

COMMISSION OF INQUIRY INTO THE LOSS OF HMAS SYDNEY II

Before The Hon TRH Cole AO RFD QC

Held at [REDACTED]
[REDACTED] and
[REDACTED]
[REDACTED] Tasmania

Counsel Assisting: LEUT M Vesper RANR

On Thursday, 26 June 2008
(Day 5)

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THE PRESIDENT: I've come to the home of Mr Ken Brown in [REDACTED]
Victoria to take his evidence. Mr Brown is in his late 80's.

Also present is his cousin. Mr John Neal Brown, who was also on the
Sydney and who also will give evidence to me today.

<KENNETH TOM BROWN, sworn

<EXAMINATION BY LEUT VESPER

LEUT VESPER

Q. Sir, can you tell us your full name?

A. Kenneth Tom Brown.

Q. Do you live at [REDACTED]

A. Yes.

Q. Mr Brown, I'll show you a document. Is that a statutory declaration that
you made this morning?

A. Yes.

Q. It follows, doesn't it, that the contents of it are true and correct?

A. Yes.

LEUT VESPER: I tender that.

THE PRESIDENT: That will be exhibit 11.

EXHIBIT #11 STATUTORY DECLARATION OF KENNETH TOM BROWN
DECLARED 26/06/08

LEUT VESPER

Q. Mr Brown, with the President's leave, I'm going to ask you just a few
more questions about matters you touch on in your statutory declaration.
Firstly, you served in HMAS Sydney II from March 1940 until December 1940;
that is so?

A. December 1940.

Q. December 1940?

A. Yes.

Q. You served in her as a signalman?

- 1 A. Yes.
- 2
- 3 Q. As I understand it, your action stations position was on the flag deck?
- 4 A. Yes.
- 5
- 6 Q. That was immediately aft of the bridge and below the bridge. Is that so?
- 7 A. Yes.
- 8
- 9 Q. Were there multiple machine gun mounts near or on the flag deck, can
- 10 you recall?
- 11 A. They were near the flag deck. I couldn't --
- 12
- 13 Q. You remember that they were manned when the ship went to action
- 14 stations. Is that so?
- 15 A. Yes.
- 16
- 17 Q. What I want to talk to you about this morning mainly, Mr Brown, is the
- 18 issue of challenging other ships. Do you understand?
- 19 A. Yes.
- 20
- 21 Q. In your statutory declaration in paragraph 18, you say that in your
- 22 memory whenever Sydney encountered an unidentified ship, be it a warship or
- 23 any other ship, she almost always went to action stations?
- 24 A. Yes.
- 25
- 26 Q. Is it the case that sometimes Sydney would not go to action stations?
- 27 A. Probably on occasions they weren't at full action stations, but they were,
- 28 you know, ready.
- 29
- 30 Q. Was that at cruising stations?
- 31 A. Yeah.
- 32
- 33 Q. With half the watch manning half the guns. Is that what you're saying?
- 34 A. Yes.
- 35
- 36 Q. Would that be the case until such time as a successful identification
- 37 occurred. Is that what you're saying?
- 38 A. That would stay at that station until it was cleared.
- 39
- 40 Q. In your next paragraph you refer to one incident when Sydney was
- 41 travelling to the Mediterranean and you say that you and your crew mates saw
- 42 a merchant ship on the horizon and you say:
- 43
- 44 We did not come to action stations but I was on watch on the flag
- 45 deck.
- 46
- 47 Then you say:

- 1
2 From what I understand from voice pipes the captain was satisfied
3 as to the ship's identification.
4
5 Firstly, can you remember that incident as you sit here now?
6 A. I can remember the appearance of a ship on the horizon and I would
7 estimate that it tallied up with all the ship identifications that they already had on
8 the ship. To be in that area at that time.
9
10 Q. What did you actually see with your own eyes of the other ship?
11 A. All you could see was just the silhouette of the ship on the horizon. You
12 couldn't identify it that much.
13
14 THE PRESIDENT
15
16 Q. How far away would it have been?
17 A. It would have been 10 or 15 mile away, I suppose.
18
19 Q. You had on board identification books, did you?
20 A. Yes, all the identification books was on the bridge. I was only on the flag
21 deck. They'd have all those books up on the bridge. I don't know what those
22 books were. I had seen them but, you know, when you were underway at sea
23 they were always - anything appeared - those books were on the bridge where
24 the captain was and everybody who was interested in what was happening.
25
26 Q. Was the practice, if you saw a vessel, to send a lamp signal asking it to
27 identify itself. Yes, they'd always be sent by light from the wing of the bridge.
28
29 Q. Would the captain go to action stations before he sent that signal or not?
30 A. No, I don't think so, not at that particular range. They'd have to have a
31 bit of suspicion about it to go to action stations.
32
33 Q. Can you remember any other occasion when a vessel was sighted which
34 wasn't immediately able to be identified?
35 A. No. In the Mediterranean we always had a destroyer escort which was
36 20 mile away in front of us and they'd already gone through all this procedure
37 when we come on the scene.
38
39 Q. You were always surrounded or protected by destroyers?
40 A. Yeah.
41
42 Q. The only occasions when Sydney had cause to identify vessels was on
43 the way over or the way back?
44 A. Yeah.
45
46 Q. You can recall only one occasion?
47 A. Only one, yeah.

- 1
- 2 Q. One occasion when that happened?
- 3 A. That's right.
- 4
- 5 LEUT VESPER
- 6
- 7 Q. Just finally, with that one occasion, Ken, if you can think about it for a
- 8 few more minutes, in your mind can you remember how long it took between
- 9 the first sighting of the ship and the captain satisfying himself as to the
- 10 identification of the other ship? Was it a matter of minutes or was it a matter of
- 11 hours?
- 12 A. No, it wasn't - it wasn't hours. It wouldn't have been that long.
- 13
- 14 Q. Would it have been half an hour, less?
- 15 A. Probably in that range.
- 16
- 17 Q. As far as you can recall, throughout that time the ship did not go to
- 18 action stations. Is that your memory?
- 19 A. No, I can't recall it but I wouldn't think so. The ship was such a great
- 20 distance away from I don't think it would have recalled going to action stations
- 21 at that stage.
- 22
- 23 Q. In your statutory declaration you then go on to talk about the challenge
- 24 and reply procedure for merchant ships and you say that:
- 25
- 26 We were taught and practised the challenge and reply procedure.
- 27
- 28 Q. That's the case?
- 29 A. Yes.
- 30
- 31 Q. Where were you taught that? Was that at Flinders Naval Depot, on
- 32 board or both?
- 33 A. On board. Most of the junior signalmen on board were still under
- 34 instructions on there. We used to go to instructions every day for an hour or so
- 35 just to get us up to date with what was happening.
- 36
- 37 Q. Who would teach you those things?
- 38 A. Well, there was a yeoman on board that used to do it, or a leading
- 39 signalman would take us on certain phases of the instruction.
- 40
- 41 Q. That senior rating would take you through the steps as to how a
- 42 challenge to an unidentified ship would occur?
- 43 A. Yes.
- 44
- 45 Q. Was that a set standard procedure or as you understood it, was it
- 46 something that was flexible?
- 47 A. It was a pretty set standard procedure.

1

2 THE PRESIDENT

3

4 Q. Normally you would go to action stations once the ship was sighted and
5 then you'd start the identification process. Is that usual or not?

6 A. I think it's probably - go for you. It would depend on what type of ship it
7 was. If it was a warship of course you would have gone to action stations
8 immediately, but if it was a freighter or some sort of a merchant ship, well, you
9 wouldn't have gone to action stations right away.

10

11 Q. It was for the captain to determine whether to go to action stations or
12 not?

13 A. If it was a merchant ship of some type they'd have the book of reference
14 and all the silhouette and everything in front of them right from the word go. It
15 wouldn't take them very long to decide whether it should have been there or
16 not.

17

18 Q. Do you know if they had a list of ships which they thought might be in the
19 area?

20 A. Yes, that was kept up to date, I imagine, daily.

21

22 Q. How did you receive notification of any ships that might be in the area?

23 A. That was always received by radio.

24

25 Q. Was it regularly done every day or twice a day, or once a week?

26 A. It was done regularly, yes.

27

28 Q. That came from Harman or?

29 A. It comes from Navy office, I think.

30

31 Q. Navy office?

32 A. I think, yeah, that was general to every ship, for every warship. They all
33 got notice at the same time.

34

35 Q. That was received in code, I take it, was it?

36 A. Yes.

37

38 LEUT VESPER

39

40 Q. As far as you understand that message was received in the wireless
41 office?

42 A. Yes.

43

44 Q. Do you know whether that daily signal had a special name, whether it
45 was called anything?

46 A. It was, but at this moment I can't recall what they called it.

47

- 1 Q. Was it the VAI, was it the daily VAI signal?
2 A. I couldn't - I couldn't remember.
3
4 Q. When you would daily practice the challenge procedure taught by the
5 leading ratings, would you be practising the challenge to other ships by lamp or
6 by flag?
7 A. No, you weren't - you were just doing it on your own ship. You weren't in
8 touch with anyone else.
9
10 Q. Was the challenge to merchant ships practiced with lamp or with flag or
11 by --
12 A. It would always be by lamp.
13
14 Q. When you served in the Mediterranean you and your fellow signalmen
15 would come on duty on the upper decks or conversely come to action stations
16 then come to the upper decks, what normally were the signalmen wearing?
17 A. Well, when you went to action stations you was wearing just what you
18 happened to be in. In mostly the rig of the day.
19
20 Q. Going on your memory what mostly was the rig of the day for the fellows
21 during the Mediterranean campaign?
22 A. Shorts and shirt.
23
24 Q. What colour?
25 A. They had to be white.
26
27 Q. Did any of the signalmen ever wear overalls when --
28 A. Only when you were doing some strange job. Under normal
29 circumstances you would be in the rig of the day.
30
31 Q. Was that the case for both the signalmen who were on the flag deck and
32 the signalmen who would be working on the bridge and the bridge wings?
33 A. That would be the same all-round and the main signal office right next
34 door to you.
35
36 Q. As I understand it, on the bridge there would be probably three
37 signalmen; there would be the chief yeoman of the signals and, I think, the petty
38 officer junior to him?
39 A. A yeoman, yes.
40
41 Q. Then a leading hand?
42 A. A leading land, at least two signalmen on either wing.
43
44 Q. Throughout the Mediterranean campaign those seven or so signalmen
45 who when on the bridge or the bridge wing they would be in white shirts and
46 shorts?
47 A. Yeah.

- 1
- 2 Q. The officers who were on the bridge around the bridge wings they would
3 have been in white.
- 4 A. Yeah.
- 5
- 6 Q. That's the case for the summer months. Is that so?
- 7 A. The summer months, yeah.
- 8
- 9 Q. From where you served on the flag deck you had a good view of the
10 4 inch gun deck. Is that the case?
- 11 A. Yeah.
- 12
- 13 Q. I take it when the ship went to action stations, as far as you can recall,
14 the 4 inch guns were always manned when the ship went to action stations?
- 15 A. Yes.
- 16
- 17 Q. Have you got a memory of what those fellows were wearing, the fellows
18 servicing the 4 inch guns throughout action stations in the Mediterranean
19 campaign?
- 20 A. I can't remember whether they were in the regular gear or whether they
21 had special rig, but I know they would have had anti-flash gear and all of that
22 sort of stuff.
- 23
- 24 Q. Incidentally did the signalmen when you went to action stations did the
25 signalmen where anti-flash hoods and gloves?
- 26 A. No, I can't recall it.
- 27
- 28 Q. Were the signalmen, including yourself, wearing any life preserver or any
29 other safety gear at action stations such as a Mae West?
- 30 A. I can't recall - I know we had it, and we had it with us, but whether we
31 were wearing it or not I'm just not sure, I can't recall it.
- 32
- 33 Q. When you say you had it with us, do you mean that somewhere on the
34 flag deck?
- 35 A. Yeah, you had it available.
- 36
- 37 Q. What safety gear did you have available? You're talking about a life
38 vest, a gas mask, tin hat?
- 39 A. Yes, you had all those.
- 40
- 41 Q. If there was an emergency they were available to be put on. Is that so?
- 42 A. Yeah.
- 43
- 44 Q. You left the Mediterranean, you yourself, that is in December 1940, but
45 before that in the last few months you served in Sydney, do you remember that
46 Sydney undertook a passage to the Dardanelles?
- 47 A. Yes.

- 1
- 2 Q. In fact, in your statement do you say you remember seeing ANZAC
- 3 Cove?
- 4 A. With a good pair of glasses. We were told it was ANZAC Cove. All you
- 5 could see was this coastline which is we thought it was right.
- 6
- 7 Q. At about that time, perhaps two days before you saw ANZAC Cove you,
- 8 according to your statement, and in fact this is from your diary, you said that:
- 9
- 10 Sydney, perhaps in company with some destroyers, encountered
- 11 some merchant ships.
- 12
- 13 That's in your statement?
- 14 A. Yeah.
- 15
- 16 Q. Do you have any memory as you sit here now of those days when
- 17 Sydney encountered some merchant ship?
- 18 A. Well, anything that we encountered while I was on that trip we had
- 19 destroyers in company, would have already been checked by the destroyer and
- 20 we was, you know, told that it was all right.
- 21
- 22 Q. Sydney herself, did she challenge any of these ships?
- 23 A. No, not after they'd been.
- 24
- 25 Q. You say that you recall Sydney sending a boat to board one of these
- 26 ships. Do you have a memory of that?
- 27 A. All I can remember is that we lowered a boat to go to a ship at one stage
- 28 and I couldn't tell you where it was or when it was, but I can remember the boat
- 29 being lowered and shafted off, but just where it was, I can't remember.
- 30
- 31 Q. Do you know which of Sydney's boat was the one boarded and sent
- 32 over?
- 33 A. It was a power boat.
- 34
- 35 Q. You don't know which particular power boat it was?
- 36 A. No.
- 37
- 38 Q. Can you recall how far away the other ship was, that the motor boat went
- 39 to?
- 40 A. It would have to be a few mile away.
- 41
- 42 Q. When that occurred can you remember whether Sydney had closed up
- 43 at action stations or not?
- 44 A. I would imagine they would have closed up, yeah.
- 45
- 46 Q. Can you remember that or is that what you think probably happened?
- 47 A. We would have gone to action stations.

1
2 Q. Why do you say that?
3 A. Well, if there was any suspicion at all you don't muck about. It's no good
4 being there if you're not ready.
5
6 LEUT VESPER: I don't know if that's a convenient time to have a short break,
7 Mr President?
8
9 THE PRESIDENT: Yes.
10
11 SHORT ADJOURNMENT
12
13 THE PRESIDENT: Mr Brown, I notice from your diary which is attached to your
14 statement that you noted in your diary on 18 May 1940:
15
16 German raider reported to be laying mines off North-East African
17 coast.
18
19 Did your ship get that information by signal, do you know?
20 A. That would have come by radio. I imagine that would have been a
21 general signal to all the Navy ships that were at sea.
22
23 Q. Was that announced generally to the crew or did you hear about it
24 because you were in the signal's department?
25 A. Because I was in the signal's department.
26
27 Q. I also note that in your diary for 26 May 1940 you noted that:
28
29 Sydney is now in the Mediterranean, Mediterranean sea, the Med
30 is now closed to allied merchant shipping and contains the largest
31 British Naval force to be centered there.
32
33 I suppose that's the reason why you didn't encounter merchant ships whilst you
34 were in the Med?
35 A. That's right, yeah, only merchant ships you encountered whilst you were
36 there were in convoy.
37
38 Q. In convoy under escort?
39 A. Under escort, yeah. And usually under air attack.
40
41 Q. In your diary, for 19 July when you were dealing with one of these battles
42 that Sydney was engaged in, I think it was the Colleoni, you noted that:
43
44 We scored direct hits with our first two salvos at 19,000 yards.
45 A. Yes.
46
47 Q. Were most of the battles that you fought in the Mediterranean were

1 fought at distances like that?
2 A. Yes.
3
4 Q. 19, 20,000 yards?
5 A. Most of them would be in - they'd be a long range.
6
7
8
9 Q. At long range?
10 A. At long range, yes.
11
12 Q. Sydney had a good capacity?
13 A. They had a very good guns crew.
14
15 Q. At distance?
16 A. Yeah.
17
18 Q. The other thing I noted in your diary on 12 October that:
19
20 She gave chase in one occasion reaching 34 knots of speed.
21 A. Where was that?
22
23 Q. On 12 October 1940. The ship received indication that there were
24 cruisers in the vicinity, enemy cruisers in the vicinity and you sighted the coast
25 of Italy, smoke was sighted and it says:
26
27 At 0810 smoke was sighted on the horizon and we gave chase
28 reaching 34 knots having slipped PV's adrift to give more speed.
29
30 Q. Paravanes, PVs are Paravanes?
31 A. Paravanes. We must have had a wind behind us too to get 34 knots out
32 of her.
33
34 Q. She was rated 32, roughly?
35 A. She could do 32 easy enough.
36
37 THE PRESIDENT: I have no other questions. Do you have any more
38 questions?
39
40 LEUT VESPER: No, sir.
41
42 THE PRESIDENT: Thank you very much indeed, Mr Brown, you've been very
43 helpful?
44
45 THE WITNESS: That's the best I can remember anyway.
46
47 <THE WITNESS WITHDREW