

9 An alternative approach to fact finding

- 9.1 Of necessity, the description of the encounter between HMAS SYDNEY and HSK KORMORAN comes from the German survivors: no SYDNEY sailors survived to give their account of the battle. Film of the encounter, said to have been taken by Dr F List on board KORMORAN and subsequently buried in a cove on the Western Australian coast, has never been recovered. Thus, before the March 2008 finding of the wrecks of SYDNEY and KORMORAN, there was no substantial empirical evidence against which the accuracy of the accounts of the battle given by the German survivors could be measured. Whilst the Carley float recovered by HMAS HEROS and the remains recovered from Christmas Island permit some scientific analysis that might produce results consistent or inconsistent with the German account, such analysis is insufficient to provide empirical support for, or rebuttal of, that account.
- 9.2 All German survivors—who were rescued by various ships and from the Western Australian coast—were interrogated. They were interrogated separately, by different interrogators, at different times, and before there had been any opportunity for them to collude. The interrogators generally believed the various accounts of the officers and sailors in the different groups. The summaries and assessments of the interrogating officers have at their core a consistency of asserted facts of what occurred. That consistency is what I refer to as ‘the German account’.
- 9.3 An alternative method of fact finding is to analyse in an impartial manner all the evidence available from the German survivors who were able to *see* the encounter, with a view to determining whether their accounts, standing alone, should be accepted as an accurate statement of what occurred. That is a normal function for a tribunal of fact. It does not depend on consistency being found in the contemporary assessments made by those senior officers who separately interrogated the survivors. Later in this chapter I make an assessment of whether the account so derived accords with the assessments made by the interrogating officers and later in the report with the empirical evidence available from the wreckage of SYDNEY and KORMORAN, the HEROS Carley float, the remains recovered from Christmas Island, and the Q signals.

Source materials

9.4 The German accounts of the engagement are found in the following documents:

- *The notes of the interrogation of all German survivors.* The survivors were interrogated in November and December 1941.
- *Book 10 – operations and tactics.* This is an official German Navy publication dated December 1943. It deals with the operations and the voyage of KORMORAN and contains an account of the battle as reported to German authorities by Dr S Habben on his repatriation in 1943. Dr Habben had memorised the account.¹
- *A notebook containing an ‘action report’ and an ‘engine room log’.* This document was taken from CAPT Detmers when he was recaptured in January 1945, having escaped from prisoner of war camp in Victoria.² The document was in German and enciphered but was deciphered in 1945 by FRUMEL (Fleet Radio Unit Melbourne).
- *The ‘dictionary’ account prepared by CAPT Detmers and LCDR Foerster in the prisoner of war camp.*³ In a dictionary CAPT Detmers placed pencil dots under particular letters. When the marked letters were put together they constituted an account of the battle in plain German language. It seems the dictionary was smuggled past Allied authorities. After CAPT Detmers’ death, his widow gave the dictionary to a nephew, Dr Hans Jantzen, who in turn gave it to Dr Barbara Poniewierski, who in 1991 gave it to the Western Australian Maritime Museum. It was deciphered and translated by CAPT PG Hore RN Rtd.
- *A report by SBLT Bunjes.* This was apparently written in 1946.⁴
- *A document entitled ‘Gefechtsbericht’ (battle report).* This document was confiscated from CAPT Detmers in 1947 on board SS ORONTES, on which he was being repatriated.⁵

¹ SPC.003.0037 at 0070 to 0073; Dr S Habben’s son, Dr R Habben, told counsel assisting in Kiel on 12 June 2008 that his father had told him CAPT Detmers made him memorise the account, and each day in the prisoner of war camp he was tested on his recollection.

² NAA.044.0019

³ PTE.008.0135_R

⁴ NAA.012.0521; COI.004.0119

⁵ WAM.040.0255

- *Diaries or journals created during the internment of the KORMORAN survivors.* Prominent among these were the diaries of Dr Habben⁶ and LCDR Bretschneider.⁷
 - *The account given in a book written by CAPT Detmers in 1959.* This book is entitled *The Raider Kormoran*.⁸
 - *Written accounts published after the war.* Messrs Ahl⁹, von Gösseln¹⁰, Diebitsch¹¹, Greter¹² and von Malapert¹³ all published accounts of the engagement.
 - *Interviews conducted by the Inquiry.* In July and August 2008 the Inquiry interviewed 11 German survivors; it also received one response to a questionnaire.
- 9.5 In addition, some researchers provided to the Inquiry either tapes or transcripts of interviews with survivors. These are referred to where appropriate. In many instances, however, it is apparent that the interviewer has pressured witnesses or, in some cases, put words into the mouths of witnesses, thus reducing the value of their statements.
- 9.6 Considerable weight is attached to the accounts in *Book 10*, the notebook action report, the dictionary report, and the battle report. This is because each document was prepared in circumstances where it was not expected it would fall into Australian hands: each was prepared as a 'secret' account of what had occurred. The *Book 10* account, as conveyed by Dr Habben back to German authorities, was CAPT Detmers' means of informing his superiors in the German Navy of the details of the encounter. The German authorities viewed it as accurate and used it for the instruction of other German Naval officers.
- 9.7 Each of the first six accounts listed is, however, from or includes statements by CAPT Detmers, who, some commentators contend, had an interest in hiding the truth of what occurred. Professor Tom Frame has gone so far as to write, 'Detmers is an advocate in his own cause and ... his word cannot be accepted as truthful at face value'.¹⁴ And:

It can be assumed that Detmers was concerned during the war to give no material assistance to his captors. He had justifiable reasons for

⁶ NAA.037.0010

⁷ NAA.012.0652

⁸ CORR.007.0034

⁹ PTE.004.0227

¹⁰ PUB.061.0001; COI.003.0006

¹¹ WAM.011.0149; COI.004.0041

¹² SPC.004.0069

¹³ WAM.054.0047

¹⁴ PUB.038.0001 at 0219

concealing the details of the engagement until the German capitulation in May 1945. However, the Australian view of the action and his part in it had not changed substantially since early 1942. After his return to Germany, Detmers' sense of history and his own vanity gave him sufficient reason to produce a version of the action from which he emerged in the best possible light while concealing anything which may have suggested he violated international law.¹⁵

And later:

Was Detmers capable of knowingly violating international law and lying to conceal the fact if the operational demands were necessary? Being mindful of his ruthless determination to achieve his objectives and the need to avoid ignominious defeat, one must conclude that Detmers had the capability and probably the willingness to violate international law and, later, to deceive his captors.¹⁶

And finally:

In the case of Detmers, there is an echo of truth in his account but he remains an advocate in his own cause. Were his account not embellished to give the impression of complete stupidity on the part of the Australian ship, his contentions might be more palatable. The inconsistencies in his statements over time and his obvious efforts to portray events to suit his own ends, makes him the least reliable source of evidence among the *Kormoran's* crew. His efforts to manufacture an account from which he emerges in the most favourable light draws attention to his actions and creates a feeling that he has something to hide. Beneath the facade that Theodor Anton Detmers has orchestrated, the truth is somewhere to be found.¹⁷

9.8 Professor Frame does not pretend to be an unbiased historian or commentator:

I readily confess that when I write the history of the RAN, and this includes the loss of *Sydney*, I am biased ... The bias that I bring consciously to this book is found in my insistence that the circumstances surrounding the loss of *Sydney* should be considered through the eyes of the professional naval officers who were involved.¹⁸

That bias might be understandable.

However, Professor Frame's obviously biased approach to CAPT Detmers in the passages just quoted—based on assumptions that CAPT Detmers would lie, hide the truth, breach international law, and

¹⁵ PUB.039.0001 at 0297

¹⁶ PUB.039.0001 at 0298

¹⁷ PUB.038.0001 at 0224, PUB.039.0001 at 0010

¹⁸ PUB.039.0001 at 0009 to 0010

‘manufacture’ an account of the conflict—goes far beyond, and is of a character different from, a desire for matters to be considered from a Naval officer’s perspective.

Professor Frame’s is not an approach adopted by this Inquiry. All evidence has been assessed with judicial impartiality.

9.9 In contrast to Professor Frame, Mr Wesley Olson, in his book *Bitter Victory: the death of HMAS Sydney*, noted ‘contradictions and anomalies in the German statements’ but suggested that the accounts were not a fabrication and that those German survivors who did speak, ‘spoke the truth or, perhaps just as importantly, spoke what they thought was the truth’.¹⁹ In her book *HMAS Sydney: fact, fantasy and fraud*²⁰ Dr Poniewierski (published as Barbara Winter) accepted the overall truth of the account the parties of KORMORAN survivors gave in their interviews in November 1941 and then in the more formal interrogations of December 1941.

9.10 Other analysts, such as the team constituting the Finding Sydney Foundation, concluded that CAPT Detmers’ written reports of the engagement amounted to:

a truthful and accurate accounting of *Kormoran*’s actions with *Sydney* and ... the position 26°34’S 111°E could be relied upon with confidence to determine the most probable sinking positions of the wrecks.²¹

It is to be noted that the location of the engagement given by CAPT Detmers was accurate, the SYDNEY wreck being found at 26°14’S 111°13’E and the KORMORAN wreck at 26°05’S 111°04’E.

Methodology

9.11 An alternative to relying on contemporary assessments to develop an accurate account of the battle is, first, to distil an account from the evidence disclosed in the interrogations in late November and early December 1941 by those who could *see* the engagement. There is no possibility that 30 or so segregated witnesses could have agreed on a concocted account. Second, it is necessary to determine whether the subsequent secret and published accounts are consistent or inconsistent with that distillation. This is an appropriate course because it is probable—indeed, certain—that later accounts will have been influenced by discussions that occurred during the survivors’ six years of incarceration in the prisoner of war camp in Victoria and thus do not

¹⁹ PUB.003.0001 at 0283

²⁰ PUB.031.0001

²¹ FSF.010.0001 at 0018

reflect the independent recollection of events likely to be found in the initial interrogation statements drawn from the segregated survivors. It is for this reason that I regard the accounts first given to interrogators in November and December 1941 as probably the most reliable, independent and untainted recollections of the engagement.

- 9.12 It must be remembered that the information the interrogators sought in late November and early December 1941 was not primarily information about the reasons for the loss of SYDNEY or the course of the battle. Instead, the aim was to uncover strategic aspects of raider operations – obviously with a view to seeking to curtail raider operations in future. In the wartime situation that applied in November 1941 that is understandable. The relative importance of the various aspects to be the subject of interrogation is made clear in an instruction issued by RADM Crace on 2 December 1941:

“INFORMATION REQUIRED:

- (a) Movements in the Indian Ocean between June and November – Evidence so far shows No.41 either
 - i. Stayed in Indian Ocean
 - ii. Went South about Australia to Pacific.It is important to clear this up.
- (b) Details of Supply Organisation.
- (c) Details of Neutral Ports used.
- (d) Strategical Policy.
- (e) Tactical action when attacking merchant ship.
- (f) Any ruse de guerre employed.
- (g) Any information of other raiders.
- (h) Confirmation of what we know at present. - (Charts and Summaries available).
- (i) When, and where, mines were laid, and any special methods employed, e.g. – laying from fast motor boats.

SEGREGATION

It is of paramount importance that parties who are already segregated remain segregated until the interrogation has been completed. After interrogation there is no objection to a man returning to the same party from which he came.

LEGAL ASPECT

- (a) Force is not to be employed.

(b) A prisoner of war cannot be forced to give information, but on the other hand it is to be impressed on the prisoner that he is not allowed to lie.²²

This explains why in some respects full details of the approach and engagement do not emerge from the questioning of many German prisoners.

It also needs to be recognised that the notes of interrogations are not a verbatim recording of what the German prisoners said: they are the interrogator's summary, in English in the interrogator's words, of an interpreter's translation from German. These matters highlight the need to take the sense or substance of what is recorded in the statements, rather than be concerned with verbal or peripheral differences.

Who could see?

9.13 As noted in Chapter 8, the following KORMORAN officers and crew could see the approach of SYDNEY and the ensuing battle:

- on the signalling deck above the bridge—LEUT Messerschmidt, LEUT Skeries, PO Ernst, WO J Schneider, LS Westphal and AB Schlepppegrell
- on the bridge—CAPT Detmers, LEUT von Gösseln, LCDR Meyer, SBLT Diebitsch, LEUT Greter, LCDR von Malapert, CPO Jürgensen, LEUT Schäfer, LS Schaumburg, CPO Ahlbach, SBLT Bunjes and SBLT Jansen
- aft director control station—AB Rönchen, LEUT Brinkmann and LEUT Ahl
- gun-crew commanders and gunners—CPO Ahsbaas, CPO Dobilieit, CPO Kobelt, CPO Reidt, CPO Saalfrank, LS Fend, CPO Auer, LS Haas and CPO Henning
- after removal of camouflage—AB H Carl, LS Kümmerer, AB König, LS Schulte, LS Hildenbrand, LS Treber and LS Martin Schneider.

In addition, other aspects relevant to the engagement were referred to by witnesses who could not see the actual fighting. Included in this category are wireless operators, torpedo operators, some of the signals staff, and engine-room officers and crew.

²² SPC.002.0253

9.14 Of those who could see, the notes of interrogation of the following do not record any information about the approach of SYDNEY or the battle:

- LEUT Greter
- LEUT Schäfer
- LCDR von Malapert
- AB Rönchen
- LS M Schneider.

The distilled account

9.15 From the statements produced from the November and December 1941 interrogations of CAPT Detmers, LCDR Meyer, LEUT Brinkmann, LEUT Skeries, LEUT von Gösseln, SBLT Bunjes, SBLT Diebitsch, WO E Schmidt, CPO Ahlback, CPO Jürgensen, CPO Kobelt, LS Hildenbrand, LS Linke, LS Schaumburg, LS Schneider, LS Schulte and AB Otte the following account of the engagement emerges. It is to be noted that the times given by prisoners were usually ship's time, G time, which was one hour behind local, or H, time. Times have been converted to H time.

The sighting and approach

9.16 At approximately 1700H²³ KORMORAN, which was sailing on a course of 24°²⁴ at a speed of 10 knots²⁵, sighted a vessel. The vessel was about 20 to 25 miles distant²⁶ and at 45° off the starboard bow. The weather was very clear.²⁷ The petty officer in the crow's nest thought the vessel was a sailing ship. Once the vessel was recognised as a cruiser²⁸, KORMORAN turned to a course of 240° or 250° into the sun²⁹ and increased to full speed of about 15–16 knots.³⁰ KORMORAN went to

²³ NAA.096.0051 at 0052, Detmers

²⁴ NAA.012.0787_MEYER

²⁵ NAA.012.0764_BUNJES at 0765_BUNJES

²⁶ NAA.012.0764_BUNJES at 0765_BUNJES

²⁷ NAA.012.0764_BUNJES at 0765_BUNJES

²⁸ NAA.012.0764_BUNJES at 0765_BUNJES

²⁹ NAA.012.0764_BUNJES at 0765_BUNJES; NAA.012.0766_GOSSELN; NAA.012.0787_MEYER;

NAA.012.0100_JURGENSEN at 0102_JURGENSEN; NAA.012.0766_DETMEERS

³⁰ NAA.012.0764_BUNJES at 0765_BUNJES

battle stations.³¹ By then it was about 1730H.³² KORMORAN was flying the Dutch flag when the cruiser was encountered.³³

The cruiser approached rapidly from aft.³⁴

The signals

- 9.17 SYDNEY began flashing signals from about 7 miles' distance, when the entire cruiser was just visible over the horizon.³⁵ She signalled 'NNF' or 'NNP'.³⁶ The signal was not understood.³⁷

SYDNEY signalled, by daylight lamp and flags, 'Hoist your signal letters'.³⁸ KORMORAN responded with flags³⁹, making a four-flag signal (PKQI) indicating STRAAT MALAKKA.⁴⁰ KORMORAN's funnel prevented SYDNEY seeing the signal flags.⁴¹

SYDNEY continually signalled 'Hoist your signal letters clear'.⁴² SYDNEY came nearer, at 10° from aft.⁴³ CPO Ahlbach, KORMORAN's chief signaller, then drew the signal halyard to starboard so SYDNEY could read the four-flag hoist: KORMORAN did not want to draw SYDNEY any closer.⁴⁴

SYDNEY, approaching from aft, had steamed up parallel to KORMORAN, on KORMORAN's starboard side.⁴⁵ She was at a distance of about 1,200 metres.⁴⁶

SYDNEY asked in English by flashlight and flags where STRAAT MALAKKA was bound. KORMORAN replied, 'Batavia'.⁴⁷

³¹ NAA.012.0498_SKERIES

³² NAA.012.0787_MEYER

³³ NAA.012.0766_DETMERS; NAA.012.0764_BUNJES at 0765_BUNJES; NAA.012.0766_GOSSELN;

NAA.012.0093_AHLBACH; NAA.012.0082_SCHAUMBURG; BATT.010.0100

³⁴ NAA.012.0764_BUNJES at 0765_BUNJES; NAA.012.0381_SCHULTE; NAA.012.0093_AHLBACH;

NAA.012.0389_HILDENBRAND

³⁵ NAA.012.0093_AHLBACH

³⁶ 'NNF' means 'Is there a time signal here, or at (place indicated)'. 'NNP' signifies 'Am, is, are'. The signal must have been 'NNJ': 'You should make your signal letters'. Ahlbach understood a received signal 'Hoist your signal letters'.

³⁷ NAA.012.0093_AHLBACH

³⁸ NAA.012.0093_AHLBACH; NAA.012.0787_MEYER

³⁹ NAA.096.0051 at 0052; NAA.012.0787_MEYER; NAA.012.0100_JURGENSEN at 0102_JURGENSEN

⁴⁰ NAA.012.0093_AHLBACH; NAA.012.0764_BUNJES at 0765_BUNJES; NAA.012.0787_MEYER;

NAA.012.0766_GOSSELN; PKQI was the international code call sign for STRAAT MALAKKA.

⁴¹ NAA.012.0093_AHLBACH

⁴² NAA.012.0093_AHLBACH

⁴³ NAA.012.0093_AHLBACH

⁴⁴ NAA.012.0093_AHLBACH

⁴⁵ NAA.012.0381_SCHULTE

⁴⁶ NAA.012.0389_HILDENBRAND

⁴⁷ NAA.012.0093_AHLBACH

SYDNEY then hoisted a two-flag signal that meant under the International Signal Code 'Have you suffered damage from cyclone, typhoon or tempest?' (That two-flag hoist must have been 'IK', which means 'You should prepare for a cyclone, hurricane, typhoon'.)⁴⁸ Neither CPO Ahlback nor CAPT Detmers understood the two-flag signal 'IK', and CAPT Detmers checked the signal himself.⁴⁹

KORMORAN did not answer the signal 'IK'.⁵⁰

SYDNEY, by flashlight⁵¹ and in plain language⁵², signalled 'Show your secret sign'.⁵³ At this point SYDNEY was on a course parallel to KORMORAN's, to starboard and abeam of her, the ships still being about 1,200 metres apart.⁵⁴

KORMORAN did not reply with any signal⁵⁵ because CAPT Detmers did not know STRAAT MALAKKA's secret call sign.⁵⁶

CAPT Detmers rejected the option of scuttling his ship⁵⁷ and thus had no option but to fight, although his orders were to avoid fighting with warships.⁵⁸

The battle

9.18 At about 1830H the battle began.⁵⁹ Shortly⁶⁰ before that time KORMORAN sent out two Q messages, on a wavelength of 600 metres, or 500 kilocycles, on 200-watt power. The position of KORMORAN given in the messages was 26°S 111°E. (The messages were intended to distract SYDNEY's attention from KORMORAN.) Those were the only signals KORMORAN sent. No acknowledgment of either message was received, according to LS Linke.⁶¹

⁴⁸ PUB.005.0001 at 0040

⁴⁹ NAA.012.0093_AHLBACH

⁵⁰ NAA.012.0093_AHLBACH

⁵¹ NAA.012.0766_DETMERS; NAA.012.0093_AHLBACH

⁵² NAA.012.0766_DETMERS; NAA.012.0093_AHLBACH

⁵³ NAA.012.0766_DETMERS; NAA.012.0093_AHLBACH; NAA.012.0787_MEYER; NAA.012.0764_BUNJES at 0765_BUNJES

⁵⁴ NAA.012.0764_BUNJES at 0765_BUNJES

⁵⁵ NAA.012.0093_AHLBACH; NAA.012.0787_MEYER

⁵⁶ NAA.012.0766_DETMERS

⁵⁷ NAA.096.0051 at 0052

⁵⁸ NAA.012.0766_DETMERS

⁵⁹ NAA.012.0396_AHLBACH; NAA.012.0498_SKERIES; BATT.010.0138

⁶⁰ 'Three or four minutes' according to AB Linke (NAA.012.0085_LINKE); 'ten minutes' according to AB Pachmann (NAA.012.0087_PACHMANN); and 'about 25 minutes' according to CAPT Detmers (COL.005.0006 at 0010).

⁶¹ NAA.012.0085_LINKE; compare CAPT Detmers' dictionary account: 'Perth radio repeats and requests more information if necessary' (COL.007.0036 at 0037).

As SYDNEY approached KORMORAN from aft, SYDNEY's main guns were trained on KORMORAN, as were her port torpedo tubes.⁶² Her aircraft was warming up on the catapult.⁶³

On the order to fire being given by CAPT Detmers, the screens disguising the armaments were dropped.⁶⁴ Simultaneously the Dutch flag was struck and the German war ensign was raised.⁶⁵ This was done by AB Otte.⁶⁶ The ensign, raised on the larger aft mast⁶⁷, was 2.5 metres by 3.6 metres in size⁶⁸, was already unfurled⁶⁹, and was plainly visible as soon as the hoist began.⁷⁰ It took between 8 and 15 seconds to hoist the ensign.⁷¹

The German war ensign was flown before the first shot was fired.⁷²

When fire was opened, at about 1830H, the distance between SYDNEY and KORMORAN was less than 1,500 metres.⁷³ KORMORAN's gunnery officer, LEUT Skeries, took a range at 1,300 metres, after which SYDNEY came closer.⁷⁴ The first salvo fell short, while the next shot, fired at a range of 1,600 metres, was too high.⁷⁵

When fire was opened SYDNEY was directly abeam KORMORAN, her position relative to KORMORAN being 90° to 100°.⁷⁶

It seems KORMORAN fired first⁷⁷, although SYDNEY fired or returned fire almost simultaneously.⁷⁸

KORMORAN fired about eight salvos while SYDNEY was on her starboard side. Early salvos hit SYDNEY's bridge near the funnel, the 'forward tower' (the director control tower), the engine room and the

⁶² NAA.012.0766_DETMEERS

⁶³ NAA.012.0766_DETMEERS

⁶⁴ NAA.012.0093_AHLBACH

⁶⁵ NAA.012.0093_AHLBACH

⁶⁶ NAA.012.0139_OTTE

⁶⁷ NAA.012.0139_OTTE; NAA.012.0093_AHLBACH

⁶⁸ NAA.012.0139_OTTE

⁶⁹ NAA.012.0139_OTTE; NAA.012.0140_OTTE

⁷⁰ NAA.012.0139_OTTE

⁷¹ NAA.012.0139_OTTE; NAA.012.0093_AHLBACH

⁷² NAA.012.0766_GOSSELN; NAA.012.0082_SCHAUMBURG; BATT.010.0100 at 0101; NAA.012.0139_OTTE, NAA.012.0140_OTTE; NAA.012.0096_AHLBACH

⁷³ NAA.012.0766_DETMEERS ('more than 1 mile'); NAA.012.0602_DETMEERS ('opened fire at approximately 1,100 metres'); NAA.012.0082_SCHAUMBURG ('about 1,000 metres from the English Cruiser'); NAA.012.0764_BUNJES at 0765_BUNJES ('1,200 metres apart'); NAA.012.0766_GOSSELN ('distance between ships ... 1,200 metres'); NAA.012.0787_MEYER ('Smallest distance between ships during fight 1 mile'); NAA.012.0100_JURGENSEN at 0102_JURGENSEN ('Cruiser came close').

⁷⁴ NAA.012.0498_SKERIES

⁷⁵ NAA.012.0498_SKERIES

⁷⁶ NAA.012.0774_DIEBITSCH at 0775_DIEBITSCH

⁷⁷ NAA.012.0389_HILDENBRAND

⁷⁸ NAA.012.0766_DETMEERS; NAA.012.0100_JURGENSEN at 0101_JURGENSEN to 0102_JURGENSEN; BATT.010.0100

aeroplane on its catapult⁷⁹, causing extensive damage and fires, particularly amidships.⁸⁰ Most of SYDNEY's superstructure was carried away.⁸¹

In addition to being hit by shells from KORMORAN's 15-centimetre guns, SYDNEY was fired on by KORMORAN's 3.7-centimetre gun and her machine guns, which opened fire with the first salvos.⁸² This machine-gun fire was directed so that SYDNEY could not use her port side AA (4-inch) guns and torpedoes⁸³ and was effective in preventing SYDNEY's crew from using her smaller guns.⁸⁴ Figure 9.1 shows a sketch of the various weapons on board KORMORAN and how they targeted different parts of SYDNEY, as drawn by LEUT Ahl.⁸⁵

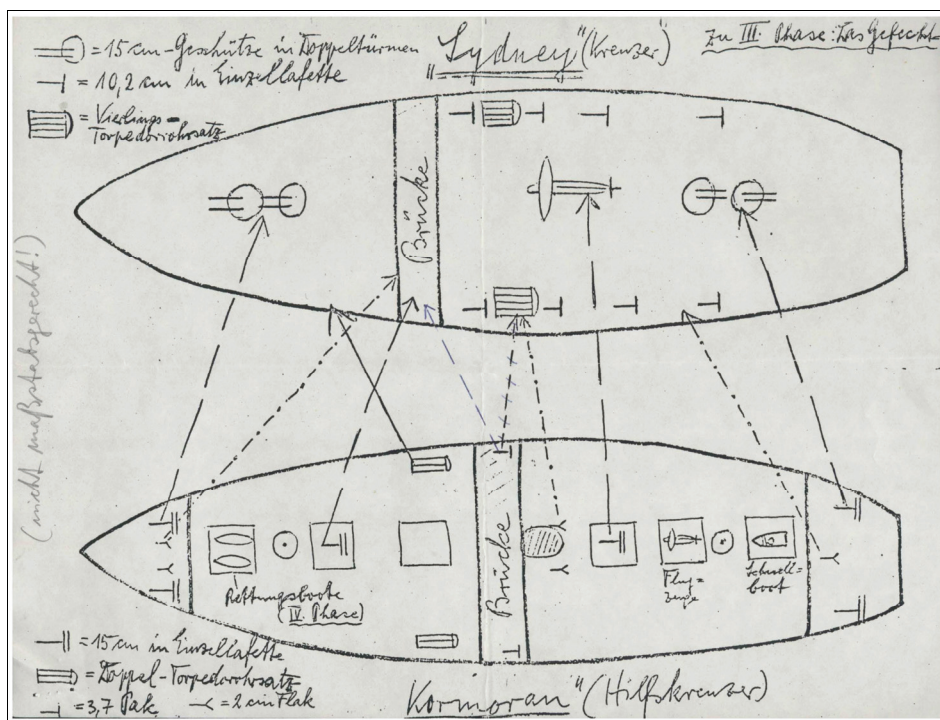


Figure 9.1 The weapons on board KORMORAN and how they targeted SYDNEY: a diagram prepared by LEUT Ahl⁸⁶

⁷⁹ NAA.012.0498_SKERIES; NAA.012.0766_DETMERS

⁸⁰ NAA.096.0051 at 0052; NAA.012.0766_DETMERS

⁸¹ NAA.012.0602_DETMERS

⁸² NAA.012.0773_BRINKMAN

⁸³ NAA.012.0773_BRINKMAN

⁸⁴ NAA.012.0773_BRINKMAN

⁸⁵ It is not known when LEUT Ahl prepared this sketch.

⁸⁶ LEUT Ahl, who was the spotter for KORMORAN's Artillery Officer, LEUT Skeries, sent the diagram to Dr Barbara Poniewierski (PTE.008.0121).

During the first stages of the battle KORMORAN fired two torpedoes at SYDNEY while the ships were steaming on parallel course.⁸⁷ One missed but the other struck SYDNEY forward, about 20 metres aft of her bow.⁸⁸ After the torpedo struck, SYDNEY's two fore turrets (A and B) stopped firing⁸⁹, either as a result of the torpedo strike⁹⁰ or having been hit by earlier salvos.⁹¹ SYDNEY's bows dipped⁹², she dropped astern and then turned to port, appearing as though she was going to ram KORMORAN⁹³, but she passed close astern.⁹⁴ By that time all SYDNEY's guns were out of action.⁹⁵

From the first firing of her 6-inch guns to the time those guns became progressively disabled before she passed astern of KORMORAN, SYDNEY continued firing, scoring three or four hits on KORMORAN.⁹⁶ Some of SYDNEY's salvos went over, or missed.⁹⁷ Her first hit was through KORMORAN's funnel.⁹⁸ Others damaged a starboard gun.⁹⁹ KORMORAN's wireless communication system was rendered ineffective¹⁰⁰, as was her fire-fighting equipment. One salvo hit the engine room, smashing machinery and engines¹⁰¹ and causing an uncontrollable fire.¹⁰² All this had happened by about 1840H.¹⁰³ With the failure of her engines, KORMORAN came to a halt.

Having passed astern of KORMORAN, SYDNEY turned to starboard to fire her starboard torpedoes at KORMORAN. She fired four.¹⁰⁴ KORMORAN tried to turn towards this spread of torpedoes; the torpedoes missed.¹⁰⁵ The battle continued: SYDNEY's starboard was exposed to KORMORAN's 15-centimetre guns, which continued to fire salvos systematically.¹⁰⁶

⁸⁷ NAA.012.0766_DETMEERS; NAA.012.0138_SCHMIDT; NAA.012.0334_KOBELT

⁸⁸ NAA.012.0766_DETMEERS; NAA.012.0774_DIEBITSCH; NAA.012.0100_JURGENSEN at 0101_JURGENSEN to 0102_JURGENSEN

⁸⁹ NAA.012.0766_DETMEERS

⁹⁰ NAA.012.0766_DETMEERS

⁹¹ NAA.012.0498_SKERIES; NAA.012.0773_BRINKMAN

⁹² NAA.012.0602_DETMEERS

⁹³ NAA.012.0766_DETMEERS; NAA.012.0100_JURGENSEN at 0102_JURGENSEN

⁹⁴ NAA.012.0766_DETMEERS

⁹⁵ NAA.012.0602_DETMEERS; NAA.012.0334_KOBELT

⁹⁶ NAA.012.0764_BUNJES at 0765_BUNJES

⁹⁷ NAA.012.0764_BUNJES at 0765_BUNJES; NAA.012.0498_SKERIES

⁹⁸ NAA.012.0100_JURGENSEN at 0102_JURGENSEN

⁹⁹ NAA.012.0100_JURGENSEN at 0102_JURGENSEN

¹⁰⁰ NAA.012.0085_LINKE

¹⁰¹ NAA.012.0764_BUNJES at 0765_BUNJES

¹⁰² NAA.096.0051 at 0052, NAA.012.0766_DETMEERS; NAA.012.0764_BUNJES at 0765_BUNJES

¹⁰³ NAA.012.0764_BUNJES at 0765_BUNJES

¹⁰⁴ NAA.012.0766_DETMEERS

¹⁰⁵ NAA.012.0766_DETMEERS

¹⁰⁶ NAA.012.0498_SKERIES; NAA.012.0602_DETMEERS

Shortly after, SYDNEY turned away, bearing 150° from KORMORAN, making much smoke from fires on board¹⁰⁷ and heading south. After firing her starboard torpedoes, and with her major armaments no longer operative, she steamed off slowly, at about 5 knots¹⁰⁸, burning heavily amidships.¹⁰⁹

The last shots fired were from KORMORAN, and the action ended when the vessels were about 10,000 metres apart.¹¹⁰ By that time SYDNEY's bow was dipping and she had listed slightly.¹¹¹

The battle lasted until about 1900H.¹¹²

When last seen by KORMORAN survivors, SYDNEY was burning fiercely.¹¹³ She suddenly disappeared some time between 2130H and 2359H.¹¹⁴

CAPT Detmers gave the order to abandon ship at about 2300H. KORMORAN sank at about 2359H, exploding from scuttling charges shortly thereafter.¹¹⁵

KORMORAN had fired about 450 of her 15-centimetre shells at SYDNEY.¹¹⁶

At some point SYDNEY fired a further two torpedoes, which missed.¹¹⁷

Assessment

- 9.19 This account, distilled from the interrogation statements of those who could see the engagement, is not inherently improbable. It comes from a considerable number of witnesses, the substance of whose evidence is in broad agreement. Unless it is contradicted by empirically established fact, I accept the substance of that evidence. It is to be noted, however, that times are neither detailed nor precise. The sighting, approach and signals occurred between 1700H and 1830H, when the battle began.¹¹⁸ By 1840H, KORMORAN had suffered engine room damage, and by 1900H the battle was over.

¹⁰⁷ NAA.096.0051 at 0052

¹⁰⁸ NAA.096.0051 at 0052

¹⁰⁹ NAA.012.0334_KOBELT; NAA.012.0498_SKERIES; NAA.012.0787_MEYER

¹¹⁰ NAA.012.0766_GOSSELN; NAA.012.0100_JURGENSEN at 0102_JURGENSEN; NAA.012.0787_MEYER (4 miles)

NAA.012.0334_KOBELT (8–9 kilometres); NAA.012.0766_DETMERS (9–10 kilometres).

¹¹¹ NAA.012.0498_SKERIES

¹¹² NAA.012.0100_JURGENSEN at 0102_JURGENSEN; NAA.012.0787_MEYER

¹¹³ NAA.012.0602_DETMERS; NAA.012.0774_DIEBITSCH

¹¹⁴ NAA.012.0093_AHLBACH;

¹¹⁵ NAA.012.0766_DETMERS; NAA.012.0764_BUNJES at 0765_BUNJES

¹¹⁶ NAA.012.0498_SKERIES

¹¹⁷ NAA.096.0051 at 0052

¹¹⁸ KORMORAN used Golf, or G, time, which was Greenwich Mean Time plus seven hours.

- 9.20 There is only one matter in which there is materially significant conflict. In his second interrogation on 1 December 1941 CAPT Detmers is recorded as saying, 'Cruiser signalled "stop"'.¹¹⁹ The signaller, CPO Ahlbach, whose task it was to read and record the signals received, is recorded as saying on 9 December, 'Cruiser did not signal "Proceed", nor "Stop"'.¹²⁰ CAPT Detmers did not repeat his allegation in any later writings. For that reason, CPO Ahlbach is more likely to be correct. I reject the evidence of CAPT Detmers in this regard.
- 9.21 In any event, if the order to stop had been given, it appears (on CAPT Detmers' account) to have been given after the signal to KORMORAN to make her signal letters and before the signal to show her secret call sign. By then SYDNEY was close to and on a parallel course with KORMORAN. Further, if the order had been given it was obviously disobeyed: the evidence from the statements is clear that KORMORAN did not stop until her engines failed. If the order had been given and disobeyed this would have aroused grave suspicions on board SYDNEY, but I am satisfied it was not given.

CAPT Detmers' accounts whilst in captivity

- 9.22 Between November 1941 and his repatriation in ORONTES in 1947 CAPT Detmers secretly produced four accounts of the battle. As becomes apparent, he did not intend that these accounts would fall into his captors' hands.

The first account is likely to be the so-called dictionary account¹²¹, which, as noted, found its way to the Western Australian Maritime Museum.¹²² The second account is the one CAPT Detmers provided to Dr Habben, who memorised it before his repatriation to Germany in 1943. In 2008 LEUT Messerschmidt gave evidence as follows:

After the war when we were in the prisoner of war camp for officers in Dhurringel [sic] in Australia, Kapitän Detmers marshalled the officers together for the purpose of remembering what had happened and to prepare a report. The log of the battle was dictated to me and I recorded it for the captain. The machine room log was not, on the other hand, dictated to me and I do not remember who wrote it.¹²³

Dr Redelf Habben, son of Dr Siebelt Habben, told the Inquiry on 12 June 2008 that his father said CAPT Detmers made his father memorise this account, and he had to report to CAPT Detmers every

¹¹⁹ NAA.012.0766_DETMEERS

¹²⁰ NAA.012.0093_AHLBACH

¹²¹ See CAPT Hore's guide to Interpreting the dictionary account: WAM.057.0103

¹²² WAM.057.0049_R at 0049_R and 0050_R

¹²³ WIT.011.0183_R at 0208_R

day in the prisoner of war camp, where he was tested on his recollection. Dr Siebelt Habben was repatriated to Germany under a doctors' exchange arrangement, and his memorised report was conveyed to German Naval authorities. As mentioned, it appeared in the German Naval publication *Book 10 – operations and tactics*.

The third account is contained in the notebook seized from CAPT Detmers on 18 January 1945. (CAPT Detmers and others had escaped from the camp at Dhurringile on the night of 10–11 January 1945 but were recaptured on 18 January 1945.) The enciphered report of the battle with SYDNEY was deciphered and translated by FRUMEL, which recognised the Vigenère system of code used.¹²⁴

The fourth account, the '*Gefechtsbericht*', or battle report, was confiscated from CAPT Detmers when he was on board ORONTES during the course of his repatriation.

The dictionary account

- 9.23 As noted, the dictionary account was deciphered and translated by CAPT Hore.¹²⁵ I have added punctuation and minor clarifying words, as did CAPT Hore, to make the document more readable. All alterations by either CAPT Hore or me are in square brackets. Times are ship's times. The account reads as follows:

19 [November]

11 00 111 East 2 634 SOUTH-SSE 3 to 4 Sea 3. Medium swell from SW. Very clear. [Course] 025 [Speed] 11 kt

1555 Report [from] Jansen-Sails - In sight port for'd bearing approx 20. Improves info. 2 sailing vessels. Several vessels. 2 smoke columns apparently escorts. Turn port 260 [to] draw away. Full speed ahead. Alarm.

1600 Perth class identified on southerly course 250 into [the] Sun. Darkness will be at 19[00]. Thick own smoke

[16]05 Engine 4 off-line. Speed about 14. Cruiser turns towards. Range over 150 [hm]. Signalling "NNJ". Hoist "STRAAT MALAGA" [sic] Consider and decide.

[16]35 No 4 engine again available on 8 cylinders. Speed maintained. Range[finding] [by] 3m instrument up to 8000 meters then with 1 25 instrument resumed range finding. During all [this] time exchange of signals. Comes [up] slowly showing a narrow silhouette.

¹²⁴ NAA.044.0002

¹²⁵ COI.005.0006

- 17[00] [signal sent] on 600 Q Straat Malagga [Sic] 111 E 26 S. Perth Radio repeats [and] requests more information if necessary.
- [17]15 Enemy opens out on starboard beam at range 900 meters.
- [17]25 Remains quite unsuspecting. Aircraft engine off.
- [17]30 Order: off disguise. Time 6 sec[onds]. Battle flag flies clear of the main mast. Enemy [drops] astern. 2 torpedoes on inclination 90. Speed 14. At the same time alter to 260. Single shot short [estimated range 1300 meters] 13. 2nd salvo [guns] 3,4 and 5 up 400 meters. About 4 sec later fired resulting hits on bridge, gun direction tower. Immediately after, full salvo [from] enemy. No hits then. At 5 sec [salvo] intervals. About 8 salvos fired. Hits amidships on bridge a/c [air craft]. Training improved left. The forward turrets A/A guns and stbd 3.7 [anti-tank gun] hold [under fire] torpedo tubes, a/a guns and bridge. Until 5th salvo no reply then X turret good and quick. [Turret] 4 only 2 to 3 shots. Wide. A and B turrets shoot no more. About our 8th to 10th salvo torpedo hit at front of A turret. 2nd torpedo just misses the bow. Enemy turns towards. B turret roof flies overboard.
- [17]35 Enemy passes through the stern. Dense smoke from our funnel as a result of fire in the engine room. A/A gunnery officer shooting using stern gun [s] [No.] 6 about 4000 meters. Enemy guns point to port. A/A guns not manned.
- [17]45 In order to fully destroy the enemy begin turn to port. Shortly thereafter report: [shaft] revolutions falling rapidly. No communication with engine room. At the same time 4 torpedo tracks. Course 240 held. Torpedoes pass close under the stern. Severe vibrations shake the engines. Lensch informs that engines [and] all fire-fighting equipment completely out of action. Order to try to get one engine to work.
- [17]50 Gun control again from for'd control position firing with all guns. Range 6000 meters. Enemy steers at low speed approx. course south. Forecastle lies deep in water. Front of bridge to after funnel burning. Receiving further hits.
- 18[00] Own torpedo shot. Range 7,000 meters. Inclination 110 speed 5kt. Missed astern
- [18]25 Cease fire! Last range 9000 meters. [Last] shot range 10400 meters, bearing 225. Ammunition expenditure about 500 base fuze 50 nose fuze. Decision: Preparations to scuttle ship. All officers to the bridge. Order to XO: turn out all boats and life-saving equipment. Lensch and Noll report: [that it is] impossible to get through to the engine-room. No 2 generator still available but useless. Watch mine-deck continually. Outline of the enemy lost in the twilight. At about 16000

meters out of sight. Enemy course about 150 true. Large fire visible until around 22[00].

- 2100 All rescue equipment in [the] water. Manned and cast off. About 120 men onboard but almost all officers. Serviceable guns can be manned by them. Mine store until now only slightly filled with smoke. Order: both boats out of No 1 hatch.
- 2330 Both boats lowered [to the water]. Boat under command of NO with 58 cast off. Charge laid [in] port forward oil tank.
- [23]55 Thick smoke is filling the mine deck.
- 2400 Place out of commission. Flag lowered. Charge set off. Last boat [away] with Captain [onboard]. Casts off at 0010. Scuttling charges blow up 35 mines. Blow up ship. Sinks rapidly by the stern.¹²⁶

This dictionary account is much more precise than the distillation from the interrogation statements of those who could see the action. Precise times are given for various events. This probably occurred as a result of CAPT Detmers seeking to record information as he would have recorded the event in his war diary. It is also probably the version of events agreed with the officers, as LEUT Messerschmidt said.

9.24 The following is of note from this account:

- When SYDNEY was first sighted she was, contrary to SBLT Bunjes' account, fine on KORMORAN's port bow on a 20° bearing.
- KORMORAN turned to port and increased speed 10 minutes before SYDNEY turned and followed.
- SYDNEY signalled NNJ (not NNF or NNP) at 1605, and KORMORAN replied by flag STRAAT MALAKKA (PKQI), although at 1635 it is noted that there is an exchange of signals during 'all [this] time', being 1605 to 1635. There is no suggestion KORMORAN did not understand the signal NNJ, which under the International Signal Code means 'You should make your signal letters'.
- The QQQQ signal was sent at 1700, rather than three or four minutes (LS Linke¹²⁷) or 10 minutes (LS Pachmann¹²⁸) before KORMORAN opened fire at 1730.

¹²⁶ COI.007.0036

¹²⁷ NAA.012.0085_LINKE

¹²⁸ NAA.012.0087_PACHMANN

- SYDNEY 'opens out on starboard bow at range 900 metres' at 1715; this had not previously been mentioned.
- SYDNEY's aircraft, previously stated to be 'warming up on the catapult' is stated to have been turned off before battle.
- There is no mention of the signals 'IK', or 'Show your secret call sign', or of the reason for opening fire.
- Reference is made to the hoisting of the German ensign at the start of the battle. This had not previously been mentioned. No doubt CAPT Detmers appreciated, as a result of considerable questioning by interrogators of many crew members, that the timing of the hoisting of the German ensign was a matter of importance. It is noteworthy that KORMORAN's orders required her to hoist her ensign on commencing battle, and the record of her engagement with other ships shows she did so.

Nevertheless, this account does not differ materially from the distilled account in relation to the turning into the sun (250–260°), the damage suffered by SYDNEY from early hits to the bridge and the director control tower, torpedo damage from a single hit, the effectiveness of KORMORAN's 3.7-centimetre and 20-millimetre guns in preventing use of SYDNEY's 4-inch armament or port torpedoes, and the disabling of SYDNEY's A and B turrets. It similarly records the damage to KORMORAN's engine room, SYDNEY's turn to port astern of KORMORAN, and SYDNEY's firing of four starboard torpedoes. It records hits to SYDNEY's starboard side, last shots at about 10,000 metres, and SYDNEY sailing a slow southerly course (150° true) while heavily on fire.

Dr Habben's memorised account

9.25 Dr Habben's memorised account was included in the German Navy publication *Book 10 – operations and tactics*.¹²⁹ It read as follows:

At about 1600 hours on November 19th, 1941, in a position 26°34'S and 111°E, the "Kormoran" steering a course of 25° at moderate speed, sighted ahead a plume of smoke out of which quickly emerged a light cruiser bearing directly on the "Kormoran". The auxiliary cruiser turned to port on a course of 260°, and hurried away from the cruiser at high speed, steaming at 18 knots. This course was against the sun, sea and wind. The cruiser took up the chase and drew near at a speed of 25 knots. There followed a long exchange of signals during which the auxiliary cruiser hoisted the Dutch flag. All signals sent by

¹²⁹ The Admiralty translation is at SPC.002.0003; a copy of the original German is at UKAG.001.0001. Times are ship's times (G).

searchlight were answered by flag, as is the custom in merchant ships. The commander of the auxiliary cruiser quite consciously, and with great calmness, allowed the signal traffic to develop during which time he either hoisted the flags incompletely or also the flag "not understood" in order to gain time and allow the cruiser to close within a very short distance. The Commander, in early deliberations, had envisaged in theory a situation such as this and he now put his plans into practice.

Towards 1730, both ships were steaming at 14 knots on a course of 260°, the distance apart on the beam being 900 metres. "Sydney" was to starboard of "Kormoran". The enemy Commander apparently took the auxiliary cruiser to be completely harmless. The ship's aircraft which previously had been swung out on its catapult, was swung back and stopped. The guns too, only seemed to be at half readiness. The only thing that was left out during the reciprocal exchange of signals was the giving of the secret callsign by the auxiliary cruiser. The answer was an order to remove camouflage which was carried out in the record time of 6 seconds. At this order the Man of War ensign and the Commander's pendant were hoisted and the Dutch flag lowered. The ensign was hardly broken before the first shot fell from the first gun. This fell short but the second, a salvo from three guns, hit the enemy's bridge and control tower. "Sydney" fired her first salvo almost at the same time as "Kormoran's" second, but it fell far beyond the auxiliary cruiser. "Kormoran's" third salvo hit the enemy's second turret, the roof of which was lifted up and prevented the first turret from swinging. This meant that the enemy had only his two after turrets available. The ship's aircraft which had just been swung out and started up, was destroyed by a direct hit. After a corresponding time a torpedo fired from the Kormoran's starboard above-water tube hit Sydney's bows just in front of the first turret. The torpedo tore a great hole in the ship's side. She sank deeply by the bows and for a moment it seemed as if she were going to break up. This reduced considerably the speed of the enemy. The 3.7 cm. anti-tank gun under the bridge, and the 2 cm. anti-aircraft gun added considerably to the fire of the heavy guns. They hindered the enemy from loading the torpedo tubes which was continually being attempted, and from using light weapons and evidently caused many casualties amongst the personnel on the control positions of the cruiser.

The enemy only answered our fire with single shots from the 3rd and 4th turrets. A central fire control evidently no longer existed. These turrets succeeded in registering 3 hits on the Kormoran, which regrettably had serious consequences.

The first shell went through the funnel, exploded to leeward, the splinters penetrated the W/T room and killed two ratings.

The second destroyed the auxiliary cruiser's boiler room and a nearby oil-bunker. The ordinary and the foam fire extinguishers were put out of action through the resultant destruction.

The third demolished the transformers of the main engine installation.

The fourth shot, a dud, wounded several ratings on the third gun, who later died from their injuries.

The results of the hits were serious. A big fire broke out in the engine with a great deal of smoke and many electrical discharges. Through the loss of the transformers the main engines stopped charging and the engines raced furiously. The first engineer, the electrical engineer and 14 engine room petty officers and ratings staked everything to fight the fire and to bring order into the machine installations again. They had to pay for this effort with their lives and never again came out of the engine room.

Sydney, who through reduction in speed had settled slightly astern, now tried to ram from astern the Kormoran who was out of control. She was prevented in her intention by well-placed fire, particularly from No.5 gun. Sydney turned round astern of the Kormoran, and steamed slowly, at about 5 or 6 knots, towards the south. In steaming away Sydney fired 4 torpedoes from the starboard tubes, all of which missed the target. The next torpedo passed Kormoran about 150 m. astern.

The enemy, whose turrets remained swung round to the port side, was heavily shelled by the artillery of the auxiliary cruiser while she was making off. Salvo after salvo hit the ship particularly on the water line, which was peppered with holes. The auxiliary cruiser's guns were shooting at the rate of 4-5 salvos per second and had, by the end of the engagement, fired 500 rounds of incendiary shells.

The auxiliary cruiser's artillery played the greatest part in wiping out the enemy.

Towards 1800 hours, as darkness fell, the enemy burning fiercely with a series of explosions on board, ran out of effective range of the cruiser's guns 104 hm on the port quarter of Kormoran and disappeared slowly over the horizon. Towards 2300 another final glare was seen. It can be assumed that this was the time the cruiser went down.

The fire on board Kormoran had meanwhile spread, because it was impossible to fight it now that the fire extinguishers had been destroyed. The crew, except for the gun crews, were ordered by the Commander to abandon ship. As some of the lifeboats were in the part of the ship that was on fire, it was necessary to use rubber dinghies and rafts as well as life-boats as a means of saving the crew. In the first hatchway were 2 steel life-boats which still had to be lowered overboard. This entailed special difficulties, because there was no machinery available to raise the heavy boats. The gun crews who stayed behind succeeded with tackle and other aids in getting the boats out of the hatchway to the railing, where they were thrown overboard. The boats through their reliability, their stability in a strong

sea, and their good engines, have particularly proved their worth in this rescue.

About 20 men were lost in the action. Unfortunately about a further 60 of the crew were drowned when abandoning ship because a large and crowded rubber dinghy burst and the crew were pitched in the darkness into the rough sea.

While the ship was being abandoned the fire drew dangerously near to the cargo of mines. It was necessary for someone to find out how long personnel could remain on board until there was a danger that the ship would be blown up by its mines. Rotzin and Ordinary Seaman Schleppergrell [sic] particularly distinguished themselves in this connection. It was found that it was unjustifiable to remain any longer on board.

At 0010 on 20th November, therefore, the Commanding Officer ordered his flag and pendant to be lowered and put into the Captain's lifeboat.

At 0015 the C.O. left the ship, which at 0035 sank by the stern. Before this, in one of the magazines which could not have been properly flooded because the control had been destroyed, an explosion took place, and following on this, after the cargo of mines had detonated, the after part of the ship blew up in the air.

This successful action on the part of Kormoran was made possible by several cardinal mistakes made by the enemy.

The enemy omitted to stop the ship which was to be investigated. He drew altogether too close to this ship and did not use his light weapons at all. These circumstances made it easier for Kormoran's Commander to carry out his daring plan which was suddenly to attack the superior cruiser ...¹³⁰

This account is more discursive than CAPT Detmers' other accounts and seeks to explain his actions and place them in a favourable light. It is the only account that suggests KORMORAN hoisted a 'not understood' flag during the approach.¹³¹ It makes no mention of the specific signal 'IK' from SYDNEY but does refer to the 'leaving out' of the 'secret call sign' by KORMORAN. The account is brief on times and signals and emphasises the skill of the German gunners. It gives detail of the damage to KORMORAN resulting from four hits by SYDNEY. It does not refer to the intentional scuttling of KORMORAN. There is, however, nothing of substance that is inconsistent with the distilled account or the dictionary account of the engagement.

¹³⁰ SPC.002.0003 at 0035 to 0038

¹³¹ In his book CAPT Detmers said he gave instructions to hang flags at the dip, which meant 'I can see your signal but can't recognise it'.

The notebook account

- 9.26 The decoded and translated account from the notebook seized in 1945 reads as follows:

Wednesday 18.11.41 [sic]. Course 25. Speed 11. 111 East 26.34 South. South-south-east 3 to 4. Sea moderate. Swell from south-west. Visibility very good.

1555. Report from lookout JANSEN. Sailing-vessel in sight on port bow. Bearing about 20 south-west [?]. Corrects report continually. 2 sailing-vessels. Several ships. 2 smoke-trails. Apparently escorts. Alarm. Veered 260 to port. Full speed ahead.

1600. Cruiser recognized as "Perth" class. Checked lying on southerly course. Course 250 into the sun. Cannot rely on dusk before 1800. Our smoke very thick. Engine room reports: No. 4 engine giving trouble. Therefore speed about 14 knots.

1605. Cruiser turns. Range about 150 HM. Approaches slowly. Flashes signal NNJ continually. Hoist signal "STRAAT". Consider situation and make decision.

1635. No 4 engine working again on 7 cylinders. Speed of 14 knots maintained. Stopped range finding with C.M. instrument at 70HM so as to conceal identity. Continued range-finding with AX.CE.M. instrument. Continual exchange of signals. Cruiser slowly approaches astern on the starboard, visible as small silhouette.

1700. Signal on 600M. "QQQ STRAAT 115-1-26S". Perth radio repeats, demands further advice if necessary.

1716. Cruiser cuts across starboard at range of 8HM.

1725. Further signal. "Hoist your secret call". Further delay can only make situation worse. Cruiser stops engines, therefore completely unsuspecting.

Thereupon at 1730 identity declared. Strike Dutch flag, German colours clearly shown. Time taken to reveal identity 6 seconds. Order to stand by with guns and torpedoes. Enemy falls slowly astern. Two torpedoes. Position 80, speed 14. Point of aim, stem, stern. At the same time turned slowly to 260 so as not to interfere with guns. First salvo one shot, short. Range fixed 513. Second salvo. Salvoes 3, 4, and 5 up four points - about 4 seconds later hits on bridge and control-tower. Immediately after full broadside from enemy falls wide. No hits. Then about two salvoes at five seconds interval. Hits amidships, aeroplane and bridge. Bearing corrected left between forward turrets. A.A. machine-guns and starboard 37 mm guns effective on bridge, pom-poms and A.A. guns. Until fifth salvo no reply, then No.3 turret opens rapid and accurate fire. Hits on funnel and engines. No.4 turret only fires two or three salvoes, all wide. No. 1 and 2 turrets silent.

At about the 7th to 9th salvo torpedo fired. Hits on bow, turret. Two torpedoes. Passed short of bow. Bow almost entirely submerged. Holding to course 260 because of torpedoes. Pom-poms not manned because A.A. machine gun fire. Enemy turns hard about. Course and speed maintained so as to get clear. No.2 turret cover blown overboard, further hits forward.

About 1735 enemy cuts across stern to attack with torpedoes. Tactically unfavourable position. Heavy smoke from engine-room fire obscures view of enemy from bridge. Continue firing with stern guns. Range about 40 HM, enemy guns trained on port side. His A.A. is not manned.

About 1745 veered to port to completely annihilate enemy. Shortly after revs fall rapidly, no communication with engine room, at the same time 4 torpedo tracks. Alarmed, as doubtful whether engines can still turn the ship and the tracks are travelling dead astern. Course 240. Tracks pass close behind the stern. At the same time engines fail. LENSCH reports engines and all fire-extinguishing equipment completely out of action. Order to try to get at least one engine working.

Gun-control. From about 1750 again firing with all forward guns on 60 HM. "Sydney" on southerly course at slow speed. Bridge to stern (sic). Funnel on fire. Continually being hit. About 1800 a single torpedo on 70 HM, bearing - bearing 80, speed 5, wide of stern.

At 1825 ordered "Cease fire." Last shots at a range of 89 HM. 104 HM ship's bearing 225. Consuming about [500.24Z.50.KZ?]. Prepare to scuttle ship. Lower all life-boats and life-saving equipment. Impossible to get through to engine-room. Ascertained that No.2 dynamo still working but useless. Enemy range about 160 HM, course about 150, out of sight, glow of flames till about 2200, after that still a few intermittent flashes.

About 2100 all life-boats lowered, manned and cast off. Still 120 personnel men on board, among them almost all the officers. Serviceable guns can be manned by them (sic). Only a little smoke in mine-store, both boats out of No.1 hatch. At about 2330 both lowered, one with 57 cast off. Charge in forward port oil-bunker. At 2355 smoke on mine-deck greatly increased. At 2400 put out of action, charge fuse set, last boat away. At 0010 charge explodes. At 0035 mines blow up, ship sinks rapidly by the stern.¹³²

This report is referred to as the 'action report'. Times are ship's times. The date of 18 November is a decoding error: 19 November 1941 was a Wednesday. Indeed, consistently throughout this account, the number 9 has been incorrectly decoded as an 8.

¹³² See SPC.005.0010 and SPC.005.0022. Times are ship's times (G).

The 'action report' is very similar to the dictionary account and obviously is derived from it. Thus the entry at 1725, 'Cruiser stops engines, therefore completely unsuspecting', equates to the dictionary account entry for 1725: 'Enemy turns aircraft engine off. [He] is thus quite unsuspecting'.¹³³ There is no mention of SYDNEY signalling 'IK', although there is of SYDNEY signalling 'Hoist your secret call [sign]'.

Also contained in this notebook was an encoded engine-room log. Decoded and translated it reads as follows:

ENGINE ROOM LOG

19.11.41 Speed 11 knots. Nos. 1 and 4 engines on propulsion, no. 3 engine on ship's supply. On watch Warrant Engineer LENSCH and two Stoker P.O.'s. [sic]

1555 Alarm. Order from bridge: All engines ready for maximum speed. No. 2 engine turned on to propulsion.

1600 All watches at action stations:

1st Watch working stations, Warrant Engineer NAGEL.

2nd Watch at damage control stations, Warrant Engineer LENSCH

3rd Watch engine room action parties, Warrant Engineer MITZLAFF

1602 Report to bridge: Engines ready for maximum speed.

1604 Report to bridge: No. 4 engine out of order by reason of piston running hot, maximum speed therefore approx. 14 knots.

On the attempt to increase the load of the engines, No. 4 main engine became unserviceable owing to piston 7 running hot. The engine was stopped forthwith, the damaged piston slung, the connecting rod removed and the valve gear disconnected.

1635 approx. Engine could be put to propulsion again on 8 cylinders. Ship thus again approx ready for maximum speed.

1715 Damage control centre shifted from starboard gangway to port gangway, as being probably away from the firing.

1730 Order from bridge: Remove disguise.

1735 approx. Several hits in main engine room. One shell tore the forward tank bulkhead of the engine room badly open. A

¹³³ WAM.008.0012_E

thick jet of burning fuel oil poured into the room, which was rapidly filled with opaque smoke. The main fire extinguisher pipe was punctured on either side of the engine room, at the same time the whole foam extinguisher plant which had been transferred to the starboard side went out of action. An explosion on the starboard side rendered the transformers unserviceable, thereby putting the electrical excitation for the main generators and propulsion motors out of action. The whole of the main engine installation was thus out of action. Report to bridge: Engine installation unserviceable by enemy action, very heavy smoke, query may personnel leave engine room? Order from bridge: Leave engine room. By this time only No. 2 electric installation was in order. The attempt by the Chief Plumber to get pressure in the fire extinguisher pipe from the power unit in the propulsion motor room failed, as pressure dropped immediately in the damaged pipe.

1745 Senior Stoker on watch reports verbally to C.O. on the bridge. At this time the engines failed. C.O. orders to try and get one engine working at least. All attempts to penetrate into engine room failed. First Watchkeeping Officer passed order from C.O. by telephone from Damage Control Centre to Engineer Officer in Control position. Engineer Officer replied that the order could not be carried out and crew of control position, Engineer Officer (corrupt passage) two P.O.'s and two stewards were suffocating. Shortly afterwards control position ceased to report. First Watchkeeping Officer reported to C.O.: engine room finally out of action and no further communication with control position.

Attempts to save crew of control position failed. Only one P.O. Stoker, P.O. HAHNERT, [sic] succeeded in escaping from the control position. He states he saw the control position watch killed by a sudden burst of fire while trying unsuccessfully to open the hatch of the splinter grating.

1825 Order from C.O.: All hands to abandon ship.¹³⁴

This log is consistent with the other accounts of CAPT Detmers and the distilled accounts. It confirms that early in the action SYDNEY inflicted significant damage on KORMORAN's engine room and electrical facilities.

¹³⁴ NAA.012.0607

The ORONTES account

- 9.27 The fourth account was that recovered whilst CAPT Detmers was being repatriated in ORONTES in 1947. It was in German. As translated by CAPT Hore, it reads as follows:

Wednesday 19.11.41: 111 East 26 34 South, SSE 3 to 4 Sea state 3 medium swell from SW. Very clear. Course 25 11 kt.

- 1555 Report from LEUT Jansen: Sails in sight. Port for'd bearing approx 20. Improves report: 2 sailing vessels, several vessels, 2 smoke columns – apparently escorts. Turn port to 260 to draw away. Full speed ahead. Alarm.
- 1600 Cruiser of the Perth class identified ... Course 250 into the sun. Darkness will be at 1900 hours. Thick own smoke.
- 1605 Engine 4 off-line. Speed about 14kt. Cruiser turns towards. Range over 15,000 meters. Gives signal "NNJ" with searchlight. We hoist "STRAAT MALAKKA". Consider and decide.
- 1635 No 4 engine again available on 8 cylinders. Speed maintained. Range finding with 3m instrument 8,000 meters stopped in order to maintain disguise. With 1.25 instrument resumed range finding. During all (this) time exchange of signals. Comes slowly on from the port quarter showing a narrow silhouette.
- 1700 Signal on 600 m sent: QQQ Straat Malakka. 111 E 26 S. Perth Radio repeats and requests more information if necessary.
- 1715 Cruiser opens out on starboard beam at range 900 meters.
- 1725 Enemy turns aircraft engine off. [He] is thus quite unsuspecting.
- 1730 Order: off disguise. Battle flag at the mainmast. Flies clear. Time taken to reveal identity 6 seconds. Enemy drops astern. 2 torpedoes on inclination 90. Enemy speed 14. At the same time alter to 260. First salvo. Single shot short (estimated range 1300 metres). 2nd salvo (guns) 3, 4 and 5 up 400 metres. About 4 sec later fired. Gives hits on bridge and gun direction tower [of the] enemy. Immediately after, full salvo from the enemy falls wide – no hits. Then at 5 sec salvo intervals about 8 salvos fired. Hits amidships on aircraft, on bridge, and training improved left between the two forward turrets. A/A guns and stbd [starboard] 3.7 (anti-tank gun) Hold (under fire) torpedo tubes, A/A guns and bridge. Up to

our 5th salvo no reply then X turret good and quick. Y turret shoots only 2 to 3 salvos all too wide. A and B turrets don't fire any more. About our 8th to 10th salvo torpedo hit at front of A turret. 2nd torpedo just misses the bow. Enemy turns towards. B turret roof flies overboard.

About 1735 Enemy passes through the stern. Dense smoke from our funnel as a result of fire in the engine room. Gun control [by] A/A gunnery officer shooting using stern guns. Range about 4,000 metres. Enemy guns point to port, his A/A guns are not manned.

About 1745 In order to fully destroy the enemy begin turn to port. Shortly thereafter report: [shaft] revolutions falling rapidly. No communication with engine room. At the same time I see 4 torpedo tracks. Course 240 held. Torpedoes pass close under the stern. At the same [time] severe vibrations shake the engines. Lensch informs that engines [and] all fire-fighting equipment completely out of action. Order: try to get at least one engine to work.

About 1750 Gun control again from for'd control position. Firing with all. Range 6,000 metres. Enemy steers at slow speed approx. course south. Forecastle lies deep in water. Front of bridge to after funnel burning. Continually further hits.

About 1800 Own torpedo shot. Range 7,000 metres. Inclination 110. Enemy speed 5kt. Bad shot astern.

At 1825 Check fire, check fire. Last range 9,000 metres. Last shot range 10,400 metres. Last ship's bearing 225. Ammunition consumption approximately 500 Bdz 50Kz. Decision: Preparations to scuttle ship. All officers to the bridge. Order to XO: all boats and life-saving equipment to be turned out. Lensch and Noll inform that it is impossible to get through to the engine-room. Check this myself. No 2 generator is still ready but useless. Watch mine-deck continually. Outline of the enemy lost in twilight. At about 16,000 metres out of sight. Enemy course about 150 true. Glow of fire from a large fire visible until around 2200.

About 2100 All rescue equipment launched manned and cast off. There are about 120 men onboard of which almost all officers. Serviceable guns can be manned by them. Mine store until now only slightly filled with smoke. Order: both boats out of No. 1 hatch.

About 2230 Both boats lowered [to the water]. 1st boat under command of the N[avigating] O[fficer] ... Charge laid in port forward oil tank.

At 2335	Info: thick smoke is filling the mine deck.
At 2400	Ship decommissioned. Flag lowered. Last boat [away] with Captain [onboard] casts off. Scuttling charges blow up.
0035	Mines blow up. Ship sinks by the stern. ¹³⁵

- 9.28 This account is in substance the same as the dictionary account and the action report, although it makes no mention of the signal 'IK' or 'Hoist your secret call sign'.

CAPT Detmers' captivity accounts: summary

- 9.29 CAPT Detmers' accounts in the dictionary, the notebook decoded by FRUMEL and the ORONTES report are similar. These accounts do not greatly differ from the account distilled from the interrogation statements of those in KORMORAN who could see the battle as it unfolded. Although these accounts record continuous signalling between SYDNEY and KORMORAN between 1605 and 1635, and SYDNEY's sending during that time of the signal 'NNJ', with the response from KORMORAN of 'hoist STRAAT MALAKKA', only the FRUMEL notebook account mentions SYDNEY's 'Show your secret call [sign]' signal. None mentions the signal 'IK'. None discloses what occurred between 1635 and 1730, other than the sending of the QQQQ signals at 1700 and SYDNEY's drawing away to 900 metres on KORMORAN's starboard beam at 1715.

The dictionary and ORONTES accounts have fire being opened at a range of 1,300 metres. All accounts have SYDNEY turning to port, subsequently passing astern of KORMORAN, and thereafter firing from starboard torpedoes.

The description of the damage suffered by both SYDNEY and KORMORAN in each account is not materially different.

The *Book 10* account is less detailed. It has a lengthy exchange of signals and SYDNEY being drawn into a parallel course abeam of KORMORAN at about 900 metres.

- 9.30 Each of those accounts is consistent with the distilled account in relation to the following:

- the time of sighting

¹³⁵ For the German document see COI.004.0169; for the translation by CAPT Hore see COI.005.0006. Times are ship's times (G).

- KORMORAN turning westerly into the sun
- SYDNEY approaching fast from astern of KORMORAN
- SYDNEY signalling repeatedly 'NNJ'
- KORMORAN responding by flag 'STRAAT MALAKKA'
- SYDNEY achieving a position on parallel course somewhere between 900 and 1,500 metres from KORMORAN
- fire being opened at 1730, when the two ships were abeam on parallel course somewhere between 900 and 1,500 metres apart
- SYDNEY suffering early severe damage to her bridge and director control tower, with accompanying fire
- KORMORAN suffering early severe damage to her engine room, with accompanying fire
- SYDNEY being hit on the starboard side forward by a torpedo from KORMORAN
- SYDNEY's A and B turrets being disabled early in the engagement
- SYDNEY turning to port and passing astern of KORMORAN, by which time SYDNEY's main 6-inch guns were unserviceable
- SYDNEY firing four starboard torpedoes, all of which missed
- SYDNEY suffering further hits on her starboard side
- KORMORAN stopping when her engines were disabled
- SYDNEY steaming on a southerly course, slowly and on fire.

The main differences between these accounts and the distilled account (and in particular SBLT Bunjes' interrogation on 1 December 1941¹³⁶) is that in all these accounts SYDNEY was first sighted on KORMORAN's port bow, on course 20°, and KORMORAN turned and sailed in the direction of the sun before the ship sighted was recognised to be a cruiser.

¹³⁶ NAA.012.0763 at 0764 to 0765

CAPT Detmers' book

9.31 CAPT Detmers' book *The Raider Kormoran* was published in 1959.¹³⁷ His account of the engagement is in chapter 18 of the book, and the following emerges:

- At 1555 an alarm sounded because a ship had been sighted.
- From the bridge CAPT Detmers saw a spot 'almost dead ahead'.
- Shortly thereafter they could see two sailing ships, then a number of vessels and behind them two clouds of smoke.
- KORMORAN turned to 260°, with full speed ordered.
- Through a telescope the sighting was identified as a cruiser of the Perth Class. It was then 1600.
- Because of the cruiser's speed, evasion was not possible.
- Dusk was not due until 1900.
- CAPT Detmers' objective was to draw the cruiser close—if possible to between 6,000 and 8,000 yards—to diminish the cruiser's gunnery superiority.
- An engine failure reported at 1605 reduced KORMORAN's speed to 14 knots.
- The cruiser 'turned towards us blinking "N.N.J. ""', which CAPT Detmers said he and his chief signalman did not understand. By then the cruiser was 'not far away'.
- The cruiser demanded by Morse signal, 'What ship?'
- CAPT Detmers delayed his response by half-hoisting the signal code pennant, meaning 'I can see your signal, but I can't make out what it is'.
- The cruiser continued to close at 20 knots, by then to 15,000 yards 'about three points to starboard'.¹³⁸
- Slowly and with twisted flags, KORMORAN made a four-flag hoist, indicating STRAAT MALAKKA.

¹³⁷ CORR.007.0034. Times are ship's times (G).

¹³⁸ 'Three points to starboard' equates to 33°45' on starboard relative to KORMORAN's course, one point being a point on a compass rose and equivalent to 11°15'.

- By Morse the cruiser asked, 'Where bound?' KORMORAN replied, 'Batavia'.
- At 1635 the engine had been repaired, but KORMORAN did not increase speed. At that time the cruiser was between 8,000 and 9,000 yards distant 'and coming closer'.
- The cruiser's 6-inch guns and port torpedo tubes were directed at KORMORAN, but the 4-inch guns were not manned.
- The cruiser continued approaching at 20 knots, showing the narrowest possible silhouette. She signalled 'What cargo?' KORMORAN responded, 'Piece goods'.
- KORMORAN hoisted the Dutch flag and sent out the message 'QQQ STRAAT MALAKKA'. A Perth wireless station acknowledged receipt.
- The cruiser had a plane on the catapult. The plane's engine was 'probably warming up'.
- The cruiser was at 3,000 yards and closing.
- The cruiser changed course 'a point or two to starboard', so its silhouette became a little broader.
- The cruiser signalled in Morse code: 'Give your secret call'. CAPT Detmers did not know the secret call sign for STRAAT MALAKKA.
- The cruiser repeated the Morse signal 'Give your secret call'. By then she was broadside on and sailing a course parallel to KORMORAN.
- CAPT Detmers ordered 'decamouflage'. The Dutch flag was hauled down and the German war flag flown from 'the foretop'. Once the war flag was reported flying, CAPT Detmers ordered gun and torpedo batteries to open fire.
- The first shot was fired by KORMORAN within 6 seconds of the order.
- The first salvo of four guns scored hits on the cruiser's bridge and director control tower. KORMORAN fired eight salvos and 'every shell we fired was a direct hit'. KORMORAN's anti-aircraft guns and 3.7-centimetre gun strafed the upper deck, torpedo batteries and bridge.
- The cruiser responded after the first salvo, her shots passing over KORMORAN.

- After eight salvos from KORMORAN, SYDNEY's Y turret fired two or three shots that missed. X turret hit KORMORAN's funnel and then her engine room.
- Observed damage to the cruiser included a damaged cutter, B turret deck blown overboard, the aeroplane blown into the sea, and extensive fire. Machine-gun and 3.7-centimetre gun fire prevented the cruiser using her torpedoes.
- The cruiser passed astern of KORMORAN. She was shelled by KORMORAN's aft guns. None of the cruiser's 6-inch guns was firing, and her anti-aircraft guns remained unmanned.
- At about 1800 KORMORAN's engines failed. The cruiser fired four torpedoes, which passed astern of KORMORAN.
- KORMORAN continued to fire at the cruiser with four 15-centimetre guns, scoring many hits. The cruiser was afire from the 'fore bridge to the stern mast'.
- Firing ceased at 1825, when the cruiser was more than 10,000 yards distant. The glow from the cruiser was visible until 2100, when 'flares suddenly darted up even higher as though from an explosion'.
- With darkness, the wind had risen to force 5 or 6. At 2100 the boats left KORMORAN, leaving 120 men on board. Those men left the ship at 2330 after setting scuttling charges, which exploded at 0035.

9.32 The elements in this account are not materially different from those in the earlier Detmers accounts. That is unsurprising: the book would have been written with knowledge of the earlier accounts and possession of the dictionary. The Inquiry is also aware of another account of the battle prepared by CAPT Detmers, dated 1955 and quoted at length in the German Naval historian Hümmelchen's book *Handelstörer* ('Raiders'), which is also likely to have been relied on by CAPT Detmers in writing the 1959 book.¹³⁹

The account mentions Batavia, as did my account distilled from the interrogation reports of those who could see. It refers to the Morse signal 'Give your secret call' but does not mention the two-flag hoist 'IK' by SYDNEY. That aside, it has—as do all the accounts—SYDNEY approaching from astern and taking up a position abeam and on a course parallel to KORMORAN's, the distance between the two ships

¹³⁹ A point of interest in the battle account appearing in Hümmelchen's book is the reference to the Australian signallers raising the flags 'IK'.

being less than 3,000 yards, so that SYDNEY was within the effective range of KORMORAN's light armaments. The account has SYDNEY suffering early severe damage to her bridge and director control tower, early substantial fires, an early torpedo strike disabling A and B turrets, SYDNEY passing astern of KORMORAN with major armaments silent, and SYDNEY being subjected to many shell hits on the starboard side. The account of damage to KORMORAN is consistent with earlier accounts.

- 9.33 In all his accounts CAPT Detmers says that, once flight from SYDNEY became impossible, his tactic was to seek to draw SYDNEY in closer in order to reduce or remove the advantage SYDNEY had when firing at distance. SYDNEY was able to fire salvos with slightly larger guns (6-inch compared with 5.9-inch) and as a barrage using fire control. KORMORAN did not have such a fire-control system. Further, SYDNEY had considerable armour protection, which might have been rendered ineffective by battle at close quarters. KORMORAN had no such protection. Finally, in a battle at long range KORMORAN had no element of surprise. These considerations guided CAPT Detmers' conduct of the engagement. They make the accounts given of the engagement rational and probably accurate.

CAPT Detmers' letter

- 9.34 On 7 June 1973 the Acting Liaison Officer (Europe) of the Australian Information Service forwarded to the Department of the Navy a translation of a letter received by Mr FB Walker, the Information Attaché in Bonn, from CAPT Detmers.¹⁴⁰ Mr Walker had previously sent to all members of the KORMORAN Association of survivors a translation of the account of the battle that appeared in Gill's *Australian Official War History*. CAPT Detmers' letter, as translated, was as follows:

Dear Mr. Walker,

I thank you for sending the Australian version of the "Kormoran-Sydney" fight and your daughter for the effort taken in translation.

By and large the description of the battle adheres to the facts. That the exchange of signals with the "Sydney", which took place over a 1 1/2 hour period, was shortened in the description, does not change a thing. It is nevertheless certain that the position of the "Sydney" was such that she was abeam on the starboard side at a distance of 1000 meters and continued at about the same speed as ours. Thus I had obtained the most favorable starting position in course and speed as

¹⁴⁰ SPC.016.0001

well as for the effectiveness of my old 15 cm guns and the range of my anti-aircraft machineguns.

How important the anti-aircraft guns were could be seen at the beginning of the fight as the entire upper deck was held under fire so that not a single torpedo could be gotten off, and no shot fell from enemy anti-aircraft batteries. I observed this constantly, especially since I knew about the anti-aircraft weapons and in particular about the 8 – 10.2 cm anti-aircraft guns of the opponent. At such a short distance the effect of only 4 – 10.2 cm anti-aircraft guns from the fire weather-side would have been considerable, especially against a completely unprotected trade cruiser. When the “Sydney” passed under our stern all 15 guns had been knocked out – the C and D turrets were towards the fire leeward – but still no shot fell from the 10.2 cm anti-aircraft gun.

Concerning the rest, I found the information on Captain Burnett most interesting.¹⁴¹

- 9.35 This account is important in that it confirms the general thrust of Gill’s summary outline but especially in that it also confirms that SYDNEY’s 4-inch guns were not manned or fired at any time during the battle. CAPT Detmers was in error stating that SYDNEY had eight 4-inch guns: she carried four.

SBLT Bunjes’ account, 1946

- 9.36 SBLT Bunjes, who was, at least initially, in the crow’s nest, had been interrogated on three occasions—1, 4 and 8 December 1941. On 1 December 1941, his account is recorded in the following terms:

The Raider was about 120 miles from the coast, steering North and in position 26 S. 111 E. when the Cruiser was sighted 45 degrees on the starboard bow – the Raider had been for some time on the same course previous to this. A petty officer in the crow’s nest first sighted the cruiser and thought it was a sailing ship. It was very clear weather, and the Raider’s speed was 10 knots. When the ship sighted was seen to be a Cruiser, the Raider altered course to S.W. and increased to full speed (15-16 knots). At this time the Cruiser was from 20 to 25 miles away. The Cruiser approached rapidly, and at about 7 miles began flashing. Raider had the Dutch flag, and signalled that she was the “STRAAT MALAKKA”. When the ships were about 1200 metres apart on parallel courses and abeam, the Cruiser asked for the secret call. The Raider opened the covering plates of the guns and fired the first shots (less than a minute). Range-finding was carried out with the little range finders. The Cruiser’s first salvo hit the Raider amidships in the engine room near the funnel. Raider was hit three or four times, although some salvos from the cruiser went over. After four or five

¹⁴¹ SPC.016.0001 at 0002

salvos the Cruiser turned and seemed to attempt to ram the raider, and passed under the Raider's stern, thus enabling the port guns of the Raider to fire. The Cruiser was enveloped in smoke, on fire, and down by the bow. The Raider had stopped. At about 1740H the fire in the Raider had started and something was wrong in the engine room. The actual action lasted about twenty minutes.¹⁴²

- 9.37 In the interrogations on 4 and 8 December 1941 the interrogators did not ask SBLT Bunjes about the action.
- 9.38 Among the archival records is a 22-page document in German headed '*Geschichte der Hilfskreuzer*' ('History of the auxiliary cruiser'). The last page bears the signature of SBLT Willy Bunjes, the date 23 March 1946 and the place Tatura, Australia.¹⁴³ The circumstances in which this document was prepared are not known. It deals with 'HSK KORMORAN', lists her officers and describes her voyage between 4 December 1940 and 19 November 1941, including the sinkings of merchant ships. Four pages are devoted to the action with SYDNEY, and there is a sketch of the battle.¹⁴⁴
- 9.39 On 29 August 1947 the Director of Naval Intelligence sought a translation of SBLT Bunjes' 1946 account of the action between KORMORAN and SYDNEY.¹⁴⁵ The translation provided was as follows:

Sea - Battle

Australian cruiser "Sydney" V. Auxiliary cruiser "Kormoran"

It is a day of penance and prayers, Wednesday 19th November 1941, consequently a holiday-routine; bright sunshine, extremely good visibility and a slight swell. The "Kormoran" takes a course of 25°, approximately parallel to the West Australian coast. Distance from land about 150 sea-miles. Our own position 26° South 111° East.

Shortly before 4pm a report comes from the look-out watch: "Port ahead, 2 mastheads on horizon." I relieve the watch in the look-out at 4pm. The supposed masts become so broad that one is bound to believe it is a sailing vessel. Soon however I report that it may be a coastal patrol boat, as I think I can see a funnel. On our bridge suspicions have been aroused. We proceed at full speed and change course. But after a few minutes the engine room reports "Engine No. 4 out of action." We can make only 14 knots. All doubt is soon removed; the vessel speeding towards us is a cruiser.

¹⁴² NAA.012.0764_BUNJES at 0765_BUNJES

¹⁴³ The officers of KORMORAN all received a promotion during their internment.

¹⁴⁴ COI.004.0119 at 0131 to 0134

¹⁴⁵ NAA.012.0623. Times are ship's times (G).

The cruiser travels astern on the starboard and with her speed of 28 to 30 knots soon closes on us. She starts signalling with helio lamps. We do not answer but maintain our speed and course 250°. Steadily nearer comes our doom and we distinctly recognise the vessel as an Australian cruiser of the "Sydney" class. Flight is out of the question, but maybe we can deceive her somehow. Our ship with a wooden gun covered with brass and mounted on the stern, strikingly resembles the Dutch steamer "STRAAT MALAKKA". At 1635 hrs. Engine No 4 starts working again, but it is too late now. The cruiser keeps on asking us for our name. She is so close that it is impossible to overlook her helio signals. We answer "STRAAT MALAKKA" and hoist the Dutch flag astern. All soldiers disappear from deck, but behind the camouflage flap shutters everyone stands in feverish excitement and holds his breath. The camouflaged guns are loaded and kept trained on the cruiser. The distance between the two ships is now 4 sea-miles. Quite naturally the cruiser is not satisfied with our reply; she comes gradually nearer and the distance diminishes from minute to minute.

At 1700 hrs the distance between her and us is half-a-mile; at sea an extremely short distance. We can distinguish every single man aboard; the bridge is full of officers. She is now travelling parallel to us on our starboard side at the same speed as ours. She wants to know more and asks for our destination and cargo. We are flag-signalling the answers. The tension is reaching boiling-point; what will she do now? She appears to be satisfied with our explanations. We observe that the engine of her plane which has been running, is stopped, and the aircraft replaced under cover. Her eight 6-inch guns (4 double turrets), however, still point threateningly at us. Seconds are drawing out into minutes. Something must be done now. Suddenly, at the last moment, when it looks as if she is turning away, she gives the order "Hoist your secret call." That is too much because we do not know the secret callsign of the "STRAAT MALAKKA." There is only one possibility left to our captain; to attack and gain the advantage of surprise and swiftness of action. Orders are flashed:

Hoist German flag

Reveal Identity

All weapons fire

At 1730 hrs, Six seconds after we have revealed our identity, the first salvo is fired from our four 6-inch guns on the starboard side. Five machine guns are firing simultaneously, aiming at the torpedo mounting of the cruiser; the 3.7cm PAK guns are aimed at the cruiser's bridge. The very first salvo scores hits and from then on hit follows hit. The enemy answers with a full salvo of its turret guns which, however, falls wide. The armour cover of its second gun flies into the air. Suddenly the cruiser's turret-guns stop firing, apparently waiting for orders from the control-room, which, however, may have been hit by our accurate PAK guns and put out of order. The enemy loses valuable and decisive seconds. After the fifth salvo of which almost every one is

a well aimed shot, the enemy's No.3 turret opens fire again. It at last scores a hit on our funnel and boat-deck. Splinters cause several dead and wounded on our bridge. Another hit on our third gun pierces the armour, causes some casualties but explodes in the water behind us. All our guns are firing rapidly. The enemy answers with No. 3 and No. 4 turrets but the remaining two turrets are silent. We are hit by several shells. The deck where the officers' quarters are situated is ablaze and the engine room also hit. We try to gain control of the rapidly spreading conflagration, but in vain, as the fire-extinguishing apparatus fails to pump water.

Meanwhile, our torpedo-tubes are brought into action. Two torpedoes with their terrific explosive effect are fired at different angles. One misses but the other hits the cruiser about one-third of the ship's length from the bow. An enormous explosion follows and the cruiser becomes entirely covered in black smoke; her bow sinks deep into the water but emerges slowly again. The shouts of joy "Hurrah she is sinking" are premature. Her stem seems to be completely destroyed and from her bows and mid-ships smoke and flames pour forth; yet No. 3 turret keeps on firing. She loses speed and turns to port behind our stern as if she intends to ram us. We have to try to get into a better firing position. Suddenly our engines cut out completely and alarming vibrations shake our ship; the screws cease to rotate. Black smoke pours from the funnel and the ventilators – most likely one of our oil-bunkers has been hit. The cruiser turns to our port, the distance now being 4,000 metres.

It is 17.35 hrs Our port guns are firing continually about 50 shells per minute. The enemy does not answer at all and all his guns are pointing to port, away from us. Most likely their control is out of order. But the enemy has still one possibility left: torpedoes. He fires one torpedo-salvo from starboard. Luckily all four torpedoes pass behind our stern.

It is 1745 hrs. We are hardly moving at all; soon we stop altogether. The engines have failed completely. The cruiser is ablaze from stem to stern and covered in black smoke. The distance has increased to 6,000 mtrs.

At 1800 hrs. At a distance of about 7,000 mtrs we fire an underwater-torpedo to finish her off. The torpedo misses. The cruiser moves at a very slow speed on course 120°. The distance rapidly increases.

At 1825 hrs. Our last salvo is fired at a range of approximately 9,000 mtrs. All we can see in the distance is a floating pillar of smoke, a wreck. We also are badly off but have now time to think what to do. Our decks are ablaze and there is no hope of getting the fire under control. What is happening in the engine and boiler rooms can easily be guessed. We are drifting helplessly; the swell has increased and it is getting dark.

The sea-battle has lasted about an hour. We know that our time as an auxiliary cruiser has come to an end. A glorious end, nevertheless, as the victory of an auxiliary cruiser over a cruiser is unique in the history

of naval warfare. During the battle the “Kormoran” fired about 600 6-inch shells and 3 torpedoes and sank a far more powerful opponent, of whose crew of 645 not one was rescued. During our captivity, we confirmed our assumption that our adversary was the Australian cruiser “Sydney”, 6700 tons, eight 6-inch guns (in double turrets) eight 4-inch A.A. guns, 8 torpedo-tubes, 1 aeroplane, speed about 30 knots, complement 645 men.¹⁴⁶

9.40 Figure 9.2 shows the sketch SBLT Bunjes drew of the battle action.



Figure 9.2 SBLT Bunjes' sketch of the battle action¹⁴⁷

¹⁴⁶ NAA.012.0521_BUNJES

¹⁴⁷ COI.004.0119 at 0135

9.41 It is of note that SBLT Bunjes' account given on 1 December 1941 concentrates on the approach, signalling, and the damage to KORMORAN.¹⁴⁸ It makes no mention of the effectiveness of KORMORAN's gunnery or damage to SYDNEY's bridge or director control tower. It makes no mention of KORMORAN firing torpedoes or hitting SYDNEY with one. It does, however, have SYDNEY before the action flashing an inquiry that produces a response 'STRAAT MALAKKA' and has the two vessels 1,200 metres apart on parallel course and abeam when SYDNEY signalled asking for 'the secret call'. It notes that SYDNEY was 'enveloped in smoke, on fire and down by the bow' at the conclusion of the battle with the raider.

The 1946 account is plainly enough a reconstructed recollection specifying precise times by which events occurred. Those times correspond with the times in the action report and other accounts CAPT Detmers generated whilst in captivity between 1941 and 1947. It repeats that SYDNEY was signalling a query, producing from KORMORAN the answer 'STRAAT MALAKKA'. It mentions the flying of the Dutch flag astern and says that by 1700 the vessels were half a mile apart. It mentions a signal from SYDNEY inquiring as to destination and cargo and says KORMORAN's responses were by flag. It refers to SYDNEY's aeroplane as having had its engine running but it being stopped before the action. SYDNEY's 6-inch guns were said to have been bearing. It records SYDNEY signalling 'Hoist your secret call' and says KORMORAN gave no response because 'We do not know the secret call sign of the STRAAT MALAKKA'. It then records:

Orders are flashed:

Hoist German flag
Reveal identity
All weapons fire¹⁴⁹

That is plainly incorrect: KORMORAN would not have 'flashed' signals to its own crew. It seems an obvious endeavour to reconstruct in a convenient order those supposed three signals. There is no other evidence to support the giving of those three orders, whether by flashing or otherwise.

In this account, at 1730 and within six seconds of revealing her identity KORMORAN's 15-centimetre guns are firing and scoring hits, the machine guns are aimed at the torpedo mounting and the 3.7-centimetre gun is aimed at the bridge. SYDNEY's salvo in response falls wide. Her A and B turrets cease firing at an early time, but the

¹⁴⁸ NAA.012.0764_BUNJES

¹⁴⁹ NAA.012.0521 at 0522

remaining turrets score several hits, causing damage and fire on KORMORAN, whose fire-extinguishing apparatus is inoperative. 'Meanwhile' two torpedoes were fired by KORMORAN, one hitting SYDNEY 'about one third of the ship's length from the bow'. SYDNEY drops astern, turns to port and passes astern of KORMORAN. By 1735 SYDNEY is being successfully fired on by KORMORAN's port guns, and SYDNEY is not responding with armaments. SYDNEY fired four torpedoes from her starboard tubes; they missed. By 1745 KORMORAN, with engines failed, is scarcely moving, and SYDNEY is 6,000 metres away and on fire.

SBLT Bunjes recounts that at 1800, when SYDNEY was 7,000 metres distant, KORMORAN fired an underwater torpedo; it missed. There is no evidence from any other witness to support that firing – apart from a diary written at some time in the prisoner of war camp by LCDR Bretschneider, who, when he was interrogated, said he 'saw only second phase of fight with Cruiser but does not wish to speak'.¹⁵⁰ In the late 1990s or early 2000s LEUT Greter said he was ordered back on board KORMORAN after the battle to discharge the starboard underwater torpedo in case it exploded in its tube, potentially killing KORMORAN's survivors, who were abandoning ship.¹⁵¹ He made no mention of the port underwater torpedo being fired at any time.

SBLT Bunjes noted that the battle finished at 1825, having lasted about an hour, the last shot being fired by KORMORAN at a range of about 9,000 metres when SYDNEY was steaming at a very slow speed on a course of 120°.

- 9.42 Although this 1946 account by SBLT Bunjes has elements of reconstruction consistent with accounts discussed among the officers while they were in prisoner of war camp, the essential elements of the engagement – namely, a fast approach by SYDNEY from astern, her inquiring by signal of KORMORAN; the giving of STRAAT MALAKKA's name in response; SYDNEY achieving a position close on KORMORAN's starboard, abeam and on a parallel course and before signalling 'Hoist your secret call'; fire being opened by KORMORAN shortly thereafter, causing serious damage to SYDNEY; SYDNEY being hit by a torpedo forward early in the engagement; SYDNEY passing astern of KORMORAN and thereafter firing torpedoes from her starboard tubes at KORMORAN whilst being subjected to consistent fire and hits from KORMORAN's port guns; and SYDNEY slowly steaming off seriously afire – are present in this account.

¹⁵⁰ NAA.012.0780_BRETSCHNEIDER

¹⁵¹ SPC.004.0069 at 0071; SPC.004.0073_R

- 9.43 The new elements introduced in the account are the late firing of the underwater torpedo before the battle finished, and the suggested order of the three signals. For the reasons given, I do not accept those two new elements recorded for the first time in 1946.

LEUT von Gösseln's account, 1970 to 2008

- 9.44 LEUT von Gösseln had been interrogated on 1 December 1941. His interrogation notes state:

29 years of age; An active officer formerly in the Merchant Navy, then a Party member. Divisional Officer and Officer of the Watch, he was on the bridge during the action – the bridge was not hit, but the funnel directly behind the bridge was. Distance between ships at the start of the action about 1200 metres. Raider had signalled that she was "STRAAT MALAKKA" and flew Dutch flag. Before first salvo Dutch flag down, German flag up. Torpedoes were fired by both ships, but cannot give information about torpedoes. Distance between ships was about 10,000 metres when cruiser finished firing. She was under way till then. Raider was ready to be blown up and the flames were very high. There had been no aeroplane reconnaissance near Western Australia; he couldn't reach the boats because of the fire and swam until he was picked up by one of them. The normal equipment of German life boats includes rockets of different colours.

The official of the Propaganda Ministry has only given one hours instructions to his Officers Division. He doesn't want to give any information; course after sighting cruiser 240°. ¹⁵²

- 9.45 In 1970 he wrote for *Reader's Digest* an article entitled 'The sinking of the Sydney', which was an extract from a similar article written in 1953 for the United States Naval Institute Proceedings. ¹⁵³ Written in a dramatic style, the relevant parts read as follows:

The first officers are in the mess after an afternoon nap and are relaxing over a cup of coffee and a leisurely smoke when suddenly the bridge messenger bursts in and announces to the skipper: "Ship sighted to starboard!"

I hurried to the bridge, obtained data on course and speed, hung up my binoculars, and reported to the commanding officer as the battle watch officer.

From the bridge there was still nothing further to learn about the enemy, though its running position had been announced from the crow's nest. From the speed with which the enemy was changing position, as well as by instinct, Captain Detmers knew that this time he

¹⁵² NAA.012.0326_VONGOSSELN

¹⁵³ PUB.061.0001

was not dealing with a merchant steamer. It was our task to destroy enemy shipping and not to engage in battle with fighting craft, for an armed merchantman can never be a match for a warship.

We changed course to turn away. From the mast comes the cry: "Enemy heading for us and approaching fast." From the bridge the mast tips can be seen. The crow's nest with the lookout are quickly taken down to avoid disclosing our identity.

Meanwhile, we change course again. The enemy, which has been recognised as a light cruiser, comes within range of our masked guns. We hoist the Dutch flag and maintain our course. All hands are hidden under the deck; only the Captain and I are on the bridge. As the warship slowly approaches aft of our starboard, we identify her as the *Sydney*. If she stays at this acute angle, we are lost, until we can come about and bring our guns to bear.

The *Sydney* hoists a flag signal, "What ship?" in the international code. True to our role of merchant steamer we, as slowly and ceremoniously as possible, hoist the answer: "*Straat Malakka*."

It is 5.30 pm. The *Sydney* is travelling along slowly on a parallel course some 1,000 to 1,500 yards away. On her bridge one can distinctly make out the white tropical uniforms. A new signal is hoisted on the *Sydney*: "Whence from and whither away?" We answer, "From Batavia to Lorenzo Marques."

Will our luck hold, and will they withdraw without recognising us? I have the unpleasant feeling the eight murderous gun barrels trained on us are all pointing at my own stomach.

Seconds that seem endless go by. Now there is a new signal. What can it mean? "Give me your secret signal," calls the signal man from the bridge of the *Sydney*. Now is the time for decision. Captain Detmers quickly weighs the problem. "Well, Gösseln, there is nothing left to do," he says to me.

Now in a matter of seconds the drama unfolds. The cue: "Down gun masks." The German naval ensign is sent aloft to the gaff, while the Dutch flag is hauled down. Fore and aft there is a rattling of armoured bulkheads coming up. Amidships the railing tilts over, and from the hatches rise two guns which are swung out with great dexterity by their crews and trained on the enemy. Simultaneously the cover disappears, and two ack-ack guns rise up on their hydraulic hoists. Still there is no shot from the *Sydney*. They do not seem to have grasped the spectacle of the transformed merchant steamer.

A few seconds later, from our bridge, we break out 37mm gun. On the bridge opposite we can see the shots hitting among the white uniforms. Almost at the same instant the first shot from one of our 5.9 inch guns falls 200 yards this side of the *Sydney*. A few seconds later go the first close salvos from the quad mounts. A direct hit! A gun aboard

the *Sydney* is struck. Two torpedoes leap from our tubes and seek their deadly course. Salvos two and three follow in four-second intervals.

Opposite us a turret gun has gone into action. The first shell whistles overhead and splashes in the water to our leeward. They have completely forgotten to allow for the short range. Nevertheless, the gun captain opposite is a determined and courageous man. He continues to fire imperturbably despite the damage and ruin all about him. The *Kormoran* shudders as a shell hits her. An announcement from the engine room: "Hit in the engine-room." An oil bunker is hit, and the burning oil gushes out over the engine room. A further announcement from below: "Obliged to abandon engine-room." A few seconds later there follows an explosion, and flames shoot up from the engine room skylight.

Our shells continue to explode on the *Sydney* without ceasing. Now there is a mighty explosion as a torpedo hits *Sydney* just forward of her bridge. The *Sydney* is sinking with her bow in the water and it looks as though she is going to the bottom. But now her bow rises from the sea, and she shakes off the mass of water. The brave gun captain has meanwhile fallen silent. Suddenly the *Sydney* changes course and bears down on us, striving to ram us with her remaining strength. We can only keep firing, for our engines are now out of commission, and we are making only slight headway.

Some 200 yards aft of our stern the *Sydney* changes to our port side. Suddenly, there is a loud shout on deck. Several torpedo tracks are sighted coming towards us but they pass close astern. The *Sydney* falls away on our port side, but our shells continue to explode. Slowly, the distance between the ship widens, and the Captain orders: "Cease fire."

...

The battle itself had lasted perhaps twenty minutes to half an hour. By 11 pm we had lost sight of the burning *Sydney*. Heavy torpedo damage and the many 5.9 inch shells she had taken precluded her reaching the safety of the coast. Not one man of her brave crew of 42 officers and 603 men was saved.¹⁵⁴

9.46 In 2008 LEUT von Gösseln was unwilling to be interviewed by the Inquiry owing to disability and a serious illness. He did, however, agree to answer some questions put to him in writing.¹⁵⁵ The substance of the information the Inquiry thus acquired can be summarised as follows:

- On 19 November 1941 LEUT von Gösseln was on the bridge with CAPT Detmers. He had binoculars. LEUT Skeries was on the signal deck above the bridge. When SYDNEY was sighted KORMORAN

¹⁵⁴ COI.003.0006

¹⁵⁵ WIT.019.0003; WIT.019.0022

turned from her northerly bearing to a westerly bearing and increased speed to full speed. She did so in order to endeavour to escape from SYDNEY. SYDNEY changed her angle of approach to KORMORAN until she achieved a position abeam at a distance of approximately 1,000 metres. There appeared to be preparations on SYDNEY to launch her aeroplane. There were no preparations on SYDNEY to launch any of her boats or prepare a boarding party. Persons on SYDNEY's bridge were observing KORMORAN. Just before firing commenced, SYDNEY's main gun turrets were pointing at KORMORAN. During her approach SYDNEY had signalled 'Who are you, where are you coming from, where are you going?' with signalling flags. CAPT Detmers responded with signalling flags, instructing the signallers to respond slowly. LEUT von Gösseln cannot remember the signals passing between the vessels.

- KORMORAN sent out a QQQQ signal after SYDNEY was sighted. The encounter with SYDNEY occurred between 1600 and 1630. Just before it began CAPT Detmers said: 'Gösseln, there is not much left we can do'. He then gave the order: 'Fire at will and decamouflage'. At that stage the ships were approximately 1,000 metres apart. KORMORAN's weapons opened fire simultaneously, it taking approximately one minute for her guns and torpedoes to be fired.¹⁵⁶

According to LEUT von Gösseln's answers to questions, KORMORAN suffered three torpedo hits plus artillery hits from SYDNEY. Plainly, the former is incorrect.

- 9.47 The process of delivering questions to LEUT von Gösseln, using multiple sub-paragraphs and alternatives and receiving in response single words or very brief responses was not an ideal method of obtaining information from him. Little, if any, reliance can be placed on the responses to those questions.
- 9.48 Mr David Kennedy, a journalist, interviewed LEUT von Gösseln in 1998.¹⁵⁷ He was obviously seeking a response that the torpedoes were fired and hit SYDNEY before the main armament opened fire. LEUT von Gösseln would not agree. Mr Kennedy's endeavours are illustrated in the following exchange:

von Gösseln: There was a set of torpedoes with two torpedoes.

Kennedy: Yes, yes.

¹⁵⁶ WIT.019.0003; WIT.019.0022 at 0023

¹⁵⁷ PTE.006.0237

von Gösseln: And whether his torpedo went off before the guns, I don't know, but when the torpedo hit, a number of shots had hit already.

Kennedy: Mmh.

von Gösseln: Well, there had already been several salvos that had hit [the target].

Kennedy: So there was this torpedo-hit and immediately salvos of ... of ...

von Gösseln: It hit the forecastle.

Kennedy: At the same time, yes?

von Gösseln: No, it came later. At first were the hits from the guns, and then torpedo followed.

Kennedy: Okay, good.

von Gösseln: That was a while later, wasn't it, there were at least five, six salvos that had hit already when the torpedo hit.¹⁵⁸

And later:

von Gösseln: The 15cm ... the hits are much earlier than the hit by the torpedo. The salvos hit first. When there was permission to shoot, both could fire, but the 15 cm shells have before ... there were five, six salvos at least ... before the torpedo hit ... had hit before.¹⁵⁹

9.49 In that interview Mr Kennedy was trying to find out why CAPT Detmers had not fired his underwater torpedo at the start of the battle. LEUT von Gösseln explained:

Kennedy: Why ... it's been a long time, but why, do you think, had Captain Detmers not used this underwater torpedo directly at the beginning, because it was a great weapon, wasn't it suitable?

von Gösseln: Yes, it was – but the torpedo was not under water.

Kennedy: Under water tube ...

von Gösseln: ... it was not under water ... on the SYDNEY they would have seen it if the torpedo had been fired, and they could have changed course.

Kennedy: Yes, well ...

¹⁵⁸ PTE.008.0309_A

¹⁵⁹ PTE.008.0310_A

von Gösseln: That would have been a mistake, he could only give permission to fire and then he had [to fire] all at the same time, guns and torpedoes at the same time?

Kennedy: It is only that ... the underwater tubes ... were below the water surface ... and maybe it was a good idea, these underwater tubes ...

von Gösseln: Yes, but we had two torpedoes. We had one set of torpedoes on deck.

Kennedy: Yes.

von Gösseln: ... so that one was above the water. And then, one torpedo that was fixed, on each side, under water. This one was above the water.

Kennedy: Correct. Yes, and it ... I cannot understand why he hasn't used the underwater tubes at the beginning.

von Gösseln: Because he couldn't. They were fixed. After all, he would have had to turn the boat around. The underwater torpedo could only aim with the entire ship. He would have to turn the ship.

Kennedy: Yes, but ...

von Gösseln: It pointed 45 degrees astern, the torpedo ... If he had fired that, it would have missed the SYDNEY by far. He would have had to change course then, in order to aim. Whereas the rack of torpedoes which Greter had shot, that one was moveable, that was a moveable set. He could aim with it. It could be rotated ... That was the difference. The two torpedoes, that was a rack of torpedoes, and it was on a mount, so that it could be rotated. And he could aim with it, whereas, with the underwater torpedo, there only the entire boat was able to aim, it was fixed. It could not be moved in terms of the direction.¹⁶⁰

9.50 In that interview LEUT von Gösseln did say that, after SYDNEY passed astern of KORMORAN, KORMORAN fired an underwater torpedo that missed. He is recorded as saying:

Kennedy: Yes, I wanted to double-check. KORMORAN for sure has travelled slowly enough in order to use these underwater tubes.

von Gösseln: When the SYDNEY went past the stern ... then the underwater tube was fired, but there was no further hit.

¹⁶⁰ PTE.008.0311_A

She went past our stern, the SYDNEY, to the other side, she was on starboard at first, and then to port, past the stern, about 50 m, or 100 m, past the stern. Then an underwater torpedo was fired, but it didn't hit anymore. Destruction was already so severe on the SYDNEY.¹⁶¹

This account, and that of SBLT Bunjes' in 1946 are the only accounts that refer to KORMORAN firing an underwater torpedo during the course of the battle. If it were to be accepted that such a torpedo was fired, the evidence would be that it missed. I do not accept the evidence that an underwater torpedo was fired at that time: the statement is otherwise unsupported by the large number of witnesses who could see and would know of such a firing.

Subject to that matter, the Kennedy interviews with LEUT von Gösseln are generally consistent with the officer's earlier accounts and the other German accounts of the engagement. LEUT von Gösseln's first account, on 1 December 1941, contains the elements that the ships were 1,200 metres apart at the start of the battle, that KORMORAN had signalled STRAAT MALAKKA and was flying a Dutch flag, and that before the first salvo the Dutch flag was struck and the German flag raised. It also confirms that KORMORAN turned to a westerly course (240°) and that the battle concluded when the vessels were about 10,000 metres apart.

The *Reader's Digest* account is confirmatory of SYDNEY's interrogation of KORMORAN and the hoisting of the response STRAAT MALAKKA. It raises for the first time, however, a response from KORMORAN that she was sailing from 'Batavia to Lorenzo Marques' –in contrast with the other evidence, which was that KORMORAN said she was sailing *to* Batavia. Importantly, it records SYDNEY sending the signal 'Give me your secret call sign' and that shortly thereafter the engagement began. It also describes the effectiveness of KORMORAN's light armaments and the firing of two torpedoes shortly after battle had begun. It is confirmatory of SYDNEY passing astern of KORMORAN, of SYDNEY firing torpedoes that missed, and of SYDNEY suffering damage from guns on KORMORAN's port side.

This account raises no doubts about the accuracy of the account distilled from the interrogation statements of KORMORAN's survivors who could see the engagement.

¹⁶¹ PTE.008.0312_A

SBLT Diebitsch, 1947

- 9.51 SBLT J Diebitsch was interrogated on 4 December 1941. His lengthy statement provides little information about the approach or the battle, but it does contain the following:

During fight was on deck – no command – job to transport wounded – see there was no panic.

...

On deck during last fight. Did not see cruiser's torpedoes.

...

Saw 1 torpedo from "Kormoran" – struck cruiser forwards.

...

Last saw cruiser burning

...

Relative position of Cruiser and "Kormoran" 90-100 degrees.

...

Between firing and hitting cannot say what change in position of ships. Torpedoe can fire well abaft the beam.¹⁶²

- 9.52 At some time SBLT Diebitsch wrote an account in German of the engagement.¹⁶³ On 29 August 1947 the Director of Naval Intelligence wrote to the Director of Intelligence, RAAF, asking for a translation of SBLT Diebitsch's account. The translated document reads as follows:

On the 19th November 1941 the auxiliary cruiser "KORMORAN" was on a reconnaissance voyage approximately on a course 26 South and 111 East direction 25°. At 1600 hrs on that day Lt B[unjes] came with the news that the Australian Cruiser "Sydney" was approaching at full speed about 24 to 25 kilometres. The auxiliary cruiser "KORMORAN" camouflaged as the Dutch steamer "STRAAT MALAKKA" was made ready for action. At 1630 hrs the distance between the two ships was so close that they started signalling in the international flag signal, "Name of ship"? "Where from"? "Where to"? We looked just like the "STRAAT MALAKKA". At 1700 hrs the distance between the two ships was only half a mile, both ships were on the same course and had the same speed and were lying bridge to bridge. We thought we were out of danger and were waiting for the Cruiser "SYDNEY" to sail away, satisfied. But again a signal went up from the Cruiser "SYDNEY", "Hoist your secret call". Unfortunately we could not answer this. The unbearable tension which reigned up till then on the

¹⁶² NAA.012.0498 at 0501 to 0502

¹⁶³ COI.004.0041; WAM.011.0149. Times are ship's times (G).

"KORMORAN" was broken by the order given through all loudspeakers by our Commander, "Hoist the battle colours." "Abandon camouflage!" "All guns ready to be fired!" At 1730 hrs, 10 seconds after this command our first salvo hit the "SYDNEY". 4 x 15 cm guns, 5 machine guns, 1 x 3.7 Wack (Posner (?) defence cannon) opened up a terrific fire speedily salvo after salvo. The cruiser "SYDNEY" answered the fire from her 4 double turrets and 10 small guns. However only 5 salvos left her guns, then all was quiet. Turret 1 & 2. Turrets 3 & 4 continue shooting independently in slow salvos apparently without fire control and attain hits on us. We have some dead and wounded and are burning midships. We shoot a 2er Facher (?) Torpedo. A torpedo hits the "SYDNEY" in the fore part. The cruiser "SYDNEY" settles bow first deep down but comes up again. Terrific flames emerge from her bow and midships, she changes her course towards us and shoots a 4 Facher (?) torpedo at us but without hitting us. Her turrets 3 or 4 and some small guns are still shooting and attain devastating hits on us. The "SYDNEY" steams away at slow speed on course 120. Distance approximately only 4 miles. 1740 hrs the "KORMORAN" shot and is still shooting unintermittently out of all her guns, and terrific pillars of fire indicate our hits on the "SYDNEY". At 1830 hrs the last salvo leaves our red-hot guns – approximately 600 shots have been fired off. The "KORMORAN" burns midships, it is impossible to put the fire out, and the ship must be abandoned. Dynamite is fixed into place and the survivors were ordered to the boats. At 2400 hrs the Commander with his officers leaves on the last boat. After 20 minutes the time fuse sets off the hundreds of explosives placed on board to be exploded. The "KORMORAN" is sunk by order of its Commander. Of the "KORMORAN's" crew of 400 men 83 brave men are dead. Of the cruiser "SYDNEY" and its brave crew no trace was left. All honour to the dead of both ships who did their duty and died as heroes for their fatherland.¹⁶⁴

- 9.53 This account is confirmatory of a sighting of SYDNEY at distance, that KORMORAN was camouflaged as STRAAT MALAKKA, that by 1630 the two ships were in such close proximity that the flag signals 'name of ship' 'where from' and 'where to' were able to be read, that by 1700 the distance between the two ships was 'half a mile', and that by then both ships were on the same course, travelling at the same speed and 'lying bridge to bridge'. It confirms that SYDNEY sent a signal, 'hoist your secret call', to which KORMORAN could not respond. It repeats, in words similar to those used by SBLT Bunjes in his 1947 account, the orders given through the loudspeakers—'Hoist the battle colours'. 'Abandon camouflage!' 'All guns ready to be fired!' It also repeats SBLT Bunjes' account, in almost identical words, that at 1730 KORMORAN's 15-centimetre guns and five machine guns and the 3.7-centimetre gun opened fire but says this occurred 10 seconds rather than 6 seconds after the giving of the commands. The account also states that these

¹⁶⁴ BATT.010.0138

guns fired ‘speedily salvo after salvo’, recounts SYDNEY’s fire in response from her 6-inch guns and speaks of fire from SYDNEY’s ‘ten small guns’. No other statement from any witness speaks of fire from SYDNEY’s ‘small guns’.

Further, SBLT Diebitsch’s account records the shooting by KORMORAN of a two-fan (*Fächer*) of torpedoes, one of which hit SYDNEY forward. It recounts SYDNEY turning towards KORMORAN, but has SYDNEY firing a fan of four torpedoes, which miss. It does not specifically deal with SYDNEY passing astern of KORMORAN, other than by reference to her turn towards KORMORAN but does recount SYDNEY’s successful hits on KORMORAN. It also records SYDNEY travelling away slowly on a course of 120°, with KORMORAN still firing and striking SYDNEY, causing heavy fire damage.

The similarities between this account and that of SBLT Bunjes make it probable that the two accounts were prepared after discussion between the two officers. I reject the note in SBLT Diebitsch’s account that SYDNEY fired with ‘ten small guns’: it is unsupported by the evidence of any other witness who observed the engagement. In other respects – although likely to have been written after consultation with other officers in the prisoner of war camp – this account restates the essential elements of the engagement.

LEUT Greter’s accounts

- 9.54 LEUT Greter was KORMORAN’s torpedo officer. When questioned on 2 December 1941, he gave no details of the engagement and said he did not want to provide information about ‘his battle stations’.¹⁶⁵
- 9.55 In 2005 Mr Graham Anderson, an Australian journalist based in Berlin, wrote to the Chief of Navy, VADM RE Shalders AO CSC RAN, advising him that he had been following the SYDNEY matter for some years. He interpreted the outcome of the Parliamentary Inquiry as being that ‘a case could be made for KORMORAN using her concealed starboard underwater tube to sink SYDNEY’.¹⁶⁶ He wrote:

Kormoran’s torpedo officer Joachim Greter revealed to me he had written a manuscript about Kormoran while living in his birthplace of Buenos Aires in the mid-fifties, i.e. long before the underwater tube theorists surfaced. Greter passed on last year taking his manuscript to the grave. He did, however, allow me to photograph four crucial pages describing the action with Sydney. They contain a vital missing link – that Greter was ordered back below after the battle to fire the

¹⁶⁵ NAA.012.0769_GRETER

¹⁶⁶ SPC.004.0073_R

starboard underwater tube to prevent it blowing up and taking them all to the bottom.¹⁶⁷

- 9.56 The account written by LEUT Greter in the mid-1950s is headed 'Greter's battle account'. The relevant parts of it read as follows:

With the help of the International Signal Book we had given our name bit by bit, nationality, origin, destination and cargo. The signals were set with as much difficulty as possible so as to maintain our character as a merchant ship, the signalmen working in civilian clothing! On the bridge only the Captain and watch officer allowed themselves to be seen, all others on the bridge kept themselves out of sight behind the camouflage sheeting. The only ones on deck to show themselves were a few seamen in civilian clothing with the cook in his white hat glancing every now and then out of the galley.

Almost an hour was spent this way. The Sydney had in the meantime caught up with us and now we sailed peacefully side-by-side. A furtive measurement with the smaller range finder above the signal deck's camouflage read 900 metres! We could almost see the whites in our enemy's eyes, just as it was expected from submariners in the First World War. There were that many white caps on the bridge that I would almost assume officers from other battle posts had assembled there. To all appearances, it looked as though our camouflage was effective and they believed our information. The catapult was swung back and we saw people moving about on deck once more. Obviously the level of alert had been reduced, although the turrets and torpedo tubes stayed aimed at us, so that we could see directly into the muzzles of the main armament.

On Sydney the points of view about us could have been divided. The older, experienced hands who had experienced the war in the Mediterranean warned caution, while the less experienced in this aspect tended toward belief in our signals. The commander of Sydney, Captain Joseph Burnett, had first taken over the ship on May 15, 1941. The previous commander, Captain J.A. Collins, was so successful in his Mediterranean operations that the ship had deservedly earned the name of the "Lucky Ship" and "Grey Gladiator", proving itself worthy of the WWI Sydney. She had sunk the cruiser "Emden" off the Cocos Islands in November 1914 and a piece of her hull now adorned Sydney's mess ... as a victory trophy, the very ship which now stood directly in front of us.

We were now all calm and some even optimistic that everything would turn out well after the initial shock Sydney had sent through us after she turned to pursue us. The enemy's unusual behaviour strengthened many in that belief. We certainly didn't detect any sign of it occurring to someone on Sydney that the supposedly friendly Dutch ship "Straat Malakka" showed absolutely no signs of joy about

¹⁶⁷ SPC.004.0073_R

meeting an Allied warship. I for one would have imagined the crew of a Dutch ship would have shown lively signs and given hurrah calls to show their allegiance to the Allied cause. I believe – despite our camouflage – we gave off a rather dark, gloomy impression. The complete lack of any normal signs of life must have made us suspicious.

But whatever the case, the fact remains that the level of alert on Sydney had been relaxed after the command on Sydney had judged us as unsuspecting. In this highly intense moment, where all of us were swaying between doubt and hope, a last signal fluttered from the enemy's signal mast: "Hoist your secret signal". The decisive point had been reached – the secret signal for Allied ships and "Straat Malakka" was totally unknown to us. So ended the signal game. Battle had become unavoidable!

Decamouflage! Fire free! Clear and short fell the sharp orders from the Kommandant in the silence. Six seconds later the first shots from our four main guns hunted over to the enemy. At the same time the Kommandant turned our ship towards Sydney to enable us to fire our twin torpedo shot. All our armaments had been given range and direction, but it was now simply to let the enemy wander into the sights and fire. As both torpedoes left the tubes and ran toward the enemy, I informed the Kommandant who immediately turned the ship back on its original course. Tensely we watched the torpedo tracks, the first passed the bow, the second hit Sydney under the two forward turrets and threw a column of water up that then washed over the cruiser.

At the same time our artillery, firing at the maximum rate of 15 rounds per minute, had scored a vast range of direct hits. Right in the first minutes of the battle a 15cm shell scored a direct hit on Sydney's bridge and gave us the decisive edge putting the central artillery control out of action and most probably killing the greater part of the officers and crew on the bridge. The torpedo hit delivered the decisive blow, sealing Sydney's fate. The smaller weapons contributed to our success too, a hail of 2cm and 3.7cm shells making movement on deck completely impossible. The effect of surprise contributed its part to our success as well, so that the battle's outcome was quickly decided. We already thought the Sydney would sink into the depths under the sheer pressure of the water flooding in from the torpedo hit. But she came back up from under the water veil and swung towards port directly at us. It seemed as if the heavily damaged ship wanted to ram us, perhaps take us into the depths with her. We managed however to pass the Sydney's bow, the Sydney passing close by our stern as it crossed our wake.

It was, however, a decisive manoeuvre.

The turrets on Sydney appeared no longer able to swing back towards us. From now on we were the only ones to fire! For the next half hour we fired from all cannons on the slowly distancing Sydney as if she

was a practice target. The effect was annihilating. Burning from bow to stern the Sydney headed off slowly in a southerly direction.

But we had copped some hits too! We certainly managed to just avoid four torpedoes from Sydney in the last moment, but Sydney's 15cm guns had also scored several hits on us. The effect of the surprise attack hadn't lasted very long on Sydney. Seconds after our first shots Sydney sent a salvo whistling over our heads. The next salvo was on target, a shell piercing the funnel and raining splinters all over the bridge. We had our first casualties, among them dead. A second direct hit close to our second 15cm gun caused more casualties but failed to put the gun out of action. The decisive hit was in the machine room where our four diesels stood side by side. Splinters pierced the tank holding our day's supply of oil so that it flowed out and caught fire. The machinery personnel were forced to leave the room and at first sought refuge behind the glass shields of the control room, from there operating the automatic extinguishers and machines. But the fire quickly spread and quickly made it impossible to stay any longer in the control room. The machine personnel were then forced to leave via the rear entrance. The last of them to leave later reported having seen the burst of an explosion as he closed the watertight door behind him. Both leading machinists died at their battle stations in the control room.

The motors now went out of control, their revolutions becoming faster and faster, the whole ship shaking until everything suddenly and finally fell still. The heavy shock of an explosion shook the ship at the same time, a black smoke cloud pouring out of the funnel. The fire from the machine room had in the meantime spread amidships and threatened to separate the ship fore and aft. There was also the danger that the fire would eat its way through to our after mine deck and blow our ship into the heavens. It was no longer possible to extinguish fires through available means as the loss of power meant all central extinguishers had become useless. Under these conditions the Kommandant ordered us to abandon ship. It was now about 6.30pm, more than two hours since we had first seen the Sydney. The crackling of the fires replaced the thunder of our cannons and the vibrations of our motors.

...

At the same time, I had to go back into the burning ship. The Kommandant had given me the order to fire the torpedo in the starboard underwater torpedo tube before it exploded in its tube and took us and the ship into the depths. With my heart beating, I went back down below deck to the underwater torpedo room. An oppressive silence reigned below deck. The ship lived no more, there was no longer the usual noise of the motors. The clammy coolness of

the rooms reminded shockingly of a tomb and I was happy once I had fired the torpedo and stood in the fresh air above deck once more.¹⁶⁸

9.57 This account lacks detail, but it is generally consistent with the distilled account insofar as it states factual matters. Although LEUT Greter was likely to have been influenced by discussions in the prisoner of war camp, there is no reason to doubt his statement that two above-water torpedoes were fired early in the action and that one hit SYDNEY. His statement that he was required to return to KORMORAN to fire off the starboard underwater torpedo confirms that that torpedo was not the torpedo that caused the damage to SYDNEY. The firing of an underwater torpedo at the time of preparation for scuttling was confirmed in evidence in 2008 by PO Ernst.¹⁶⁹ He made no mention of firing an underwater torpedo during the battle, as suggested by SBLT Bunjes and LEUT von Gösseln.

9.58 LEUT Greter was also interviewed by Mr David Kennedy. The date of that interview is not known, but it was in the late 1990s or early 2000s.¹⁷⁰ In answering the questions put to him by Mr Kennedy, he made the following clear:

- SYDNEY was travelling at 14 knots and did not stop or slow down to lower a boat.¹⁷¹
- KORMORAN had sent out a distress message, but he could not recall whether it was an R signal or a Q signal.
- The above-water torpedoes were not fired immediately the order to de-camouflage and fire was given. That was because it was not possible to do so.

Kennedy: Now tell me, when Captain Detmers gave the order to *enttarnen und Feuer* [de-camouflage and fire], when did you fire the torpedo? Straight away or what?

Greter: No, that was not possible. That has been said and written ...

...

Greter: Because you know, this torpedo, there were two sets and there were about three or four positions in which I could put this set when ... we opened the

¹⁶⁸ SPC.004.0069 at 0069 to 0071

¹⁶⁹ ROI.001.0036_R at 0072_R to 0073_R

¹⁷⁰ LEUT Greter spoke in English during the interview. Any mistakes that appear in the following quote are in the original rather than the result of poor translation.

¹⁷¹ PTE.006.0146 at 0148

closing where they had been guarded behind, so we had to open it, then we had to push the set so it was in a certain direction. Now we had to point with the whole ship; that means Captain DETMERS had to alter course towards the SYDNEY for a bit. And then, when I was in position to fire, I fired both torpedoes. And then we went off, we turned off again to a parallel course with the SYDNEY. All this has been written down and said, and it won't change. So I fired ... it must have been about a few seconds after [the order] 'Open fire!' was given.

Kennedy: Right. Why couldn't you shoot the torpedoes on a parallel course?

Greter: No, I could not because the positions in which I [incomprehensible] this torpedo set ... they was not in the correct aiming then ... this was a fixed position and then we had to turn with the whole ship to get in the right shooting angle.

Kennedy: I thought that was only for the underwater ... torpedoes?

Greter: No, no, the underwater is a quite different story. The underwater torpedo was pointing aft from about 120 degrees aft from the forward.

...

Greter: Please, this is written down everywhere, and you couldn't fire this torpedo of course, not with any velocity. You must be almost stopped to fire an underwater torpedo.¹⁷²

Mr Kennedy returned to the matter:

Kennedy: If SYDNEY was approaching on the starboard quarter, as they should have done ... why didn't you slow down and fire the underwater torpedo?

Greter: Because we thought we could come off with our fake, you know, with our guise ... In any case, it was not my possibility to give orders on the ship. The Commander was the one who had to say what is to be done.

...

¹⁷² PTE.008.0313_A

Greter: But we had the idea of behaving like a normal transport, like a normal ship, you know, and keep on our course and say what is asked, answer the questions. That's it.

Kennedy: ... How fast were you going, 14 knots, or had you slowed down?

Greter: ... We were going faster with four engines, but one broke down, so we had to continue with three, and then the most speed we could do was 14 knots. And that's what we did. 14 knots was an acceptable velocity for a merchantman.

Kennedy: ... And when you fired the two up top, did you fire simultaneously, at the same time, those two, or one after the other? ...

Greter: ... One after the other. I think it was not possible to shoot them both at the same time because you had to discharge them one at a time.¹⁷³

And later:

Kennedy: ... the reason why I am asking you these things is that some of the fanatics in Western Australia with all the funny stories, they'll say 'Well, what about this, and what about the underwater torpedoes, and what about that?' And I can say ... to them 'Well, they didn't slow down', and, well, if you'd fired, if you'd fired the underwater torpedo at pace ...

Greter: We would have to let fall our disguise! And should we do that?

Kennedy: Exactly. And it would've deflected, wouldn't it? If it went out it would've gone off course anyway ...

Greter: We would have to stop and that would have been our death.

Kennedy: Exactly. Why did you have to stop to fire those ... because it would deflect?

Greter: Because, I told you, because it was at an angle of 125 degrees from the bow of the starboard side or on the portside, and then if you drive, the torpedo does not come out, because it is ... as soon as it falls out of the hull, then it is pressed off and if you go at a certain velocity and then you can't, and it doesn't come out,

¹⁷³ PTE.008.0314_A

you know. That's the problem. You have to be almost stopped to shoot this underwater torpedo.

...

Greter: The submarines have ... tubes from stern to bow. And they come out of the bow shooting in the direction of the course, you know. That's another question, of course. And the velocity of the torpedo is added to the velocity of the firing boat or ship ... But when you go and drive forward and try to get the torpedo underwater out, even if it is slightly to the stern showing, it will be pressed ... in its tube coming out and it won't come out then ...¹⁷⁴

In that interview LEUT Greter was not asked if, and did not say that, he had returned to the vessel later to fire the starboard underwater torpedo. Notwithstanding Mr Kennedy's best endeavours, LEUT Greter restated that the underwater torpedo had not been fired at the start of the battle and the reasons for that.

LCDR von Malapert's later accounts

9.59 At his interrogation in 1941 LCDR von Malapert¹⁷⁵ said nothing about the engagement. On 24 July 1997 he wrote from Chile, where he lived, to Dr McCarthy at the Western Australian Maritime Museum.¹⁷⁶ In his letter he rejected the suggestion of a Japanese submarine being present and expressed the view that SYDNEY would have sunk because she suffered about one hundred 15-centimetre shell hits.

9.60 In 2006 LCDR von Malapert was interviewed by CAPT Hore and Mr David Mearns, who noted that the conversations were not recorded and that the interview was not 'a legalistic interrogation'. He said, 'Von Malapert was old and weak and had suffered from various ailments and operations and was confined to a chair. He was lucid but tired easily and some subjects were repetitive'. Although the interview was not recorded, Mr David Mearns was present and took notes of the conversation as translated from the Spanish by CAPT Hore. The notes record the following:

- When challenged by Sydney for the secret call sign Detmers turned to vM [LCDR von Malapert] and asked him if they had this.

¹⁷⁴ PTE.008.0315_A

¹⁷⁵ NAA.012.0781_VON_MALAPERT

¹⁷⁶ WAM.030.0223_R

- vM replied 'No' and when he saw Detmers' face change/jaw harden vM knew that they were going to fight.
- Saw first shots, but did not see the torpedo hit, he was distracted but did see the aftermath and the [roof of the] turret was open ...
- Described the torpedoes being turned outboard and fixed in one of two or three positions. Saw two torpedoes airborne immediately after they had been launched.
- Effective fire [especially with the small guns] was immediate.
- The order to open fire came from the bridge (and was passed to the quarters by telephone) ...

And later:

- Only seconds to de-camouflage [they were well trained and had practised this many times during the cruise].
- Also on the bridge were Skerries, Messerschmidt (PGH [CAPT Hore]: No, he said they were on the deck above the bridge) and Ahlbach who was sending signals coming onto the bridge and going outside, also Meyer on the bridge, and Greter was on the bridge, and von Gösseln ...
- Definitely upper deck torpedoes were used, there were two of them on a single mounting so [they could be offset one from the other but] they could not be trained separately ...
- Several rounds – uncertain of the number – were fired before the torpedo hit (but he did not witness the moment at which the torpedo hit).
- Their [the Germans'] fire was very heavy and rapid and they had no trouble hitting the target.
- He saw the [pantry] men in white clothes [in the waist of Sydney and he knew who they were from the type of clothes they were wearing], the fires [in Sydney] and the aeroplane on fire but he could not remember seeing the aeroplane hit.
- Sydney received so many shots that she was nearly completely on fire [from stem to stern].
- During the battle Sydney remained more or less in the same place with very small movement left or right and the two ships moved forward together [they were on a parallel course at a little less than 1 mile from each other].

- vM thinks that Sydney sank about the same time as when they [he] left the Kormoran and there was no chance she could be salvaged or any men saved.¹⁷⁷

9.61 Nothing in these notes of the interview is inconsistent with the distilled account of the action.

9.62 Mr David Kennedy also interviewed LCDR von Malapert on several occasions by telephone, the discussion being recorded. The conversations were in German and have been translated. A fair reading of the translated versions makes it clear that Mr Kennedy was seeking not to inquire of LCDR von Malapert's memory but instead to obtain from him statements that would support three propositions. The first proposition was that CAPT Detmers, or those in KORMORAN, knew STRAAT MALAKKA's secret call sign.¹⁷⁸ The second was that KORMORAN fired her underwater torpedo at SYDNEY early in the battle.¹⁷⁹ The third was that KORMORAN survivors in lifeboats saw SYDNEY survivors in the water and failed to take them on board the German lifeboats.¹⁸⁰

Mr Kennedy failed in each endeavour. LCDR von Malapert made it clear that, as a seaman, he and other Germans would rescue any person they saw in the water. Having been pressed by Mr Kennedy on many occasions, LCDR von Malapert said:

I can only tell you for sure, and I am now telling you for the 3rd or 10th time: I saw human beings, not Australians but human beings, human beings who were in the water, and human beings swimming in the water and who should be rescued from the water; and if I was able to rescue someone, I did rescue them. It did not matter to me at all whether he was Australian or a German, whether he was a high ranking officer or a sailor, it did not make any difference at all. You have to understand that. It was like this not only in my boat but it was the same in all boats. Those boats that tried to save people, they tried to save human beings, not if it was an Australian or a German or by chance a Chinese or Japanese, it did not matter at all.¹⁸¹

He repeated, on several occasions, that there were no Australians in his lifeboat.

9.63 There was nothing in the record of LCDR von Malapert's interviews with Mr Kennedy that was inconsistent with the distilled account of the battle.

¹⁷⁷ PTE.004.0218 at 0220 to 0223

¹⁷⁸ PTE.004.0227 at 0244

¹⁷⁹ PTE.006.0244 at 0245 to 0247

¹⁸⁰ PTE.006.0244 at 0249; PTE.006.0250 at 0250 to 0258

¹⁸¹ PTE.006.0250 at 0256

LEUT Ahl's later account

9.64 LEUT Ahl was the Aviation Officer in KORMORAN. He had been interrogated on 4 and 8 December 1941 but at that time gave no account of the engagement.¹⁸²

9.65 After the war LEUT Ahl became a professor of economics. In the archives of the Western Australian Maritime Museum is a letter dated 23 July 1981 from the General Secretary of the Royal Australian Historical Society; attached to the letter is a four-page document entitled 'Report on the naval engagement between the Australian Cruiser "SYDNEY" and the German auxiliary cruiser "KORMORAN" off the western coast of Australia on 19 November 1941'. The attribution reads '(By Prof. Heinfried Ahl, retired LCDR and former flying- and watch-officer of the KORMORAN.)' The document is signed by Professor Ahl and is written in English. Relevantly, it states:

... The weather was sunny, visibility very good, wind 3 to 4, calm sea, medium swell from south-west. Our course was 20 degrees, that is about north-north-east.

At 20.00 hours the Bay should be headed for with course east. It was 15.00 hours, when the crow's nest announced a ship ahead. It could be a sailing vessel, eventually the German "Pamir" which had been in Australia at the beginning of the war and was supposed to go under Australian flag. Later on there should be two sailing vessels, then two smoke trails were reported, may be from escort vessels of a convoy.

Captain Detmers changed the course to 260 degrees, the opposite direction. Both engines "full speed". The reason for this reaction is: there was an order to avoid under all circumstances an encounter with a warship because this surely meant the loss of the auxiliary-cruiser.

...

Meanwhile the sighting had diminished the distance and it obviously had seen the smoke cloud, because the vessel now pursued us ...

Sydney approached quickly. She went the twofold speed. She prepared her plane for starting but abandoned this intention when she saw that we couldn't escape. The cruiser asked by search-light for our ship's name, where we did come from and where we were bound for. According to the above mentioned plan we didn't answer. When the distance had become short enough, she began to ask by signal-flags. Not to react now would have been more than suspicious. So we answered: "Straat Malakka from Fremantle to Batavia" but not without delaying the reply by many intentional mistakes. By this Sydney had come into the most favourable position: parallel to us,

¹⁸² NAA.012.0782_AHL; NAA.012.0782_AHL at 0783_AHL

going with the same speed, at the incredibly short distance of half a sea-mile, that is about 900 metres. It seemed to us as if we could reach the cruiser by throwing a stone. Now also the optimum for making use of all our weapons was given.

...

In the actual situation described above the cruiser asked for our secret call and by this initiated her own tragedy. We would have wished that she let us get off. Nobody of us wanted to die. But, since we couldn't give her the name, because we didn't know it, we had no choice but to fight.

Our greatest advantage was that we were conscious of the Sydney as an enemy vessel. Therefore we were from the beginning fully prepared for a battle. In addition we could do something, which is nowadays seldom as to an encounter between warships. The usually great distance allows only to shoot at the vessel as a whole, not at particular parts of it. The extremely close range gave us the chance to choose special aims for each of the 4 guns. They were: the front-turrets, the bridge, the plane because of its explosive and fire-causing petrol, the rear-turrets. Sydney's turrets were directed against us. We could look into the guns as if they were rifles. The 4-tubes torpedo-set and the heavy anti-aircraft guns were not manned. On the other hand our 2 tubes torpedo-set was ready, as well as the 3.7 cm and 2 cm anti-aircraft weapons.

When Sydney, as I already mentioned, asked for our secret call, Captain Detmers informed the Kormoran-crew of this fact and that now the fight was unavoidable. At the order "Decamouflage" the weapons were made free for action. At the same time the Dutch colours were lowered and simultaneously the German ensign was hoisted. It takes a very short time. Only after the report by the signalmate: "Ensign is fluttering" the order followed "Fire". All aims were hit, besides the rear-turrets. Most probably Captain Burnett and some of the leading officers had been already killed. The plane exploded according to plan and started a fire midships. A torpedo struck the cruiser within their first third. Her bow dived down deeply but rose again. Otherwise Kormoran even would have survived. There followed one salvo after the other. Our anti-aircraft weapons swept the deck, particularly the torpedo-tubes and the anti-aircraft guns and in order to prevent extinguishing the fire.

What was the reaction of the cruiser? She immediately responded fire, but the first salvo, the only one with all turrets was too high. Obviously the central fire control had sallied forth by our first salvo, because not till after our 6th salvo the rear turrets began to shoot again. Amongst the scored hits one was deadly for us. I'll explain it later.

Another remarkable action of the Sydney was, that soon after the battle had begun she turned directly towards Kormoran, most probably in order to ram her. This was a promising measure to sink

the adversary with the help of the severely damaged ship itself. She missed her aim, but the distance was frightfully short. It seemed we could reach her by our outstretched hands. So she went over to the other side. During this manoeuvre the limitation for our guns became particularly obvious. For a certain time only one of the two rear-guns was able to shoot at the cruiser at first the gun on port, thereafter the gun on starboard. The arms had become such hot that they didn't run back into their jumping off position. They had to be cooled by water. I was stationed at this place to assist the second artillery-officer by observing our impacts. Now the turrets of the Sydney showed to the wrong side. She couldn't move them any longer. But she made use of her starboard-torpedoes. Again we had much good luck. The torpedoes missed us within hair's breadth. The cruiser withdrew slowly towards the coast. We couldn't follow her as our ship was disabled since the deadly hit, I already mentioned.

...

Kormoran continued to fire without interruption for two reasons. Firstly: there came flashes from the Sydney which could be discharges of their anti-aircraft guns. Later on since there were no impacts, neither in our ship nor in the water - we recognised this assumption was false. The flashes were caused by our unceasing hits.

...

On the burning Kormoran the situation was most disagreeable. How long would it take until the fire reached the explosives: munition; more than 400 mines we couldn't get rid of; torpedoes. When it became unavoidable to give up the ship, the port-torpedoes were launched towards Sydney, though meanwhile she was out of range.

...

Captain Detmers and his adjutant undertook the dangerous task to fix the scuttling charge. Then, after the ensign was taken in, both went from board as the last persons. Kormoran exploded shortly after midnight.

What happened to the Sydney? The distance between her and Kormoran became greater and greater. The ship was burning from bow to stern. Finally she disappeared from sight. A glare of fire was the last sign of her. As you see, we didn't observe her sinking. On the contrary, we hoped, that - since she obviously could not save our shipwrecked, moreover she probably was not aware of the necessity - she would call help by wireless for herself and us. But she hadn't used it, neither before nor during, nor after the battle. Perhaps the wireless had been destroyed already by our first salvo.¹⁸³

¹⁸³ WAM.004.0033 at 0035 to 0037

- 9.66 This account, produced some time between 1947 and 1981, is obviously a reconstruction and was no doubt influenced by discussions in the prisoner of war camp, and perhaps by CAPT Detmers' book. It contains the essential elements of the distilled account—namely, the sighting; KORMORAN's turn to a westerly course; SYDNEY approaching rapidly on the starboard and moving to a position abeam, on parallel course, at similar speed to KORMORAN and in close range; SYDNEY signalling from a distance by light and later by flags; KORMORAN being asked for a secret call sign she could not give; the opening of fire at close range, with SYDNEY suffering severe damage from all of KORMORAN's guns; SYDNEY being hit by one of two torpedoes fired from KORMORAN's starboard tubes; SYDNEY turning to port and passing astern of KORMORAN and thereafter continuing to suffer heavy shelling from KORMORAN's port side guns as KORMORAN slowed to a stop because her engines had been incapacitated by shellfire from SYDNEY; and SYDNEY sailing slowly in a south-easterly direction heavily on fire.

The archives contain two accounts by Professor Ahl.¹⁸⁴ Each appears to be a translation of a paper prepared by him, and each translation is slightly different, although not materially so. A third account said to be by Professor Ahl was found in the Battye Library, in Perth. It contains comments by an unknown person. In general, the accounts are discursive, consistent and confirmatory of the essential elements referred to in the distilled account and in the account of Professor Ahl just quoted.

Survivors interviewed by the Inquiry, 2008

- 9.67 In mid-2008 the Inquiry interviewed those German survivors who were willing to speak and were sufficiently well to do so. All were aged in their late 80s or early 90s.

AB Engelmann

- 9.68 When AB Engelmann had been interrogated on 10 December 1941 he had said he was below decks during the battle.¹⁸⁵ When he was interviewed in 2008 I gained the distinct impression that he had no independent recollection of the events. What relevant material he did advance was a restatement of material in CAPT Detmers' book.¹⁸⁶

¹⁸⁴ BATT.010.0016; PTE.004.0227

¹⁸⁵ NAA.012.0125_ENGELMANN

¹⁸⁶ TRAN.009.0001_R at 0014_R

LS Schneider

9.69 LS Schneider had been interrogated on 4 December 1941 but had said nothing about the engagement.¹⁸⁷ When interviewed in 2008, he said he was a loader on the 2-centimetre port side gun on the bow. Little weight can be attached to his evidence: he made it clear repeatedly that what he was saying was what he had been told while in the prisoner of war camp.¹⁸⁸ He had also read Barbara Winter's book, *HMAS Sydney: fact, fantasy and fraud*, and that had obviously influenced his thinking.¹⁸⁹

His evidence was as follows:

- It took 10 minutes to de-camouflage and aim the 20-millimetre guns and five minutes to de-camouflage and aim the 3.7-centimetre gun, yet only six seconds to de-camouflage and fire the 15-centimetre guns. That is contrary to all the other evidence and does not seem logical.¹⁹⁰
- SYDNEY's 6-inch guns were not pointing at KORMORAN when the battle began and did not do so until SYDNEY had been struck by two salvos. He also said SYDNEY's guns could not be reloaded without being turned to the direction of the bow or stern and then had to be retrained.¹⁹¹ That evidence is not correct.
- SYDNEY's secondary guns were not manned.¹⁹²
- KORMORAN's guns were fired before her two torpedoes were fired.¹⁹³

PO Ernst

9.70 When PO Ernst had been interrogated on 8 December 1941 he had said nothing about the engagement.¹⁹⁴ In 2008 the Inquiry interviewed him on two occasions. The evidence he gave is consistent with the distilled account of the engagement.

PO Ernst's task was to do elevation and angle calculations for the gunnery officer. He was with LEUT Skeries on the bridge. Relevant aspects of the evidence he was able to give are as follows:

¹⁸⁷ NAA.012.0109_SCHNEIDER

¹⁸⁸ ROI.001.0157_R at 0173_R, 0177_R to 0179_R, 0189_R, 0192_R, 0202_R

¹⁸⁹ ROI.001.0157_R at 0182_R

¹⁹⁰ ROI.001.0157_R at 0170_R to 0172_R

¹⁹¹ ROI.001.0157_R at 0173_R to 0175_R

¹⁹² ROI.001.0157_R at 0188_R

¹⁹³ ROI.001.0157_R at 0191_R

¹⁹⁴ NAA.012.0342_LUDWIG

- SYDNEY was first sighted at a distance of 33 kilometres, as measured by range finder.¹⁹⁵
- SYDNEY approached from astern at speed, ultimately achieving a position about 900 metres to starboard and on a parallel course with KORMORAN.¹⁹⁶
- As SYDNEY approached, her aeroplane was on its catapult, pointing out with the engine running, but the engine was then turned off and the catapult moved inwards.¹⁹⁷
- As SYDNEY approached, PO Ernst could see that her anti-aircraft guns were not manned, nor were they thereafter manned.¹⁹⁸
- SYDNEY hoisted a two-flag signal to which KORMORAN did not have a reply.¹⁹⁹
- SYDNEY's bridge was 'filled with officers'.²⁰⁰
- KORMORAN's guns were ready to fire once the camouflage had been removed.²⁰¹
- At the signal to de-camouflage, the German war ensign was flown on the after mast, it being unfurled on the deck and merely requiring hoisting.²⁰²
- KORMORAN fired first; SYDNEY fired shortly afterwards.²⁰³
- The first KORMORAN gun to fire was the 3.7-centimetre gun.²⁰⁴
- The first shots came about six seconds after the order to fire.²⁰⁵
- KORMORAN's 15-centimetre guns fired about every 10 seconds.²⁰⁶ They did not fire salvos, each gun firing as soon as it was ready.²⁰⁷

¹⁹⁵ ROI.001.0036_R at 0041_R

¹⁹⁶ ROI.001.0036_R at 0067_R and 0047_R

¹⁹⁷ TRAN.013.0001_R at 0022_R to 0023_R

¹⁹⁸ ROI.001.0036_R at 0050_R

¹⁹⁹ TRAN.013.0001_R at 0011_R, ROI.001.0036_R at 0045_R

²⁰⁰ ROI.001.0036_R at 0049_R

²⁰¹ TRAN.013.0001_R at 0029_R and 0031_R

²⁰² TRAN.013.0001_R at 0036_R to 0037_R; ROI.001.0036_R at 0045_R to 0046_R

²⁰³ ROI.001.0036_R at 0063_R

²⁰⁴ ROI.001.0036_R at 0054_R to 0055_R

²⁰⁵ ROI.001.0036_R at 0055_R

²⁰⁶ ROI.001.0036_R at 0053_R

²⁰⁷ ROI.001.0036_R at 0053_R and 0055_R

- KORMORAN's guns were fired before her torpedoes were fired because the torpedoes had to be pointed outwards and then be aimed at SYDNEY.²⁰⁸
- KORMORAN's underwater torpedoes were not used in its battle with SYDNEY.²⁰⁹ LEUT Greter fired the underwater torpedoes when laying the scuttling charges.²¹⁰
- SYDNEY passed astern of KORMORAN, at which time KORMORAN was not making way²¹¹ and SYDNEY's guns were not firing.²¹²
- SYDNEY's third salvo damaged KORMORAN's engine room, causing loss of engine power.²¹³
- There was no Japanese or other submarine involved.²¹⁴
- KORMORAN did not pretend to surrender or fly a white flag.²¹⁵
- KORMORAN did not pretend there was a medical emergency and thus lure SYDNEY in close.²¹⁶
- There was no shooting of SYDNEY survivors in the water by KORMORAN crew using machine guns.²¹⁷

PO Ernst's evidence is consistent with the essential elements of the distilled account.

LEUT Messerschmidt

9.71 LEUT Messerschmidt had been interrogated on 1 December 1941 but had said nothing about the engagement other than that the first salvo was fired at 1,500 metres. He stated, 'They could not have scuttled the ship because it was a warship – they had to fight'.²¹⁸

9.72 In July 2008 he made a long statement on oath about his recollections of the engagement. The statement is consistent with the distilled account. On the alarm being sounded, at 1600 ship's time, LEUT Messerschmidt

²⁰⁸ ROI.001.0036_R at 0063_R

²⁰⁹ ROI.001.0036_R at 0073_R

²¹⁰ ROI.001.0036_R at 0072_R

²¹¹ ROI.001.0036_R at 0067_R

²¹² ROI.001.0036_R at 0068_R to 0069_R

²¹³ ROI.001.0036_R at 0051_R; TRAN.013.0001_R at 0029_R

²¹⁴ TRAN.013.0001_R at 0047_R; ROI.001.0036_R at 0078_R

²¹⁵ TRAN.013.0001_R at 0049_R to 0050_R

²¹⁶ TRAN.013.0001_R at 0051_R

²¹⁷ TRAN.013.0001_R at 0052_R

²¹⁸ NAA.012.0767_MESSERSCHMIDT

went to the signalling deck above the bridge. LEUT Skeries was also there.²¹⁹ Soon after the ship had been identified as a cruiser, KORMORAN moved to a westerly heading. She did this because it was known that was what a neutral or British ship would do.²²⁰ SYDNEY approached, slowly coming up on KORMORAN's starboard side. SYDNEY was sending signals by light as she approached.²²¹ Her aeroplane was on the catapult, which was swung out, and the plane's propellers were turning. Shortly afterwards CAPT Detmers said over the telephone that SYDNEY had swung back the catapult.²²² LEUT Messerschmidt saw 'men walking slowly along the main deck of SYDNEY' when SYDNEY was about 1,000 metres from KORMORAN. Some in SYDNEY stood at the rail watching KORMORAN.²²³ LEUT Messerschmidt had no recollection of seeing any men manning SYDNEY's torpedo tubes.

Some time after 1700 SYDNEY was approaching to about 1,000 metres 'with guns and torpedoes pointing at us'. On KORMORAN, orders were given to use armour-piercing shells.²²⁴ SYDNEY was signalling KORMORAN in Morse by light; KORMORAN was responding using flags.²²⁵

- 9.73 Whilst in prisoner of war camp CAPT Detmers marshalled the officers to prepare a report on the engagement. It was dictated to LEUT Messerschmidt. Undoubtedly his recollection is influenced by that account and by what he was told by individual officers. LEUT von Gösseln told him that, whilst there was a difference of opinion on the bridge, when KORMORAN was asked where she was going and where she was coming from she signalled 'coming from Batavia, going to Lorenzo Marques'. On the basis of what LCDR von Malapert told him, LEUT Messerschmidt believed KORMORAN sent a Q signal, although he did not know why such a signal was sent or when it was sent.²²⁶ Signals were not part of his role in KORMORAN.²²⁷

LEUT Messerschmidt noticed sudden activity on SYDNEY, stating that it 'seemed to change completely'. A number of men were seen moving around on SYDNEY's bridge, and a number of men with white hats were moving up the director control tower. According to LEUT Messerschmidt, SYDNEY asked by lamp for the ship's secret signal. Not

²¹⁹ WIT.011.0183_R at 0201_R

²²⁰ WIT.011.0183_R at 0204_R

²²¹ WIT.011.0183_R at 0204_R to 0205_R

²²² WIT.011.0183_R at 0205_R

²²³ WIT.011.0183_R at 0206_R

²²⁴ WIT.011.0183_R at 0207_R

²²⁵ WIT.011.0183_R at 0208_R

²²⁶ WIT.011.0183_R at 0209_R

²²⁷ WIT.011.0183_R at 0208_R

having the signal, CAPT Detmers announced to everyone on the bridge: 'We don't have the secret signal and now we will have to fight'.²²⁸ The order 'Pull down the Dutch flag. Hoist the German war flag. Confirm when the flag is flying' was given. This was done quickly, with the German war ensign flying on the flag deck just behind the bridge.²²⁹ The order '*Entarnen, Feuer frei*', meaning 'De-camouflage, open fire', was then given. That order was given by telephone to all officers.²³⁰ LEUT Messerschmidt then said:

After that, everything seemed to happen at once. We removed our camouflage. Our 37 mm gun, at a distance from SYDNEY of 900 metres, started shooting at SYDNEY and killed many of the men, perhaps all of the men on the bridge.

My recollection is that the 2 cm guns and the 37 mm guns were the first of KORMORAN's guns to fire. The third salvo hit SYDNEY. The first salvo was too short and the second salvo was too long, or it might have been vice versa. I can't remember now. I could see shells from the 37 mm cannon with a covering arc of fire hitting and wiping out ... many of the men on the bridge. It was a gruesome sight.²³¹

- 9.74 LEUT Messerschmidt heard LEUT Skeries giving orders directing the fire at the superstructure, the aeroplane and the waterline. On the timing of the firing, LEUT Messerschmidt said:

It's difficult for me to estimate accurately how long it took the guns to fire after the order to de-camouflage was given. I know some of the other men on KORMORAN say the guns started firing within six seconds. For me, as stated above, everything seemed to happen at once. I don't know how long the 15 cm guns took to fire but they fired very quickly. My recollection is that the 37 mm gun fired almost instantly as did the 2 cm guns.²³²

There were several gun salvos from KORMORAN before the torpedo hit. She fired two torpedoes from her starboard overwater battery.²³³ He saw men who were running to SYDNEY's torpedo tubes being shot down, probably by the 37-millimetre gun.

- 9.75 In relation to various theories advanced about the engagement, LEUT Messerschmidt said the following:

²²⁸ WIT.011.0183_R at 0210_R to 0211_R

²²⁹ WIT.011.0183_R at 0211_R

²³⁰ WIT.011.0183_R at 0212_R

²³¹ WIT.011.0183_R at 0212_R

²³² WIT.011.0183_R at 0213_R

²³³ WIT.011.0183_R at 0214_R

There was no Japanese submarine that sank SYDNEY. I never saw a Japanese submarine at all involved in the battle between SYDNEY and KORMORAN.²³⁴

There was no German U-Boat that sank SYDNEY. I never saw a German submarine at all involved in the battle between SYDNEY and KORMORAN.²³⁵

I also deny that any trick was used by KORMORAN in pretending to surrender or fake a medical emergency. I deny that an underwater torpedo was fired against Sydney before the gun firing started.

I deny that any of the KORMORAN crew shot survivors from SYDNEY if they were in the water. I know that all these rumours emerged because there were no survivors from SYDNEY. However, it was just impossible for this to take place. Kapitan Detmers would never have allowed it. KORMORAN had two fixed machine guns, one at the bow and one at the stern. Those guns could never have shot at survivors so far away. I never saw any survivors of SYDNEY ... in the water.²³⁶

- 9.76 LEUT Messerschmidt was also interviewed, in English, by Mr David Kennedy.²³⁷ His interview brought to light no new material apart from a statement that there was no 'QQQ signal from KORMORAN', although LEUT Messerschmidt qualified that by saying it was 55 years ago and 'maybe there was a QQQ but you have to rely on what is officially written about the engagement'. He also said SYDNEY was 'not at stations to fight' and confirmed that the engagement occurred at 900 metres.
- 9.77 LEUT Messerschmidt's evidence is consistent with the essential elements of the distilled account.

LS Büttner

- 9.78 LS Büttner had been interrogated in December 1941 but had said nothing about the action other than 'action at 5 miles'.²³⁸

When interviewed in Germany in July 2008, he had little memory of events and no recollection of detail. He did, however, state that there was no Japanese submarine or German U-boat involved in the action, KORMORAN being 'completely alone', and that the suggestion that members of KORMORAN's crew had shot SYDNEY survivors when

²³⁴ WIT.011.0183_R at 0220_R

²³⁵ WIT.011.0183_R at 0221_R

²³⁶ WIT.011.0183_R at 0221_R

²³⁷ PTE.007.0001

²³⁸ NAA.026.0042_BUTTNER

they were in the water was ‘absolutely not true’. He did not see any survivors of SYDNEY.²³⁹

AB Rönchen

9.79 AB Rönchen had been interrogated in December 1941 but had said nothing about the engagement.²⁴⁰

When interviewed by the Inquiry in July 2008 he had only a modest recollection of the engagement, but he did make the following points:

- He recalled an order to the effect of ‘All remove disguise; fire at will’ being given about two to three minutes before fire was opened.²⁴¹
- The KORMORAN fired first, SYDNEY responding ‘shortly afterwards’.²⁴²
- Before firing began he recalled seeing some SYDNEY sailors dressed in white and standing amidships. There were about five or six of them, but they disappeared before firing opened.²⁴³
- He saw a shell hit the aeroplane on SYDNEY, rendering the plane unserviceable.²⁴⁴ At that time SYDNEY and KORMORAN were on a parallel course and less than 1,000 metres apart.²⁴⁵
- SYDNEY passed astern of KORMORAN at a distance of 1.5 to 2 kilometres. SYDNEY fired one or two torpedoes but they missed.²⁴⁶
- He did not see anyone in SYDNEY trying to lower a boat.²⁴⁷
- He saw SYDNEY heavily on fire, burning ‘fore to aft’.²⁴⁸
- He did not see any Japanese submarine, and none was involved in the engagement with KORMORAN.²⁴⁹

²³⁹ TRAN.010.0001_R at 0039_R

²⁴⁰ NAA.012.0180_RONCHEN

²⁴¹ TRAN.008.0051_R at 0063_R

²⁴² TRAN.008.0051_R at 0062_R and 0071_R

²⁴³ TRAN.008.0051_R at 0066_R

²⁴⁴ TRAN.008.0051_R at 0065_R

²⁴⁵ TRAN.008.0051_R at 0078_R

²⁴⁶ TRAN.008.0051_R at 0066_R and 0072_R

²⁴⁷ TRAN.008.0051_R at 0081_R

²⁴⁸ TRAN.008.0051_R at 0074_R

²⁴⁹ TRAN.008.0051_R at 0085_R to 0086_R

- There was no machine-gunning of any survivors from SYDNEY whilst they were in the water. He did not see any SYDNEY survivors in the water.²⁵⁰

Insofar as it deals with relevant matters, AB Rönchen's evidence is consistent with the essential elements of the distilled account.

LS Kümmerer

9.80 LS Kümmerer had been interrogated in December 1941 but had said nothing about the engagement other than that he was on the 2-centimetre gun.²⁵¹

9.81 When interviewed by the Inquiry in July 2008 he was somewhat confused in his evidence and was obviously familiar with, and had been influenced by, CAPT Detmers' book. As he said, 'I only know our book of the KORMORAN. I know nothing else'.²⁵² At times he repeated aspects of the engagement that he had not seen but that I am satisfied he recalled from the book.²⁵³ Further, his evidence about his positioning throughout the battle and what he could see was somewhat contradictory. He manned a 2-centimetre gun amidships but at times said he went below where he could not see but on other occasions he said he could.²⁵⁴

Subject to these reservations LS Kümmerer gave the following evidence:

- The 2-centimetre guns were lifted hydraulically to shed the disguise, and this occurred within five to seven seconds of an order to drop disguise.²⁵⁵
- The 2-centimetre guns had a range of about 1.5 to 2 kilometres.²⁵⁶
- He first saw SYDNEY through a peephole at about 5 kilometres, and she came in to within 1 kilometre.²⁵⁷
- SYDNEY had her turrets pointing at KORMORAN.²⁵⁸

²⁵⁰ TRAN.008.0051_R at 0086_R

²⁵¹ NAA.012.0136_KUMMERER

²⁵² TRAN.007.0001_R at 0037_R

²⁵³ TRAN.007.0001_R at 0011_R to 0012_R

²⁵⁴ TRAN.007.0001_R at 0005_R, 0022_R, 0027_R

²⁵⁵ TRAN.007.0001_R at 0005_R

²⁵⁶ TRAN.007.0001_R at 0006_R

²⁵⁷ TRAN.007.0001_R at 0009_R to 0010_R

²⁵⁸ TRAN.007.0001_R at 0013_R

- He recalled seeing the aeroplane, with its propeller turning, being hit by a shell and destroyed.²⁵⁹
- He did not recall any efforts being made to lower a boat from SYDNEY.²⁶⁰
- KORMORAN and SYDNEY were not on a parallel course when the engagement began, SYDNEY being on KORMORAN's starboard forward quarter.²⁶¹
- He saw a torpedo from KORMORAN hit SYDNEY's bow section.²⁶²
- SYDNEY fired four torpedoes at KORMORAN, but all missed.²⁶³
- When last seen, SYDNEY was a 'sea of flames' headed towards the coast.²⁶⁴
- There were no Japanese, Vichy or German submarines involved in the action with SYDNEY.²⁶⁵
- There was no machine-gunning of SYDNEY survivors in the water.²⁶⁶
- He did not see KORMORAN fly a white flag in an attempt to draw SYDNEY closer.²⁶⁷

LS Carl

9.82 LS Carl had been interrogated on board AQUITANIA on 23 November 1941. He had said nothing about the engagement other than that KORMORAN fired torpedoes.²⁶⁸

The Inquiry interviewed him on 3 July 2008. He was clear in his recollection of those matters he could recall and was equally clear in saying if he did not recall a particular matter. He was a reliable witness.

His battle station was in the above-water torpedo room²⁶⁹, and his function was maintaining control panels there. When the flaps

²⁵⁹ TRAN.007.0001_R at 0013_R

²⁶⁰ TRAN.007.0001_R at 0013_R to 0014_R

²⁶¹ TRAN.007.0001_R at 0020_R

²⁶² TRAN.007.0001_R at 0028_R

²⁶³ TRAN.007.0001_R at 0029_R

²⁶⁴ TRAN.007.0001_R at 0030_R

²⁶⁵ TRAN.007.0001_R at 0038_R

²⁶⁶ TRAN.007.0001_R at 0039_R to 0040_R

²⁶⁷ TRAN.007.0001_R at 0038_R to 0039_R

²⁶⁸ NAA.026.0041 at 0043

²⁶⁹ TRAN.006.0001_R at 0006_R

disguising the torpedoes were lifted he had a clear view.²⁷⁰ On the occasion in question he saw the SYDNEY about 900 metres away, with her main gun turrets pointing at KORMORAN.²⁷¹ He also saw the aeroplane: the propeller was not turning at that time.²⁷² At no time did he see any attempt to lower lifeboats.²⁷³

- 9.83 Importantly, LS Carl said KORMORAN fired two above-water torpedoes and no underwater torpedoes.²⁷⁴ The above-water torpedoes were fired from the starboard side; no port torpedoes were fired.²⁷⁵ The guns opened fire before the torpedoes were fired because it took time to turn out the torpedoes and adjust them.²⁷⁶ LS Carl's evidence was that SYDNEY suffered many hits and could not use her starboard torpedoes because of anti-aircraft fire; further, her aircraft was hit and she was severely on fire.²⁷⁷ All that could be seen of her at the end was the glow of fires.²⁷⁸ At no time did he see any SYDNEY survivors in the water.
- 9.84 LS Carl's evidence is consistent with the elements in the distilled account that he responded to.

AB König

- 9.85 AB König had been interrogated on 1 December 1941 but had said nothing of the battle other than that he was 'stationed below'.²⁷⁹

The Inquiry interviewed him on 7 July 2008. He said that at the time of the engagement an officer had sent him from the engine room to fetch a torch from a cabin above.²⁸⁰ Whilst in the cabin he looked through the porthole and saw SYDNEY abeam at about 1,000 metres. He saw people on SYDNEY's deck. His recollection was that there were about two people in white clothes.²⁸¹ He then returned to the engine room but found it on fire.²⁸² Despite having seen the SYDNEY as described, he did not know the relative positions of the two ships when the battle began.²⁸³

²⁷⁰ TRAN.006.0001_R at 0007_R

²⁷¹ TRAN.006.0001_R at 0015_R to 0016_R

²⁷² TRAN.006.0001_R at 0027_R

²⁷³ TRAN.006.0001_R at 0028_R

²⁷⁴ TRAN.006.0001_R at 0009_R to 0011_R

²⁷⁵ TRAN.006.0001_R at 0019_R

²⁷⁶ TRAN.006.0001_R at 0009_R

²⁷⁷ TRAN.006.0001_R at 0017_R

²⁷⁸ TRAN.006.0001_R at 0024_R; PTE.006.0192 at 0197

²⁷⁹ NAA.012.0178_KONIG

²⁸⁰ TRAN.008.0001_R at 0004_R, 0007_R to 0008_R

²⁸¹ TRAN.008.0001_R at 0011_R to 0012_R

²⁸² TRAN.008.0001_R at 0007_R

²⁸³ TRAN.008.0001_R at 0023_R

AB König understood that the only hits to KORMORAN's engine rooms were from SYDNEY's smaller 8-centimetre guns.²⁸⁴ No other witness or person interrogated gave that evidence.

He was insistent that KORMORAN did not fire guns in any action without her war ensign flying.²⁸⁵ In the engagement with SYDNEY, he himself did not see the ensign hoisted, but CPO Ahlbach later told him he (CPO Ahlbach) had hoisted it.²⁸⁶ AB König's recollection was that firing began very quickly after the order to fire and that KORMORAN shot first.²⁸⁷

AB König denied that there was any Japanese submarine or other vessel involved in the action.²⁸⁸ He also denied that any survivors from SYDNEY were shot in the water by KORMORAN's crew. In relation to that suggestion he said:

That's crazy; that's crazy. A normal-thinking person cannot believe this, because you must see that we were at least 15 kilometres away from each other, and also it was dark – it was very, very dark. It was in the middle of the night, because it was 10 or even later when we abandoned Kormoran. It must have been completely impossible to take the lifeboat and go these 15 kilometres to find survivors of Sydney and shoot them within two hours. That's just mad.²⁸⁹

AB König was also interviewed by Mr David Kennedy but said nothing of substance in that interview.²⁹⁰

In reality, AB König saw little of the approach or the engagement.

LS Schulte

9.86 LS Schulte had been interrogated in December 1941. The notes record him saying, 'The cruiser approached from aft, then steamed parallel to the Raider on her (the Raider's) starboard side. Did not see the action as he was sent below before it commenced'.²⁹¹

LS Schulte gave evidence on oath before me on 9 July 2008. He said that in KORMORAN his duties included manning the forward starboard 15-centimetre gun.²⁹² The gun crews were highly trained, practising weekly using dummy ammunition. During this training they could

²⁸⁴ TRAN.008.0001_R at 0015_R

²⁸⁵ TRAN.008.0001_R at 0021_R

²⁸⁶ TRAN.008.0001_R at 0019_R to 0020_R

²⁸⁷ TRAN.008.0001_R at 0032_R to 0033_R

²⁸⁸ TRAN.008.0001_R at 0034_R to 0035_R

²⁸⁹ TRAN.008.0001_R at 0036_R

²⁹⁰ PTE.006.0167

²⁹¹ NAA.010.0281_SCHULTE

²⁹² TRAN.010.0052_R at 0055_R

load, train and nominally fire within 60 seconds.²⁹³ Similarly, there were people trained to raise the German war ensign and lower any carried flag within 60 seconds.²⁹⁴ He thought that to remove the camouflage of the guns and to fire would take between two and three minutes.²⁹⁵ He was not sure whether the guns were loaded before the disguise was removed, but he believed they were.²⁹⁶

When he saw SYDNEY, the cruiser had her four major turrets and four torpedo tubes trained on KORMORAN.²⁹⁷ He had the impression that the aeroplane on SYDNEY had its propeller turning and had a pilot inside.²⁹⁸ The plane was hit early in the engagement.²⁹⁹

LS Schulte did not see SYDNEY lowering boats³⁰⁰ and did not see the German flag being raised on KORMORAN, although he believed it was raised before the action because CAPT Detmers was strict about correct procedure and regularly trained people in that task.³⁰¹

After the removal of disguise, all guns began firing—that is, the 15-centimetre guns, the 3.7-centimetre guns and the 20-millimetre guns. SYDNEY immediately responded. At that time the vessels were about 800 metres apart. KORMORAN's light guns made it difficult for SYDNEY, sweeping her decks with light gunfire. It was impossible to distinguish between individual shots from different guns. The engagement lasted between half an hour and an hour, about a hundred 15-centimetre shells being fired before SYDNEY passed astern. Once SYDNEY was on the port side, KORMORAN continued to fire guns at her.³⁰²

LS Schulte did not see KORMORAN fire torpedoes but did see one as it hit SYDNEY shortly after the guns opened fire.³⁰³

He said there was no Japanese submarine or other vessel involved in the engagement between SYDNEY and KORMORAN.³⁰⁴ Nor were any survivors machine-gunned in the water.³⁰⁵ When he last saw SYDNEY

²⁹³ TRAN.010.0052_R at 0061_R and 0068_R

²⁹⁴ TRAN.010.0052_R at 0062_R

²⁹⁵ TRAN.010.0052_R at 0069_R

²⁹⁶ TRAN.010.0052_R at 0070_R

²⁹⁷ TRAN.010.0052_R at 0064_R

²⁹⁸ TRAN.010.0052_R at 0063_R to 0064_R

²⁹⁹ TRAN.010.0052_R at 0064_R

³⁰⁰ TRAN.010.0052_R at 0064_R to 0065_R

³⁰¹ TRAN.010.0052_R at 0078_R and 0080_R

³⁰² TRAN.010.0052_R at 0082_R to 0086_R

³⁰³ TRAN.010.0052_R at 0066_R and 0094_R

³⁰⁴ TRAN.010.0052_R at 0097_R to 0098_R

³⁰⁵ TRAN.010.0052_R at 0098_R

she was on fire all over the ship and was but a speck on the horizon as KORMORAN's crew abandoned ship.³⁰⁶

There is nothing in LS Schulte's evidence inconsistent with the essential elements in the distilled account.

- 9.87 LS Schulte did, however, make one extraordinary statement: 'I heard that wounded people were thrown into the water in hammocks from Sydney'. He was unable to say who told him that.³⁰⁷ There is no evidence to support this single uncorroborated hearsay statement. I reject that evidence.

LS Hildenbrand

- 9.88 LS Hildenbrand had been interrogated on 1 December 1941. In connection with the engagement, the notes record:

He was on duty on the 15cm gun aft (starboard).

During the action his gun fired 50 shells, the range 1100 metres. Many hits seen on Cruiser setting fire at first, bow, then bridge, no damage aft.

Ship had 6 15 cm guns and 6 torpedo tubes, 4 above water line 2 below.

Loading for guns immediately below each gun.

They opened fire some time before Cruiser fired.

First sight of Cruiser on horizon coming towards them at high speed.

Cruiser asked their name, did not know what the reply was.

Cruiser then came up on starboard side of the ship to approx. 1200 metres.

When asked for secret challenge, they opened fire. First salvo hit cruiser, second salvo Cruiser on fire. They continued firing as quickly as possible. Cruiser when hit continued at fair speed, then stopped and dropped astern broadside on to take up position at slightly astern on port side.

Cruiser fired from starboard but did not know whether hit his ship. From port side Cruiser fired 5 to 6 minutes; three or four big shells hit doing damage to the "Kormoran".

The action lasted 40 minutes, no casualties were suffered at his gun station, two or three killed elsewhere.

(Drew sketches of action and position of guns and torpedo tubes)

³⁰⁶ TRAN.010.0052_R at 0087_R to 0089_R

³⁰⁷ TRAN.010.0052_R at 0087_R

He does not know make of Seaplane as same was kept secret from men. Never flew in Indian Ocean, twice in Atlantic; did not leave ship during engagement and does not know its fate. Did not see sinking of his ship.³⁰⁸

- 9.89 The Inquiry interviewed LS Hildenbrand on 3 July 2008. His recollections were not entirely clear. He stated that his action stations position was on the fifth gun, which was the aft starboard 15-centimetre gun.³⁰⁹ De-camouflaging the guns took 'a few minutes'.³¹⁰ Whilst the guns were camouflaged he could see through slits.³¹¹ He saw SYDNEY about 900 metres away. He knew it was that distance because those setting gun ranges announced it.³¹² He saw a few sailors on SYDNEY's deck.³¹³ He was unclear about which way SYDNEY's turrets were pointing, at least initially, saying that they were pointing forward and not at KORMORAN.³¹⁴ He saw no activity in relation to SYDNEY's aircraft, and its engines were not running.³¹⁵ Similarly, he saw no attempt to lower boats, nor did he see signal flags, although he knew SYDNEY used signal lamps and Morse.³¹⁶

LS Hildenbrand said the signaller was near to his gun and so he knew the German ensign was raised and the Dutch flag lowered.³¹⁷ Despite having said it took 'a few minutes' to de-camouflage, he said that after the order to de-camouflage was given it took just a few seconds to de-camouflage and fire.³¹⁸ The guns then engaged in 'independent' fire.³¹⁹ He recalled that SYDNEY and KORMORAN sailed a parallel course for some time, that SYDNEY signalled 'Godspeed' and then asked for KORMORAN's secret call sign.³²⁰

After SYDNEY turned astern of KORMORAN, SYDNEY's guns were not firing; KORMORAN's guns did not fire on SYDNEY after she had passed to the port side of KORMORAN.³²¹

On several occasions LS Hildenbrand made it clear that the account he was giving was not his recollection but was what he had been told in

³⁰⁸ NAA.012.0389_HILDENBRAND

³⁰⁹ TRAN.006.0042_R at 0046_R

³¹⁰ TRAN.006.0042_R at 0048_R

³¹¹ TRAN.006.0042_R at 0055_R

³¹² TRAN.006.0042_R at 0057_R

³¹³ TRAN.006.0042_R at 0057_R

³¹⁴ TRAN.006.0042_R at 0057_R, 0058_R and 0060_R

³¹⁵ TRAN.006.0042_R at 0058_R

³¹⁶ TRAN.006.0042_R at 0059_R

³¹⁷ TRAN.006.0042_R at 0060_R to 0061_R

³¹⁸ TRAN.006.0042_R at 0063_R

³¹⁹ TRAN.006.0042_R at 0064_R

³²⁰ TRAN.006.0042_R at 0084_R

³²¹ TRAN.006.0042_R at 0085_R to 0086_R

the prisoner of war camp.³²² I am satisfied he had little, if any, independent recollection of the engagement. He was, however, clear that there was no Japanese, German or Vichy submarine involved in the action with SYDNEY³²³, that KORMORAN was not disguised as a Norwegian vessel³²⁴ and that KORMORAN crew had not shot SYDNEY survivors in the water.³²⁵

Later interviews by others

AB Ortmann

9.90 AB Ortmann had been interrogated on 8 December 1941. He had been on deck and acted as an ammunition hand at a gun.³²⁶

9.91 At an unknown time he was interviewed on video by Mr David Kennedy³²⁷, and the following emerged:

- He gave a general account of what he saw:

... I think about 4 o'clock we had alarm, it was battle station. And after a while we heard it might be a warship, could be a destroyer or something like that. And after, whatever it was came up very quickly and then we were told it was a cruiser and shortly after ... it was a cruiser of the Perth Class. And while in the meantime, it was coming that close that you could actually see it and it came up quite fast [on] what we could see, a more or less parallel course, and closing in more and more. Of course nobody was very happy about it because we knew we had to fight and whatever came out of that in our opinion was more or less that we were doomed. But it took a little while for some reason or other and the Australian ship didn't ask us to stop so it went just parallel to us, very close. And it looked more or less like a peaceful meeting although we knew it was wartime and eventually, which is well known, he asked for our secret call sign, which we didn't have and we had to fight. Then it was just "Decamouflage!" and it was my job to ... lower the railing ... which is normally standing up and was in the way of the gun. And before I could do that, our gun already fired. It was a bit hard for me to get it down so I had to use my feet and everything but I got it down. And from there on ... we were very busy ... handling ammunition all the time.³²⁸

³²² TRAN.006.0042_R at 0068_R, 0069_R, 0071_R, 0072_R and 0087_R

³²³ TRAN.006.0042_R at 0094_R to 0095_R

³²⁴ TRAN.006.0042_R at 0094_R to 0095_R

³²⁵ TRAN.006.0042_R at 0095_R

³²⁶ NAA.012.0345_ORTMANN

³²⁷ PTE.006.0211

³²⁸ PTE.006.0211

- SYDNEY approached fine on the starboard quarter and then ‘she came more or less parallel to us’:

Kennedy: Did it stop at all on the way in, or was it constantly coming?

Ortmann: No, she was actually coming with high speed and only slowed down when she was more or less parallel to the KORMORAN, otherwise she would have just overshot us. She only slowed down when she was more or less coming quite near to us.

Kennedy: So straight in without pausing and then?

Ortmann: It’s only the last mile or so when she slowed down.

Kennedy: So there was this cruiser, how far away? 1000 metres, 1500, 1300 metres? What do you reckon?

Ortmann: Well I think about 1,000 metres. I heard later on that the shortest distance was 900 metres. But 1,000 meters, well it was a nice clear afternoon and you could see just about everybody on board.

Kennedy: You could just about see everyone on board the SYDNEY?

Ortmann: Yes.

Kennedy: What do you remember seeing? What about the main guns, the forward turrets, how were the barrels? Were they straight at you, or elevated or what?

Ortmann: The turrets they were in our direction anyway.

Kennedy: You couldn’t notice if they were up or down?

Ortmann: We were moving from time to time but ... when she was lying parallel to us, it was more or less ... I didn’t see much movement. It was just in our direction, that’s it.

Kennedy: What about their flak? Their flak guns?

Ortmann: Flak guns, torpedoes as far as I could see they were not manned.

Kennedy: Torpedoes weren’t manned?

Ortmann: No.

Kennedy: Because there's some thought that the torpedoes might have been manned but once the firing started they couldn't fire them, but you think as far as you could see the torpedoes weren't manned. That's interesting. What about ...

Ortmann: No. Well, I suppose they don't have to be in one way, but somebody has to release the safety catch, something like that.

Kennedy: But you didn't even see anybody in a position to release the safety catch?

Ortmann: You could see people running around afterwards when we opened fire but I think most of them didn't have a chance, they didn't even get there.³²⁹

- So far as he could see, SYDNEY's other guns and the torpedoes were not manned.³³⁰
- When he first saw the aeroplane, the propeller was going but apparently later it was stopped.³³¹
- He could see 'Pantrygasts [cooks] standing around in white uniforms and aprons, and so on, having a look. As I said before, it was more like a peaceful meeting in wartime, so to speak'.³³²
- The command given was 'freies Schießen' (meaning 'independent firing') and the guns fired within a matter of seconds.³³³
- The torpedo hit SYDNEY 'probably ... between two or three minutes after we opened fire'.³³⁴
- It was impossible for KORMORAN to fire her underwater tube: it was necessary for the vessel to be stationary to do that. To fire the underwater torpedo, the tubes, which are fixed at about 45 degrees, must be aimed by moving the angle of the ship. But the two vessels were parallel to each other.³³⁵
- AB Ortmann saw SYDNEY hit by KORMORAN shells; she 'also ... was hit by our 2 cm machine guns'. The 3.7-centimetre gun was

³²⁹ PTE.008.0316_A

³³⁰ PTE.006.0211 at 0212

³³¹ PTE.006.0211 at 0213

³³² PTE.006.0211 at 0213

³³³ PTE.006.0211 at 0214

³³⁴ PTE.006.0211 at 0214

³³⁵ PTE.006.0215

firing at the bridge, and he saw hits on the bridge immediately after the start of action.³³⁶

- He did not see SYDNEY make any attempt to launch boats.³³⁷
- He did not see SYDNEY fire any torpedoes, but he later heard she had fired four torpedoes that missed.³³⁸
- In the lifeboat he and CAPT Detmers were in there were no automatic weapons. The officers might have had a pistol or a revolver.³³⁹
- There was no discussion among the crew, or with CAPT Detmers, about what was the appropriate thing to say if interrogated.³⁴⁰
- His interview concluded with the following exchange:

Kennedy: What do you say to those who suggest that KORMORAN fired early?

Ortmann: We fired earlier than the SYDNEY did, that's true, yes. But if the things I heard that there would be a war crime, any suggestion like that, well that's ... nonsense really. It was a fair fight. We expected that we probably would get blown up within maybe seconds. It didn't happen but that's fortune. But it was a clean fight like anything else. War is war.³⁴¹

- 9.92 AB Ortmann's statements in his interview with Mr Kennedy are consistent with the distilled account.

LS Marmann

- 9.93 LS Marmann had been interrogated on 8 December 1941. He had said he was a wireless operator, saw nothing of the fight, did not transmit messages, had no radio communication with neutral bases, and 'His work was with Linke and another man (probably killed), Eberhard'.³⁴²
- 9.94 On 1 March 1998 LS Marmann presented a submission to the Parliamentary Inquiry.³⁴³ In it he discussed 'only what I saw myself'. His submission noted, 'We had no advance information on the position

³³⁶ PTE.006.0215 at 0215 to 0216

³³⁷ PTE.006.0215 at 0217

³³⁸ PTE.006.0215 at 0218

³³⁹ PTE.006.0215 at 0219

³⁴⁰ PTE.006.0215 at 0221

³⁴¹ PTE.008.0317_A

³⁴² NAA.012.0084_MARMANN

³⁴³ PINQ.SUBS.011.0004

of HMAS SYDNEY. She virtually came out of the blue'.³⁴⁴ He dismissed the theory of a submarine firing a torpedo that hit SYDNEY. He addressed the sighting, closing up and proximity of the vessels and stated:

shouting distance, I then went on deck for a peep and glancing over the side was stunned to see her on starboard at a mere 1000 yds. on a parallel course with us! Some men were at the rails and waving.

...

Shortly after we were informed by wireless room 1 that HMAS Sydney had suffered a torpedo hit just ahead of the bridge and that her bow was cutting under.³⁴⁵

And later:

From the first moment HMAS Sydney was hit extremely heavily by our artillery. Her Turrets were soon out of action having been concentrated on and so was her plane. An estimate by our gunners said that she received at least 350 direct hits. During the whole encounter her medium artillery never came into action. We learned later that they were A-A guns and no air alarm had been raised.

The rest was not spectacular as she seemed to have no working artillery left while her torpedo equipment was kept out of action by our 2cm A-A guns.³⁴⁶

Notably, LS Marmann submitted that he had heard of the torpedo that struck SYDNEY by a wireless communication. No reference was made to any underwater torpedo being fired.

9.95 LS Marmann engaged in correspondence with Mr Wesley Olson, the author of *Bitter Victory*. On 23 May 2000 LS Marmann wrote:

That is where Mr Kennedy falls behind by basing his findings on Hans Linke, a wireless operator like myself (but from the merchant navy) so he has never seen an underwater tube and they all travel submerged. I spoke to him extensively and in the end it turned out he was always speaking of the twin-sets (which could be turned he said) above water. This is only for your information because Kennedy submitted his research-product to the Commission.³⁴⁷

9.96 In his 2 February 1998 submission to the Parliamentary Inquiry (submission 66B), Mr Kennedy referred to an interview he had with LS

³⁴⁴ PINQ.SUBS.011.0004

³⁴⁵ PINQ.SUBS.011.0004 at 0005

³⁴⁶ PINQ.SUBS.011.0004 at 0005 to 0006

³⁴⁷ PTE.006.0138_R

Linke in January 1988. He recorded the following as being part of that interview:

Kormoran's underwater torpedo had an angle of about 135 degrees from the bow, or 45 degrees astern so is it possible that Sydney was slightly astern? "Yes, that can be so."

...

The official pursuit track with Sydney coming after Kormoran is too simple and easy, hey? "Yes." What you say is more realistic: that Sydney made a partial circle. "I can remember when we fired the first torpedo, the underwater torpedo, starboard. Sydney and Kormoran met, Sydney came from the west, because the sun was shining in the west. And we were going in the other direction, we were going west. The Sydney was at that time was going east for a while. She was turning and circling about us. That comes to me. I was finished wirelessly when the torpedo was fired and I had gone to the upper deck and could see. The Sydney came out of the west and had a course about to the east. And we were headed west, from the east. Sydney and Kormoran were not very far apart." Did Sydney make a turn before the underwater torpedo was fired and go in the same direction as Kormoran, or were you going in different directions? "No. She later again changed course and wanted again to get close to us to achieve a better position for her guns." So as the underwater torpedo was fired Sydney and Kormoran were heading west hey. "Yes, that could well be."³⁴⁸

In submission 66B Mr Kennedy also quoted from interviews with LS Marmann. He made no mention of underwater torpedoes.

9.97 On 26 November 2000 LS Marmann wrote again to Mr Olson:

David Kennedy too added to the confusion by finally getting his submission on a statement by my colleague, Hans Linke, into the Commission's report long after the closing date asserting that one of our submerged torpedo tubes had launched the fatal torpedo on Sydney. I have not only once explained to him in length that this was simply not possible due to the fact that these tubes are immovably installed at a rearward angle of approx. 45 degr from the keel-line. But when I saw Sydney she was travelling abeam of us at the same speed and hostilities not yet started. How then can she have been hit by a torpedo of such a submerged tube? David knows full well that Linke is a wireless officer from the merchant navy and that he is not acquainted with war ships. I had long telephone conversations with Linke whom I posed the same question and he replied that he saw himself that these tubes could be turned on a circle and could well be aimed. Well, what he saw were clearly our deck torpedo sets which he surely passed numbers of times but he never had access to the under-water

³⁴⁸ PINQ.SUBS.009.0033 at 0034. See also submission 66I (PINQ.SUBS.018.0009).

installations. When David interviewed him at Bremen he must have noticed, having been made aware by myself, that Hans was very sick (diabetes) and aged 84 had this fixed in his mind despite what the torpedo staff and everybody else said. To top all this David succeeded in getting this statement into the Commission's final report where it will stand forever.³⁴⁹

- 9.98 It is clear from the foregoing that LS Marmann did not see any firing of an underwater torpedo. Nor did he believe any underwater torpedo was fired by KORMORAN and hit SYDNEY. Indeed, his view was that any hitting of SYDNEY by an underwater torpedo was impossible because when he saw SYDNEY they were sailing on parallel courses abeam of each other, and the underwater torpedo could be fired only at a fixed angle of 135°. An underwater torpedo could not have hit SYDNEY.
- 9.99 Two other relevant matters arise from Mr Kennedy's interview with LS Marmann:
- There was no indication that SYDNEY intended to board KORMORAN.³⁵⁰
 - SYDNEY's anti-aircraft guns were turned away from KORMORAN as she approached.³⁵¹
- 9.100 It is clear from LS Marmann's interview with Mr Kennedy that KORMORAN did not fire an underwater torpedo at SYDNEY during the battle.

LS Linke

- 9.101 The first account of the loss of SYDNEY was in fact obtained from wireless operator LS Linke, when he was examined in the early hours of Wednesday, 26 November 1941. At 0335H the District Naval Officer Western Australia signalled the Naval Board with the following account:

From reporting officer Carnarvon summary report interrogation W/T operator on raider. Name of raider "KORMORAN" guns 8 inch and anti aircraft new ship crew 300 Captain Detmer in Indian Ocean 6 months name STAMATICOS EMBIRICOS? September, met cruiser "Perth" class escorting convoy 6 to 7 ships position 028° south 111° east 1730 H/19 cruiser closed thinking "KORMORAN" in convoy later opened fire range 1? Mile cruiser used flag not w/t. Gunfire ended 1900 H/19 "KORMORAN" burning amidships and blown up by crew.

³⁴⁹ WAM.038.0196_R at 0197_R

³⁵⁰ PTE.006.0206

³⁵¹ PTE.006.0206 at 0207

Cruiser vanished rapidly believed sunk was burning amidships and aft.³⁵²

At 0354H there was a further signal from WGCDR McLean to Area Combined Headquarters Fremantle:

From Carnarvon: Member of the "people" who landed in boat brought into harbour and interrogated. Interviewed one member of the crew W.T. operator named Lincke. The ship "KOMORAN" 6000 tons armament 8 inch guns and A.A. guns number unspecified. Armed merchantman newly built number of crew about 300. Captain of ship Detlers. Been in Indian Ocean about six months. First ship they sank was "STOMATOS EMBIRICOS" about two months ago. A "Perth" class cruiser 7000 tons. Wednesday 19th November about 1730 hours position 26° S. 110°E. Enemy vessel sighted a convoy of five to seven ships escorted by this cruiser. The cruiser evidently thought that the enemy vessel belonged to the convoy and it approached within half a mile. "KOMORAN" opened fire at 1740 hours. "KOMORAN" first salvo silenced cruiser's eight inch guns. Gunfire continued till 1900 hours. Cruiser did not use W.T. but signalled with flags. Raider was burning fiercely amidships and at midnight was blown up and the crew escaped in boats. Cruiser vanished over horizon burning amidships and astern and it is believed to have sunk.³⁵³

9.102 LS Linke had been interviewed on 8 December 1941. The notes of his interview record the following about the engagement:

Joined "Kormoran" as wireless operator under Lieut. von Malapert. Received and sent messages. Sent out two Q.Q. messages (600 m. 500 kc.) before beginning battle with Cruiser. No acknowledgement of message received. Fight began after 4 p.m. (3 or 4 minutes after sending out Q.Q. messages) 26 S. 111 E. Given as position. He was not in regular communication with German Stations. The wave length varied from 10-60 m. According to weather and time. Wave length increased as evening came on.

The Q.Q. signal was intended to distract attention from them. Sent on 200 watt power. No other signals sent out. Later on the radio apparatus was out of action and no message could be sent to Germany. For receiving they had no fixed wave length. They received messages and news from various stations ... Never sent out S.O.S. messages to lure ships. Practice was considered too dangerous. They gave simple Q.Q. position, G.M.T. "Straat Malakka"; message was intended to be picked up by Dutch East Indies. They had 4 receivers and two transmitters.

...

³⁵² NAA.026.0382; see also NAA.023.0174; NAA.023.0175; NAA.023.0176

³⁵³ NAA.070.0236

He had nothing to do with sending out signals.³⁵⁴

- 9.103 Mr David Kennedy interviewed LS Linke on a number of occasions in 1998, including conducting a video interview on 12 October 1998. Mr Kennedy has relied greatly on LS Linke's evidence resulting from those interviews when advancing his theories. When seeking to understand LS Linke's interviews with Mr Kennedy, it is important to note that LS Linke said he was '*in the transmission room and couldn't look outside*' [emphasis added].³⁵⁵ As he said:

Radio room 1 was on deck, behind the bridge, and radio room 2 was two decks down. Therefore one couldn't look outside from there. It had no portholes ... And that's where the Marconi transmitter was as a fixed installation. And were informed – the personnel in radio room 2 – when we were to start operating the jamming transmitter ... by radio room 1 on deck ... They were able to observe the whole thing from up there ...³⁵⁶

Thus LS Linke saw none of the engagement. Any account of the engagement he gave was at least second-hand.

- 9.104 LS Linke's statements in the interviews with Mr Kennedy were at times confusing and contradictory. For example, he said, 'The Sydney left in a westerly direction ... burning ... She moved away from the Australian coast, westward, into the Indian Ocean, after the battle on the western coast'.³⁵⁷ Mr Kennedy returned to the question in the following exchange:

Kennedy: Right at the beginning you said that SYDNEY came from south-east, and then I said "Not from north-east?" And you said "Yes, north east", but there are people who say SYDNEY was going north-east from a convoy ZEALANDIA and has met KORMORAN from a south-easterly direction after all. Do you think it was an understandable mistake you made, or do you think SYDNEY came from south-east after all?

Linke: We came from the Bay of Bengal and went south-east and there we encountered the SYDNEY. Where the SYDNEY came from I can't say – if she came from the Australian coast – I assume ... she came from the Australian coast ...³⁵⁸

³⁵⁴ NAA.012.0085_LINKE

³⁵⁵ PTE.006.0192

³⁵⁶ PTE.008.0318_A

³⁵⁷ PTE.006.0192

³⁵⁸ PTE.008.0319_A

On a number of occasions LS Linke said words to the effect of 'I can't really say that anymore. It is not in my memory anymore'.³⁵⁹

9.105 Apparently Mr Kennedy interviewed LS Linke in February 1998. In that interview Mr Kennedy asked questions that assumed an underwater torpedo had been fired:

Kennedy: You know Hermann Ortmann lives in Melbourne here. [He was at] gun number 4 ... And he said that when the war ensign came out of its bin, the flag is automatically higher than the Dutch flag at the back for "STRAAT MALAKKA," so that means that the German flag did not necessarily have to get up to the top of the mast quickly, because if the underwater torpedo was the first shot, there had to be a certain running time. That means that maybe Captain Detmers had to release these torpedos one minute before [giving the command] "Open fire". Do you understand what I mean? What do you think about that, that Captain Detmers – like Ortmann suggests – with the sun from behind, gave the order to hoist the German flag a little bit slower – but completely legally – in order to ... fire this under-water torpedo in accordance with the law?

Linke: I cannot say this. I read this in Barbara Winter's book and I have to suppose that Barbara Winter researched well. The research by Barbara Winter for this book was good. She had various sources and testimonies which affirmed this [theory]. Therefore this can only have been a matter of seconds or minutes ... I cannot say exactly.

Kennedy: Yes, right, this is very complicated. Barbara Winter wrote that the upper deck torpedoes, the twin ones, were fired and one hit. She said that one torpedo was fired from above and not underwater.

Linke: Well, the torpedo that hit the SYDNEY was an underwater torpedo. On the upper deck there were two torpedos which could be both fired simultaneously. They were also fired but they did not hit. SYDNEY was somehow between the torpedoes.

Kennedy: ... I think, as you said, it was very smart of Detmers to use underwater tubes ... And also with the sun behind and also with the sun reflecting off the surface of the sea, then Detmers could say "out with the German flag and up and fire the underwater torpedo" and with such bad

³⁵⁹ PTE.006.0175_01

sight for SYDNEY, then it may be possible that they did not see the German flag at all.³⁶⁰

9.106 Mr Kennedy relies on the Linke interviews in his efforts to establish at least the following propositions:

- that KORMORAN fired an underwater torpedo that hit SYDNEY
- that SYDNEY either did or sought to send out signals before or during the battle
- that KORMORAN sent out signals jamming SYDNEY's signals or to contact German authorities or interests.

9.107 In what appears to be his second interview, the following discussion of the use of underwater torpedoes occurred³⁶¹:

Kennedy: And from KORMORAN? Has KORMORAN used underwater torpedoes?

Linke: Yes, one single underwater torpedo. We had above-water torpedoes, and an underwater torpedo each on port and starboard. With the underwater torpedo we always had to aim with the whole ship ... To turn the ship in the direction and then we were able to fire a torpedo.

Kennedy: And did ... KORMORAN do ... that? Did KORMORAN [fire an] underwater torpedo?

Linke: Yes, we fired one underwater torpedo, and it struck SYDNEY below the bridge – below the waterline, below the bridge. And SYDNEY went somewhat lower then, she had water rushing in, and some of our comrades already started shouting 'Hurray!' ... and then SYDNEY came up higher again, she trimmed the water, she came up higher again and resumed the battle.

Kennedy: So, the first torpedo shot is under water, yes?

Linke: Yes, one shot and the first shot was under water. And SYDNEY went lower, had water rushing in, one could see that, she plunged down somewhat, but she rose again because she trimmed the tanks, pumped water from the front to the back – and so on, because of the water rushing in, and she came up again. And SYDNEY had her torpedo tubes, 4 of them, port and starboard, quadruple tubes, four tubes in a frame that could turn ...

³⁶⁰ PTE.008.0320_A

³⁶¹ The audio quality of this interview makes parts of Mr Linke's statements unintelligible.

Kennedy: And ... did KORMORAN use above-water torpedoes as well?

Linke: We did not use them, because it was very quick to use the underwater torpedo ...

...

Linke: We had the ship in the position we needed to aim for [literally: we were in the aiming position] and used the underwater torpedo.

Kennedy: ... That was the starboard one. Who told you all of this – was it Detmers, or von Gösseln or ... Greter or ...?

Linke: No, we discussed all of it again when we were in captivity. The people who operated the torpedoes, they told [us] about it, and so on ...

Kennedy: Right. So, was KORMORAN going rather slowly?

Linke: Well, I can't tell you that.³⁶²

As is apparent, LS Linke said KORMORAN did not fire an above-water torpedo but did fire an underwater torpedo. All the evidence is that above-water torpedoes were fired. Similarly, all the evidence is that the mountings allowed manoeuvring and adjustment of the above-water torpedoes but not of the fixed underwater torpedoes. It is also apparent from the passage quoted that Mr Linke, who was approaching 80 years at the time of the interview³⁶³, saw none of what he was describing but was recounting his recollection of what he said he was told in prisoner of war camp more than half a century earlier.

9.108 Mr Kennedy returned to this topic in a later interview, the date of which is not known. The following exchange occurred:

Kennedy: You have explained that the first and only torpedo that hit was an underwater torpedo ... and that made a lot of sense because this underwater torpedo could be used there ... and ... Captain Detmers was ... smart enough to use these weapons ... in the right way ... who has explained how this engagement went? ... Did you hear all that afterwards, in the camp ... or ... who told you all this?

Linke: With the underwater torpedo you had to aim the whole ship. It was - the torpedo tube – was built in at an angle, I think towards ... the front, but I'm not sure.

³⁶² PTE.008.0321_A

³⁶³ PTE.006.0192 at 0197

Kennedy: It was the back.

Linke: Back ... it was the back ... built in facing towards the back. One had to aim with the whole ship. One had to turn the ship into that position that made it possible to aim with the underwater torpedo. And that's what we indeed did and we indeed achieved a hit – the front edge of the bridge of the SYDNEY. And the torpedo hit indeed because SYDNEY at this moment went lower down ... but then she recovered. Probably because she flooded certain compartments, let water in, and then she came up again, you see? She first went down, and then she came up again, you know. And this was a sign for us that the torpedo had hit. Then it went on with the guns that were used. 15cm guns were used and achieved hits.

Kennedy: Do you know ... where the two ships were positioned back then?

Linke: That I can't say. They actually passed each other. And I just don't remember anymore in which direction they headed off, you see ...

Kennedy: Approximately how fast were both ships proceeding then, because it wasn't possible to go that fast and shoot such an underwater torpedo, was it?

Linke: Yes, well, how fast we were at the time of the underwater torpedo, that I just don't know, but it can't have been very fast. It was actually rather slow, you see, when the torpedo was fired. Otherwise one would probably not have had the accuracy here ... The torpedo might perhaps have passed under the ship, you see, which would indeed have been possible ... But it must have hit the SYDNEY on the front end of the bridge.³⁶⁴

No reliance whatsoever can be placed on LS Linke's evidence in this respect. He did not see the firing of the underwater torpedoes, he did not know the relative location of the ships; and he did not know the direction in which the ships were travelling, although he thought they 'passed each other'. He was purporting to recall, obviously with difficulty, what he thought he had been told in the prisoner of war camp.

9.109 LS Linke was equally unreliable in relation to signals. In his first interview, Mr Kennedy broached the subject of signals from SYDNEY in the following way:

³⁶⁴ PTE.008.0322_A

Kennedy: Of course with SYDNEY-KORMORAN the question arises whether SYDNEY sent signals and whether you jammed SYDNEY's transmission. And you were on the bridge with your miracle radio transmitter, this beautiful old Marconi ... Adolf Marmann said he was very young but he remembers your special Marconi apparatus ... Can you remember how it was? It is very unusual that SYDNEY did not transmit. What about you? Did they try or what?

Linke: Well, as far as I can remember, the SYDNEY did not transmit anymore. She had in fact been hit by a torpedo, amidships, below the bridge, by us – a torpedo, yes. She was probably not able to transmit anymore ... We heard nothing but still jammed. Do you know what that means, radio jamming? We jammed at a frequency of 500 kHz, that's the international frequency for distress at sea, and we did not hear anything from SYDNEY, even though we were very close together. There was very little distance between SYDNEY and KORMORAN, and so we would have heard something for sure if the SYDNEY had made a transmission.³⁶⁵

Later in the interview Mr Kennedy returned to the topic:

Kennedy: ... Back to SYDNEY. Would it not have been possible that when you began your jamming signal that SYDNEY didn't [sic] try to transmit and you could not hear it because of your ... jamming signal?

Linke: Well, that's possible, isn't it. Maybe we heard nothing from the SYDNEY, because we were using our own transmitter. And we also heard nothing of the SYDNEY anymore afterwards. Well, I ... in our opinion, in my opinion, SYDNEY did not send any transmission. It had come as too much of a surprise.

Kennedy: ... We have reports that HARMAN and CERBERUS in Canberra and Melbourne heard part of a signal from SYDNEY ... and ... because it was only a part ...

Linke: ... fragments ...

Kennedy: Right, yes. Then there was big confusion, and what the devil was this. So I thought that maybe they heard a little but that the jamming destroyed the signal. Possible?

Linke: The information that they heard something – it did not come from us. It came from Australian ... sources. They often lied, didn't they. Many lies were told. Everyone

³⁶⁵ PTE.008.0323_A

wants to have heard something ... and has heard nothing. There is also a lot of imagination involved ... in what Australian radio stations have heard ... no log books. Somehow that wasn't right.

Kennedy: Yes but what you say sounds right after all, that ... SYDNEY did not transmit, but it is possible she started just when you started with your jamming signal and so on and that something got through.

Linke: Well, if SYDNEY did transmit, then it is possible that this signal was not heard clearly, was not fully received, because of the jamming. Two transmitters on the same frequency ... *same frequency transmitting* [Mr Linke using English here] ... then one signal can't get through.³⁶⁶

Thus Linke was clearly stating that KORMORAN did not hear any signals from SYDNEY and did not believe she sent any. KORMORAN would have heard signals from SYDNEY had they been sent. In saying 'SYDNEY did not transmit', Mr Kennedy apparently accepted that, although leaving open the possibility that SYDNEY started transmission but was jammed by KORMORAN.³⁶⁷

9.110 The matter was revisited in a later interview, the date of which is unknown:

Kennedy: So KORMORAN could hear that the two vessels were in the Atlantic Ocean and could send interfering signals from the Indian Ocean as if ... and the Brazilians could hear them in the Atlantic.

Linke: Yes, under good conditions they could hear that. So we did that, we transmitted interfering signals which we invented ourselves by calling other ships. We mainly used our Marconi transmitter, and therefore a steamer that was in distress or under fire could not get through with their Morse signals. They could not make themselves heard due to the jamming. We only jammed when we knew that the other vessel was trying to transmit, to send emergency messages or something like that, and that we had to jam, so that they wouldn't get through and be heard by others.

Kennedy: And in this case you are talking about SYDNEY-KORMORAN?

Linke: Yes.

³⁶⁶ PTE.008.0324_A

³⁶⁷ PTE.008.0324_A

- Kennedy: ... You sent the signals in a way that, if other stations listened they thought you were in the Atlantic Ocean without attempting any position finding, otherwise they would have found out that the signal is not from the Atlantic but the Indian Ocean. Do you understand what I mean?
- Linke: Yes. The jamming was in short intervals. In between we had to observe the [radio] wave, if the other one was still saying something, like for example the SYDNEY here, and then we continued jamming. And then had a break again and listened in if SYDNEY was still transmitting. And when they stopped, we stopped too.
- Kennedy: Yes ... So is this what happened with SYDNEY? Is this what you did with SYDNEY – you transmitted when she did, and when not, then you did not either.
- Linke: Yes, that's what I did immediately whenever I heard that SYDNEY was transmitting, then I transmitted as well, with the Marconi quench spark gap transmitter. SYDNEY's transmissions were then most likely getting jammed. Another coastal radio station would not be able to decipher them properly. They heard the signals, the Morse signals, but they did not know whether they would get through, whether they would be heard by the coastal radio stations or something. One coastal station, I think it was Freetown in South Africa [sic] heard something but they could not say what exactly it was because the radio traffic had been jammed, they said to the other ships. I could not establish who the coastal radio station at Freetown was signalling, I couldn't tell.
- Kennedy: Maybe Simonstown.
- Linke: Yes.
- Kennedy: So when KORMORAN sent QQQ, did SYDNEY try to establish contact with a coastal station, or not?
- Linke: I believe, yes. SYDNEY tried to establish contact but nobody answered. SYDNEY did not get an answer. It was only very short, just a few signals, and then there was silence from the SYDNEY. She did not transmit any more.
- Kennedy: So you are saying that before the engagement SYDNEY sent signals and KORMORAN jammed.
- Linke: Yes, SYDNEY used flag signals and we also used flag signals but at the same time we transmitted jamming signals. Flag signals mainly and asked '*What name? Where are you coming from? And what is your cargo?*' [English in

original]. All that was done with flag signals. And the flags were tied, upside down, onto the halyard, so they had to mentally decipher the flags first, and make some guesses, realising that the flags were tied to the halyard top to bottom. After a while, we tied them back into the correct position, but we wanted to gain time with this.

Kennedy: But I was thinking of radio signals mainly ...

Linke: Yes, there were only very few radio signals from SYDNEY, and we only transmitted in order to jam.

Kennedy: Are we talking about radio signals by SYDNEY before or during the engagement?

Linke: Before the engagement ... But, as I said, there were only few, not many, it wasn't long, there were maybe about five, six words being transmitted, and then there was silence again. Then it was quiet.

Kennedy: Five or six words?

Linke: Yes, five or six words were sent, or groups. They were encoded groups.

Kennedy: And how long before the engagement was that?

Linke: Well, I can't say anymore exactly. But it was very shortly before the engagement. Subsequently we already decamouflaged and then the shells began to be fired.

Kennedy: It's quite clear, isn't it, that, when Captain Detmers heard that SYDNEY was sending radio transmissions, then he would have thought for sure that SYDNEY was checking whether we are STRAAT MALAKKA, and, in case he received an answer, this answer would surely be that it was not STRAAT MALAKKA. STRAAT MALAKKA was near Beira in South East Africa. That's possible, isn't it?

Linke: That's possible, yes.

Kennedy: So, what we have, Hans, is that, shortly before the engagement, SYDNEY sent a signal, encoded and very short ...

Linke: Yes, that's possible.

Kennedy: Is it possible or ...

Linke: That is possible. That can have been possible.

Kennedy: ... or is it true?

Linke: ... But if SYDNEY sent a signal, she didn't do that on the international sea distress wave, she must have sent

the signal on the wavelength of the British or Australian Navy, and we could not observe all the frequencies. We mainly watched the 500 kHz [band] which international shipping [traffic] used if they were in distress.

Kennedy: But you said SYDNEY sent short signals before the engagement.

Linke: Yes, and ... that was on the 500 kHz [band], on the international distress wavelength. But what she sent went out in groups ... each group [had] *five letters* [English in original], and we could not decipher that because we had no signal book from the Australian Navy to decipher the groups.

Kennedy: And that was shortly before the engagement, a few minutes, wasn't it.

Linke: ... SYDNEY also asked for the secret call sign. All British ships had to have a secret call sign, a *coded signal* [English in original].

Kennedy: With flags or wireless.

Linke: With flags mainly. And we didn't know the secret call sign and therefore we had to de-camouflage and open fire.

Kennedy: Then it starts. Just so everything is clear for me - SYDNEY sent a signal. How far away was she, a couple of thousand metres or quite near when she sent the signal?

Linke: Very close. We passed SYDNEY at very close range and we could see the people on board, how they were running up and down, to the torpedo tubes at the end of the ship ... Our small guns repeatedly then tried to prevent them from getting to the torpedo tubes.

Kennedy: So SYDNEY was very close when she transmitted, when she sent radio signals?

Linke: Yes, it has to be assumed that she sent signals and one could indeed hear something but didn't know what she sent.

Kennedy: Yes, and you heard this from the main transmission station, in number 1?

Linke: Yes, I operated the jamming transmitter, in room 2, this was the second radio room, two decks below. The main radio room was above, on the bridge, you know.

Kennedy: You had the Marconi downstairs in number 2, yes? ... Okay. So, when the battle began, you jammed in any case ... and paused to listen. Did SYDNEY, shortly after the battle, send signals?

Linke: I didn't hear anything. I don't know whether the comrades in transmission room 1 upstairs near the bridge heard anything or not, but I don't believe they did. Transmission room 1, on the bridge, suffered a hit from a shell, and there were some people killed as well, and everything was destroyed, shot up. So we only could transmit from radio room 2 if we wanted to. When the battle was [more or less] over and the shells hit us and we struck the SYDNEY, then, at some point, the firing stopped. SYDNEY headed off and at the end we could only see a glow from the fire.³⁶⁸

The matter was then left but returned to later in the interview:

Kennedy: Well, good, Hans, I don't want to harrass you but ... It is very interesting that you say SYDNEY sent radio signals before the battle after all. It is logical, isn't it?

Linke: Yes, yes. And I think in the books of this lady, Barbara Winter, it says that some of the coastal radio stations on the West Australian coast answered or tried to answer but no contact was established.

Kennedy: She writes that on the West Coast transmission stations answered, but [in answer] to KORMORAN's signals, and not to SYDNEY's.

Linke: ... I don't recall anymore what the name of the coastal transmission station was ...

Kennedy: Perth or Geraldton.

Linke: Perth, yes, or one close by.

Kennedy: Well, yes, I just wanted to establish that you are happy that SYDNEY sent radio signals, ship/shore and short signals, and that it was at 500 metres, wasn't it?

Linke: 500 kilohertz - that is 600 metres ...

Kennedy: And that was before the engagement, wasn't it? ... Why do you think SYDNEY used that before the engagement and not during the [engagement]?

³⁶⁸ PTE.008.0325_A

Linke: I can't say. But it was a very short transmission from SYDNEY anyway. There was mainly an exchange with flags, signal flags ...

Kennedy: Signal flags, yes, but SYDNEY sent radio signals, yes?

Linke: Yes, but only few.

Kennedy: ... And during the engagement, KORMORAN jammed ...³⁶⁹

In substance, LS Linke was stating that SYDNEY had sent signals before the battle. That was the opposite of what he had said in the first interview.

- 9.111 Signals were also discussed in an interview dated 12 October 1998. Mr Kennedy asked what kind of transmitters and receivers were on KORMORAN. The following exchange occurred:

Linke: The KORMORAN had a 1000 Watt transmitter, which is one Kilowatt, by Telefunken, and the receivers were also by Telefunken and by Siemens. And furthermore another transmitter, a quench spark gap transmitter by Marconi which had been brought on board as a prize from somewhere at some stage but I don't know from which ship. It was a quench spark gap transmitter - an expert knows what this means. These were spark trains that made an enormous amount of noise. It sounded like - and with Morse signals you could listen aloud - daaa da da da daa da da da. They sort of hummed. This transmitter we only used for radio jamming. When we seized an enemy ship and the ship continued to still send Morse signals or messages, then we jammed the message with it. This transmitter covered the whole radio spectrum, at a wide bandwidth. One could not hear the other Morse signals any more.

Kennedy: I recently spoke to someone, a radio operator who worked on the KRAIT, one of our famous small ships that went to Singapore during the war, and he said that the Marconi sparker had a very broad ...

Linke: Yes, a broadband spectrum with its transmitters.

Kennedy: SYDNEY for example no doubt had a very strong radio set. And did this Marconi work well against SYDNEY's signals, for example?

Linke: I can't say that with certainty since I could not hear our transmitted signals the way they were received on the

³⁶⁹ PTE.008.0326_A

SYDNEY but I could imagine that in the immediate vicinity they were perceived also as interference in the SYDNEY because we were pretty close to each other after all. The distance - I don't know anymore what the distance was - but the distance wasn't great. And the jamming transmitter must therefore have covered ... the message. That was possible. But ...

Kennedy: Who used this Marconi transmitter? Who did ...

Linke: That was - the Marconi transmitter was in radio room 2. Radio room 1 was on deck, behind the bridge, and radio room 2 was two decks down. Therefore one couldn't look outside from there. It had no portholes ... And that's where the Marconi transmitter was as a fixed installation. And we were informed - the personnel in radio room 2 - when we were to start operating the jamming transmitter ... by radio room 1 on deck ... They were able to observe the whole thing from up there after all ... They could just look out of the portholes, see where SYDNEY is and so on and so on. And simultaneously they also heard the radio transmission by SYDNEY after all, you see, and so they said: "So, now, whack it, something like that, jam this transmission here," you see?³⁷⁰

The foregoing suggests that LS Linke, who was in radio room 2, could not hear any signals from any ship: he was simply told when to start jamming. The interview continued:

Kennedy: Was it a sound, or did one try to send a Morse signal as if it was normal traffic?

Linke: Yes, the Marconi transmitter was fed and keyed in a way that one could hear or read Morse signals ...

...

Kennedy: Hans, is it possible that SYDNEY sent a signal and a little part of this signal has been received maybe in Australia or Africa because of interferences with the jamming?

Linke: Well, I can't judge whether this signal from SYDNEY - if one had been sent - was picked up. Only someone who was in the wireless service in the SYDNEY and who was able to say with certainty that KORMORAN heard our radio signal, or must have heard it, can tell [this]. I can only judge this from the point of view of the KORMORAN.

³⁷⁰ PTE.008.0327_A

Kennedy: Yes. You say 'if' but it seems as if you think that SYDNEY tried to transmit and KORMORAN has used ... this ... quench spark ...

Linke: Quench spark gap transmitter, yes ...

Kennedy: So it is clear to you that ... SYDNEY tried to transmit ... before this engagement.

This QQQQ, has that been transmitted from upstairs or from radio room 2?

Linke: That has been transmitted from radio room 2.³⁷¹

In this passage, LS Linke makes it clear that he did not know whether SYDNEY had sent a signal or not. After referring to LS Linke's doubts, however, Mr Kennedy apparently dismissed them and translated the doubts into the positive statement 'So it is clear to you that ... SYDNEY tried to transmit ... before this engagement'.³⁷²

9.112 The three passages quoted thus have LS Linke first saying no signal was heard from SYDNEY, then saying a signal was heard from SYDNEY, and finally saying he did not know if a signal was sent by SYDNEY.

9.113 In the same interview, on 12 October 1998, Mr Kennedy discussed with LS Linke KORMORAN's sending of a QQQQ signal. He then said:

Kennedy: ... Do you say that SYDNEY sent a QQQQ?

Linke: I can't say that with certainty, only those in radio room 1 who would have listened closely could prove or say that this is what SYDNEY sent. I cannot claim that.³⁷³

This passage appears to confirm that those in radio room 2, where LS Linke was, could not hear signals sent by other vessels and that their only task, and capacity, was to transmit blocking signals when directed to do so by radio room 1. If that is so, there is no basis whatsoever for LS Linke making any statements about SYDNEY possibly transmitting signals because he could not have heard them.

No reliance can be placed on the Linke interviews with Mr Kennedy.

³⁷¹ PTE.008.0328_A

³⁷² PTE.008.0328_A

³⁷³ PTE.008.0329_A

LEUT Brinkmann

9.114 LEUT Brinkmann had been interrogated by CMDR Ramage on 4 December 1941. The interrogation notes state:

On "Kormoran" he was 2nd Division Lieutenant. His job was the A.A. Guns., independently of Skeries. His shots struck the Cruiser. For his shots the range was not so important as for heavy guns. Range 1500-1600 metres. Began with the first salvos. Was ready to fire on aeroplane in case it flew over them, but used the whole battery against Cruiser as aeroplane did not start. Fired so that A.A. and torpedo of cruiser could not be used – midships – Cruiser sent torpedos in the second phase of fight no smoke screen from cruiser but accidentally from "Kormoran" 2 torpedos shot from starboard side of Cruiser but did not strike. Left in last boat with Captain – Cruiser was not then visible – last seen 11 p.m. Cruiser did not shoot at lifeboats – turrets of Cruiser were put out of action in 1st phase of fight – Cruiser did not use small guns. When they first saw Cruiser they were surprised. He knows nothing of parleys between "Kormoran" and Cruiser. No one was visible on deck of "Kormoran", although they were all in fighting position.

...

CAPT. kept everything secret.

...

Will not criticise Commander.³⁷⁴

9.115 Although this account does not give a description of the approach, it does confirm the following:

- The battle was fought at close range.
- The range was such that LEUT Brinkmann's anti-aircraft guns, the 20-millimetre machine guns, were able to strafe SYDNEY to prevent her using her anti-aircraft guns and port side torpedo.
- KORMORAN's light guns were fired at the start of the engagement.
- SYDNEY's turrets were rendered unserviceable early in the engagement;
- The ships were on a parallel course when SYDNEY was struck by a torpedo 'under the forward turret almost at right angles'.
- KORMORAN fired two torpedoes at SYDNEY, one of which hit.

³⁷⁴ NAA.012.0773_BRINKMAN

- SYDNEY did not use her smaller guns during the action.

There is nothing that is inconsistent with the distilled account.

LS Pachmann

- 9.116 LS Pachmann was a wireless operator on board KORMORAN. He had been interrogated on 8 and 9 December 1941. On 8 December he said, 'Did not see fight as was on opposite side of wireless room (on the bridge). No radio communication with Cruiser'.³⁷⁵ The notes of the interrogation of 9 December state:

On meeting cruiser sent two messages (Q.Q. Suspicious ship). "Kormoran" wanted to avoid the fight. Stated also their position 111 E. 26 S. This was about 10 minutes before opening fire. Spelt out name of "Straat Malakka", but did not give the International signal - i.e. Message was "Q.Q.Q.Q. 111 E. 26 S. 1100 G.M.T. "Straat Malakka". This was given twice.³⁷⁶

- 9.117 This is confirmatory of other evidence that SYDNEY did not send any radio signal to KORMORAN and KORMORAN sent two QQQQ messages giving her name as STRAAT MALAKKA and her location as 111°E 26°S.

Conclusion

- 9.118 An examination of the evidence found in the interrogation statements of those in KORMORAN who could see the battle results in an account of the approach, signalling and battle that is not dissimilar to, and is consistent with, that derived by the senior Naval officers from their separate interrogation of groups of segregated survivors.

- 9.119 The accounts of those who could see support the following findings:

- Whilst sailing at about 10 knots on a northerly course of about 24°, KORMORAN sighted SYDNEY some 20 miles off her starboard bow. Once KORMORAN identified SYDNEY as a cruiser³⁷⁷, she turned in a westerly direction on a course of about 250° to 260°, into the sun. SYDNEY also saw KORMORAN and changed from her course to approach KORMORAN.
- As she approached KORMORAN from astern on her starboard quarter, SYDNEY signalled by lamp and flags, whether by NNJ or otherwise, for KORMORAN to hoist her signal letters.

³⁷⁵ NAA.012.0084_PACHMANN

³⁷⁶ NAA.012.0087_PACHMANN

³⁷⁷ See also the different order of events at NAA.012.0766.

KORMORAN delayed and fumbled her flag response; SYDNEY continued to approach.

- KORMORAN, flying a Dutch flag, finally hoisted a four-flag signal, 'PKQI', that being the international flag signal for STRAAT MALAKKA. SYDNEY had difficulty reading that flag hoist because of the prevailing wind, interference from KORMORAN's funnel, and the fact that SYDNEY was looking directly into the sun. Ultimately, however, she did manage to read the signal: we know this because she thought the vessel was STRAAT MALAKKA, whose secret war call sign was 'IIKP'.
- KORMORAN transmitted and repeated a distress signal on the maritime distress frequency: 'QQQQ 111 E 26 S 1100 GMT STRAAT MALAKKA'.
- By the time SYDNEY read the four-flag hoist 'PKQI' she was close to KORMORAN. Approaching from aft, she steamed up parallel to KORMORAN on KORMORAN's starboard, between 1,000 and 1,500 metres distant. After some exchanges SYDNEY hoisted a two-flag hoist, 'IK', being the centre two letters of STRAAT MALAKKA's secret war call sign. By that time SYDNEY was abeam of KORMORAN, on her starboard, travelling at the same speed, and on a parallel course between 1,000 and 1,500 metres distant.
- SYDNEY was not at the first degree of readiness, or 'action stations', but her main 6-inch guns and port torpedoes were bearing on KORMORAN.
- KORMORAN did not understand the signal 'IK', which under the International Signal Code means 'You should prepare for a cyclone, hurricane or typhoon'. She made no response to the two-flag signal 'IK'.
- SYDNEY then signalled, by light and in plain language, 'Show your secret call sign'. KORMORAN did not know STRAAT MALAKKA's secret call sign.
- KORMORAN responded by de-camouflaging, lowering the Dutch flag and hoisting the German war ensign. These three actions occurred almost simultaneously. She then opened fire, first with the 3.7-centimetre guns and 20-millimetre machine guns and immediately thereafter with four 15-centimetre guns. KORMORAN fired first; SYDNEY responded very soon afterwards.
- Before KORMORAN suffered any damage her early 15-centimetre firings struck SYDNEY's bridge and director control tower. It is probable that many officers, including CAPT Burnett were killed.

Further, early 15-centimetre shell hits struck SYDNEY's aeroplane, destroying it and causing serious fires. SYDNEY continued to receive severe and continuous bombardment from KORMORAN's 15-centimetre, 3.7-centimetre and 20-millimetre guns. SYDNEY's decks were continuously strafed by the lighter guns.

- KORMORAN launched her two above-water starboard torpedoes after SYDNEY had been hit by gunfire and when the vessels were directly abeam at an angle of about 90°. One torpedo hit in the vicinity of A turret, causing SYDNEY to dip and rise in the water. Both A and B turrets were disabled either by that torpedo strike or by shell damage. By this time SYDNEY was severely on fire amidships.
- SYDNEY's initial salvos were over. It was not until KORMORAN's heavy guns had fired several rounds that SYDNEY succeeded in hitting KORMORAN. She hit her funnel, wireless room and engine room, disabling her engines and fire-fighting facilities and causing uncontrollable fires. KORMORAN slowed down, eventually coming to a halt.
- After being struck by the torpedo, SYDNEY slowed, falling astern of KORMORAN. She turned hard to port, passing astern of KORMORAN. By that time SYDNEY had taken severe punishment on her port side, and all her four 6-inch turrets were out of action. She continued to be fired on by KORMORAN's guns as she passed astern of the raider. KORMORAN turned to port. SYDNEY fired her starboard torpedoes but the torpedoes missed. SYDNEY was then continuously subjected to heavy fire from KORMORAN's port guns, suffering many hits. She proceeded on a southerly course at about 4 to 5 knots, heavily on fire.
- SYDNEY was last seen distant in the darkness, as a glow. By midnight the glow had disappeared.
- KORMORAN's crew abandoned ship into the available lifeboats, and CAPT Detmers scuttled the raider.
- The battle lasted less than an hour. SYDNEY sent no signals. Apart from the QQQQ signals, KORMORAN sent no signals.
- No vessels other than SYDNEY and KORMORAN were engaged in the encounter.
- No KORMORAN sailors saw any SYDNEY survivors in the water. When KORMORAN abandoned ship, SYDNEY was at least 5 miles, and probably more, away from KORMORAN.