

## SUBMISSION TO THE ROYAL AUSTRALIAN NAVY – 2020 CAMPAIGN AND BATTLE HONOURS REVIEW

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The following submissions should be read in conjunction with the research underpinning the publication, *Lolita and the Hollywood Fleet*.<sup>1</sup> Attention is drawn to the extensive Footnotes included in that publication identifying sources of information.

### Submission No. 1 – Battle of Sydney Harbour

In 2007, the RAN Naval History Section provided a submission for the Review of RAN Campaign and Battle Honours (**2007 Submission**). The 2007 Submission to the Chief of Navy included a Recommendation in favour of the institution of an award 'SYDNEY 1942' for the actions undertaken on 31 May and 1 June 1942, when a Japanese enemy force attacked Sydney Harbour, known as the Battle of Sydney Harbour.

On 2 and 8 October 2019, the Department of Defence released via Freedom of Information (**FOI**), a copy of the 2007 Submission and further information via a subsequent email.<sup>2</sup>

The Chief of Navy at the time, Vice Admiral Shalders, rejected the Recommendation saying;

*'Not Agreed. Not of the same scale, duration or intensity of others'.*

In rejecting the Recommendation, Vice Admiral Shalders ignored the established criteria set out in the applicable Policy and applied his own criteria. In doing so, an injustice was dealt to the commanders, sailors and ships that took part in the action. This Submission No.1, recommends that injustice should now be corrected, and the previously recommended 'SYDNEY 1942' Battle Honour should be instituted.

The Policy for the award of Battle Honours applicable in 2007, '*RAN Policy on the Award of Battle Honours for HMA Ships and Fleet Air Arm Squadrons*', which remains the same Policy applicable for this current review, was attached to the 2007 Submission.

The relevant applicable criteria for consideration to award a battle Honour for the Battle of Sydney Harbour is included in the Policy at paragraph 6b, namely:

*'engagements with light enemy forces when both sides incur losses ...'.*

The applicable criteria was set out in the 2007 Submission for 'SYDNEY 1942' as follows:

*'Noting that this was a determined attack conducted by light enemy forces, and that both sides incurred losses ...'.*

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<sup>1</sup> Copy included as **Appendix 1**

<sup>2</sup> A copy of the 2007 Submission relating to SYDNEY 1942 is included as **Appendix 2**. The copy includes the response of the Chief of Navy. A copy of the subsequent email is included as **Appendix 3**

No information has been issued, via the FOI process, identifying why the Chief of Navy ignored the applicable criteria and applied his own criteria of '*scale, duration or intensity of others*'. One may speculate that the Chief of Navy did not understand the Policy, and the established criteria.

If any fault can be laid with the 2007 Submission, perhaps it is the absence of an explicit advice to the Chief of Navy regarding the Policy and the applicable criteria, together with explicit guidance, that the established criteria had already been assessed objectively, to form the basis of the Recommendation.

The Chief of Navy may therefore have believed, he was personally required to make his own assessment, based on his own criteria of scale, duration and intensity, so as to establish the worthiness of Battle Honours. It is evident from the FOI response, that no additional material or advice was sought by the Chief of Navy, and no additional material was provided.

Notwithstanding, the 2007 Submission was comprehensive, reflecting many months of research and analysis by members of the Sea Power Centre – Australia.<sup>3</sup>

Prior to the 2007 Submission to the Chief of Navy, a number of authors had conducted extensive research and set out the actions involved in the Battle of Sydney Harbour in their respective publications, including but not limited to;

**Carruthers, Steven L.**, *Australia Under Siege: Japanese Submarine Raiders 1942*, First Edition, Solus Books, 1982

**Carruthers, Steven L.**, *Japanese Submarine Raiders 1942*, Second Edition, Casper Publications Pty Ltd, 2006

**Grose, Peter.**, *A very Rude Awakening – The night the Japanese Midget Submarines came to Sydney Harbour*, Allen and Unwin, 2007

**Jenkins, David.**, *Battle Surface! Japan's Submarine War Against Australia 1942-44*, Random House Aust. Sydney, 1992.

**Lind, Lew**, *Toku Tai – Japanese Submarine Operations in Australian Waters*, Kangaroo Press, 1992

**Reid, Richard**, *Sydney and the midget submarines 1942*, Department of Veterans Affairs, 2007

All of the above publications support this submission's view, that the Battle of Sydney Harbour was an engagement with 'light enemy forces when both sides incurred losses'.

The Allies' actions involved 17 commissioned ships of the RAN, one non-commissioned Naval Auxiliary Patrol (**NAP**) vessel *Lauriana* (later commissioned), and two United States vessels, the USS *Chicago* and USS *Perkins*.

The enemy's action was conducted by the three midget submarines, notwithstanding the presence of five mother submarines which stood off the coast during the action.

Both the allies and the enemy incurred losses of ships and men.

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<sup>3</sup> See email dated 8 October 2019 from Department of Defence in response to the further FOI request. (Copy included as **Appendix 3**)

However, even if Vice Admiral Shalders' own assessments of scale, duration and intensity were somehow applicable, the following brief submissions are presented;

**Scale:** At the time of the Battle, there were 41 naval ships assembled in the harbour. The Battle involved more ships (17) of the RAN than in any other battle fought by the Australian Navy. In addition, the Battle involved naval signal, boom and loop stations, army search light and spotting stations, and subsequent RAAF patrols.

**Duration:** Measured from the time the first depth charge was dropped (approx. 10.30pm) to the time the last depth charge was dropped (approx. 8.27am), the duration was longer than the live firing in the Sydney -v- Emden and Sydney -v- Kormoran actions.

**Intensity:** Unlike all other battles fought by the RAN, this Battle was wholly conducted within the confines of Sydney Harbour which at the time contained 41 naval vessels, a fully loaded explosives vessel and numerous other merchant vessels, surrounded by numerous naval installations and surrounded by Australia's most populated city. The intensity over a small area compared to engagements on the high seas was extreme.

Notwithstanding the above, it remains relevant, that a Recommendation **in favour** of the institution of a 'SYDNEY 1942' Battle Honour, has been previously prepared and was submitted in 2007. Since that Recommendation, no new information has come to light that would detract from, or diminish the significance of that previous Recommendation for the institution of a 'SYDNEY 1942' Battle Honour.

In fact, the contents of the 2007 Department of Veterans' Affairs publication and the findings of the Awards Tribunal, add significant gravitas for the award of the 'SYDNEY 1942' Battle Honour.

The 2007 Submission to the Chief of Navy identified that the award of a Sydney 1942 Battle Honour would apply to 18 vessels which are listed in the submission. There are potentially three other vessels that should be considered;

- HMAS *Winbah* appears to be the vessel used by Murihead-Gould to inspect the harbour during the Battle<sup>4</sup>
- There were two additional NAP vessels patrolling the outer harbor; *Allura* and *Yarrowonga*<sup>5</sup>

It should be noted that if a 'SYDNEY 1942' Battle Honour is instituted, there would be no necessity to proceed with Submission No. 2 set out below. However, if the SYDNEY 1942' Battle Honour is instituted, the 'Pacific 1942 - 1945' Battle Honour awarded to HMAS *Seamist*, HMAS *Steady Hour* and HMAS *Yarroma* would need to be withdrawn.

### **Submission No. 2 – HMAS *Lolita* (If Submission No. 1 is unsuccessful)**

HMAS *Lolita* was commissioned into the RAN on 22 November 1941 as a Channel Patrol Boat.

Prior to the publication of *Australia Under Siege: Japanese Submarine Raiders 1942* by Steven Carruthers in 1982, it had been accepted HMAS *Lolita* played no role in the Battle of Sydney Harbour. In his book, following interviews with Coxswain Able Seaman James Nelson, Carruthers revealed for the first time,

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<sup>4</sup> NAA: SP338/1, 201/37 – (Japanese) Midget Submarine Attack on Sydney Harbor, May 31<sup>st</sup> June 1<sup>st</sup> 1942, p.216

<sup>5</sup> Grose, 2007, p.119

that *Lolita* with her commander Commissioned Warrant Officer<sup>6</sup> Herbert Spencer Anderson and his crew played a decisive role in the Battle that resulted in the destruction of the enemy submarine, M14.

On the night of 31 May 1942, HMAS *Lolita* was on patrol at the eastern end of the incomplete boom net across Sydney Harbour.

At approx. 10.20pm, HMAS *Lolita* was called by Sub-Lieutenant Eyres, commander of HMAS *Yarroma* then on patrol at the western end of the boom net, to come over and investigate an object that appeared to be caught in the net. The sighting of the object had been reported by Eyres to be a '*suspicious object*'.

Anderson complied and HMAS *Lolita* crossed the harbour and manoeuvred to within sight of the object. Anderson, the Coxswain Able Seaman James Nelson and Able Seaman James Crowe identified the object to be an enemy submarine and realised immediately the implications and risk to the allied naval vessels within the harbour, if it (M14) was to break free. Anderson ordered a signal to be sent, '*Have sighted enemy submarine and proceeding to attack*'. Nelson confirmed the signal was acknowledged.

As the enemy submarine was located between the boom net and the West Channel Marker, Anderson was unable to manoeuvre HMAS *Lolita* so as to make a passing run. He therefore manoeuvred HMAS *Lolita* astern towards the object where he ordered a depth charge to be rolled over the stern before speeding away. However there was no explosion.

Reasoning the water was too shallow for the depth setting on the depth charge, the crew attached floatation devices to the second depth charge in the hope of slowing its rate of descent so as to activate the trigger.

Anderson repeated the process and rolled the second depth charge over the stern. Again there was no explosion.

Again Anderson began manoeuvring *Lolita* astern towards the submarine to drop a third depth charge when Nelson observed the periscope rotating on them indicating *Lolita* had been spotted.

According to Nelson, as *Lolita* came in to drop a third depth charge, the submarine exploded.

The time was 10.35pm.

The submarine was salvaged and examined. It was concluded, the forward self-destruct charge within the submarine had been deliberately fired.

Nelson reasoned that having been spotted, the commander of the submarine, 'knew the game was up' and had deliberately fired the self-destruct charge in an attempt to sink *Lolita*.

Following Carruthers publication of the above account, further authors have accepted the veracity of the account.

Since 2004, Herbert Spencer Anderson's son, Brian Anderson has sought appropriate recognition for his father's actions with his crew and their vessel, HMAS *Lolita*, in attacking and causing the destruction of the enemy submarine, M14.

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<sup>6</sup> See *Report of the Review of a Decision by the Department of Defence regarding recognition for Commissioned Warrant Officer Herbert Spencer Anderson (Deceased)*, para. 9 which confirms the rank of CWO from 15 September 1941

Following various actions, the Defence Honours and Awards Appeals Tribunal determined ‘*not to recommend to the Minister that Commissioned Warrant Officer Herbert Spencer Anderson be considered for a defence honour*’.

However, in reaching that determination, the Tribunal made a number of findings that are relevant to this submission.

In particular:

*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.<sup>7</sup>*

In addition, the Tribunal found:

*... 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 pm] Mr. Cargill, a watchman spied a suspicious object in the net. He collected his mate Mr. Nangle<sup>8</sup> 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 Yarroma. The Commanding Officer of Yarroma 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 Yarroma 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.<sup>9</sup>*

Of importance, the Tribunal accepted;

- The enemy submarine entered the Harbour at approx. 8.00pm when it became entangled in the boom net;
- Anderson with his crew aboard HMAS *Lolita*, identified the suspicious object to be an enemy submarine;
- A signal was sent confirming the sighting and confirmed they were commencing an attack on the submarine;
- They launched an attack on the submarine;
- They dropped at least two depth charges and were preparing to drop a third;
- CWO Anderson put himself, his crew and HMAS *Lolita* in danger when he attacked the submarine;
- The submarine was destroyed.

Whilst it is noted, the Tribunal said Anderson’s actions ‘*possibly*’ led to M14 destroying itself, it is more than certain and not just a mere possibility, that the decisive action of Anderson, his crew and HMAS

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<sup>7</sup> Report of the Review of a Decision by the Department of Defence regarding recognition for Commissioned Warrant Officer Herbert Spencer Anderson (Deceased), para.40

<sup>8</sup> 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.

<sup>9</sup> Report of the Review of a Decision by the Department of Defence regarding recognition for Commissioned Warrant Officer Herbert Spencer Anderson (Deceased), para.41.

*Lolita*, directly resulted in the destruction of M14. This certainty is supported by two facts not dealt with by the Tribunal, namely;

Firstly, during the approx. 2¼ hours in which M14 was tangled in the net, prior to the attack by HMAS *Lolita*, the submarine commander had every opportunity to destroy his submarine, but took no action to do so.

Secondly, it was only after HMAS *Lolita* attacked the submarine twice, had dropped two depth charges, and was attacking for the third time, that the commander took action to destroy his submarine, and in a manner so as to destroy HMAS *Lolita*.

That conclusion is supported by the Commonwealth of Australia's own publication, published by the Department of Veterans' Affairs in 2002 which records '*Lolita dropped three depth charges but they were set to explode at too great a depth and they fell harmlessly to the harbour bed*' and '*Chuman and Omori, realising their situation was now hopeless, determined on jibaku (self-destruction)*'.

That publication was researched and written by Dr Richard Read with assistance of Courtney Page-Allen of the Commemorations Branch of the Department of Veterans Affairs. The publication could be said to reflect the 'official' view of the Government – that it was not HMAS *Lolita's* depth charges that directly caused the destruction of the submarine, but just as effective, it was in fact Anderson's actions with his crew and HMAS *Lolita* in attacking the submarine that lead to the destruction of the submarine.

With regard to the destruction of an enemy submarine, one may ask, what does it matter how the enemy submarine was destroyed, as long as it were destroyed? Whether by conventional explosive depth charges or unconventional means of harassing attacks (or even by ramming), the credit for causing the destruction of M14 lies with the actions of Anderson, his crew and HMAS *Lolita*.

Just as the Battle Honour 'Pacific 1942 – 1945' was awarded to HMAS *Seamist*, HMAS *Steady Hour* and HMAS *Yarroma* for their actions in destroying the Japanese enemy submarine M21 in Taylors Bay during the Battle of Sydney Harbour, HMAS *Lolita* should be awarded the same Battle Honour 'Pacific 1942 – 1945', as a result of Anderson's, his crew's and HMAS *Lolita's* actions in attacking the enemy submarine M14, which led to the destruction of that submarine.

### **Submission No. 3 – HMAS *Marlean* and HMAS *Winbah***

The Navy's list of ship Honours, records HMAS *Marlean* was awarded the 'Darwin 1942' Battle Honour, which means she would have been at Darwin during the first or subsequent bombing raids between 19 February 1942 and into 1943.

However, given she was commissioned in Sydney on 30 November 1941, departed for Wollongong on 24 April 1942 and was in Sydney for the Battle of Sydney Harbour on 31 May 1942, it seems implausible that she would have travelled the long distance to Darwin, and returned to Sydney by 31 May 1942. To date, no record has been found confirming she served in Darwin.<sup>10</sup>

It is therefore submitted the Battle Honour awarded to HMAS *Marlean* was incorrect and should be removed.

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<sup>10</sup> NAA: AWM78, 400/2: RAN Administrative Authority – Darwin Naval Base (HMAS Melville): Reports of Proceedings., Part 4

According to a memorial plaque unveiled in 1992 at Darwin, HMAS *Winbah* served in Darwin during the first Japanese air raid on 19 February 1942 or during subsequent raids.<sup>11</sup> For the same reasons provided above for *Marlean*, it seems unlikely *Winbah* was ever in Darwin, given *Winbah* was in Sydney during the Battle of Sydney Harbour.<sup>12</sup>



HMAS *Winbah*, bottom row, right side. Main text on plaque below.<sup>13</sup>

*Royal Australian Navy  
Dedicated 19<sup>th</sup> February 1992*

*This plaque is dedicated to those members of the Royal Australian Navy who served in the ships listed below and HMAS Melville (Shore base) on 19<sup>th</sup> February 1942 during the 1<sup>st</sup> Japanese air raid on Darwin and those who defended Darwin, during subsequent raids. It honours those who made the supreme sacrifice.  
'Lest we forget'*

...

*This plaque was unveiled by the Federal President of the Naval Association  
CDRE J L W Merson RAN Ret'd*

Whilst no Battle Honour 'Darwin 1942' has been awarded to HMAS *Winbah* for service at Darwin, inclusion of her name on the memorial plaque suggests otherwise and is inaccurate. It is submitted that her name be removed from the plaque.

It is noted, that despite being awarded a 'Darwin 1942' Battle Honour, HMAS *Marlean* is not included in the list of vessels on the same plaque.

Prior to finalising a recommendation to the Chief of Navy regarding this Submission No. 3, it is recommended that the Ships Ledgers for HMAS *Melville* for the period 1942 and 1943 be examined to confirm that HMAS *Marlean* and HMAS *Winbah* did not serve in Darwin. National Archives includes 24 Ledgers that will need to be examined.

**End**

<sup>11</sup> <https://vwma.org.au/explore/memorials/1664>

<sup>12</sup> NAA: MP1049/5, 2026/21/79: Midget Submarine Attack on Sydney Harbour., p.32

<sup>13</sup> <https://vwma.org.au/explore/memorials/1664>