

1 UPON RESUMPTION:

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3 CMDR RUSH: I call CAPT Parsons, sir.

4

5 <JAMES EDWARD PARSONS, affirmed: [2.05pm]

6

7 <EXAMINATION BY CMDR RUSH:

8

9 CMDR RUSH: Q. CAPT Parsons, would you state your full
10 name to the Commissioner, please?

11 A. James Edward Parsons.

12

13 Q. And your address?

14

A. [REDACTED]

15

16 Q. And your occupation?

17

A. Retired Naval officer.

18

19 Q. Can you give the Commissioner some very brief
20 background of your Navy career?

21

22 A. I was full-time Navy for a long time. I joined the
23 Navy in 1961 and retired from full-time service in 1990.
24 Since then, I have done a number of years of full-time
25 Reserve service, and part time, and I was appointed to run
26 the Christmas Island project.

26

27 Q. Your background in the Navy is in the air rather than
28 at sea?

29

30 A. No, I'm a seaman officer. I specialised in
31 above-water warfare and also in air-to-air and
32 air-to-ground warfare, but I'm not air crew; I'm a gunnery
33 officer.

33

34 Q. CAPT Parsons, you indicated that you were asked to
35 head the team that went to Christmas Island in search of
36 the body that was subsequently found there.

37

A. Yes.

38

39 Q. We've heard already from Dr Denise Donlon in relation
40 to the activities that were conducted at Christmas Island
41 to locate the grave. Have you read that transcript?

42

A. I read it fairly quickly yesterday, yes.

43

44 Q. In substance, the description that she gave of the
45 location of the body and the days that it took and the care
46 that was taken in relation to removal of the body from the
47 grave site itself is something that, in general terms, you

1 agree with?

2 A. She's very professional, and that was very accurate,
3 but I don't think it covered some of the complexities of
4 actually finding the grave site.

5
6 Q. In particular, what do you refer to?

7 A. The evidence we had was from two interviews - one with
8 Say Kit Foo and the other with Mr Brian O'Shannassy.

9
10 Q. Say Kit Foo, as a young boy, had been on the island at
11 the time of the burial on the island?

12 A. And through the early 1950s as well, I believe. His
13 father was the cook to the general manager, whose house was
14 right on the edge of the cemetery. The cemetery became
15 their playground.

16
17 Q. Mr Brian O'Shannassy was a person who was employed on
18 the island, who I think had taken a photograph of the grave
19 site at some stage?

20 A. That's right, and his photograph became key to
21 identifying where the grave was. The problem was that -
22 remember they were thinking back 55 years, and their
23 location wasn't quite as accurate as we would have liked.
24 We searched that area and we had to move a little bit off
25 that before we actually found the site.

26
27 Q. Once the body was identified and removed, upon your
28 return to Australia, Denise Donlon, in effect, took charge
29 of the body?

30 A. The body went straight to her museum, the Shell Shear
31 Museum at Sydney Uni, and it stayed there right throughout
32 the process of analysing the body.

33
34 Q. In relation to the body as removed from the grave
35 site, was it possible for those that removed it, including
36 yourself, to make any form of identification or make any
37 assessment of any injury to the body itself or the skull,
38 or was that something that was completely done back in
39 Australia?

40 A. That was something that was intended to be done
41 completely back in Australia. We were very constrained by
42 time, because, as I just explained, we'd had to go to
43 a second area to search, so half our time had been used up,
44 and it was a laborious process to remove the remains from
45 the grave and that took virtually every moment we had.
46 There was no time to sit down and analyse for anything. We
47 knew that we could do that properly in the right

1 surroundings.

2

3 Q. In specific terms, as the body was removed from the
4 grave site, were you yourself able to see if there was any
5 damage or injury to the skull? We now understand that
6 a metal fragment was found in the skull. Were you able to
7 identify that or see that?

8 A. No. Bear in mind I'm a gunnery officer, not an
9 archaeologist or anthropologist, and I really wasn't
10 allowed to touch anything. They did that very carefully.
11 The main objective was to remove all of the articles
12 undamaged, in the best condition possible, to get them back
13 for further examination. We weren't trying to do things at
14 the time.

15

16 Q. Upon return to Australia, were you given any notice
17 that you were required or were likely to give evidence to
18 the Senate Committee that had previously looked into the
19 *Sydney* loss and made the recommendation to go and search
20 again for the body?

21 A. I had been contacted by the Secretary of the Defence
22 Subcommittee some considerable time before we went to
23 Christmas Island, because the Chairman had asked for an
24 update brief on what we were doing. We chose the first
25 available date that they had, which happened to be shortly
26 after we came back from Christmas Island. That was
27 a coincidence. It wasn't something that was deliberately
28 planned. That's just how it happened. So, yes, we went
29 and gave them a briefing.

30

31 Q. At the time or prior to the briefing, had you received
32 any information from Dr Donlon in connection with the body
33 and any preliminary sort of examination?

34 A. Yes, I had. She rang me and advised me that an object
35 had been found.

36

37 Q. Do you remember a date here?

38 A. The 16th, I think. The 16th, 17th, it would have to
39 be.

40

41 Q. Is that of October 2006?

42 A. It would be October, yes.

43

44 Q. I didn't mean to interrupt you. You say she rang you
45 to say that there was an object that had been found?

46 A. Yes.

47

1 Q. What did she say to you?

2 A. She said, "Are you sitting down?", to which I think
3 I relied something like, "Do I have to?" She said,
4 "I think so. I think our sailor's been shot."
5

6 Q. "I think our sailor's been shot"?

7 A. It was very close to that.
8

9 Q. At that stage, did she indicate to you whether the
10 fragment or the piece of metal located in the skull had
11 been removed from the skull?

12 A. No, it was still there.
13

14 Q. I'm sorry?

15 A. It was untouched.
16

17 Q. Was there any other communication, anything else said
18 specifically to that point?

19 A. We talked briefly about what she had found. I can't
20 remember the exact detail of that. I asked what further
21 examination was going to be done, and she told me that
22 Jo Duflou, the pathologist, was there with her in the
23 museum and I could talk to him direct, which I did. He
24 briefly described it. Remember we were still in the
25 initial process of clearing this thing up. That's my
26 understanding of the process they were at at that stage.
27 At the end of that conversation, he said, "I would lay an
28 awful lot of money that that's a bullet."
29

30 Q. Again, just to clarify it, at that stage had the metal
31 fragment been removed from the skull?

32 A. No, it was not removed for some time afterwards.
33

34 Q. As a consequence of that conversation, did you have
35 a conversation with the office of Mr Billson, who was then
36 the Minister assisting Defence?

37 A. Yes, I did.
38

39 Q. Was it on that day, or very close to it, or what?

40 A. It was very close to it. I can't remember whether it
41 was the same day or not, but the important issue was that
42 the briefing for the Defence Subcommittee was coming up,
43 was imminent. Before we had gone to Christmas Island, the
44 Minister's adviser had said, "Before you brief them, come
45 up and talk to me and I'll run you through the way the
46 committee works and just give you some advice about
47 appearing, beforehand." So I had contacted them to do just

1 that. When I went up there, of course I now had some extra
2 information, which was that we had found this object in the
3 skull.

4
5 THE PRESIDENT: Q. Which committee was this?

6 A. This is the Defence Subcommittee to the Joint
7 Parliamentary Committee on Defence, Foreign Affairs and
8 Trade, I think.

9
10 Q. They conducted their Inquiry between 1997 and 1999.

11 A. Yes, they did.

12
13 Q. This was all happening in 2006.

14 A. They had been keeping a watching brief on what
15 developments had been going on with *Sydney*, and they asked
16 for an update. It was nothing to do with the 1999 Inquiry.
17 It was simply an update, so they knew what was going on.

18
19 CMDR RUSH: Q. As a consequence of that conversation
20 with Mr Billson's staff, was a media release prepared?

21 A. I informed them what we had found. This caused our
22 meeting to escalate somewhat, and it finished up with
23 Mr Billson joining us as well.

24
25 The end result was that I was advised that if I had
26 information, I must pass that information to the committee
27 whether I was asked a question on it or not; I must
28 volunteer that information.

29
30 It was also decided that once that had happened, the
31 chances of information getting into the public arena were
32 significantly higher, and therefore we should issue
33 a release to the media to explain what we had found, to try
34 to be proactive with the information rather than reactive.

35
36 Q. Perhaps if we could have, please, COI.004.0225. On
37 the screen in front of you, sir, is that just the first
38 couple of paragraphs of a media release dated 17 October
39 2006 concerning the body at Christmas Island?

40 A. Yes.

41
42 Q. If we could go to the next page, and if we could
43 scroll down the page to the dental characteristics, the
44 release says:

45
46 *The dental characteristics of the remains*
47 *are very distinctive, including a number of*

1 *fillings and missing or extracted teeth,*
2 *which may assist with the identification*
3 *process," Mr Billson said.*

4
5 *While the identification process is far*
6 *from complete, preliminary analysis*
7 *indicates the remains are reflective of*
8 *a relatively young Caucasian male whose*
9 *height was probably tall for the time.*

10
11 *"The most interesting find to date has been*
12 *what appears to be a bullet wound in the*
13 *skull and a small calibre round that is*
14 *currently undergoing detailed analysis,"*
15 *the Team leader, Captain Jim Parsons said.*

16
17 In relation to that find and what appears to be a bullet
18 wound of a small-calibre round, apart from the conversation
19 that you have detailed by telephone with Dr Donlon and
20 Professor Duflou, was there anything else?

21 A. No.

22
23 Q. Had there been any analysis at that stage of the metal
24 that was in the skull of the Christmas Island man?

25 A. When this media release was made, the object was still
26 embedded in the skull.

27
28 Q. You went on to say:

29
30 *"This round appears to be from*
31 *a low-velocity weapon, possibly a handgun".*

32
33 Where did that information come from?

34 A. That was supposition on our part, because we were very
35 concerned that - as you're well aware, there were many
36 theories on what happened in 1941, one being that survivors
37 were machine gunned in the water, and we didn't want to
38 feed that theory. We knew that it was not anything of that
39 size or velocity, that this was a very low-velocity thing,
40 which fitted in with a handgun.

41
42 Q. So as of that date, did inquiries commence and an
43 investigation commence in relation to an examination of the
44 skull and the fragment that was in the skull?

45 A. I understand so, yes. It was something I was not
46 directly involved with.

47

1 Q. You were involved with a meeting at the Australian War
2 Memorial on 1 December 2006 in relation to further
3 investigation and an update of investigation that had taken
4 place between October and December of that year?

5 A. Yes, I was.

6
7 Q. Perhaps if we can have that brought up - NHQ.001.0118.
8 While that is coming up, sir, was it the position that the
9 investigations, in a general sense, at this time were being
10 managed by yourself, as leader of the team, by the
11 Australian War Memorial - who was managing it?

12 A. We were in the process of moving from me managing it
13 to Naval Headquarters managing it, but the War Memorial was
14 totally responsible for the analysis of the items. They
15 had the skills and they had the experience.

16
17 Q. This appears to be minutes of a meeting. You'll note
18 that the first paragraph states:

19
20 *At 1600 on Friday 01 December CAPT Parsons*
21 *and CMDR Blenkin attended a briefing by*
22 *Australian War Memorial (AWM) staff on the*
23 *findings of investigations into various*
24 *items relating to the unknown sailor*
25 *recovered from Christmas Island. These*
26 *items included:*

- 27
28 *a. a metal object recovered from the skull*
29 *of the remains ...*
30 *b. metal eyelets recovered from the foot*
31 *of the grave, and*
32 *c. metal press studs ...*

33
34 If we go down the page to "Metal Object":

35
36 *3. The metal object showed no signs of*
37 *containing lead, showed magnetic properties*
38 *and therefore was ferrous, meaning it was*
39 *probably not a bullet. It was badly*
40 *corroded, but in the centre was a small*
41 *piece of non corroded material which was*
42 *very hard. The metal object was examined*
43 *at ANU using a scanning electron*
44 *microscope, amongst other tests. The aim*
45 *was to compare it with items recovered from*
46 *the Carley float in the possession of the*
47 *AWM during an earlier detailed examination*

1 of the float. It did not match any of
2 these items.

3
4 4. The test revealed that in addition to
5 the iron content the metal object had
6 a significant presence of other elements
7 (silica and manganese) typical of a German
8 hardening process of the time and
9 consistent with the process of making
10 hardened munitions such as armour piercing
11 rounds of large calibre. While it did not
12 match the 20mm and 39mm rounds tested
13 during the analysis of items recovered from
14 the Carley float it is probably consistent
15 with material used in ammunition for
16 Kormoran's 150mm main armament. The AWM
17 does not hold any examples of this
18 ammunition and therefore a comparison
19 cannot be made at this time.

20
21 5. It is understood that Germany provided
22 the hardening technology to other countries
23 so it is possible the sample may not be
24 German. The AWM will continue its
25 investigations and attempt to locate rounds
26 of this size for purposes of comparison -
27 the Imperial War Museum is one possible
28 source.

29
30 6. The evidence to date is consistent with
31 the piece of metal being shrapnel from
32 Kormoran's main armament.

33
34 I know that it was a long time ago. Do you recall who gave
35 that briefing to you?

36 A. I wrote it. I wrote this document.

37
38 Q. What was the basis that you were using in relation to
39 this?

40 A. We went to the meeting that was described in the first
41 paragraph, which was called by the head of section, Mr Mike
42 Cecil, and he had with him the experts that he used in the
43 analysis process. The intention was to give us a heads-up
44 of what their findings were. At that stage, those findings
45 had not been cleared through the appropriate section head
46 of the War Memorial. However, they were factual as to what
47 they had actually found.

1
2 As I said, it was an informal briefing. I took notes.
3 I wrote this document afterwards for my own record to give
4 to Navy Headquarters and to give to other members of the
5 team. There is one error in it, however, and that is that
6 the element they found was actually silicon, I understand,
7 not silica.

8
9 Q. At that stage, did you have available the report of
10 Professor Duflou or the report of the forensic ballistics
11 expert, CAPT Tim Snow?

12 A. I didn't. I believe they went direct to Navy
13 Headquarters, but I don't know when they went there.

14
15 Q. Really, what you were looking at was the metallurgical
16 examination in relation to --

17 A. It was the examination of the metal object we had
18 found and some of the other objects we had found in the
19 grave itself - the metal eyelets, the press studs and the
20 textiles that were attached to those press studs.

21
22 Q. I think Mr Michael Montgomery, in evidence, referred
23 to you, theorising that you had said that the entry point
24 was a hole in the back of the head. Are you aware of
25 Mr Montgomery giving evidence to that effect?

26 A. I've read the submission he made and I have read the
27 evidence that he gave in front of this hearing. It's quite
28 simply not true. My understanding of the submission is
29 that he claimed that this information was passed in a phone
30 call, announcing that we had found the body that was on
31 Christmas Island, and at that stage we didn't even know
32 that there was a metal object or any injury to the skull.
33 That wasn't found out until some time later.

34
35 Q. That's what I was coming at at the beginning of the
36 examination. When you managed to remove the body and the
37 skull from the grave, was it possible, having regard to its
38 condition, to make any assessment in relation to that sort
39 of thing?

40 A. No, that's right. There was a preliminary look at the
41 dental condition, because one of the earlier pieces of
42 evidence that came out during the Joint Parliamentary
43 Inquiry - and I don't know who this is attributed to;
44 I can't find out, but there was a statement made by someone
45 that the body had a perfect set of teeth. That's one of
46 the things we had a look at very early and that was while
47 we were recovering the body, and he didn't.

1
2 THE PRESIDENT: That was because of a different factor
3 altogether, I think. That was because a former magistrate,
4 whose name was Mr MacGowan, said that his brother had
5 a perfect set of teeth, and there was some thought at some
6 stage that the body may be that of his brother.

7
8 CMDR RUSH: Thank you, sir, that's right. Sir,
9 Professor Duflou and Mr Snow will be called tomorrow
10 morning.

11
12 Q. CAPT Parsons, just looking at page 0120 of your notes
13 under the heading "Where to now", you set out some steps
14 that were decided upon, apparently, at the meeting - to
15 prepare a report for Navy, noting that some aspects of the
16 research are continuing. Why was it necessary to prepare
17 a report for Navy?

18 A. As I said, this was a preliminary briefing on their
19 findings. They then formalised it into a proper report
20 that formed the official findings of the War Memorial
21 research. That was done. They produced three copies of
22 it, I believe, and I personally took those from the
23 War Memorial to Navy Headquarters.

24
25 Q. Was it after this meeting that Navy took over the
26 investigation?

27 A. Yes.

28
29 Q. Then in (b), you say:

30
31 *Attempt to find samples of WWII ammunition*
32 *that may assist in providing further*
33 *information about the metal object ...*

34
35 That was a recommendation from this meeting?

36 A. The meeting was not one that could come up with firm
37 recommendations. That could only come out of the final
38 report that they wrote. I believe that that final report
39 had similar statements to that in it. But that's what they
40 briefed us that they thought should happen.

41
42 Q. And further, in (c), "attempt to locate any writing
43 inside the press studs" that were recovered with the body?

44 A. I believe that was a complex process that involved
45 almost certain destruction of them and some X-ray work, and
46 I think that was covered in the report as well.

47

1 Q. What was it hoped to do by that investigation to
2 locate writing?

3 A. To find out more about what these objects were. We
4 knew they were press studs, but to try to find out more
5 about their origin.

6
7 Q. Then paragraph 17 says:

8
9 *The fact that the body recovered may be*
10 *that of an officer could have significant*
11 *impact on the identification process.*

12
13 At that stage, was there some view taken that the body may
14 be that of an officer as opposed to a sailor on *Sydney*?

15 A. Yes, there was.

16
17 Q. What was the basis of that?

18 A. The basis was the analysis of the fabric. There were
19 small traces of fabric caught between the press studs. If
20 you recall a press stud, on each face there are two bits
21 with fabric clamped between them. There were still traces
22 of that fabric. That was analysed, and the conclusion was
23 that the type of material was not the same as that worn by
24 sailors of the time.

25
26 The War Memorial had a sample of the sailors' overalls
27 from that period, and it was a particular weave. The weave
28 of the fabric that they found in the press studs was
29 a different weave.

30
31 Q. Did it have anything to do with the colour of the
32 material?

33 A. The report, again, says that there was no sign of any
34 colour in what they found, but bear in mind that it had
35 been buried for 65 years, and dyes of the 1930s and 1940s
36 probably weren't nearly as fast as what we find now. But
37 they found no trace. It was more a conclusion from the
38 fabric type than the colour, because the evidence of
39 1941-42 is a bit confusing on the subject: some say blue
40 overalls bleached white by the sun; others say white
41 overalls. So no conclusion could be drawn from that.

42
43 Q. CAPT Parsons, after this meeting, what role did you
44 have in anything further to do with the identification
45 process of the body and the artefacts that were found with
46 the body?

47 A. It became advisory from early January on.

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Q. Who took responsibility?

A. Navy Headquarters. It fell under the Director-General of Navy, Corporate Communications, I think it is.

CMDR RUSH: Sir, I tender the media release of Mr Billson of 17 October 2006.

THE PRESIDENT: COI.004.0225 will become exhibit 210.

EXHIBIT #210 MEDIA RELEASE OF MR BILLSON OF 17 OCTOBER 2006, BARCODED COI.004.0225

CMDR RUSH: I also tender, sir, the notes of the meeting at the Australian War Memorial to discuss research findings concerning the unknown sailor from Christmas Island of 1 December 2006.

EXHIBIT #211 NOTES OF MEETING AT AUSTRALIAN WAR MEMORIAL TO DISCUSS RESEARCH FINDINGS CONCERNING THE UNKNOWN SAILOR FROM CHRISTMAS ISLAND OF 1 DECEMBER 2006, BARCODED NHQ.001.0118

CMDR RUSH: I don't have any other questions, sir.

THE PRESIDENT: Thank you, CAPT Parsons.

<THE WITNESS WITHDREW

CMDR RUSH: Sir, that concludes the evidence for today. People due to give evidence tomorrow, sir, are CMDR Blenkin, who was at Christmas Island but also had responsibility in relation to further tests; Ms Challenor, who had a responsibility at the Australian War Memorial for putting together the report in relation to the Christmas Island body, as did Mr George Bailey, and Dr Timothy Snow, who is a forensic expert in relation to the piece of metal located in the skull of the Christmas Island body.

I am instructed, sir, that Dr Dufrou will give evidence on Wednesday.

THE PRESIDENT: Thank you. I will adjourn till 10am tomorrow.

AT 2.35PM THE COMMISSION WAS ADJOURNED TO TUESDAY, 17 MARCH 2009 AT 10AM