

Senate, Monday 22 March 1999

COMMITTEES: Foreign Affairs, Defence and Trade Committee: Joint: Report

Senator MacGIBBON (Queensland)(4.08 p.m.) —I present the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade on the loss of HMAS *Sydney*, together with submissions, Hansard record of proceedings and minutes.

Ordered that the report be printed.

Senator MacGIBBON —I seek leave to move a motion in relation to the report.

Leave granted.

Senator MacGIBBON —I move:

That the Senate take note of the report.

I have great pleasure today in presenting this report. HMAS *Sydney* was lost off the coast of Western Australia on the evening of 19-20 November 1941, with all her crew, following an engagement with the German raider *Kormoran*. All 645 of *Sydney*'s crew were lost. The final resting place of both ships remains a mystery to this day.

The loss of HMAS *Sydney* was devastating. It was a shock to the Australia of 1941, bringing home to everyone just how close the war was and how much of a threat Australia was facing. It was a very great shock to the families of those who were serving on HMAS *Sydney*, and it continues through to this day to be the cause of great sadness amongst remaining family members. In conducting this inquiry, the committee was particularly conscious of those family members and their desire to know what happened that night.

It is very unfortunate that an inquiry in relation to this matter was not held sooner. After the lapse of so much time, many people who may have been able to shed light on the events of November 1941 are either dead or infirm. Unfortunately, it does not appear that a full inquiry was held immediately after the loss of *Sydney* or, indeed, in the postwar years when much information might still have been obtained. However, we need to guard against judging too harshly actions taken in 1941—58 years ago—against the same standards of transparency and openness of government which we regard as the norm today. While it is easy to be critical of actions taken at that time, we do well to remember that not only were standards different but our nation was then at war. With the benefit of hindsight, though, the committee is of the view that the situation might have been handled better at that time. The committee believes that it was in part the fact that the subject was not addressed in a timely manner that speculation and theorising have been allowed to fill the information void.

Everyone loves a good mystery, and almost everyone seems to have their own theory about what happened to *Sydney*. For a variety of reasons, including the fact that the only accounts of the engagement are from the German survivors, and because it was, and still is, inconceivable to many that the pride of the Australian Navy could be defeated, many people have sought explanations for the loss in elaborate conspiracy theories. The most common of these is the theory that a Japanese submarine sank *Sydney*. Further, there is also a belief in some quarters that there were survivors from *Sydney* but that they were shot in the water afterwards, either by the Japanese submarine or by the German survivors. The committee found no evidence of the involvement of a third party in the engagement or subsequently. The committee believes those who continue to argue this line have caused unnecessary distress and grief to the families.

The former Minister for Defence, when referring the inquiry to the committee in 1997, asked us to look specifically at a number of matters. The report has addressed each of these matters, as well as commenting more generally on the circumstances of the sinking of the *Sydney*. We made a conscious decision, however, to avoid duplicating the work of historians who have

written on the subject. The committee therefore limited its comments and conclusions to those matters on which it took direct evidence and felt able to comment.

One of those matters concerns the question of the unknown sailor whose body was found in a carley float off Christmas Island on or about 6 February 1942. The body was a white male. There were no personal effects or identifying items on the body to give any clue to his identity. The body was buried in a grave in the old European cemetery on Christmas Island with military honours. If an inquest was held, no record has survived. An inquiry by Navy in the postwar years concluded that the body was not from the *Sydney*. However, many have argued since that time that the *Sydney* was the only possible source of the float and its occupant.

The committee considered evidence on the oceanographic conditions that would have affected a carley float adrift in the Indian Ocean, whether there were other ships that the carley float may have come from and the physical characteristics of the float itself. In relation to the latter, we relied on contemporary accounts as the actual float has probably been destroyed. The committee concluded that, on the balance of probability, the body and the carley float found off Christmas Island in February 1942 were most likely from HMAS *Sydney*.

A number of relatives of those lost on *Sydney* have long been calling for the body to be exhumed and DNA testing undertaken in an attempt to identify the body. Finding the exact location of the grave is difficult as no records giving its exact location have been kept. The committee believes an attempt should be made to locate the grave. Furthermore, we believe that DNA testing should be undertaken to try to resolve, once and for all, the identity of the body. The committee acknowledges that the chance of a positive identification is remote, but it would be a sign to many of the families involved that the government was prepared to do all it could in this matter.

The report tabled today contains 18 recommendations, including: that the Australian government reviews the operations of the Archives Act 1983 in regard to World War II material, to provide full public access to all material; that a search be undertaken to locate the final resting place of *Sydney*, following some further work in defining the search area; that the Commonwealth government should match public donations to the HMAS *Sydney* Foundation Trust for this purpose on a dollar for dollar basis, up to a total of \$2 million; the establishment of a research grant scheme in the name of HMAS *Sydney*; and the construction of a memorial at Fremantle.

The committee found no convincing evidence of third party involvement or a conspiracy on the part of the RAN, the admiralty or the Australian government, then or now, to keep the truth from the Australian public. The committee is well aware that its report will not put an end to the debate over *Sydney*, and indeed welcomes the continuing effort by researchers in this field.

However, the committee was very disappointed about the level of acrimony that was apparent among a number of groups and individuals, each supporting particular theories. As we have said in the report, no one group 'owns' the *Sydney*, or has a monopoly on truth. We hope that future research will rise above the personal acrimony and suspicion that has marred so much of the debate so far.

The inquiry created a lot of public interest, and I would like to thank all of the people who took the time to write submissions, to appear at the public hearings or to simply make contact with the secretariat. The degree of interest in and the involvement of the community in an inquiry of this nature was quite remarkable, and all contributions were gratefully accepted. I would like to acknowledge the hard work of the Defence Subcommittee of this parliament and also the 38th Parliament, and particularly the secretary of the committee, Joanne Towner, and her staff. I also pay a special tribute to three members who are no longer in the parliament—the former member for Fowler, the former member for Riverina and the former

member for Groom—who all took a great interest in this inquiry. I would also like to acknowledge the assistance of Professor Peter Dennis, who was historical adviser to the committee during this inquiry. I commend the report to the Senate.

Senator SANDY MACDONALD (New South Wales)(4.17 p.m.) —I too would like to make some comments on the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade. As the committee's report has stated, since the loss of HMAS *Sydney* on 19 November 1941, three weeks before the incredible event of Pearl Harbour and with German forces 1,500 miles from home looking unbeatable at the doors of Moscow, the debate on the exact nature of the engagement and its aftermath has intensified rather than abated. These were incredible times and the subsequent debate must acknowledge that. In conducting our inquiry, we made a conscious effort not to duplicate the work of historians, and therefore not to fuel the intense feelings held by many people who have an abiding interest in this mystery. The committee is aware that the report will not put an end to much of the wider speculation that surrounds this matter and will forever surround it. This was the pride of the fleet, sunk without warning and without real explanation. As somebody who has taken an interest in the *Sydney* debate for a long time before joining the Senate, I found the inquiry absolutely fascinating. I have to agree with the author Tom Frame's conclusion in his book HMAS *Sydney*: loss and controversy:

In the case of *Sydney* we will never know how it really was. Those with an interest in this proud Australian ship must learn to live with the unknown, and the unknowable.

However, I believe we can go a little further. We can conclude that HMAS *Sydney*, for reasons that will never be proved beyond reasonable doubt, came too close to *Kormoran*, was savagely attacked and mortally wounded, but that she fought valiantly to the end. This was a cruiser that had a welltrained crew and a record in the Mediterranean in 1940 against the Italian fleet that stands the test of time.

I have a couple of final comments to make. Firstly, the committee received 201 submissions and 208 supplementary submissions. The level of interest shown some 58 years after the event shows the pain still existing in the Australian community. For those people who lost their loved ones, that pain will be with them forever. I hope that some of that pain will be softened a little by our recommendations.

Secondly, there has been much speculation over time about the German subterfuge in connection with why *Sydney* came so close. As I have said, we will never know the answer. While it is undeniably a truism that history is written by the victors, the German account of the events of 19 November 1941 has never substantially altered since that time. Such a length of time does tend to increase the credibility of their account. That is my view and that is probably the view of most observers.

Bearing in mind that victors write history, I acknowledge that, when the *Kormoran* was at battle stations, perhaps only eight or 10 of her crew would have been on the bridge. Therefore, they would have been the only people that would have known what happened on that afternoon. One disappointment I feel was our inability to interview any surviving *Kormoran* crewmen. There are two reasons for that. One is that they are getting very old and the second is that those that survived feel this matter has been drawn out for too long and that their views have not been believed anyway.

I join with Senator MacGibbon in thanking the committee, and especially Joanne Towner, the secretary of the Joint Standing Committee on Foreign Affairs, Defence and Trade, who did a terrific job in producing this report. I hope the government will accept our recommendations. I especially hope that new memorials can be erected in Perth and Sydney and that a very important service commemoration can be held as planned in 2001. I hope that that service and those memorials will in some way help those who are left to find some peace after all this

time. My final advice to them is that their loved ones died in an Australian warship that fought valiantly to the end.

Senator MARGETTS (Western Australia)(4.22 p.m.) —Mr Acting Deputy President, this has been one of the most extraordinary inquiries by a joint committee that has taken place in the parliament. Many people were surprised at the level of public interest in what some would consider was simply a historical incident, that is, the sinking of the HMAS *Sydney*. Before I was elected to the Senate, or while I was a senator-elect and was still working as a receptionist in a veterinary clinic part time while studying at university, I recall having people come to me at the counter with their dog and cat saying, 'By the way, I would like to talk to you about the HMAS *Sydney*.' This was back in 1993.

It is an issue of most extraordinary interest that in some cases has grabbed people to the extent that they have spent their life's work on the issues involved in trying to find evidence. Many people indicated that they had come upon the information by accident, in doing something else, and in finding out by chance. Some of the people involved had started as a result of the Port Gregory sightings.

Since I have lost my seat on this committee, I no longer have the privilege of even being given the reports. I was involved with the inquiry, although I am not a member for Fowler, Riverina or Groom. However, I think it will be necessary for the wider community to have a look at the report. I think there will be responses to this. I was disappointed to hear Senator MacGibbon talk about the unnecessary stress caused by those who have different theories on how HMAS *Sydney* was sunk. In my opinion, the greatest stress—and it was reported to me on occasion after occasion during the lead-up to the inquiry, while the inquiry was taking place and I was still on the committee—was caused by the Department of Defence and the lack of cooperation and ability to have decent responses to questions.

Even the committee discovered something as simple as: was it possible that the carley float that was washed up on Christmas Island was associated with HMAS *Sydney*? We had the Defence witnesses arguing strongly that this could not possibly have happened. Clearly, they had not looked at or considered, or even taken seriously, the evidence that was around or available in relation to the possibilities. Even something as basic as whether or not we could look further at that evidence was stonewalled by people who have not been particularly helpful to the relatives of people who were on HMAS *Sydney*.

I am sorry to continue that note of controversy. I do not believe that those people who have various theories have caused the main stress. I think it is unfortunate that that is the message that is coming out, that those people who are trying to find the truth are the ones causing stress. I think it is unfortunate that we are having to look at very roundabout ways of finding information. Quite clearly, the people who should have known, and whose records should be able to tell us, have not been helpful from the day the incident took place.

Mr Acting Deputy President, I know other people wish to speak on this document. I hope that the last person to speak will ask that the debate on this document be adjourned because, although personally I have had so many other issues to deal with, it is an issue which has, as I say, been of great interest, especially in my state of Western Australia. The interest has been from relatives, friends, journalists and simply from other people who, in the process of looking at a story, have become engrossed. I do not think this report, unfortunately, will put an end to the mystery and I certainly do not think that the HMAS *Sydney* Foundation Trust is necessarily going to put an end to the mystery either. It might put an end to the \$2 million but I certainly do not think it will put an end to the mystery. I seek leave to continue my remarks later.

Leave granted; debate adjourned.