

11 - REG'S SUBMARINES

Herbert Anderson was not the only participant in the Battle of Sydney Harbour to be dealt with harshly by Muirhead-Gould.

Until the time of his death, Reginald Andrew (**Reg**), commander of HMAS *Seamist* was adamant he had sunk M21, and had seen other submarines in Taylors Bay as *Seamist* approached to drop the second depth charge.

Reg's interview in 1978 with author Carruthers,¹⁷⁷ is illuminating and sheds light on the events in Taylors Bay during the Battle, on what transpired afterwards, and on his bitterness in the aftermath.

These are the facts as Reg Andrew tells the story.

His posting to HMAS *Seamist*, was to commence at midnight on 31 May 1942, but Reg thought it best to arrive a little earlier and boarded her at 4.00 pm. The commander of *Seamist* at the time, Sub-Lieutenant John Doyle, motored *Seamist* around Farm Cove and handed her over to Reg to bring her alongside the wharf. Doyle stepped off and said 'You're OK, You're the commanding officer from now on'. That was Reg's familiarization with his first naval vessel and after only six weeks of training.

According to Reg, the training was irrelevant and useless. A week of signal training was reduced to the recruits conducting their own class. They were trained in every aspect of 6 inch guns (150mm) found on large naval cruisers, torpedoes and battleship maneuvers. In his words, 'What we were taught was not useful'. When asked about his experience, he responded he had 'none whatsoever'. We were 'put in the job and away you went'. Luckily for Reg, the Coxswain of *Seamist* had some experience.

Without anything to do that evening, Reg retired to his bunk and slept soundly through the early mayhem of the Battle of Sydney Harbour. He was woken at 3.00 am by a Lieutenant in a launch saying 'I think you'd better get underway – there are subs in the harbour'. Townley, the commander of *Steady Hour* lying next to *Seamist*, and commander of the Hollywood Fleet that night,¹⁷⁸ instructed Reg to patrol between Bradleys Head and the western end of the boom net, and to set his depth charges to detonate at 50 feet. Without any other training on *Seamist*, other than his earlier docking at the wharf, and with little knowledge of the Harbour, one can understand the concerns Reg must have had – responding to a call of enemy submarines in the Harbour, on a dark winter night, on his first day of active service, and in command of his first vessel.

He commenced his patrol to the boom at about 3.30 to 3.45 am. At 4.30 am he was signaled by HMAS *Goonambee* to investigate an object in Taylors Bay. He did so and only found a buoy and duly reported back.

At about 5.00 am as he motored past the Bay again, he sighted an object. As he investigated, he recognized it to be the conning tower of a submarine. Thirty years later Reg said that to find a submarine on the surface was a shattering experience which caught him very much off guard, and far from ready to deal with the situation.

But deal with it, he did. Reg bought *Seamist* between the submarine and the shore and saw it dive with its propellers splashing. He called for the Very Flare pistol and a depth charge and swung *Seamist* in an arc to cross where the submarine had submerged. At the right moment Reg fired the pistol sending a

¹⁷⁷ Australian National Maritime Museum: Voice interviews by Reginald Andrew ... relating to the Sydney Harbour Attack, 1977., Object No. 00047664. See also Reg Andrew manuscript story of the Battle prepared in the early 1970's, Carruthers Collection, RAN Sea Power Centre – Australia.

¹⁷⁸ The commander of the Hollywood Fleet was Lieutenant Commander Richard Eric Breydon. At the time of the Battle, he was on leave and Townley as second-in-command, assumed the role.

red flare into the sky and ordered the depth charge to be dropped. There was an explosion and upheaval of water. *Seamist* rode the resulting wave 'like a surf boat' as he carried on, into another arc, to attack the submarine again. As Reg brought *Seamist* around again, he called for another depth charge by which time the submarine's hull had surfaced upside down. He recalled how he ran in towards it so close he 'could have stepped off onto the sub'.

Just as he was about to order the second depth charge to be dropped, the Coxswain yelled to Reg, there were another two subs behind.

In his interview, Reg described the events:

I attacked the first submarine and got the charge on it, now when I came back again that submarine came up with its propellers out of the water upside down. At the time of dropping the second charge on that hulk which really didn't need another one as it had it in any case, but a few seconds before, attention was drawn to two more behind me on the port quarter and I looked around behind me and saw two more conning towers high above water, at least 3 feet [approx. 1m] above the water, and the nearest one to me was what I reported was crash diving because all around the conning tower was bubbles and air rushing out, and in the quick flash that I looked, appeared to be sinking.

When he dropped the second depth charge, there was a mighty explosion and wave that *Seamist* rode. But the force of the explosion was so great, it damaged one of the engines and Reg knew he would be unable to make another run. He used his Aldis lamp to signal Townley in *Steady Hour*, but there was no response. With only one engine he motored, as best he could, to *Steady Hour* and told Townley of his sighting of the other two submarines.

For Reg, Townley appeared disinterested and seemed keen to have a 'general conversation' – 'Did *Seamist* fire any red Very flares?', 'Did you drop any depth charges?'. Reg remained concerned and told Townley, the two additional submarines would already be making their way out of the harbour. Reg said he was ordered to 'Fuck off to base'. For him, 'Nothing could have been more distasteful to the morale of the crew who to this stage considered, they had put up a jolly fine show' and 'Apart from the indignity of being sent home, the order in such language was to say the least, degrading'.

After what Reg described as an interminable delay of unnecessary questioning, Townley motored *Steady Hour* into the Bay and began a search. Nothing was found. Townley then called *Yarroma* over from her patrol duty at the western end of the boom gate, to use her ASDIC equipment in a crisscross search. A contact was found at about 6.40 am and *Steady Hour* and *Yarroma* dropped further depth charges.

Reg subsequently reported his actions with the first submarine, and described the sightings of what he believed to be, two further submarines.

He was questioned at length at Garden Island by senior officers. When he said he had sunk a submarine at a particular location, Reg said he was 'accused of insinuating the Admiral was a liar', because, according to Muirhead-Gould, there wasn't a submarine at that location.

In the interview with Carruthers, Reg expressed his view the senior officers 'Set out to prove in any possible way I was a liar'. 'I was given a severe dressing down'.

In his official report of 22nd June 1942, Muirhead-Gould confirmed Townley in *Steady Hour* was responsible for sinking the submarine, and that Reg Andrew with *Seamist* and Eyres with *Yarroma* had merely assisted. That was despite Muirhead-Gould's chronology confirming *Seamist* had attacked first at 5.00 am, approximately one hour and forty minutes before Townley dropped his first depth charge at 6.40 am.

Clearly over the intervening years, Reg became bitter that his deeds and those of his crew on that night were not recognized, just as those of Anderson and his crew in *Lolita* were never recognized. What made it hard for Reg to accept, is that Townley, who received the credit for Reg's actions, never spoke to him about his actions – *'You'd think any sort of human being, being a senior officer of the flotilla like that, would at least have something to say – congratulations, or you did a good job or something. I never heard a word from him'*.

Reg felt ostracized, and after the intervening thirty-five years in which he mulled over the events and circumstances, he summed up his view, *'I suppose if it's all boiled down, I should have been decorated'*. *'I was told confidentially, that because the Admiral had got a kick in the bum for it, and the whole box and dice was a fiasco, nobody would get any credit, and they had to shut me up. But the CO of Steady Hour was a politician, and he had to get the credit, and it was easy to give him credit, and forget that I was in it and that's what happened'*.

Given we now know, there was only one submarine in Taylors Bay that night when Reg and his crew did their duty and attacked, it is difficult to understand how Reg could have believed there were two more submarines.



Having reviewed the available reports, including Horace Doyle's account¹⁷⁹ of *Yarroma's* actions, listened to the interviews with Reg, and read his narrative of the action, it is my view there were possible explanations.

Firstly, Reg and his Coxswain most probably observed two buoys, one of which Reg sighted earlier when responding to *Goonanbee's* direction at 4.30 am. Given the bay affords secure anchorages, there would be a strong likelihood there may have been other buoys in the bay. With the concussion from the explosion of the first depth charge, the buoys were probably foundering and appeared like conning towers in the melee of bubbles and escaping air. At the time Reg and his Coxswain sighted the two additional 'submarines', *Seamist* was heading south-east out of Taylors Bay towards the western channel and it is more than likely, the buoy he had seen earlier that morning would have been behind him in Taylors Bay. Whilst Reg recounted the other 'submarines' were a mere 45 metres away, given the circumstances, he could easily have underestimated the distance.

The second possibility is that the concussion from the explosion of the first depth charge, may have dislodged wreckage or debris from the bed of the bay. An old drum or piece of wreckage hurled to the surface by the blast of 180kg of high explosive in the depth charge, may well have looked like a conning tower rising 3 feet [900 mm] above the surface, especially in poor light against the dark background of the shore and headland.

The third possibility, suggested by Carruthers and included in Grose's book,¹⁸⁰ is that one of the additional 'submarines' seen by Reg, could have been the stern section of M21, severed from the body of the submarine by the explosion of *Seamist's* first depth charge. Having been severed, the rear section may have been blown to the surface and observed by Reg and the coxswain before sinking.

This possibility raises a number of issues which arise from the lack of definite evidence in the report¹⁸¹ of the salvage operation.

¹⁷⁹ AWM PRO3229 – Papers of Horace Frederick Doyle

¹⁸⁰ Grose, P., *A Very Rude Awakening*, p.167

¹⁸¹ NAA: SP338/1, 201/37: Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942, p.92-94

The report documents that on the Friday after the attack, it was *'Discovered tail of submarine had been blown off'*. However, there is nothing in the report confirming when the stern was severed – by the depth charge attack, or if the stern had been sheared off during the salvage operation. In support of the latter, the diver's narrative includes *'stepped the length of the sub and made it about 85 feet'* [25.9 metres],¹⁸² which is about 1.4 metres longer than the actual length of the sub. If the stern had been severed by the attack, the length of the sub would have been much shorter. However, at a depth of 81 feet (24.7 metres) in 6 inches (150mm) of mud and poor light, diver Bullard could have overestimated the length of his steps.

The salvage report also records *'motors inside the hull were still running'*. Despite the absence of any report by the divers that the propellers were rotating, authors have accepted this confirmed the main propulsion motor was running, and as this would require power from the batteries located in the remainder of the submarine, it would not have been possible for the stern to have been severed during the attack. Notwithstanding, it is noted from a review of detailed drawings of the submarine prepared by naval draftsmen at Garden Island,¹⁸³ there were a number of additional internal motors. Given the report merely notes *'motors inside the hull were still running'*, it could easily have been one of those additional motors that could have been running and that the stern had been severed by the attack.

But perhaps the most compelling evidence to be weighed up for this possibility, is that when describing his run in to drop the second depth charge, Reg recalled the submarine came up *'with its propellers out of the water upside down'*. The propellers could not have been in two places – behind him as he ran in to drop his second depth charge, and on the submarine when she came out of the water upside down!

Grose however suggests a further possibility,¹⁸⁴ that Andrew's second depth charge was dropped on the buoy he had seen earlier that morning, and the other two submarines behind him as he ran in to drop the second depth charge, were in fact the stern of M21 breaking the surface before it slid back into the water, before the bow broke the surface. The difficulty with this possibility is Reg's statement, that when he *'came back again that submarine came up with its propellers out of the water upside down'*, and buoys don't have propellers!

In the confused light, Reg's two submarines could have been buoys, pieces of old wreckage or debris, the stern of M21, or the stern and the bow of M21 as suggested by Grose. Any combination of these, provided Andrew and his Coxswain, reason to believe there were two more submarines, in addition to the one they were then attacking.

Whatever the reason, as commander of the vessel prosecuting the attack, with only three crew, in a harbour in which he had little experience, with a vessel of which he had taken command only five hours earlier, and with little relevant training, Reg and his crew, deserved a proper hearing. That hearing was denied, and the credit for his actions in sinking M21 was given to Lieutenant Townley and *Steady Hour*.

Notwithstanding, and unknown by Reg, he had no chance of being credited with destroying the submarine. Just eight days after the Battle and prior to receiving any written report, the Naval Board wrote to Muirhead-Gould requesting that he convey the congratulations of the Board to Townley, for the initiative and skill shown by him and his officers and crew *'in successfully sinking an enemy submarine'*.¹⁸⁵ Without waiting to compile his reports, Muirhead-Gould wrote his own personal letter to Townley, congratulating him and his crew for the *'vigilance, skill and determination which bought about*

¹⁸² Grose, P., *A Very Rude Awakening*, p.179

¹⁸³ NAA: B6121, 174S, Parts 1 and 2: Midget Submarines – Japanese. This Record includes 2 drawings.

¹⁸⁴ Grose, P., *A Very Rude Awakening*, p.168

¹⁸⁵ NAA: MP1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour, p.95. There is no indication of what prompted the Naval Board's initiative and there is no record of any consideration of such a matter in the Minutes of the Board's meetings.

the destruction of Japanese [submarine] No. 21', adding 'it is a triumph for "The Little Ships" as well as a personal triumph for you'.¹⁸⁶

What may have contributed to Reg's bitterness, is that when Townley was given credit for sinking a submarine, for Reg, there had to be another submarine – the one he attacked and sank. If the authorities were saying the submarine that had been lifted from Taylors Bay was Townley's, then his, was still somewhere on the bottom of Taylors Bay.

For Reg, the scenario that there was more than one submarine in Taylor's Bay, was reinforced after the war in 1948, when Eric Breydon, the commander of the Hollywood Fleet at the time of the submarine attack, wrote to Hermon Gill. Gill had earlier been appointed by the Australian War Memorial to prepare the official naval history of the War. On the evening of the attack, Breydon had not been on duty and played no part in the action, but Gill had sent him a letter which he had received from Reg Andrew. That letter has not been found, but in response, Breydon told Gill, *'My view is that Andrew did sink one submarine, and "Sealice, in his letter, gave him credit for the one not yet raised from the seabed' and 'Townley also sank one submarine and, according to the official view, his victim was No. 21.'* Of importance, Breydon says Townley's submarine was *'visually sighted'* by *Yarroma* and *Steady Hour* as she was surfacing. Other than Breydon's statement, there is no evidence that a second submarine was *'visually sighted'*, in the period between 5.15 am to 8.27 am, when *Yarroma* and *Steady Hour* were searching Taylors Bay and dropping their depth charges.

How could there be a visual sighting? Reg had squarely caught the submarine with his first depth charge which inverted the 50 ton submarine and blew it to the surface. He followed it with his second depth charge, so close to the submarine he could have stepped from *Seamist* onto its hull. The concussive blast from the 180 kg of high explosive in each depth charge, in the shallow water of Taylors Bay would have effectively destroyed the submarine and it would have remained on the seabed.

Breydon, in his conclusion to Gill recommended that Andrew be informed *'the effect of the information given by "Sealice" in his letter is regarded as authentic and in accordance with official records and must be accepted'*. For Reg, this was the official position – there had been more than one submarine.

Breydon did not reveal the identity of *'Sealice'*, and no record relating to *'Sealice'* has been found.

In another twist, Reg in his early 1970's manuscript, describes how Breydon with his vessel HMAS *Silver Cloud*, and others of the Hollywood Fleet, spent ten days dragging a chain between two vessels across the bed of Taylor Bay. In those ten days Reg and *Seamist* were not allowed to participate or point to the location where he believed the second submarine would lie. Nothing was found, but on the eleventh and last day of the search, Reg with *Seamist* was allowed to join the search and in proceeding between Chowder Head and Bradleys Head across the entrance to Taylors Bay, the two vessels came to a *'grinding halt'* as the chain caught an object on the sea bed. The object registered as metallic on the galvanometer attached to the chain. Reg recounts he was ordered to drop his end of the chain. It was pulled into *Silver Cloud* and both vessels advanced fifty metres whereupon the chain was re-strung between the vessels and the search continued.

According to Reg's account, there was no attempt to raise the object and according to him, the site was subsequently marked on charts held by the anti-submarine training school at Rushcutters Bay and used for diving exercises. Reg was adamant, that if Townley's sub was the one raised from Taylor's Bay, his was the one caught in the chains and never raised. Again, unbeknown to Reg, it is possible the chains had snagged the 1889 wreck of the SS *Centennial*, or the 1910 wreck of the SS *Currajong*, both of which lie on the seabed in the vicinity of Taylors Bay.¹⁸⁷

¹⁸⁶ NAA: AWM69, 85/27. A copy of the letter had been obtained by Breydon presumably from Townley, and submitted to Gill.

¹⁸⁷ NSW Office of Environment and Heritage website – See Maritime Heritage

Reg's confusion was understandable - no one seemed interested in finding 'his' submarine.

Reg Andrew and his crew believed they had sighted a submarine, attacked it and had sunk it. In his interview, he was adamant that Steady Hour and Townley *'had nothing whatever to do with it. The submarine that he [Townley] got the main credit for was sunk and was well and truly home and hosed before he [Townley] came on the scene and it was at least an hour and a half after I attacked with Seamist that he [Townley] dropped his charges'*.

It is a significant loss that the reports of the action, written by Andrew, Townley and Eyres, are missing from the national record of the Battle. It is a significant loss that there are no transcripts of evidence from the commanders that would have been available, had there been the required Board of Inquiry. But today we have the interviews with Reg Andrew and his written statements. In the absence of any evidence to the contrary, and there is none, they should be believed.

Within weeks of the attack, Muirhead-Gould knew there had only been three submarines and the third submarine, (M24) had escaped the harbour at 1.58 am,¹⁸⁸ approx. three hours before Reg attacked M21. With M14 destroyed at the boom net, the only submarine remaining in the harbour at 5.00 am was M21, caught by Reg in Taylors Bay. Having been attacked, there was every reason for M21 to escape the confines of Taylors Bay into the larger harbour. But it didn't – it remained in Taylors Bay because Reg had irreparably damaged or destroyed it!

Lying on the bottom, destroyed by Reg, it is most improbable M21 surfaced and was sighted by Townley. And there was no other submarine that could have been sighted. But, for whatever reason, Breydon informed Gill, a second submarine was *'sighted'* by Townley and Eyres to be *'under way and surfacing'*.

Based on the information that was available, there should never have been any doubt there was only one submarine in Taylors Bay that night.

On 21 June 1942, just three weeks after the Battle, the loop experts determined one of the four crossings was *'outward bound'*.¹⁸⁹ Two days later, a news broadcast from Tokyo regarding the raid on Sydney announced the *'three Japanese submarines which participated in this raid have not yet returned'*.¹⁹⁰ The following day, Muirhead-Gould advised the Naval Board that one of the loop crossings *'may be in the opposite direction to other three'*. With M14 destroyed in the net and with another having left the harbour, there could only have been one in Taylors Bay. In his advice, he only spoke of one in Taylors Bay, which he said was *'probably attacked'* by Seamist at 5.00 am *'and relocated and finally sunk'* by Steady Hour, Yarroma and Seamist at 7.00 am.

Having reached that position, with only one submarine in Taylors Bay, Muirhead-Gould faced a dilemma in his third report having already awarded the kill to Townley. He had to deal with Andrew's submarine. He did so by merely saying the first attack being Andrew's *'caused the submarine to run into the bottom'* and *'damaged the midget'*, while the later attacks *'progressively wrecked her'*. The Board's and Muirhead-Gould's earlier congratulations to Townley remained.

¹⁸⁸ MP1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour., p.31 (Chronology p.3)

¹⁸⁹ NAA: B6121, 162K: Midget Submarine Attack on Sydney Harbour - Signals, p.120

¹⁹⁰ NAA: B6121, 162K: Midget Submarine Attack on Sydney Harbour - Signals, p.113

In 1953, the Department of External Affairs obtained a copy of the 'official' Japanese account of the submarine attack on Sydney Harbour.¹⁹¹ The report provided to Gill, confirmed only three midget submarines had been involved in the attack.¹⁹²

With that confirmation, and despite Breydon's earlier advice of two submarines in Taylors Bay, Gill reached the conclusion there had only been one. He reached that conclusion in 1954 but made no determination regarding the actual attack and the impact of Reg's attack. That was fourteen years before the Australian War Memorial published Gill's *Royal Australian Navy 1942-1945, Vol. 2*, which contained the 'official' account of the battle. Gill had those fourteen years to thoroughly research the circumstances of the Battle, interview the participants and consider the various claims. There is no evidence he took any action, other than to rely on what had been written in the months following the Battle, and in the 'official' Japanese report.

By 1949, Townley was a member of Parliament and was appointed Minister for Defence in 1958. With only one submarine attacked in Taylors Bay and therefore none for Townley to sink, perhaps it was easier to perpetuate the confusion at Reg's expense, and leave the matter well alone – and merely set out the timeline and leave it for readers to draw their own conclusions.

Whilst running in the 1949 election for the Federal Electorate of Denison, the story of '*The Midget Sub Raid On Sydney*' appeared in the Melbourne Herald,¹⁹³ with similar accounts in Perth's Western Mail and Adelaide's Advertiser. It was Townley's opportunity to correct the record and at least give Reg his pat on the back. There was no response.

¹⁹¹ NAA: AWM69, 88/3., Note only one page remains in the file. The remainder of the document is missing. However, a copy of a Japanese account of the Battle titled '*Attack of Sydney harbour by Special Submarine Boats (Midget Submarine)*' is contained in the Carruther's Collection at Sea Power Centre – Australia. This is a translation of 'Chapter 6' of an un-named document. The name of the document is not named. The source is not cited.

¹⁹² Whilst only one page of the report has survived, it is possible to conclude that if the report had identified more than three midget submarines were involved in the attack, Gill would have reflected the greater number of submarines in his 1963 'Official History'.

¹⁹³ The Herald (Melbourne), 28 May 1949, p.11

12 - CORRECTING THE RECORDS

After the Japanese attack on Pearl Harbor, the US government conducted an inquiry. After the bombing of Darwin, the Australian Government launched an inquiry.

By the end of the week following the Battle of Sydney Harbour, Smith's Weekly newspaper of 6 June called for an inquiry and sackings - *'If it's the Navy or the coastal defences that neglected safeguarding the great port of Sydney, the responsibility should be sheeted home'*.¹⁹⁴

The Opposition Leader in the NSW Parliament suggested the federal authorities be asked to conduct an inquiry into the entry of the Japanese submarines into Sydney Harbour. Premier McKell responded *'it would be very wrong and most inopportune to ask for any such inquiry unless evidence of negligence is brought forward'*. He added, that if such evidence was brought forward he would act.

The next day, on 10 June 1942, the Minister for the Navy, Mr Makin issued a statement that he considered an inquiry into the harbour defences was unnecessary. Makin was quoted saying *'A thorough investigation has been made into the entry of Japanese midget submarines and this has proved that the defences are up to the mark'*.¹⁹⁵ That was despite the ongoing inquiry, and no written report from those responsible for the protection of Sydney Harbour and the safety of the residents of Sydney.

The following Saturday, a week after the shelling of Sydney and Newcastle suburbs, the Smith's Weekly newspaper of 13 June was again calling for an inquiry; *'Our Navy Must Never Be Caught Napping'* screamed the headline. *'Conflicting Statements on Sydney Harbour Raid – There Should Be a Public Inquiry'* was the bi-line.¹⁹⁶ *'Clearly there is a need, not for ministerial complacency, but for searching inquiry. An inquiry must be made into the Sydney affair, and it must not be suppressed, whatever its findings'*. The newspaper informed its readers the American allies had not hesitated to launch an inquiry into the attack on Pearl Harbor, and had not hesitated to publish the findings. Smith's Weekly maintained the American inquiry constituted a precedent for Australia to hold an inquiry.

By the next edition on 20 June, the newspaper had been informed of James Cargill's discovery and informed its readers of the *'Story of the Night-Watchman'*. The newspaper described Cargill's actions; that he rowed to the disturbance he had observed at the boom net, reported to commander Eyres on *Yarroma*, had been *'ridiculed'* by Eyres, rowed again to the object, reported a second time to Eyres, before rowing a third time¹⁹⁷ with a sailor from *Yarroma* who confirmed the object was a submarine. On seeking an explanation from the Navy for the delay in taking action, Smith's Weekly was informed the *'Admiral'* (being Muirhead-Gould) would not make any statement. Smith's was directed to address the matter to the Naval Board. Again, the newspaper called for an inquiry, *'Public anxiety must be allayed. National safety must be protected. A full enquiry, as in the Pearl Harbor case, is essential'*.

In the 4 July edition, the newspaper published a poignant letter from a reader identified as *'Lookout'* of Cremorne:

If the presence of submarines in Sydney Harbour was known at 10 o'clock on the night of May 31, why were the men on the torpedoed depot ship not put on alert? Many of the survivors were undoubtedly asleep – by their own admissions. The loss of life could well have been avoided, or at any rate reduced, if an alert had been given. Who was responsible for this omission of this precaution?¹⁹⁸

¹⁹⁴ Smith's Weekly (Sydney), 6 June 1942, p.3

¹⁹⁵ The Sun (Sydney), 10 June 1942, p.1

¹⁹⁶ Smith's Weekly (Sydney), 13 June 1942, p.2

¹⁹⁷ Cargill in his official statement said he rowed twice to the object but in his later statements, he said he had rowed three times to the object. Whether he rowed two or three times is rather irrelevant, given he reported the object initially to Eyres on *Yarroma* and again when he returned *Yarroma's* sailor.

¹⁹⁸ Smith's Weekly, 4 July 1942, p.11

Having been fobbed off by the Naval Board, who claimed they had a report from Cargill that *'does not disclose any suggestion of neglect or delay on the part of any naval personnel'*, the newspaper again called for an Inquiry.

The task of determining what happened was left to the Naval Officer in Charge – Rear Admiral Muirhead-Gould. Yet it was that very person, Muirhead-Gould, who was responsible for the safety of Sydney Harbour, and who had allowed three enemy submarines to penetrate the defences and kill twenty-one naval sailors.

There was no inquiry, public or otherwise.

* * *

Five months before the Battle of Sydney Harbour, five Japanese midget submarines participated in the attack on Pearl Harbor. Whilst the submarines failed, the attack alerted allied navies of the existence of the Japanese midget submarines and the enemy's intention to use them to attack shipping in harbours. Three weeks after the attack on Pearl Harbor, on 24 December 1941, Muirhead-Gould issued directions regarding the protection of Sydney Harbour, including additional anti-submarine and mine-sweeping vessels, and patrol and auxiliary patrol vessels. He ordered depth charges to be set to *'100 feet'* (30.5m).¹⁹⁹ Given a cursory examination of a nautical chart of the harbour would have identified only two small areas with a depth greater than 100 feet, this was a monumental mistake that rendered the main anti-submarine armament, useless! Muirhead-Gould's order rendered the Channel Patrol Boats (CPB) of the Hollywood Fleet, impotent - as if their *'guns had been spiked'* - as found by *Lolita* when she attacked and dropped her depth charges on M14 at the boom net.²⁰⁰

Muirhead-Gould does not reveal that mistake in any of his reports including his final 16 July 1942 report, and extraordinarily asserts, depth charges *'were not capable of exploding in depths under 42 feet'* (ie they could detonate at depths greater than 42 feet), and then advises this had since been amended with all depth charges on the CPB's *'modified to fire at 25 feet'* (ie at depths greater than 25 feet).²⁰¹ Yet, within two weeks of his report, an order was issued for depth charges *'to be set to 100 feet'*.²⁰² The CPB's main armament had again been 'spiked' and rendered useless in the Harbour!

With regard to the induction loops, Muirhead-Gould had been alerted, as early as mid 1941, that the installation had given an *'abnormal amount of trouble'*. As a consequence, he had been warned by the loop experts, that defence against midget submarines would require booms, patrols to seaward against parent craft, and *'extreme vigilance'*.²⁰³ In addition, the Admiralty had expressed several relevant views, that ASDIC on harbour defence vessels was not suitable, and a small 50 ton midget submarine would only be detected within 5 fathoms (30 feet, 9.15m) of the actual loop cable.²⁰⁴ In early 1942, just four months before the attack, the British Officer in Charge of Australia's anti-submarine establishment, advised Muirhead-Gould the defences against such an attack were deficient and issued instructions regarding the watchkeeping scheme and additional personnel.²⁰⁵

¹⁹⁹ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.4

²⁰⁰ It is therefore odd, that Townley ordered Reg Andrew to set his depth charges to detonate at 50 feet at the time he was ordered to patrol between Bradleys Head and the boom net on the morning of the Battle of Sydney Harbour. If Townley as deputy commander of the Hollywood Fleet, and presumably Breydon as commander of the Hollywood Fleet, were aware of the consequences of Muirhead-Gould's '100 feet' Order, why did they fail to ensure Anderson and his crew on *Lolita* were aware of the depth issue, and ensure a crew member aboard *Lolita* was familiar with the process to reset the depth to a shallower setting.

²⁰¹ NAA: 1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour, p.37

²⁰² NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.106

²⁰³ NAA: MP1049/5, 1855/3/209: Anti-submarine loops – policy. p.1

²⁰⁴ NAA: MP1049/5, 1855/3/209: Anti-submarine loops – policy

²⁰⁵ Kennedy, D., *'Anti-Submarine Defences of Sydney Harbour 1942'*, Naval Historical Society of Australia, March 2005. The source was not cited and a copy has not been found.

On 27 April 1942, Muirhead-Gould issued further orders that dramatically increased the activities of the Channel Patrol Boats of the Hollywood Fleet. He ordered that until further notice, one ASDIC fitted vessel of the Hollywood Fleet would be on continuous patrol off Lady Bay just inside the harbour entrance, with another non ASDIC fitted vessel patrolling at each boom entrance each night between 7 pm and 7 am. Two further ASDIC fitted Hollywood Fleet vessels were required to keep '*continuous A/S [ASDIC] watch covering the approaches to East and West channels*'.²⁰⁶ That was five vessels of the Hollywood Fleet on duty at the net every night, three of which were fitted with ASDIC.

Bewilderingly, Muirhead-Gould's further order just five days before the attack on 25 May 1942, cancelled the ASDIC capable vessel patrolling off Lady Bay.²⁰⁷ Furthermore, the number of vessels at the boom on the night of the attack had been reduced even further to just two – *Yarrorna* with her ASDIC equipment and *Lolita* without ASDIC detection equipment. We also know *Yarrorna* was not keeping an active ASDIC watch on the evening of the attack '*the reason being that, generally speaking, A/S [ASDIC] watch is not possible inside the boom owing to echoes off the boom drowning all others*'.²⁰⁸ In addition, *Yarrorna* was not maintaining an active patrol as she was anchored until approx. 9.40 pm, and it was only at that time, she set an ASDIC watch, but only by hydrophone '*due to the proximity to the boom*'.²⁰⁹

There is no documentation identifying the reason for Muirhead-Gould's increase in the number of patrol boats in April, and the further reduction to two, just five days before the attack – especially given the warnings of enemy activity and, extraordinarily, given the boom net had not been completed.

It is also known Muirhead-Gould had been one of the senior officers who conducted the inquiry into the sinking of the British battleship HMS *Royal Oak* in Scarpa Flow, Scotland, in October 1939.²¹⁰ *Royal Oak* had been sunk by a German submarine which had penetrated into the Scarpa Flow harbour past boom nets. Having participated in that inquiry, Muirhead-Gould would have been well aware of the difficulties associated with excluding enemy submarines from harbours. Yet five months after the attack on Pearl Harbour, which included midget submarines, the boom net across Sydney Harbour had not been completed, and only two Channel Patrol Boats of the Hollywood Fleet were on duty on the evening of the attack. Smith's Weekly in their 6 June edition, reminded Muirhead-Gould and their readers of the Scarpa Flow attack. The failures in that attack which resulted in the loss of HMS *Royal Oak*, were front and centre before Muirhead-Gould and senior officers of the Navy, including Sir Guy Royal, First Naval Member of the Naval Board.

And, it is not as though there was a lack of warnings of an impending attack!

On 23 May 1942, just eight days before the attack, the Japanese submarine I-29 launched her seaplane which flew over Sydney Harbour before dawn.²¹¹ At the time, the harbour was full of vessels including the cruiser USS *Chicago*. The seaplane was observed and reported by personnel at the Port War Signal Station on South Head, and by a mobile radar station at Iron Cove, west of the Harbour Bridge.²¹² Muirhead-Gould was absent²¹³ which may have accounted for the lack of action, but at the very least it should have resulted in a heightened lookout and reporting regime.

But, on 29 May, just two days before the attack, a further flight was conducted from another Japanese submarine I-21. This time the plane flew in from the sea, down the harbour, passed USS *Chicago*, then over Garden Island and the city, returning for a final circuit through the prohibited air space over the

²⁰⁶ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.3

²⁰⁷ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.2

²⁰⁸ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.43

²⁰⁹ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.43

²¹⁰ Grose, P., *A Very Rude Awakening*, p.15

²¹¹ Carruthers, S., *Japanese Submarine Raiders 1942*, p.87

²¹² Grose, P., *A Very Rude Awakening*, p.62-64

²¹³ NAA: AWM78, 418/1: Sydney Log

assembled fleet and harbour installations, before flying east out to sea. There is no mention of the plane in the Sydney Log.²¹⁴ However, the plane was positively identified as a Japanese float plane, and it is inconceivable, the report would not have been passed onto Muirhead-Gould.²¹⁵ Regardless, it is surprising Muirhead-Gould did not implement any further precautions to prevent an imminent attack, especially given these two flights were in addition to an earlier flight from a plane launched from another Japanese submarine I-25, 3½ months earlier on 17 February 1942.²¹⁶

In addition, Muirhead-Gould knew there were enemy submarines off the coast and close to Sydney. On 16 May 1942, the Russian merchant ship *Wellen* was attacked off Newcastle. Two torpedoes had missed the vessel, but the submarine surfaced and attacked *Wellen* with her deck gun. Fortunately, *Wellen* was armed and returned fire. The enemy submarine discontinued the engagement.²¹⁷

Furthermore, just five days before the attack on 26 May, the New Zealand naval authorities detected a signal from a submarine operating in the Tasman Sea. They identified the location as being approx. 700 nautical miles (1,300km) east of Sydney, and notified the Australian authorities.²¹⁸ Again, at 6.00 pm on 29 May, the New Zealanders intercepted a further signal and notified the Australian authorities of a probable submarine approximately 40 miles (64km) east of Sydney Harbour.²¹⁹

The requirement for ‘*extreme vigilance*’ appears to have been overlooked!

* * *

Both authors, Carruthers and Grose include copies of Japanese Telegraphic Orders No. 3 and No. 4, which they attest are the signals of 26 and 29 May, detected by the New Zealanders. Both Orders clearly identify the forthcoming attack on Sydney Harbour.²²⁰ Carruthers does not express any views on whether the signals were decrypted by the allies before the attack. Grose, simply notes there ‘*is no evidence*’ the 26 May signal was ‘*decoded*’ by the Australians or Americans before the attack.²²¹ For his 1982 book, Carruthers, received a copy of the ‘*official Japanese War History*’ which included the ‘*planning and execution of the Japanese attack*’.²²² That account includes Telegraphic Orders 3 and 4.

However, as early as 1953, the Australian Department of External Affairs received a copy of the Japanese account of the attack on Sydney Harbour.²²³ The account was provided to Gill for his use in preparing the Official History of the Royal Australian Navy. Whilst only one page of the document remains in the file, it is more than likely, Telegraphic Orders 3 and 4 were set out in that document, just as they were set out in the document obtained by Carruthers. As a result, in 1953, Gill would have become aware of the significance of those Orders, and the implications if they had been decrypted and passed to Muirhead-Gould and others prior to the attack. Neither of those Orders are discussed in Gill’s account of the Battle.

Former Navy Public Relations Officer in Sydney, Lew Lind who has written extensively on Australian military action is adamant, ‘*Britain and the United States were aware of the forthcoming enemy operation*’²²⁴ and ‘*Half a century after the Special Attack Group struck its blow, many interesting and*

²¹⁴ NAA: AWM78, 418/1: Sydney Log

²¹⁵ Grose, P., *A Very Rude Awakening*, p.71-76

²¹⁶ Grose, P., *A Very Rude Awakening*, p.62

²¹⁷ Grose, P., *A Very Rude Awakening*, p.60, 61

²¹⁸ Grose, P., *A Very Rude Awakening*, p.66

²¹⁹ Grose, P., *A Very Rude Awakening*, p.79

²²⁰ Carruthers, S., *Japanese Submarine Raiders 1942*, p.88, 89., Grose, P., *A Very Rude Awakening*, p.66, 79

²²¹ Grose, P., *A Very Rude Awakening*, p.66

²²² A copy of ‘*Chapter 6, Attack of Sydney harbour by special submarine boat*’ is included in the Carruthers’ Collection at the Sea Power Centre – Australia.

²²³ AWM69, 88/3. Note only one page of the document remains in the file. The remaining pages are missing.

²²⁴ Lind, L., *Toku Tai – Japanese Submarine Operations in Australian Waters*, p.8

related facts are still withheld from the public'.²²⁵ When writing about the description of the JN-25 Japanese coded signals, Lind says '*When the question of Australia sharing the secrets revealed by Ultra*²²⁶ *arose, both great powers agreed the Australian government could not be trusted with this vital weapon*'. Other than relying on his personal knowledge, Lind does not cite any evidence to support his views.

The National Australian Archives holds fifteen folios of '*FRUMEL* [Fleet Radio Unit Melbourne] *records of Communications Intelligence*' relating to different subjects.²²⁷ The third folio relates to intelligence gathered in the lead up to the planned Japanese invasion of Port Moresby, and the resulting Battle of the Coral Sea. That battle played out on 7 and 8 May, just three weeks before the Japanese attack on Sydney Harbour. The fourth folio relates to intelligence gathered in the lead up to the Battle of Midway, which occurred during the week following the Battle of Sydney Harbour. The information set out in those two folios, in addition to the information included in the remaining thirteen folios is profound in the level of detail that is revealed. It is that information that enabled the allies to position their forces to counter and forestall the Japanese attacks in the Coral Sea and at Midway.

Given the above, it is for reasonable people to ask, if the allies were able to detect and decrypt the signals which formed the basis of those summaries for the battles of Coral Sea and Midway, why would it not have been possible for the 26 and 29 May signals collected by the New Zealanders, to have been decrypted and read by the allies? Given the attack on *Wellen* and the overflight on 23 May, it seems unbelievable that those signals would not have been decrypted. It becomes even more unbelievable that the earlier 26 May signal, would not have been decrypted, given the 29 May signal identified an enemy submarine to be only 40 miles (64km) off Sydney, after the over-flight on that same day.

One is left to ask, if either signal had been read before the night of 31 May 1942, who was aware of the forthcoming attack? Did the British or the United States decide not to warn the Australian authorities so as to allow the attack to proceed to awaken the Australian population from their slumber with regard to the war in the Pacific. Or perhaps, given the allies had thwarted the Japanese just three weeks earlier in the Coral Sea battle, and a further engagement was imminent at Midway, did the authorities allow the attack to proceed so as not to alert the Japanese their naval codes had been broken?

By April 1942, the US intelligence forces were decrypting and reading the Japanese JN-25 coded signals, but they had been experiencing difficulties, after Far East Combined Bureau (FECB) was withdrawn to Colombo in current Sri Lanka, and Kilindini in Mombasa off the east coast of Africa. Progress in decrypting signals picked up again in June 1942.²²⁸ However, given the absence of the actual decrypted signals to review, it is simply not possible to determine if Telegraphic Orders No. 3 of 26 May and No. 4 of 29 May were read, and if so, when they were read.

Grose includes a paragraph from the 'intelligence digest' of 31 May, which he says is a substantial decryption of a signal sent on 25 May providing information gathered from the 23 May over-flight. According to Grose, those dates indicate a five day decryption process, thereby suggesting the Telegraphic Order No. 3 sent on 26 May would have been decrypted on 31 May and included in the 'intelligence digest' of 1 June, and the Telegraphic Order No. 4 of 29 May would have been decrypted and included in the 'intelligence digest' of 3 June 1942. If Grose is correct, specific details of the attack may well have been available to warn Muirhead-Gould and the authorities to prepare for the attack.

Until the authorities release the files of the decrypted signals and related intelligence summaries, one can only speculate. However, it is more than likely, the decrypted signals have been destroyed. At a

²²⁵ Lind, L., *Toku Tai – Japanese Submarine Operations in Australian Waters*, p.8

²²⁶ 'Ultra' was the allied designation for intelligence resulting from the decryption of German cypher traffic, where the resulting information was considered more important than the then highest security classification (Most Secret) and was therefore regarded as Ultra Secret.

²²⁷ NAA: B5555, 1 to 15: These 15 Records all have different Item titles.

²²⁸ Pfennigwerth, I., *A man of intelligence: the life of Captain Eric Nave, codebreaker extraordinary*, p.195

conference of senior Australian officers of the Central Bureau held to decide ‘*the disposal of Central Bureau records*’ on 29 November 1945, Commander Nave was given the task of destroying the records, with the exception of fifty messages to be selected by him for their value as examples of operational intelligence.²²⁹ Can it be that the fifteen folios referred to above, are all that remain of the intelligence records collected during the Pacific war? Or were the records collected by FRUMEL, separate and exempted from the direction, and are yet to be released?

Even without the decrypts of the Telegraphic Orders 3 and 4, there had been plenty of warning events – a minimum of six that would have warned a knowledgeable and experienced commander of potential enemy action – three over-flights, the attack on *Wellen*, and the two warnings of submarines in close proximity to Sydney. In addition, Muirhead-Gould was well aware of the capabilities of submarines entering harbours because of the Scarpa Flow incident, and was well aware the Japanese used midget submarines in the attack against Pearl Harbor, and could do so, against Sydney. That is why a boom net with gates was being constructed, and three induction loops had been installed across the harbour!

In addition, Japanese radio ‘chatter’ had been detected by radio operators onboard USS *Chicago*, the night before the attack. The ‘chatter’ was reported to the Garden Island Operations Room.²³⁰

* * *

Because of the actions of the Hollywood Fleet and other vessels, a significant disaster was curtailed.

However, twenty-one Australian and British naval personnel were killed by the enemy, the harbour defences had been breached by three enemy submarines and confusion ranged across the harbour and city. The circumstances warranted a Naval Board of Inquiry at the very least, or a Royal Commission, as was implemented for the Japanese air attack on Darwin just four months earlier. Despite Boards of Inquiry being conducted for the loss of HMAS *Nereus*, *Marlean*, *Silver Cloud* and *Steady Hour*, where there were no deaths, and another for the loss of HMAS *Lolita* where there were two deaths, there was no such inquiry into the Battle of Sydney Harbour, the sinking of HMAS *Kuttabul* and the loss of twenty-one sailors. Despite the pleas of the Smith’s Weekly and others in the NSW Parliament, the matter was simply left to the officer in command of Sydney Harbour, Muirhead-Gould.

In the aftermath, Muirhead-Gould directed the commander of HMAS *Adelaide*, which had been moored at Garden Island during the attack, to investigate and prepare a report. Commander J B S Barwood’s report²³¹ of 11 June was succinct, set out the facts as he had determined and included various remarks which made clear, there had been a lack of communication between individual units, there had been a lack of communication between Garden Island and auxiliary craft at the Heads and the Channel Patrol Boats that were off duty in Farm Cove, there was a failure of the loop station to inform anyone of the submarine crossings, the off duty Channel Patrol Boats of the Hollywood Fleet were not immediately used, and there was a failure of the Port War Signal Station to handle the volume of communications. This was hardly an endorsement of Muirhead-Gould’s preparations to protect Sydney and the assembled naval fleet!

Is it really possible that Muirhead-Gould, the officer with the responsibility for the safety of Sydney Harbour, never sought to hold regular exercises to test the defences and iron-out such matters? Clearly not, as the earlier instruction to set depth charges to 100 feet (30.5m) would have been found to be unsuitable if an exercise had been undertaken. There is no mention in the ‘War Diary’ for Sydney of any such exercises, and it appears the Channel Patrol Boats were sent out of the harbour to Broken Bay for

²²⁹ Pfennigwerth, I., *A man of intelligence: the life of Captain Eric Nave, codebreaker extraordinary*, p.228

²³⁰ Carruthers, S., *Japanese Submarine Raiders 1942*, p. 89

²³¹ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.199-217

training, rather than to test the defences of Sydney Harbour itself.²³² In addition, Muirhead-Gould in a puzzling draft of his report, acknowledged the loop operators could not be blamed because '*no one had ever before experienced the effect of a Midget submarine crossing a loop, nor had anyone, in Sydney at any rate, ever seen a Midget's signature*'. Really! Despite installing the loops, it appears Muirhead-Gould did nothing to test the system – such as towing a submerged steel cylinder the size of a midget submarine across the loops. The only documented exercise was carried out in Newcastle and Cairns in November 1942, six months after the Battle when a mock periscope was towed into those harbours. The test exposed significant deficiencies in sighting the periscope. There is no evidence that test was carried out by Muirhead-Gould at Sydney Harbour, or if the lessons learnt from the Newcastle test had been implemented at Sydney.²³³

Of significance, Barwood provided a detailed chronology of events, cross-referenced to reports submitted by commanding officers of the vessels involved in the Battle. In addition, it appears he conducted interviews with those and other officers. He also referenced the various signals transmitted during the battle.

Today, the reports from the commanders of the Channel Patrol Boats - *Yarroma*, *Seamist*, *Steady Hour*, *Marlean* and *Winbah* referred to by Barwood are missing. All the transcripts of the interviews conducted by Barwood are also missing. And yet, similar reports and transcripts of evidence obtained for the Boards of Inquiries into the loss of *Nereus*, *Marlean*, *Silver Cloud*, *Steady Hour* and *Lolita*²³⁴ are preserved.

There is no record of any interview with Anderson, or of his report as commanding officer of HMAS *Lolita*. *Lolita* is not mentioned at all within Barwood's report, other than his note that Sub-Lieutenant Eyres of *Yarroma* asked Anderson to investigate. There is no mention of any action taken by *Lolita*.

Of Barwood's report, Muirhead-Gould scribbled on the cover '*I don't think much of this*' and crossed out large amounts.²³⁵

The midget submarines M14 and M21 were salvaged within days, and by 6 June 1942, Muirhead-Gould was aware M14 had in fact penetrated the western gap in the boom defence and was found to be inside the net.²³⁶ She had not, as alleged by Muirhead-Gould, merely run into the net in trying to enter the harbour. She was in fact inside the net!

In a Minute sheet on 16 June, Muirhead-Gould referred to the events as the '*Battle of Port Jackson*'. Clearly in his mind at the time, the events were worthy of record as a 'battle'.

With ongoing scrutiny from the media, Muirhead-Gould came under pressure to report to the Naval Board. In addition, Sir Guy Royle, First Naval Member of the Naval Board,²³⁷ required him to report on various matters.²³⁸ Muirhead-Gould issued his first report on 17 June. It consisted of a single page. Two paragraphs provided an introduction and details of the weather. These were followed by a table referring to just five actions, and a paragraph that concluded there had been five submarines – one self-destroyed, two sunk in Taylors Bay and a further unlikely to have survived Yandra's attack at the Heads. Four crossings of the loops were observed, all said to be inwards with no outward crossings. There was

²³² NAA: AWM78, 457/1: Naval Base Headquarters, HMA Naval Establishments, Sydney: War Diary

²³³ NAA: MP1049/5, 2002/2/156: Midget submarine detection exercises

²³⁴ Extensive searches at National Archives and the Australian War Memorial have been unsuccessful.

²³⁵ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.198

²³⁶ NAA: MP1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour., p.101

²³⁷ Vice Admiral Sir Guy Royle of the Royal Navy, left England on 12 May 1941 and commenced duty as the First Naval Member (FNM) of the Australian Commonwealth Naval Board on or about 18 July 1941. He assumed the appointment of Chief of the Naval Staff (CNS). He was promoted to Admiral on 29 October 1942. He continued as the FNM and CNS to 29 June 1945. See NAA: A2680 36/1941.

²³⁸ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.154

no mention of any allied vessel that had responded to the attack, and there was no mention of HMAS *Lolita*. All despite Muirhead-Gould having received Barwood's extensive report six days earlier.

Muirhead-Gould issued a further report on 22 June 1942 - more substantial, at just under three pages with an attached four page chronology. Despite having Barwood's detailed chronology, Muirhead-Gould said there had been '*great difficulty*' experienced in constructing '*any sort of chronological plot*', due to the large number of ships and boats and people involved in the operations. Notwithstanding, he confirmed his view, that the first midget submarine had been in the harbour for two hours, and bewilderingly identified it was Cargill, who had failed to promptly report the sighting to *Yarroma*. According to Muirhead-Gould, *Yarroma* did not fire because the commander thought the sighted object could have been a mine. He said both matters were '*deplorable and inexplicable*'. He also concluded *Steady Hour* was responsible for sinking M21 in Taylors Bay with '*assistance*' from *Seamist* and *Yarroma*. There was no mention in the report of *Lolita* playing any part in the Battle.

There was no mention of his personal letter two weeks earlier congratulating Townley for sinking M21!

Seven weeks after the Battle, Muirhead-Gould issued his third report on 16 July 1942.²³⁹ This was a more 'extensive' report – this time 3½ pages, which at least included six Appendices. Despite the additional material, Muirhead-Gould maintained the attack was by four midget submarines, yet in his Appendix IV, he confirmed four crossings of the loop with one being an outward crossing. Therefore, only three submarines could have penetrated the harbour! Unbelievably he said the attack '*was possibly*' proceeded by aerial reconnaissance which may have been carried out on '*29th, 30th and 31st of May*', despite the absence of evidence of any over-flights other than on the 23 and 29 May. His new report further reduced the number of naval ships in the harbour to just seven, when there were twenty-nine naval ships plus the twelve Channel Patrol Boats of the Hollywood Fleet.

With regard to the submarines, Muirhead-Gould identifies M14 was '*caught in the nets*'. He does not disclose the initial report from the salvage operation which confirmed the submarine had been on the inside of the nets, having already successfully penetrated the harbour defences. It had not been identified by the loop station and had avoided *Yarroma*, which at the time was anchored at the western gate. As for the destruction of M14, there is no mention of HMAS *Lolita*'s actions. Muirhead-Gould merely maintained the submarine '*was unable to free herself and blew herself up*'. There is no consideration that having been detected, Chuma had taken decisive action to destroy his submarine in a manner that would also destroy *Lolita*.

Muirhead-Gould makes no disclosure he had been aboard HMAS *Lolita*, and makes no reference to his exchange with Anderson.

As for M21, he corrected his earlier view and confirmed *Seamist* was the first to attack her at 5.00 am. However, Muirhead-Gould does not disclose that in doing so, *Seamist* was unable to attack again because she had been disabled by the second depth charge explosion. He then discloses that *Yarroma* and *Steady Hour* continued the attack, but then fails to disclose the submarine had not moved in the intervening hour and forty minutes. A proper analysis, would have revealed that *Seamist*'s attack had been successful in disabling the submarine, and that Reg Andrew had reason to believe there were two further submarines.

The updated 'Chronological Narrative' failed to add anything of significance, other than to confirm the Channel Patrol Boats moored in Farm Cove, had been ordered to action stations at 2.30 am during the morning of 1 June – nearly four hours after the explosion of M14 at the boom net, and two hours after *Kuttabal* had been torpedoed. Muirhead-Gould did not disclose he had six of the twelve Channel Patrol Boats of the Hollywood Fleet at his disposal. Despite the excuse they were out of sight of Garden Island, and they had switched off their radio telephone sets (if in fact they had been fitted), it seems

²³⁹ NAA: MP1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour., p.23, 26-40

inexplicable that these armed and manned vessels were not dispatched immediately to perform the duties for which they had been requisitioned – to protect the harbour and allied shipping.

A troubling issue arising from his narrative, which is also evident from his earlier 22 June version, is his suggestion to Captain Bode that *Chicago* should 'go to sea'. If correct, this was made 10 minutes before Muirhead-Gould was informed the object in the net was a submarine, and 15 minutes before it was destroyed. If as reported earlier in the evening, the object in the net was nothing other than naval debris or a mine, why would USS *Chicago* need to get up steam and proceed to sea? That is, unless, Muirhead-Gould's narrative with regard to the cessation of his dinner with Bode was deliberately misrepresented!

Another troubling issue is the whereabouts of Muirhead-Gould and Captain Bode after the explosion of M14 at 10.35 pm. In a draft of his report²⁴⁰ Muirhead-Gould is 'convinced that *Chicago* and *Perkins* were underway before the firing of the torpedo which sank *Kuttabul*'. The only way Muirhead-Gould would be able to convince himself of that error, would be because, as Nelson said, he was 'a little bit icky ticky', 'a little bit under the weather' – because he was intoxicated! The facts as recorded are these: the first confirmed warning of a submarine was when Anderson sent his message 'Have sighted enemy submarine and proceeding to attack', or a few minutes later at 10.35 pm when M14 was destroyed. From that time, with *Chicago* requiring four hours to raise steam, the earliest she could leave the harbour would be at about 2.30 am, but *Kuttabul* had been destroyed by the torpedo, two hours earlier at 12.30 am.

In addition, if Muirhead-Gould did leave his dinner at 10.20 pm or soon after, perhaps at the time M14 exploded in the net at 10.35 pm, where was Muirhead-Gould for 1 hour and 40 minutes before he boarded *Lolita* at midnight? It was only a short walk to board his vessel and travel the 15 minutes to the boom net to board *Lolita*. One is left to conclude the dinner continued – and perhaps only finished after the further explosions of *Yandra's* depth charges at 11.07 pm? But that would still leave 45 minutes unaccounted by Muirhead-Gould.

Muirhead-Gould had plenty of reasons to manipulate the facts and massage his report.

But it is troubling why Sir Guy Royle allowed him such lee-way and had not taken more decisive action for an Inquiry – just as there had been for the loss of HMS *Royal Oak* at Scarpa Flow. Perhaps one may speculate that by the time Muirhead-Gould was compiling his reports, Sir Guy may have received copies of the decrypts of Telegraphic Orders 3 and 4 that revealed the startling warnings of the attacks. Or perhaps he had already been informed by Vice-Admiral Leary USN, Commander of the allied naval forces in the South-West Pacific Area who shared the same building in Melbourne, and was fully informed of all JN-25 and Ultra intelligence. Or perhaps he may have been concerned an Inquiry would lead to an adverse finding against a fellow senior officer of the Royal Navy (Muirhead-Gould) or even himself, for not ensuring adequate protection of Sydney Harbour.

Notwithstanding, and in massaging his report, Muirhead-Gould expunged *Lolita* and Anderson from the history of the Battle, and failed to properly credit Andrew and *Seamist* for their actions against M21.

Given the significance of the Battle, Muirhead-Gould's report should have been submitted to the Naval Board. However, there is no record of any of his three reports ever being submitted to the Naval Board, let alone being considered by the Board. Surprisingly, for such a significant event, there is also no evidence in the National Australian Archives or the Australian War Memorial's collections, that the report was provided to the War Cabinet. There were no statements in either the Federal or State parliaments, other than in the days immediately following the attack. On 1 August 1942, a 'secret'

²⁴⁰ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.145

report²⁴¹ was dispatched to allies. There is no mention of HMAS *Lolita*. There is no disclosure that M14 had penetrated the defences and was inside the boom net when it self-destructed. *Seamist* was credited with attacking M21 before *Steady Hour* and *Yarroma*, but incorrectly had merely caused the submarine to 'run into the bottom'. There is no acceptance that *Seamist* had disabled M21.

The war in the Pacific and Europe continued and no further reference was made of the Battle of Sydney Harbour during the war years. Naval officers and sailors were bound by official secret prohibitions and could not even discuss the events with their loved ones.

²⁴¹ *Japanese Midget Submarines Attack on Sydney Harbour*, 1 August 1942, Issued by 'Direction of the Naval Board'. Copy held by Sea Power Centre – Australia, ADFDA Archive Ledger, No. 4 (File opened 1 March 2005).

13 - WRITTEN OUT OF HISTORY

After the War, there were various newspaper reports of the attack. In May 1949, the Melbourne Herald, included an account; '*After seven years, here is the first authentic account of the Midget Sub Raid on Sydney*'.²⁴² The account included *Lolita*, however, it was inaccurate and reported that both *Yarroma* and *Lolita* ran in at maximum speed to attack the periscope which had been sighted in *Yarroma's* spotlight, and as they did so, there was a terrific explosion as the Japanese self-destructed their submarine. The account was repeated in Perth's Western Mail and Adelaide's Advertiser.

In 1950, in an anniversary account published in the Sydney Daily Telegraph, there is no mention of *Lolita* at all.²⁴³ In an article in The Sydney Morning Herald of November 1958, *Lolita* misses out again.²⁴⁴

For the 1968 official history of the Royal Australian Navy, historian Hermon Gill relied on the reports of Muirhead-Gould and as a result, *Lolita* merely '*closed the scene*'. There is nothing of Anderson and his crew's actions. There is no further mention of *Lolita*, or any of the Hollywood Fleet's contribution to the remainder of the war. There is no mention of HMAS *Esmeralda*, HMAS *Kiara*, HMAS *Leilani*, HMAS *Marlean*, HMAS *Miramar*, HMAS *Nereus*, HMAS *Silver Cloud* or HMAS *Winbah*.

For the public, little was known of the attack, and reported accounts were often significantly inaccurate.

For the 50th Anniversary of the Battle, the Canberra Times in 1992, mistakenly referred to *Yarroma* instead of *Lolita*.²⁴⁵ There was no mention of *Lolita's* actions to depth charge the submarine and cause it to self-destruct.

That was despite the earlier release in 1982 of Carruthers book, *Australia Under Siege*²⁴⁶ which for the first time, accurately disclosed in detail, the actions taken. It was for that book, that Carruthers had conducted the interview with James Nelson - the Coxswain on the *Lolita*, Reginald Andrew, the commander of *Seamist* and other key participants who had first-hand knowledge of the Battle. For Carruthers, those first-hand accounts shed light on what Muirhead-Gould had excluded from his reports.

But despite this new information, there was no updated edition of the Australian War Memorial's 'Official' history of the Royal Australian Navy by Gill, either for the Battle of Sydney Harbour or for the numerous other battles and engagements researched by numerous amateur and professional historians. The 1968 edition by Gill is all that remains on library shelves presenting the supposed 'official' version of the Royal Australian Navy's actions.

However, for Carruthers, Nelson's account clearly identified *Lolita* and the crew were put in '*harm's way*' when they carried out their duty to protect the allied shipping in Sydney Harbour. It was those views that Carruthers, later presented to the Tribunal in 2012 on behalf of Brian Anderson when he sought an appropriate award for his father.

Of significance, as a result of its examination and consideration of the evidence, the Tribunal determined:

... that CWO Anderson was the Commanding Officer of Lolita on the night of 31 May 1942 when Sydney Harbour was attacked by three Japanese midget submarines. Midget 14 entered Sydney Harbour around 2000 [8.00 pm] and shortly afterward became entangled in the defence net. Around 2015 [8.15

²⁴² The Herald (Melbourne), 28 May 1949, p.11., Western Mail (Perth), 9 June 1949, p.4., The Advertiser (Adelaide), 2 June 1949, p.2

²⁴³ The Daily Telegraph (Sydney), 29 May 1950, p.6

²⁴⁴ The Sydney Morning Herald, 3 November 1958

²⁴⁵ Canberra Times (ACT), 30 May 1992, p.21

²⁴⁶ Carruthers, S., *Australia Under Siege: Japanese Submarine Raiders*, 1992

pm] Mr. Cargill, a watchman spied a suspicious object in the net. He collected his mate Mr. Nangle²⁴⁷ and rowed out to the object. He thought it might be dangerous and about 2130 [9.30 pm] he reported his suspicions to the Commanding Officer of Yarrroma. The Commanding Officer of Yarrroma reported these suspicions to the Port War Signal Station and was ordered to investigate. A general warning was broadcast at 2227 [10.27 pm]. Around 2220 [10.20 pm], the Commanding Officer of Yarrroma called Lolita over and ordered it to investigate. Lolita approached the object in the net and realized it was a submarine. CWO Anderson sent a message to the Port War Signal Station and decided to attack the submarine with depth charges. Before he could drop the third set of depth charges the submarine blew itself up. CWO Anderson put himself and Lolita in danger when he attacked the submarine and his actions possibly led to Midget 14 destroying itself.²⁴⁸

In addition:

*The Tribunal accepts that CWO Anderson played an important role in the defence of Sydney Harbour on the night of 31 May/1 June 1942 and this is not in contention. CWO Anderson's contemporaneous report and the later account by Mr. Nelson set out the events surrounding the actions on the night of 31 May 1942 in particular.*²⁴⁹

And:

*Rear Admiral Muirhead-Gould's report was clearly inaccurate which was understandable in the circumstances.*²⁵⁰

At long last, the story of HMAS *Lolita's* actions and those of her commander and crew, were officially recognized, albeit, by an Awards Tribunal.

For many years, the Navy has published 'Ship Histories' on its official website.²⁵¹ However, as of December 2019, five years after the decision of the Tribunal and seventy-seven years after the Battle of Sydney Harbour, not one of the vessels of the Hollywood Fleet including HMAS *Lolita* had been included – none.²⁵² Not even those vessels that were awarded citations for their actions during the war – 'Darwin 1942-1943' for HMAS *Kiara*, and 'Pacific 1942' for HMAS *Seamist*, HMAS *Steady Hour* and HMAS *Yarrroma*. Whether or not members of the community recognize the Channel Patrol Boats of the Hollywood Fleet as real HMAS vessels, worthy of inclusion in Australia's military history, all of the Channel Patrol Boats of the Hollywood Fleet were commissioned as His Majesty's Australian Ships of the Royal Australian Navy, and it is not for the relatives or friends of the officers and men who served on those vessels to do the work of official historians to have those vessels appropriately acknowledged.

The work of preserving the heritage of the Hollywood Fleet properly lies with the Governments of the day, and in particular, the Australian War Memorial, whose duty includes the development, maintenance and dissemination of the '*national collection of historical material*'.²⁵³ To this day, the Australian War Memorial has taken no action to collect and present the story of the Hollywood Fleet based on recent research. It has done nothing to tell the story of the Fleet's service throughout the war, and of the service of the men who served on the vessels.

²⁴⁷ The Tribunal has not identified the source of their statement that Nangle was with Cargill when he rowed to the object. In his written statement, Cargill said he rowed to the object. There is no mention of Nangle being with him in the boat.

²⁴⁸ *Report of the Review of a Decision by the Department of Defence regarding recognition for Commissioned Warrant Officer Herbert Spencer Anderson (Deceased)*, para.41

²⁴⁹ *Report of the Review of a Decision by the Department of Defence regarding recognition for Commissioned Warrant Officer Herbert Spencer Anderson (Deceased)*, para.40

²⁵⁰ *Report of the Review of a Decision by the Department of Defence regarding recognition for Commissioned Warrant Officer Herbert Spencer Anderson (Deceased)*, para.40

²⁵¹ <http://www.navy.gov.au/fleet/ships-boats-craft/available-ship-histories>

²⁵² Following my representations to the Minister for Veterans' Affairs in late 2019 and the provision of my research to the RAN, HMAS *Lolita* was added in early 2020 and HMAS *Esmeralda* was added in April 2020.

²⁵³ Australian War Memorial Act 1980, Section 5

By the end of the war, these small former pleasure motor cruisers, that were never designed to fight in a war, had served this country. Other than HMAS *Kiara*, all had served protecting the harbours and ports along the New South Wales coast. HMAS *Kiara*, *Seamist* and *Steady Hour* also served in Darwin and along the northern coast of Australia. HMAS *Toomeree* served in Merauke on the south-west coast of New Guinea. HMAS *Leilani* travelled to the north coast of New Guinea and served at Hollandia, and then extraordinarily travelled to Morati in Indonesia. HMAS *Lolita* reached the north-east coast of New Guinea.

HMAS *Lolita*, *Marlean*, *Nereus* and *Steady Hour* were destroyed. HMAS *Silver Cloud* had been reduced to a burnt-out wreck before being salvaged by Halvorsens and rebuilt.

Other than the former *Penelope*, renamed HMAS *Kiara*, which was in Darwin, the twelve remaining vessels of the Hollywood Fleet were in Sydney Harbour on the night the Japanese attacked. On that night and the next morning, HMAS *Lolita*, HMAS *Seamist*, HMAS *Steady Hour* and HMAS *Yarroma* launched attacks on the Japanese midget submarines. HMAS *Lolita* caused M14 to be destroyed. HMAS *Seamist* disabled M21 and more than likely 'sunk' her with her two depth charges, before she herself was damaged and retired from the action.

Whilst some may choose to belittle the Hollywood Fleet,²⁵⁴ or categorise these vessels as not real Royal Australian Navy ships, for the officers and men who served on them, they were very real naval ships. They played a role, far in excess of what they were designed or constructed to do. Those officers and men put their lives and their ships 'on the line' to defend this country.

They deserve to be recognized!

²⁵⁴ Including Muirhead-Gould in his exchange with Anderson aboard *Lolita* referring to them as 'yachties'. Others say they were merely 'nappies' of the Naval Auxiliary Patrol. See Appendix B – Naval Auxiliary Patrol (NAP).

14 - AWARDS

At the end of his 22 June report to the Naval Board,²⁵⁵ Muirhead-Gould included a list of people he recommended for recognition. For the work of the Channel Patrol Boats of the Hollywood Fleet, the recommendation included Lieutenant A G Townley of HMAS *Steady Hour* and Sub Lieutenant J A Doyle of *Seamist*. That was despite, Muirhead-Gould knowing the commander of *Seamist*, at the time she attacked submarine M21, was Lieutenant Reginald Andrew.

There were recommendations for the night watchman James Cargill and his colleague Mr W Nangle, Lieutenant J A Taplin of *Yandra*, Engineer Captain A B Doyle, CBE²⁵⁶, Commander C C Clark and Bandsman M N Cumming for their actions in rescuing survivors from *Kuttabul*.

But, there was no mention at all of HMAS *Lolita* or her commander Herbert Anderson and his crew!

In an earlier undated draft of his report, Muirhead-Gould had written, *'Three submarines were able to pass through a gap supposed to be under observation by Yarroma. This was entirely due to Yarroma's inexperience and inefficiency. Yarroma was on duty at Western gate and at first could not have been keeping an efficient watch.'*²⁵⁷

The failure of *Yarroma's* commander, Sub-Lieutenant Eyres and the prospect of a court martial had been discussed with Sir Guy Royle. But despite acknowledging three submarines were able to pass through the gap which was supposed to be under observation by *Yarroma*, Sir Guy Royle said in a letter²⁵⁸ to Muirhead-Gould, he did not like the idea *'of trying the Commanding Officer of Yarroma for failing to engage the enemy'*. He said his chief fault was his foolishness and that *'an admonition by you would meet the case'*.

Clearly for Sir Guy Royle, a court martial would expose the failings of the Navy to scrutiny which, at that time, was in the headlines of the Smith's Weekly newspaper. It appeared any scrutiny was to be avoided. As a result of Royle's views, Muirhead-Gould merely identified in his 22 June report, that *Yarroma* did not open fire and this was *'deplorable and inexplicable'*.

With regard to 'awards', there had been discussions between Muirhead-Gould and Royle, for Royle said in the same letter, *'I haven't settled about any award yet, but D.S.C. would seem to be about the right standard'*. Such an award would reflect the convention throughout the war, that commanders would be recognized for sinking enemy submarines. That convention awarded Captain Hector Waller of HMAS *Stuart*, a Distinguished Service Order (DSO) for his 1940 services in the Mediterranean which included his attack on the Italian submarine *Gondar*.²⁵⁹ Similarly, a DSO was awarded to Lieutenant Commander Menlove of HMAS *Deloraine* for sinking the Japanese mine laying submarine I-124 off Darwin on 20 January 1942. And similarly, a Distinguished Service Cross (DSC) and Bars were awarded to Captain Stanley of HMS *Loch Killin* for sinking three German submarines - *U-333*, *U-736* and *U-1063* during 1944 and 1945.²⁶⁰

However, it should be remembered that Royle expressed his view regarding a DSC at the time Townley was being congratulated for 'his action' in sinking M21 in Taylor's Bay.

²⁵⁵ NAA: MP1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour., p.44

²⁵⁶ See Footnote 14.

²⁵⁷ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.156

²⁵⁸ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.154. Date of letter 16 June 1942.

²⁵⁹ The Distinguished Service Order (DSO) is a higher award and was usually made to officers of higher rank. The Distinguished Service Cross (DSC) would be given to a lower rank such as Lieutenant.

²⁶⁰ Captain Darling RANR was loaned to the Royal Navy in 1943 and was appointed commander of HMS *Loch Killin* on 22 November 1943 to the end of hostilities.

By his third report on 16 July, Muirhead-Gould had re-assessed the recommendations for 'recognition'. In his Appendix VI²⁶¹ he now included Eyres and the crew of *Yarroma*, for their part 'in the sinking of *Midget M21*'. Muirhead-Gould added, that to some extent this action redeemed 'their' earlier failure to respond appropriately. Muirhead-Gould also acknowledged the skipper and crew of the Naval Auxiliary Patrol Boat *Lauriana* for the 'prompt action illuminating the submarine' they had sighted outside the boom.

And still, Muirhead-Gould continued to incorrectly include Doyle as the commander of *Seamist* in lieu of Reg Andrew. As for *Lolita*, Anderson and his crew, there was nothing.

If it was appropriate for *Lauriana* to be recommended for an award for merely sighting and illuminating a submarine, it was preposterous there was no recommendation for *Lolita*, despite Anderson, Nelson and Crowe identifying an enemy submarine, reporting the sighting and decisively and determinedly attacking the submarine on three occasions.

Of significance, there is no record in the Minutes of the Naval Board of any consideration of Muirhead-Gould's three reports. There is no record of any discussion, or determinations, with regard to the Battle of Sydney Harbour. The only mention of the Battle of Sydney Harbour was the Board's consideration, and recommendations, with regard to the later exhibition of the Japanese midget submarines,²⁶² and the Board's consideration of a report regarding the actions of the Maritime Service's Board employees, Cargill and Nangle. The Minutes record the Board's decision to recommend to the Minister, that monetary rewards be made to Cargill and Nangle in the amounts of £40 and £10 respectively.²⁶³

Despite there being no record of any consideration of Muirhead-Gould's reports by the Naval Board, the Secretary of the Naval Board, on 3 October 1942, wrote to Muirhead-Gould saying he had been 'directed by the Naval Board' that appropriate 'notations' were to be made in the records of various officers and ratings. According to the Secretary's letter, the Board requested their congratulations were to be communicated to the crews of *Steady Hour*, *Seamist* and *Yarroma* as well as *Yandra* and *Lauriana*.²⁶⁴ But, there is no record in the Board's Minutes, for any such direction to be issued.

There is no mention of *Lolita*, her crew or of commander Herbert Anderson – not even a pat on the back!

By his reports, Muirhead-Gould had effectively expunged all record of HMAS *Lolita*, Anderson and his crew from any record of the Battle and recognition of their actions during the Battle of Sydney Harbour. And, the Secretary's letter, four months after the Battle of Sydney Harbour, still pathetically commended the former commander of *Seamist* – Doyle, instead of Reg Andrew. To this day, that error has never been corrected and there is no 'notation' in Reg Andrew's service record.

One is therefore left to ask, in the absence of any record in the Minutes of the Naval Board, who authorized the letter to Muirhead-Gould in the name of the Naval Board? Was it merely the personal action of Sir Guy Royle, as the First Naval Member of the Board, and Chief of Navy, and his alone?

Grose, in his book, *A Very Rude Awakening* advocated that the Battle of Sydney Harbour is unique in Australian military history, in that no medals were awarded to any of the participants. Given that two submarines had been sunk and a disaster averted, perhaps Grose is correct in expressing the view that somewhere along the line, the Navy at least, and maybe the Government decided the whole Battle had been a fiasco and that it was best to move on – no inquiries, no courts martial and no medals.²⁶⁵

²⁶¹ See Appendix D - Muirhead-Gould's Third Report – Appendix VI, 'Recommendations for Recognition of Personnel'.

²⁶² NAA: A2585, 1942/1945: Naval Board Minutes, 8 July 1942, 6 August 1942, 2 September 1942, 30 September 1942, 8 July 1943, 22 March 1944, 16 May 1944 and 20 September 1944.

²⁶³ NAA: A2585, 1942/1945: Naval Board Minutes, 2 September 1942

²⁶⁴ NAA: SP338/1, 201/37: (Japanese) Midget Submarine Attack on Sydney Harbour, May 31st June 1st 1942., p.85

²⁶⁵ Grose, P., *A Very Rude Awakening*, p.245

Grose refers to the failure to make any awards to the naval personnel, as a '*monstrous injustice*'. One that, he says, is not too late for the Navy and the Government to correct. That opportunity arose, with Brian Anderson's attempts in seeking recognition for his father's actions in command of HMAS *Lolita*.

In dealing with his request, and being the only independent Inquiry since the Battle of Sydney Harbour, the Defence Honours and Awards Appeals Tribunal said:

The Naval Board decided that nobody should be recognized for their actions on that night despite the recommendation of Rear Admiral Muirhead-Gould.

The Tribunal also said:

No reasons were given for that decision and it is not appropriate for this Tribunal to speculate on what those reasons might have been.

And finally, the Tribunal accepted the Naval Board:

... considered the actions taken and decided that in the circumstances of mid-1942 it was not appropriate to recognize any individual act.

Those findings are remarkable, given the absence of any record put into evidence before the Tribunal, confirming that the Naval Board had given consideration to the recognition of actions taken by naval personnel, as distinct from the actions of the Maritime Services Board staff, Cargill and Nangle.

Given there is no evidence of any such consideration by the Naval Board, one is entitled to ask, what evidence was laid before the Tribunal? An examination of the submission by the Department of Defence to the Tribunal, prepared by Dr David Stevens, reveals the only evidence with regard to awards, was the single page report to the Naval Board, for proposed monetary awards to Cargill and Nagle – the Maritime Services Board workers who alerted the Navy. No evidence was presented to the Tribunal, of any report submitted to the Naval Board regarding awards or recognition for naval personnel.

It is also important to note, that at no time during the hearing, did either of the Tribunal members question the lawyers or expert representing the Department of Defence. There were no probing questions to confirm reports had been submitted to the Naval Board, and there was no request to examine the Minutes arising from the meetings of the Naval Board.

As Brian Anderson was seeking a retrospective Award for his father, the Tribunal had a significant obligation to ensure a proper examination of the required matters.

Those matters were laid out in the report from the earlier 2011 '*Inquiry into Unresolved Recognition for Past Acts of Naval and Military Gallantry and Valour*'²⁶⁶. That Inquiry was initiated by a direction from the Parliamentary Secretary for Defence, requiring the Tribunal to inquire into the appropriate recognition for thirteen specific acts of gallantry and valour performed in other military actions.

Of importance for Anderson, that Inquiry identified²⁶⁷ that as RAN ships operated as part of RN fleets under RN command, recommendations for honours would be submitted to the British Admiralty to '*ensure uniformity of standard awards*'. The Inquiry also found that in February 1942, five months before Muirhead-Gould's final report, Sir Guy Royle instructed commanding officers (which would have included Muirhead-Gould) that when making recommendations for honours and awards, '*the nature of*

²⁶⁶ <https://defence-honours-tribunal.gov.au/report-of-the-inquiry-into-unresolved-recognition-for-past-acts-of-naval-and-military-gallantry-and-valour-valour-inquiry/>, Published to the Parliamentary Secretary for Defence, Senator The Hon. David Feeney on 21 March 2013.

²⁶⁷ See p.50 and 51. The Inquiry Report cites a number of NAA Records.

the proposed award was not to be suggested'. The Tribunal also found that in September 1942, the Australian Government asked the 'Defence Committee' whether the existing arrangements should be changed so that naval recommendations would be passed through Australian Government ministers. However, the 'Defence Committee' at the time accepted the *'strong opposing argument'* from Royle that *'Australia should continue to follow the Royal Navy system'*. That system required recommendations from the RAN to be submitted by the Secretary of the Navy direct to the Admiralty and not via the Governor General to His Majesty.

Of importance, the Tribunal found that at the time of the thirteen specific acts that formed the basis of the inquiry, there was no particular prescribed 'Form' to be used by commanders when submitting recommendations for recognition. In other words, Muirhead-Gould could set out his recommendations in his own manner, just as he did in his Appendix VI.

To assist the process of examining the thirteen claims, the Inquiry developed *'Guidelines for conducting reviews'*.²⁶⁸ The first step in the Guidelines, required a process of review to determine whether 'due process' had been followed so as to determine whether there was a case of 'maladministration'. The process also required an examination to determine if new evidence had come to light. The second step required a 'merits review' if there was a case of 'maladministration' or if there was new evidence that was not available at the time of the original decision.

In conducting the 'merits review', four factors were listed for consideration: that it was no longer possible to provide awards and honours in the Imperial system; that it was possible to make retrospective awards in the Australian system 'in the most compelling of cases'; new evidence should be assessed by reference to the standards at the time; and similar cases should not be used as a precedent or for comparison.

Of the thirteen cases, the Inquiry found there had been maladministration or significant failures in the processes amounting to *'injustice'* and *'manifest injustice'* in four claims, three relating to the actions of HMAS *Yarra* and the fourth regarding Captain Hector Waller and HMAS *Perth*. Importantly for Anderson, the Inquiry found regarding HMAS *Yarra*, *'that inaction by the ACNB [Australian Commonwealth Naval Board] in not considering whether members of the ships company should have been recognized for their gallant action amounted to maladministration'*.²⁶⁹

The Tribunal for the 2011 Inquiry submitted its report to the Parliamentary Secretary for Defence on 21 January 2013 and released the report to the public four weeks later on 18 February 2013. That was over a two months before the Tribunal released the report for the Anderson Appeal. If the members of the Tribunal in the Anderson Appeal had been previously unaware of the outcomes from the 2011 Inquiry, they would certainly have been aware of the significance of the findings for those two months, prior to finalizing and releasing their decision.

As a result of the 2011 Inquiry, the Tribunal in the Anderson Appeal was obligated to; first determine if there had been an 'injustice' and 'maladministration' in the consideration of awards following the Battle of Sydney Harbour, and secondly, if there had been 'maladministration', the Tribunal was obligated to determine if the actions of Herbert Spencer Anderson warranted recognition via an Award.

The Tribunal failed on both accounts.

There was no consideration by the Tribunal to determine if the actions of Muirhead-Gould, Royle, the Naval Board, or the Admiralty, were contaminated by 'injustice' or 'maladministration'. Given the 2011

²⁶⁸ See p.5 and 6, Part 8-48, *'Guidelines for conducting the reviews'*

²⁶⁹ <https://defence-honours-tribunal.gov.au/report-of-the-inquiry-into-unresolved-recognition-for-past-acts-of-naval-and-military-gallantry-and-valour-valour-inquiry/>. Published to the Parliamentary Secretary for Defence, Senator The Hon. David Feeney on 21 March 2013. See p.8 and 9

Inquiry's finding that a failure by the Naval Board would amount to an 'injustice', the Tribunal for Anderson, should have found, the absence of any evidence of any consideration by the Naval Board of Muirhead-Gould's recommendation for the recognition of naval personnel, amounted to the '*monstrous injustice*' referred to six years earlier in 2007, by author Peter Grose.

Without the required first determination of 'injustice' or 'maladministration', the Tribunal was constrained from considering recognition of Anderson's actions aboard HMAS *Lolita*.

In making their decision, '*not to recommend to the Minister that Commissioned Warrant Officer Herbert Spencer Anderson be considered for a defence honour*', without first determining the issue of 'injustice' or 'maladministration', the Tribunal itself dealt a significant injustice to Herbert Spencer Anderson.

As for the Tribunal's finding that '*certain procedures*' were not followed, given there was no prescribed 'Form' to be completed, and that a commander merely had to put forward his recommendations as had been done by Muirhead-Gould in his Appendix VI, the Tribunal should have found that all '*certain procedures*' had in fact been followed.

And it is not as if the Tribunal members for the Anderson Appeal could say they were unaware of the findings from the earlier 2011 Inquiry. Given Tribunal Member Air Commodore Mark Lax in the Anderson Appeal, was also a member of the 2011 Inquiry, he at least, would have been aware of the findings regarding 'retrospectivity', 'maladministration', 'injustice' and 'certain procedures'. It is therefore even more disturbing these crucial matters were not dealt with by the Tribunal for Herbert Spencer Anderson. It is equally disturbing that neither matter was disclosed to Brian Anderson so he could make relevant submissions, especially as he was not represented by lawyers and was merely advocating for recognition of his father.

Had the Tribunal for Anderson's Appeal conducted a proper inquiry to satisfy the matters arising from the 2011 Inquiry, it is more than likely, the Tribunal would have exposed the 'maladministration' that contaminated the proper consideration of Muirhead-Gould's recommendations for recognition.

Given the matters raised above including the failures of the Tribunal for Herbert Spencer Anderson, it would be entirely appropriate for Parliament to conduct an Inquiry into the circumstances of the Battle of Sydney Harbour, the recommendations for recognition made at the time, and whether recommendations for appropriate recognition should now be made, to ensure the actions of the officers and men who fought in the Battle are appropriately recognized.

Alternatively, if Parliament has confidence in the Tribunal, the relevant Minister should direct the Tribunal to hold a fresh Inquiry, not only regarding the Anderson Appeal, but a wider Inquiry into the appropriate recognition for all personnel who took part in the Battle of Sydney Harbour.

In the case of *Lolita*, for her commander and crew whose actions were expunged from the records, for others including Reg Andrew for sinking M21, for the actions of Townley and *Steady Hour*, Eyres and *Yarroma*, the Skipper of *Lauriana*, for Lingard in disarming torpedoes, and for the brave actions of Doyle²⁷⁰, Clarke and Cumming for their rescue of sailors from HMAS *Kuttabul*, it is not too late.

²⁷⁰ See Footnote 14.

15 - BATTLE HONOURS

For over 500 years, campaign and battle honours have been awarded to naval ships for successful war or warlike service. The honours were initiated as early as the *Amada* in 1588 and have continued in the RN since its formation. Following the granting of the 'Royal' title to Australian ships, the tradition was extended to RAN ships.²⁷¹

For the RN and the RAN, campaign and battle honours are said to be a '*reflection and public presentation*' of the operational history of the Australian nation's naval forces, with the display of the '*ornately carved wooden battle boards*' garnering a '*sense of achievement and esprit de corps within individual units and the Service as a whole*'.



A typical carved timber Battle Honour board. Source: RAN website.

The RAN's updated Campaign and Battle Honour board²⁷² includes the campaigns and battles fought by the ships of the Australian navies since the New Zealand campaign in 1860-61. But there is one battle missing – the Battle of Sydney Harbour – a battle in which twenty-one Australian and British naval personnel were killed by the enemy. A Battle in which Australian warships and their crews, and in particular the Hollywood Fleet of vessels, put themselves in harm's way and attacked and destroyed two enemy submarines to avert what could have been a greater disaster. It is also significant, the Battle of Sydney Harbour (and the subsequent shelling) is the only time in our recent history, when Sydney has been attacked. It is even more significant for the Navy, that the Battle included five of the world's largest enemy submarines, three enemy midget submarines and two submarine launched float planes, and included more ships of the Royal Australian Navy, than involved in any other battle fought by the Navy since its inception. The Battle also included the cruiser USS *Chicago* and the destroyer escort USS *Perkins* taking action against the midget submarines, in addition to the actions of allied service personnel at the numerous naval and army shore stations and subsequent search actions by the Royal Australian Air Force.

These facts alone, are significant enough to warrant recognition of the Battle on the Navy's Campaign and Battle Honours board.

But it is now known through documents obtained by Freedom of Information (FOI), that in early 2007, a submission for the Battle to be included, was rejected by the then Chief of Navy, Vice Admiral Russell Shalders. The submission had been prepared by the RAN Naval History Section²⁷³ and had been circulated to members of the Naval History Advisory Committee prior to finalisation. For the submission

²⁷¹ See http://www.royalnavyresearcharchive.org.uk/ESCORT/Battle_hons.htm, and, <https://www.navy.gov.au/customs-and-traditions/battle-honours>

²⁷² Updated in an electronic form following the 2015 Battle Honour Review. See below.

²⁷³ 'Review of RAN Campaign and Battle Honours' prepared by the RAN Naval Historical Section, 2007

of the Battle of Sydney Harbour, the matter had been *'thoroughly researched'* and the case for recognizing the Battle for the grant of a retrospective award had been presented. The submission identified that *'throughout the action numerous RAN vessels were involved in the defence of Sydney Harbour'* and noted *'this was a determined attack'*. The submission concluded that both sides incurred losses and *'the award of a Battle Honour SYDNEY 1942 is considered appropriate'*.

In October 2019, the Department of Defence in response to further probing regarding the Freedom of Information release, confirmed the brief to Vice Admiral Shalders was *'comprehensive, reflecting many months of research and analysis'* including *'sufficient historical information for the then Chief of Navy to make an informed decision'*.

Notwithstanding the submission, the Chief of Navy merely scribbled in the margin, *'Not Agreed. Not of the same scale, duration or intensity of others'*. And that was that!

At the time of the 2007 submission, the Navy's own *'Policy on the Award of Battle Honours for HMA Ships and Fleet Air Arm Squadrons'*²⁷⁴ which was attached to the *'comprehensive'* submission, included the award of campaign and battle honours for *'Fleet or Squadron Actions'* in *'engagements, with light enemy forces when both sides incur losses or heavy damage'*. An excellent summary of the Battle of Sydney Harbour! That Policy had been in place from as early as 1982, applied in 2007 and remains in place today.

Other than Shalders' scribble in the margin, there was no justification or reasons provided of why he rejected the Navy's own Policy and reached his conclusion. There was no explanation of why he rejected the *'thoroughly researched'* submission from the Navy's own history experts. The FOI confirmed there was no evidence of any alternate analysis to assist him to determine his matters of insufficient scale, duration and intensity, and how such factors related to the Navy's Policy. There was no disclosure of any alternate information on which he may have relied. There was nothing! Just the scribble in the margin, and once again the Battle of Sydney Harbour, the Hollywood Fleet and the actions of Herbert Anderson and HMAS *Lolita* and Reginald Andrew and HMAS *Seamist* were again written out of history.

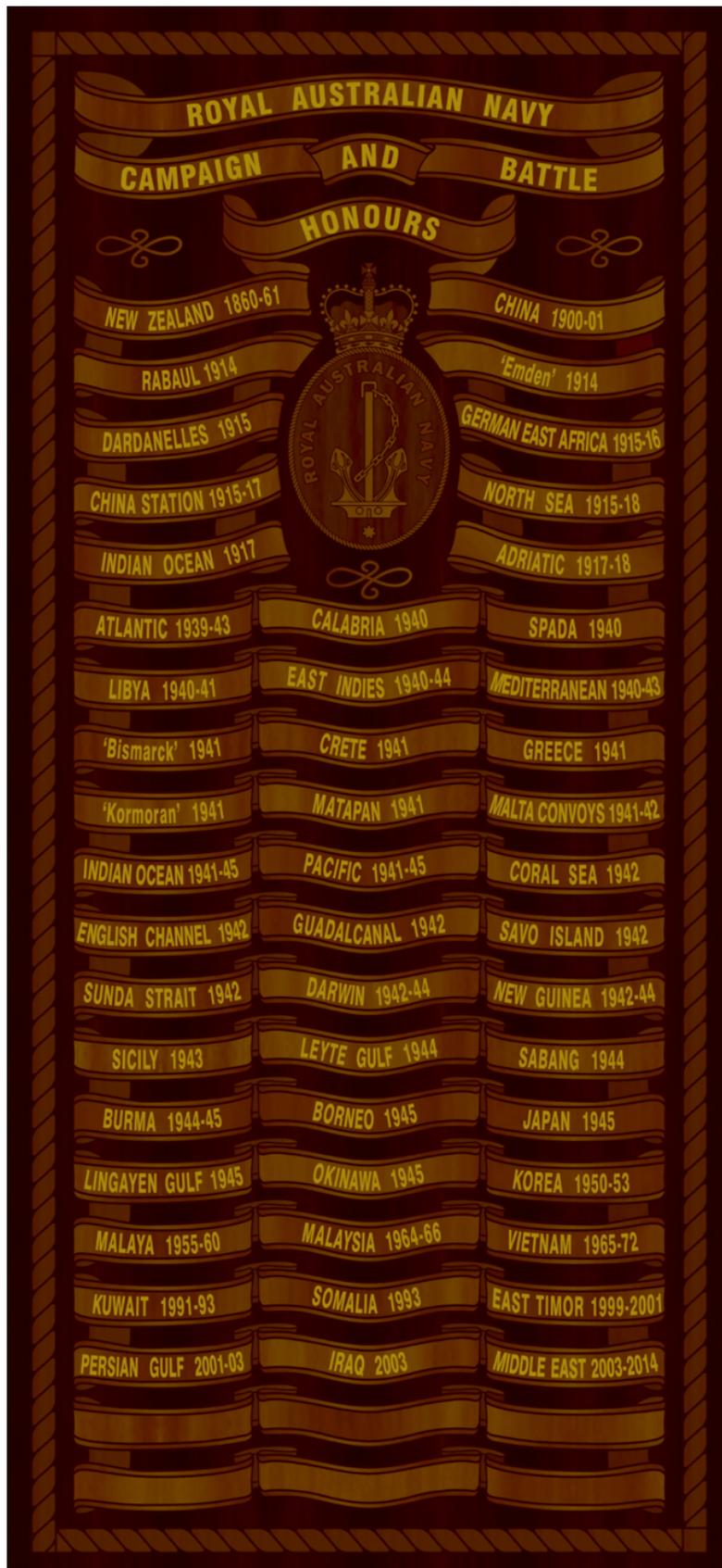
If approved, the 'SYDNEY 1942' battle honour was to be awarded to:

| | | |
|-------------------------|---------------------------|-------------------------------------|
| HMAS <i>Bingera</i> | HMAS <i>Bungaree</i> | HMAS <i>Canberra</i> |
| HMAS <i>Doomba</i> | HMAS <i>Geelong</i> | HMAS <i>Goonambee</i> |
| HMAS <i>Kuttabul</i> | HMAS <i>Samuel Benbow</i> | HMAS <i>Westralia</i> |
| HMAS <i>Whyalla</i> | HMAS <i>Yandra</i> | HMAS <i>Lolita</i> |
| HMAS <i>Marlean</i> | HMAS <i>Toomeree</i> | HMAS <i>Seamist</i> |
| HMAS <i>Steady Hour</i> | HMAS <i>Yarroma</i> | HMAS <i>Lauriana</i> ²⁷⁵ |

That's a fleet of eighteen commissioned ships of the Royal Australian Navy – the largest fleet of Royal Australian Navy ships ever involved in any single action, and one which resulted in the sinking of two enemy submarines, the loss of HMAS *Kuttabul*, and the loss of twenty one allied and six Japanese naval officers and sailors!

²⁷⁴ The policy had been in place from as early as 1982, and remains in place today.

²⁷⁵ At the time of the Battle, Lauriana was a non-commissioned Naval Auxiliary Patrol (NAP) vessel. She was later commissioned as HMAS Lauriana.



The RAN's 2015 'Battle Honour Board' listing all the approved awards to Australia's Naval Forces. However, the Battle of Sydney Harbour is missing from the Campaign and Battle Honours roll. Source: RAN website.

16 - RECOGNITION

In November 1995, His Excellency Rear Admiral Peter Sinclair AC, then Governor of NSW unveiled the Defence of Sydney Monument 1939-1945 at North head. The Monument had been erected as part of the Australia remembers program for the 50th anniversary of the end of WWII. The foundation stone had been laid by Sir Roden Cutler VC, AK, KCMG, KCVO, CBE.

The Monument is dedicated to *'the memory of the men and women of the armed services of Australia, her Allies, and those who served in the civilian services and volunteer organisations, who worked to protect the Port of Sydney'* throughout the war. The Monument lists all of the relevant units of the three military services – Navy, Army and Air Force together with civilian services. Given the Monument is specific to the 'Port of Sydney', it is odd there is no mention of the Battle of Sydney Harbour – the only time Sydney was attacked and defended.

Given the 'official' nature of the Monument with the involvement of the Governor of NSW and Sir Roden Cutler, perhaps it was too much for the Department of Veterans' Affairs as a major sponsor, to recognise Sydney's defences had been breached.

However, beside the memorial, as an 'add on' which was not planned with the Monument, are four small plaques funded entirely by the Balgowlah-Seaforth-Clontarf RSL Sub-Branch. The plaques tell a version of the story of the 'Attack on Sydney Harbour'. There is nothing of HMAS *Lolita's* actions, and incorrectly, *Steady Hour* and *Yarroma* are included in *Seamist's* attack on M21 at 5.00am. The plaques are not included in the description of the Monument on the NSW War Memorials Register!



Australia Remembers Monument at North Head, Sydney – dedicated in 1995. The four plaques describing a version of the Battle of Sydney Harbour can be seen between the flag pole and the monument.

A single information panel at a remote lookout in the Sydney Harbour National Park, below the road at Georges Head provides brief information of the Battle. There is no mention of the Hollywood Fleet or of the actions of HMAS *Lolita*, *Seamist*, *Steady Hour* or *Yarroma*. The panel is out of date and has been left to deteriorate.²⁷⁶ The panel had been erected by the Mosman RSL, Mosman Historical Society, the NSW National Parks and Wildlife Service and the Department of Veterans' Affairs on 19 January 2006, twenty four years after author Steven Carruthers had provided the first detailed account of the Battle.

²⁷⁶ See Appendix E – Information Panel at Georges Head for text incorporated on the panel.



Information panel at the remote lookout at Georges Head.



Detail of information panel at the remote lookout at Georges Head.
See Appendices for text included on the panel.

There are no information panels at Laings Point, Bradleys Head, Taylors Bay or at any other location around the harbour.

Whilst there is a small collection of panels at the Royal Australian Navy's Heritage Centre at Garden Island, there is no mention of HMAS *Lolita*. And there is no memorial plaque at the Centre to the Hollywood Fleet among the collection of brass plaques to other naval ships, for thirteen former motor cruisers, requisitioned into service to support the allied war effort, taking action they were never designed or constructed to do, but gallantly did with their commanders and crews.

The Australian War Memorial's exhibition of the recovered midget submarines is the centre piece of the Anzac Hall, yet it merely refers to Sydney Harbour having been protected by electronic indicator loops, an almost completed boom net, anti-aircraft batteries 'and a small defence flotilla' that patrolled the harbour. That's all!

Despite the elaborate display of the destroyed submarines, there is no mention of HMAS *Lolita*, HMAS *Seamist*, HMAS *Steady Hour*, HMAS *Yarrorna* or their commanders and crews. There is no mention

elsewhere in the War Memorial, of the Battle of Sydney Harbour. There is no memorial plaque for the Hollywood Fleet among the other plaques, set in the pavements and lawns surrounding the War Memorial.

And there has been no new edition of Gill's official history, or even an addendum to correct the record. And there is nothing on the Memorial's website.

Nothing!

These are matters of national heritage and it is appropriate that the errors of the past be corrected. It is never too late – especially as we approach the 75th anniversary of the loss of HMAS *Lolita*, the 75th anniversary of the end of hostilities in World War II, and the 80th anniversary of the Battle of Sydney Harbour in 2022.