in this
27 so-called German document? You would have been able to
28 recognise them, wouldn't you?

29 A. Sorry, repeat that.

30

31 Q. The English words that are in this document --

32 A. Yes, go ahead.

33

34 Q. If you go down to the third paragraph that commences:

35

36 *Durch die mono phase ...*

37

38 That's not German.

39 A. What is it, sir? Do you know what it is?

40

41 Q. It's English.

42 A. Repeat it?

43

44 Q. "Mono phase" are English words, not German words.

45 A. Well, meaning what? What are you trying to imply,
46 sir?

47

1 THE PRESIDENT: Q. Meaning that this document is an
2 obvious fraud.

3 A. Well, if it's an obvious fraud, all I know is where we
4 got it from - sorry, I keep saying "we", but where I got it
5 from, and I'm responsible for what goes in the book.

6

7 CMDR RUSH: Q. If we can go to the document that
8 preceded it, 0083, if we can go down to the reference
9 106662 in the square, it reads:

10

11 *Thirty Crewmen were recovered from the*
12 *Light Cruiser sinking. Eight officers and*
13 *twenty two other ranks were recovered from*
14 *the Indian Ocean, only ten seamen had life*
15 *jackets on. The ships capsizing to port was*
16 *the cause of very few of the light cruisers*
17 *plus the hours of darkness were responsible*
18 *for the high loss of life.*
19 *konteradmiral Otto Schniewind.*

20

21 This time it is spelt correctly.

22 A. That's his right name, apparently.

23

24 Q. The "N" went into that one. Where did this document
25 come from?

26 A. Can we clear that up about the spelling of it, please?

27

28 Q. Sorry?

29 A. The spelling is right on the Admiral's name.

30

31 Q. No-one's arguing or asking you about the spelling.

32 A. I thought you were. I thought you were asking about
33 the contents of the letter.

34

35 Q. I said it is spelt correctly this time.

36 A. Did you? Sorry, I didn't hear.

37

38 Q. Where did the document come from?

39 A. It could have come from America, but I think this one
40 came from England. This was down in Cornwall.

41

42 Q. Did this come from your same source - Irene Moore?

43 A. No, this isn't Irene Moore's source at all.

44

45 Q. Where down in Cornwall?

46 A. Pardon?

47

1 Q. Where in Cornwall?

2 A. As far as I know, it's the Maritime Museum.

3

4 Q. The Maritime Museum where?

5 A. In Cornwall, I've just told you.

6

7 Q. Cornwall is a very large place.

8 A. Sir, I'm not familiar with Cornwall at all. I lived
9 in England for many years, but it was always in the
10 north-west, sir.

11

12 Q. And you can't tell us where the Maritime Museum in
13 Cornwall is?

14 A. No, I haven't been to the Maritime Museum, but I was
15 assured that it came - my wife's maiden name is McElhinney,
16 and her brother was on the submarines in the British Navy,
17 and he'd done some research for me over there, and this was
18 one of the things that were sent over to us.

19

20 Q. Had you told your researchers of your theory that
21 survivors of *Sydney* went on to the *Kormoran*?

22 A. Have I told?

23

24 Q. Did you tell your researchers of your view or opinion
25 that survivors of *Sydney* went on to the *Kormoran*?

26 A. They probably read the book, sir. It's been out since
27 2006.

28

29 Q. Well, they couldn't read the book before you published
30 it, could they?

31 A. Why not?

32

33 Q. So you gave them a copy of the book before it was
34 published?

35 A. No. I might have given them extracts from the book
36 before it was published.

37

38 Q. They didn't manufacture documents to suit the theories
39 propounded in your book?

40 A. I know what you're getting at, but I can say
41 emphatically no.

42

43 Q. Did you see the date on this document - 28 June 1962?

44 A. Yes.

45

46 THE PRESIDENT: 28th or 29th?

47

1 CMDR RUSH: Q. 29 June 1962.

2

3 THE PRESIDENT: You may be right - the 28th.

4

5 CMDR RUSH: Q. 28 June 1962?

6

A. Yes.

7

8 Q. If we can go to the top of the page --

9

10 THE PRESIDENT: Q. Who was on the throne in 1962?

11

A. Sorry, sir, who was what?

12

13 Q. On the throne. Who was King or Queen?

14

A. I'm sorry, for some reason I can't hear what you're saying.

15

16

17

Q. Who was King or Queen in 1962?

18

A. I don't think she'd have anything to do with the *Kormoran* being sunk, sir, or the *Sydney*, so probably King George V or something.

19

20

21

Q. In 1962?

22

A. That's 40 years ago.

23

24

25

CMDR RUSH: Q. When did you leave England, Mr Montagu?

26

A. Fifty-two years ago - no, sorry, about 42 years ago.

27

28

Q. And who was on the throne when you left England?

29

A. It was George - no, it wouldn't have been; it would

30

have been the Queen, the current Queen.

31

32

Q. The current Queen --

33

A. Yes.

34

35

Q. -- when you left England. Who was on the throne then

36

in 1962?

37

A. Who was on the throne?

38

39

Q. The throne. She was still Queen in 1962.

40

A. Well, all right then, she was still Queen in 1962, but

41

I can't see your point, actually.

42

43

Q. Well, have a look at the top of your document.

44

45

This document is the property of His Majesty's Britannic Government.

46

47

1 A. So what about it - "His Majesty's", do you mean?

2

3 Q. Well, look at the date on it. It's 28 June 1962.

4 A. I still don't see the point.

5

6 Q. The point is that there was no "His Majesty" in 1962.

7 A. I thought - well, I don't know. I can't say - I mean,

8 I can't verify anything virtually on that. All I can

9 say --

10

11 Q. You thought at the time this was prepared that there
12 was a King on the throne?

13 A. Pardon?

14

15 Q. You thought at the time that this document I suggest
16 was manufactured, that there was a King on the throne?

17 A. Look, sir, you can suggest as you like. What I'm
18 saying is that there seems to be a lot of time spent on
19 things that are virtually not relevant, although I do see
20 the relevance about the survivors.

21

22 THE PRESIDENT: Q. It's very relevant, because your book
23 relies, in a significant way, on these two documents, and
24 both of them are obvious fakes.

25 A. Well, as you say, we put a disclaimer - sorry, I keep
26 saying "we". I put a disclaimer in the book.

27

28 Q. Is that because you knew the documents were fake?

29 A. Not at all. It was all in good faith, sir.

30

31 Q. And the faked documents, you tell me, were provided to
32 you from England by a relative of your wife's and from
33 America by some other relative?

34 A. That's correct, sir.

35

36 Q. And that's all you can tell me about the origin of
37 them, except that one may have come from Cornwall.

38

39 CMDR RUSH: Q. Do you see the date 21 November 1941 on
40 this document in the square box that we went to?

41 A. Yes, yes, 21 November 1941, yes.

42

43 Q. Have you read any of the signals emanating from the
44 German Navy that were sent to *Kormoran* between 19 November
45 and early December 1941?

46 A. No, sir. I'm not sure. Just give me that again,
47 please?

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Q. Have you read any signal sent by the Kriegsmarine to *Kormoran* between 19 November 1941 and early December 1941?

A. No, I don't think so.

Q. The signals that were in fact read to the Commission of Inquiry on Monday morning of this week indicate very clearly that the Kriegsmarine had no idea of the loss of *Kormoran* between those dates. Were you aware of that?

A. I'm not aware of that information, no.

Q. If you accept that, it makes what is written in that box a nonsense, doesn't it?

A. If I accept?

Q. If you accept what I've just said to you about the nature of the signals sent by the Kriegsmarine to *Kormoran* between 19 December 1941 and early December 1941, indicating that the Kriegsmarine was unaware of *Kormoran's* loss, it makes what is written in that box a nonsense.

A. That may be so, sir, but what can I say? I can't say what the Kriegsmarine do. I have no idea what they do and I can't see the relevance of them, apart from the document you seem to be implying - but there we are.

THE PRESIDENT: Q. The document is a fake, and an obvious fake.

A. Sir, you've said that and I can't dispute it. If you say it's fake, sir, that's fine. What can I do? I think the point is - if you don't mind my interrupting - I came here with the assumption that we were going to talk about the survivors, or lack of survivors, from the *HMAS Sydney*, relevant to the damage which I've seen in a DVD on the *Sydney*. I thought that this was the issue. All these side issues which, as I say, I have a disclaimer in the book which virtually exonerates me, bar from Otto Jurgensen's statements. You say "or because it was a fraud", but, with respect, I printed the book in good faith.

Q. I have great difficulty, if I may say so, in accepting the view that two of your relatives - one in the United Kingdom and one in the United States - each provided to you independently a fake document on which you have based the theories in your book.

A. I didn't say that we have only two relatives, sir. I have about 120 relatives overseas.

1 Q. I realise that, but one in England gave you one
2 document which is a fake --

3 A. Yes.

4
5 Q. -- and another in America gave you a second document,
6 which is also a fake, and you tell me that you had nothing
7 to do with that?

8 A. I had nothing to do with it, no. I can't say any more
9 about it.

10
11 Q. Yet they form the very basis of your theories in the
12 book.

13 A. They conform with the theories?

14
15 Q. No, they form the basis for your theories.

16 A. Only on one aspect of it, with the survivors. I mean,
17 the book, even though I say it myself - the coordinates
18 were wrong, because they have been justified, but the rest
19 of the book is pretty authentic.

20
21 CMDR RUSH: Q. Has it always been your opinion,
22 Mr Montagu, that *Sydney* was sunk going into a practice
23 minefield being laid by *Kormoran*?

24 A. Only because I've been the only researcher, over the
25 long period of time which I've read, who has stated that
26 the action was a night action. I'm not sure if that's the
27 answer to your question, but the thing is that the book is
28 based - sorry, your question again, please? Just give me
29 the question again.

30
31 Q. I'll withdraw the question and let me ask you this
32 one. In your investigation work as a licensed investigator
33 and engineer, you say, doing inquiry work and writing
34 reports for insurance companies --

35 A. Yes, that's right.

36
37 Q. -- would you check to validate documents that are
38 given to you?

39 A. Of course I would.

40
41 Q. What did you do to check or validate the two documents
42 in particular that we've looked at here?

43 A. There's very little documentation on the *Sydney*.

44
45 Q. No, my question is what did you do to validate these
46 two documents?

47 A. I took it in good faith that the people who I knew and

1 respected would do the right thing by me, and I put it in
2 the book, and that's why I took it in good faith.

3

4 Q. From this sort of material, you have gone on to assert
5 that survivors of *Sydney* were set on fire by diesel being
6 poured in the water by the personnel of *Kormoran*?

7 A. That's correct.

8

9 Q. What's your basis for that?

10 A. Basically, 845 men --

11

12 Q. No, there weren't 845 men.

13 A. Sorry, excuse me, 645 men - 645 men on a ship
14 120 nautical miles from the coast of West Australia in
15 summer conditions, there must have been survivors, and
16 because the *Aquitania*, which was coming down from -
17 two days later, the Germans could not afford to have bodies
18 floating around the ocean. It wasn't the *Sydney* that was
19 the target for the *Kormoran*; it was the *Aquitania* that she
20 wanted. She wanted to keep it clear so that there would be
21 no problems. She didn't want the *Aquitania* seeing dead
22 bodies or sailors floating around in the ocean..

23

24 THE PRESIDENT: Q. What's the basis for saying any of
25 the things that you've just said?

26 A. Well, this is the law of averages, sir, for the amount
27 of seamen, for the dead bodies - or, sorry, for the
28 survivors. Have you seen the photograph from Jurgensen in
29 his letter? You haven't seen it?

30

31 THE PRESIDENT: You go on, CMDR Rush.

32

33 CMDR RUSH: Q. Sir, your theory, the theory that you
34 provided to the Parliamentary Inquiry in 1998, was totally
35 different from the theory that you propounded in your book.

36 A. What did I say, sir?

37

38 Q. Don't you remember what you said?

39 A. In 19?

40

41 Q. In 1998, your submission to the Parliamentary Inquiry.

42 A. Remind me, sir.

43

44 Q. Could we please bring up PINQ.SUBS.001.0057. That's
45 the first page of your submission No. 16 to the
46 Parliamentary Inquiry.

47 A. It's off cue. It's cut off. Can it come back?

1 Thank you.

2

3 Q. I'm going to ask that we turn to page 0060.

4 A. I'm sorry, I didn't finish reading what was on there.

5

6 Q. I'm going to take you to the part of your submission
7 that I want you to read, Mr Montagu. If we can bring up
8 about the fourth-last paragraph on page 0060. Do you see
9 under paragraph 4, where you say, Mr Montagu:

10

11 *It is my consortiums opinion that the*
12 *HSK Kormoran was east of Sydney around this*
13 *chart fix and either torpedoed her without*
14 *being seen by the Sydney's watch. Or had*
15 *her torpedo carrying motor cutter sink the*
16 *HMAS [Sydney] without the Australian ship*
17 *firing a shot. Or Sydney hit a Kormoran*
18 *mine.*

19

20 You're not serious, are you, Mr Montagu?

21 A. Am I serious about what - hitting a mine?

22

23 Q. Serious about *Sydney* being attacked by *Kormoran* and
24 not being seen by *Sydney's* watch?

25 A. You understand that the night of the 19th and the
26 20th --

27

28 Q. My question is, are you seriously putting that
29 forward?

30 A. I'm putting it forward - I'm just explaining.

31

32 Q. Based on what?

33 A. Based on that there was no moon that night. That was
34 a moonless night and the *Sydney* was not probably
35 expecting - well, she wasn't expecting, obviously, the
36 encounter with the *Kormoran*. She thought that she was out
37 further west.

38

39 Q. Based on what? Why do you say that?

40 A. What you're implying is that the *Sydney* was looking
41 for the *Kormoran*.

42

43 Q. No, I'm not. I'm just asking why do you say that she
44 knew *Kormoran* was out further west?

45 A. It's a common track from down the West Australian -
46 there's a width of about 10 to 15 miles. It was always
47 understood that the *Sydney* took the eastern track, the

1 short run. I've made a point, but not in the book, that
2 I can't understand why she was so far west.

3

4 Q. Do you want to answer my question?

5 A. I thought I was, sir.

6

7 Q. Why do you say that the *Sydney* knew that the raider
8 was out west?

9 A. I've stated that I knew where it was and I knew the
10 raider was out west?

11

12 Q. No, what you said was that *Sydney* knew that the raider
13 was out west?

14 A. Did I say that?

15

16 Q. That's what you said.

17 A. The point I'm making, without diverting from what
18 you're asking me, is that the *Sydney* obviously was coming
19 back light. She'd handed over her escort and she was
20 coming back to Fremantle. Her normal course would have
21 been the eastern track, which is the inside route. Why she
22 was over west, far west - there's nothing to detect why she
23 was over so far west, because she was off her general run.
24 That's basically it. I'm not sure if that answers your
25 question, sir.

26

27 THE PRESIDENT: Q. Mr Montagu, will you tell me, please,
28 of any material which you have which suggests that *Sydney*
29 was sunk by a torpedo that was fired by *Kormoran* at night
30 without the watch on the *Sydney* seeing the *Kormoran*, or is
31 that just speculation?

32 A. It's all on steaming time, sir. We knew the positives
33 of the steaming time of the *Sydney* starting her return
34 voyage on 17 November. And then you break it down to
35 arrival time in Fremantle, and you work it out then. That
36 is 18 or 20 knots, which is her cruising speed, and you
37 work it out on that calculation where she would be at a set
38 time.

39

40 Q. And accepting that you can do calculations to indicate
41 where she would be, on what basis do you say *Sydney* was
42 sunk by a torpedo from *Kormoran* at night without *Sydney's*
43 watch seeing *Kormoran*?

44 A. That was the night of the new moon, as I say, sir.
45 You've been to sea, sir? Once you get out into the open
46 seas of a night and there's no moon there, you need radar.
47 *Sydney* didn't have radar. *Kormoran* had radar, but the

1 Sydney didn't.

2

3 Q. Is that the basis on which you say that *Sydney* was
4 sunk by a torpedo from *Kormoran* without *Sydney*'s watch
5 seeing *Kormoran*?

6 A. Not really. I mean, we can't determine the exact
7 time, but it was in darkness between, say, 2300 and
8 probably 0400 on the morning of the 20th. In that period,
9 that's when she was sunk. Does that answer your question,
10 sir?

11

12 Q. No.

13 A. So could I have it again, please?

14

15 THE PRESIDENT: No. You go on.

16

17 CMDR RUSH: Q. Mr Montagu, what you have propounded this
18 morning and what is propounded in your book is that
19 *Kormoran* was in fact on a mission to sink the *Aquitania*.

20 A. Exactly.

21

22 Q. For that proposition, you rely on what signal, what
23 piece of evidence?

24 A. She wasn't after the *Sydney*.

25

26 Q. Sorry?

27 A. She wasn't after the *Sydney*.

28

29 THE PRESIDENT: Would you mind just directing your mind,
30 as best you can, to the questions CMDR Rush asks you, and
31 please try to answer them.

32

33 CMDR RUSH: Q. What signal, what piece of evidence, do
34 you have to support the proposition that *Kormoran* was
35 engaged in a mission to destroy the *Aquitania*?

36 A. There are no records of any signals, apart from one
37 that went to Java, I think, when she changed over her
38 escort duty with the *Zealandia*.

39

40 Q. I'm talking about *Kormoran*, not *Sydney*.

41 A. You're talking about the *Sydney*.

42

43 Q. I'm talking about the *Kormoran*, and my question is:
44 what evidence, by way of document or signal or anything, do
45 you have to say that *Kormoran* was directed on a mission to
46 sink the *Aquitania*?

47 A. The *Kormoran* was a raider, sir, and she had free

1 range. She had no control on where she was and what she
2 was, to a certain extent. I'll give you an explanation.
3 Obviously, she was not in that area just to start testing
4 the water; she was on a mission, and the only mission that
5 she would have been on would have been the *Aquitania*.

6
7 THE PRESIDENT: Q. So it's speculation; you have no
8 other evidence than that?

9 A. Well, I thought it was obvious what she was after,
10 with the --

11
12 Q. You have no evidence at all; it's just your theory?

13 A. It's commonsense, actually. The raider's up there on
14 a job and she's raiding Allied ships. The *Aquitania* was
15 the biggest prize that she would have had, I think, in her
16 history - 25,000 or 23,000 tons. That was the target. The
17 *Sydney* wasn't the target, that's for sure. Whether it's
18 theory or whether it's commonsense I'm not sure.

19
20 CMDR RUSH: Q. When did *Aquitania* leave Singapore?

21 A. She left on the 23rd - she came through on the morning
22 of the 23rd on 24 degrees, it would have been about
23 three days after that, or maybe two days.

24
25 Q. What date do you say *Aquitania* left Singapore?

26 A. I'm not sure, but I know she arrived on the 23rd, at
27 0700 or 0500.

28
29 Q. Your theory, then, is that *Kormoran* survived the
30 engagement between *Sydney* and *Kormoran* --

31 A. Certainly did.

32
33 Q. -- and then two or three days later --

34 A. No, it was not two or three days.

35
36 Q. How many days?

37 A. The *Sydney* went down on the morning of the 20th. I'm
38 saying that she went down in the black of night. Sir,
39 you're contradicting your own Service. You think that
40 Royal Navy or Royal Australian Navy sailors are going to
41 sit and just cruise the ocean. They'd have a plan
42 somewhere, sir, and *Sydney* on her escort, coming back, was
43 either going to Fremantle, which was her home port, which
44 was empty, and she does about 18 or 20 knots, or if she was
45 going after the *Kormoran*, then she must have got some
46 information on it, and she was going out west. *Kormoran*
47 was out west. Raiders don't operate in the daytime near

1 the coast; they operate at night. That's the thing about
2 raiders.

3

4 Q. You've studied the raider activity --

5 A. I've read a lot about raiders, yes, sir.

6

7 Q. My question, though - and I'd ask you to just direct
8 your mind to the question, Mr Montagu - is, is it your
9 theory that *Kormoran* survived the battle and then,
10 some days after the battle, tried to engage with *Aquitania*?

11 A. That is the theory that I have, yes.

12

13 Q. And apart from it being your theory, do you have any
14 scintilla of evidence to support it?

15 A. Apart from the procedure, I mean --

16

17 Q. Is the answer to that "no"?

18 A. Well, I suppose if you want to say no, it's not, no;
19 the question is ambiguous, actually, sir. I don't know
20 what the *Kormoran* activities were. If she was after the
21 *Aquitania*, regardless of what we say here, that was her
22 target, and the ideal place for her to be hit was on the
23 24th or something, out of reach of the Naval base at
24 Fremantle.

25

26 Q. So you would expect a signal to *Kormoran* alerting
27 *Kormoran* of *Aquitania*'s movements?

28 A. I would have expected the signals to the *Sydney* about
29 the *Kormoran*, yes, sir.

30

31 Q. No, no, listen to the question. You would have
32 expected signals to *Kormoran* alerting *Kormoran* to
33 *Aquitania*'s movements?

34 A. You mean back to Germany or?

35

36 Q. Can't you understand that question?

37 A. I don't.

38

39 Q. You would have expected that *Kormoran* would have been
40 informed of *Aquitania*'s movements?

41 A. Obviously, yes.

42

43 Q. Who would have informed *Kormoran* of *Aquitania*'s
44 movements?

45 A. You would have thought, obviously, the headquarters at
46 Hamburg or the agents in Singapore. There's plenty of them
47 there, agents in Singapore, to tell them when she started

1 and what goes on. That's German agents I'm talking about.

2

3 Q. Mr Montagu, we have checked all the signals to
4 *Kormoran* for the entirety of November.

5 A. Have you?

6

7 Q. Not one mentions *Aquitania*, not one.

8 A. What was she doing up there?

9

10 Q. What do raiders do anywhere?

11 A. Well, they roam the oceans of the world.

12

13 Q. You want to discuss survivors?

14 A. Yes, please, yes.

15

16 Q. Have you read the expert report which was put on the
17 website of the Defence Science and Technology Organisation
18 and the Royal Institution of Naval Architects concerning
19 the engagement and the battle damage?

20 A. I haven't, no.

21

22 Q. What work have you done to ascertain, for example, how
23 long people would survive in the waters of the Indian Ocean
24 in the circumstances that the sailors of *Sydney* potentially
25 found themselves in?

26 A. The sea temperature would have been around about,
27 I think, 59 degrees Fahrenheit.

28

29 Q. So what?

30 A. That's what body temperature is all about - survival
31 in the ocean is all about. If you don't have a life raft
32 or something, then apart from tiredness, it's sea
33 temperature that's going to kill them.

34

35 Q. Do you know the sorts of lifebelts that sailors were
36 equipped with in 1941?

37 A. Canvas, had air in them. That's about it.

38

39 Q. Do you know how they wore them?

40 A. How they what?

41

42 Q. How they wore them?

43 A. I'm not sure they wore jackets. I've asked people
44 about your question, about the jackets, and they said they
45 were very, very primitive, really. I think they had
46 a float mechanism over the shoulders or something.

47

1 Q. Was there any support for the head?

2 A. I think there was support for the head on the
3 inflation. I'm not too sure.

4

5 Q. There was no support at all for the head.

6 A. Wasn't there?

7

8 Q. No.

9 A. So they were just up to the waist and there was
10 nothing over the shoulders?

11

12 Q. You've studied how long you would anticipate, in these
13 sorts of circumstances, a person would survive?

14 A. With the temperature at 59 degrees Fahrenheit, a fit,
15 young person should survive quite adequately in the water,
16 apart from animals - sharks, or something like this.

17

18 Q. How long?

19 A. I think it's about 18 hours, maybe more, maybe
20 25 hours - 18 to 25 hours.

21

22 Q. What about hours - very few hours?

23 A. Pardon?

24

25 Q. Very few hours?

26

27 THE PRESIDENT: Q. You say 18 to 25 hours?

28 A. At the most, 18 to 25 hours.

29

30 CMDR RUSH: Q. Do you think that if you studied the
31 actual damage sustained to *Sydney*, it might give you an
32 idea of how her personnel fared?

33 A. I've seen a DVD photograph of the damage to *Sydney*,
34 and I've just had a word with Mr Bob Trotter, because he
35 showed me some items about it, and that's not affecting
36 what I'm going to say, but I think that with losing the
37 bow, it didn't leave many options for her. Can I go into
38 the damage on the *Sydney*, to tell you why I think this, or
39 what?

40

41 Q. What damage do you say she sustained?

42 A. Well, I've seen a DVD of the damage to the *Sydney*, and
43 it looks --

44

45 Q. Is that the DVD that was shown on the news recently?

46 A. No, I bought it. I bought a disk, sir.

47

1 Q. You bought a disk?

2 A. Yes. They've got them out, sir. I think I bought it
3 in April or May last year. It shows the *Sydney* on an
4 incline on the ocean bed at I think about 240 metres, or
5 something like that, deep.

6

7 Q. How many metres?

8 A. I think about 240 metres deep, I think. It's on an
9 even keel.

10

11 THE PRESIDENT: Q. It is 2,460 metres.

12 A. It should have been 2,460, yes. Sorry, I was getting
13 confused with the mileage. She's on an even keel. The
14 armoury - the main guns, on the video I've seen, are
15 forward. And on the aft turrets, there's one blown away,
16 and that's also facing forward.

17

18 CMDR RUSH: Q. You say that on the video that you have
19 seen, the main guns are facing forward?

20 A. That's exactly right. I think it is Mr Trotter who
21 has said that he has a video that shows they're at
22 45 degrees.

23

24 Q. Tell me, Mr Montagu, is that the nature of the sort of
25 research that you do prior to publishing a book that we
26 have in this Inquiry?

27 A. No. There's a difference. I know what you're
28 suggesting, but the difference is that the *Sydney* wasn't
29 found when we published the book, as you realise, and we
30 were relying - or I was relying - I had a team that was
31 doing this book, by the way - I was relying on information
32 that was current at that time.

33

34 Q. What did the video show you of the implosion damage to
35 *Sydney*?

36 A. Tremendous, absolutely tremendous.

37

38 Q. Implosion damage - do you understand the word
39 "implosion"?

40 A. Yes, all right. The stern. The stern was off -
41 sorry, the bow was off forward of the electrical box, which
42 is the main supply to the *Sydney*.

43

44 Q. Just listen to the question. What did the video that
45 you had show you of the implosion damage to *Sydney*?

46 A. That's the explosion from inside.

47

1 Q. What did it show you?

2 A. It showed - it should have been waterproof, what I've
3 seen about the ship. It's very good vision of it. It
4 should have been waterproof, with the stern blown off.
5 I've seen ships come in off convoy work, as a child, in the
6 Atlantic, and they've had the bow and the stern blown off,
7 and they were still afloat. So I think that the damage to
8 the *Sydney*, the final damage, was by the J-boat of the
9 *Kormoran* that torpedoed it in the stern.

10

11 Q. There was torpedo damage to the stern of *Sydney*, was
12 there?

13 A. The starboard propeller and the shaft and the --

14

15 Q. There was torpedo damage to the stern of *Sydney*, was
16 there?

17 A. That's what sunk her.

18

19 CMDR RUSH: I have no further questions.

20

21 THE PRESIDENT: Q. Mr Montagu, I will give great thought
22 to the evidence that you have given me orally, in the
23 submission and in your book. My present view, subject to
24 that thought, is that what has been perpetrated in your
25 book is a fraud based on two false documents, which are
26 obviously faked. You have told me that one document was
27 provided to you by a relative in England, and that is
28 obviously faked, and the other document was provided to you
29 by a relative from America, and that is obviously faked.

30

31 I'm not able to accept, in my present thoughts, that
32 you were not aware of that. Unless I change my mind, when
33 I come to write my report I will be saying that you must
34 have known that the theories that you were propounding took
35 support from two fake documents, which you tell me were
36 provided to you from two relatives in different parts of
37 the world.

38

39 In fairness to you, I want to give you the chance to
40 put anything to me that you wish --

41 A. Sorry, what was your last sentence?

42

43 Q. In fairness to you, I want to give you the chance now
44 to put anything to me which you think might persuade me to
45 a different view from the view that I have just expressed
46 to you.

47 A. I can't honestly give you any other explanation than

1 that which I gave to this Commission about the documents.
2 I can't give any other explanation to you. I keep
3 reiterating that I put a disclaimer in the book. I don't
4 know what that means legally, but I think it has some
5 bearing on it. The only documents that are authentic is
6 the one from Otto Jurgensen and Dr List, who was the
7 cryptographer of the Germans that were on the ship.

8
9 Nothing has been said about the survivors, sir. But
10 that's basically about it. I can't honestly say I'd
11 present it any differently. I may be excused, but I think
12 that the Commission is more or less going on the wrong set.
13 You're spending a lot of time on incidents - we want to get
14 down to what happened to the survivors.

15
16 That's what my book is about, not about incidentals,
17 as you mention. It's to do with what happened to the crew
18 of the *HMAS Sydney*. That's what the book's about. It's
19 about the lost souls and ghosts of *HMAS Sydney*, and I want
20 to know what happened to them. And we've resolved nothing
21 here, from what I've heard here in the Commission in the
22 past few days, about the survivors.

23
24 Basically or fundamentally, it was impossible for
25 there not to be survivors off the *HMAS Sydney*, for the
26 amount of men that were on it. This business of the chap
27 who had the hole in the rear of his skull and put on a life
28 raft - that was a plant; I consider that a plant.

29
30 Q. This is the body of the Christmas Island man?

31 A. That's correct, yes.

32
33 Q. That's faked as well?

34 A. No, I didn't say it was faked.

35
36 Q. You said that it was a plant. What did you mean by
37 that?

38 A. I meant that it was a plant to substantiate that you
39 got survivors off, to give an impression. I think it was
40 a plant by *Kormoran* or CAPT Detmers to give an impression
41 that there were survivors, because it would take about two
42 or three days, or maybe more - it would have been about
43 a month before it got to Christmas Island. But you don't
44 go around in a life raft with a bullet in your head.
45 Somebody would have to put it in it before you got into the
46 raft.

1 Q. Is there anything else that you want to say?

2 A. Well, this book of mine has been in the public arena
3 for just on 18 months. A lot of it is based on, I think,
4 fact. You can pull it to pieces, as your colleague here
5 has done, sir, but that's his job.

6

7 I don't think there's any more for me to add, only
8 that nothing has been resolved about the survivors at all.
9 Nothing has come out in this Inquiry about the survivors,
10 and that is the key point about it. The ship's found.
11 What are you going to do? You can't bring sailors back.
12 You want to know what has happened to them.

13

14 What about the survivors on the Zuytdorp Cliffs that
15 were picked up - not survivors, sorry, dead bodies?

16

17 THE PRESIDENT: The present state of the evidence before
18 this Inquiry is that there weren't any.

19

20 Yes, very well. Is there anything further arising out
21 of that?

22

23 CMDR RUSH: No, sir.

24

25 THE PRESIDENT: Thank you, Mr Montagu. You are excused.

26

27 <THE WITNESS WITHDREW

28

29 CMDR RUSH: Sir, that concludes the evidence for this
30 week.

31

32 THE PRESIDENT: Very well. I will adjourn to a date to be
33 fixed.

34

35 **AT 11.35AM THE COMMISSION WAS ADJOURNED**
36 **TO A DATE TO BE FIXED**

37

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<p style="text-align: center;">#</p> <hr/> <p>#198 [1] - 2081:12 #199 [1] - 2082:28 #200 [1] - 2083:23 #201 [1] - 2086:24 #202 [1] - 2088:12</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>0060 [2] - 2106:3, 2106:8 0081 [2] - 2096:30, 2096:31 0083 [1] - 2099:8 0084 [2] - 2094:29, 2097:15 0400 [1] - 2108:8 05 [1] - 2090:29 0500 [1] - 2109:27 0700 [1] - 2109:27</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 [2] - 2071:30, 2086:10 10 [4] - 2092:37, 2093:1, 2096:6, 2106:46 10.30am [1] - 2089:19 106662 [1] - 2099:9 11.35AM [1] - 2116:35 110 [1] - 2090:29 12 [2] - 2082:44, 2090:38 12/5/2007 [1] - 2082:37 120 [2] - 2103:46, 2105:14 15 [3] - 2093:1, 2096:6, 2106:46 150 [1] - 2096:2 159 [1] - 2085:16 16 [2] - 2081:19, 2105:45 17 [2] - 2085:44, 2107:34 18 [7] - 2107:36, 2109:44, 2112:19, 2112:20, 2112:27, 2112:28, 2116:3 180 [2] - 2090:14, 2090:24 19 [4] - 2102:44, 2103:3, 2103:18, 2105:39 19/12/2007 [1] - 2088:39 1939 [1] - 2080:24 1939-45 [3] - 2081:41, 2081:44, 2082:7 1941 [11] - 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