



MUTINY IN THE COCOS ISLANDS

By Wing Cdr Derek Martin

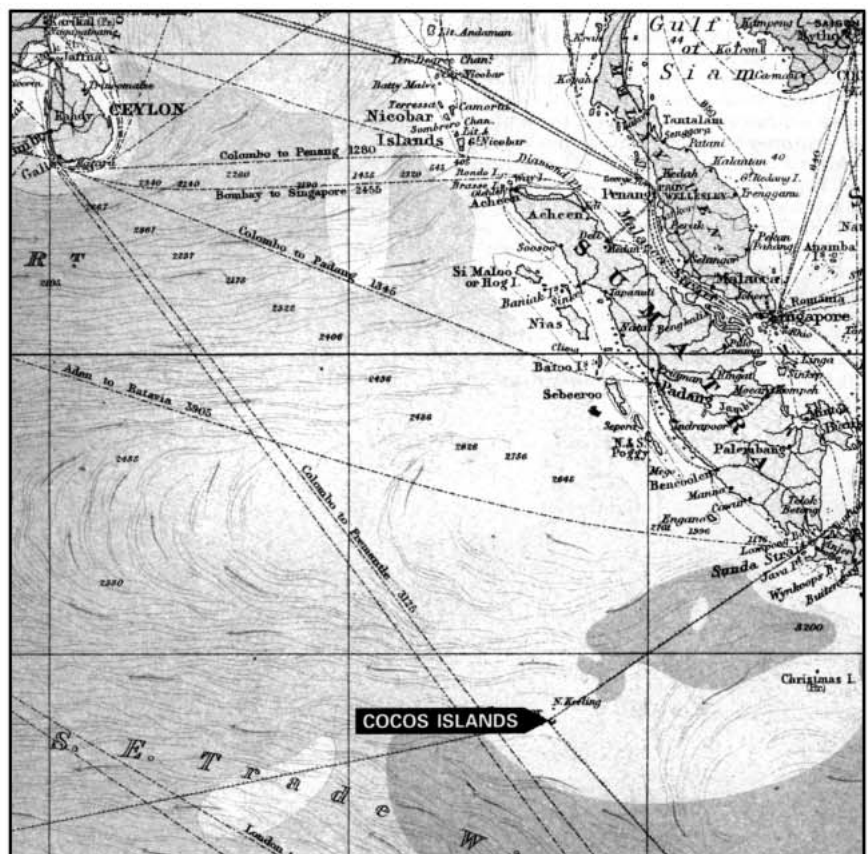
The earliest record in the history of the Keeling-Cocos group of islands in the Indian Ocean occurs in the log of William Keeling, merchant and seaman, who discovered them in 1609. Thereafter, the atolls remained uninhabited — although visited on occasion by small parties — until 1827, when John Clunies-Ross established a colony on the Cocos Atoll with labour imported from the countries of the Far East.

In establishing his trading station, Ross instituted what was probably the first social security scheme the world had ever known: all the inhabitants worked for Ross who, in return, guaranteed their food, shelter, clothing and necessities. Ross's title to the islands was confirmed by Queen Victoria, and later, as the colonial system developed, responsibility for the islands was vested in the Straits Settlements.

In the spring of 1942, the tide of Japanese invasion had engulfed the Straits Settlements and, as Japanese ships and aircraft ranged

the Indian Ocean, responsibility for the islands was transferred to the Government of Ceylon.

The 27 islands which make up Cocos — also sometimes referred to as the Keeling Islands after the mariner who first discovered them — lie in the east Indian Ocean, some 1,300 miles south-east of Ceylon. They were claimed as a British possession in 1857, but in 1886 they were granted in perpetuity to the Clunies-Ross family who had settled the islands in 1827. Although this grant was still honoured when jurisdiction over the islands was transferred to Australia in 1955, there was increasing criticism of the 'anachronistic and feudal' relationship between the owner and the inhabitants. This led to a United Nations inspection in 1974, and by 1978 agreement had been reached with John Clunies-Ross for the outright purchase of the islands by Australia.





The islands main claim to fame during the First World War was the sinking of the German cruiser *Emden* on the shore of Keeling Island by the Australian cruiser *Sydney*. During the Second World War, the islands came under the GOC Ceylon although his command was a five-day journey away by sea. In 1941, the

defences for the cable and wireless station on Direction Island (in the background) were reinforced by the emplacement on Horsburgh Island of two 6-inch guns from the Ceylon Garrison Artillery. They were manned by personnel shipped to the island from Ceylon.

On March 9, Java was captured by the Japanese and air attacks were carried out against Ceylon on April 5 and 9. During the first few days of April, there were five or six Japanese battleships loose in the Indian Ocean; Japan had command of the sea and about 116,000 tons of Allied shipping were sunk.

Churchill was seriously considering that Ceylon might be lost and with it the important base at Trincomalee. Consequently, Addu Atoll, a small island about 600 miles from Ceylon, was being built up as an alternative base for the Royal Navy.

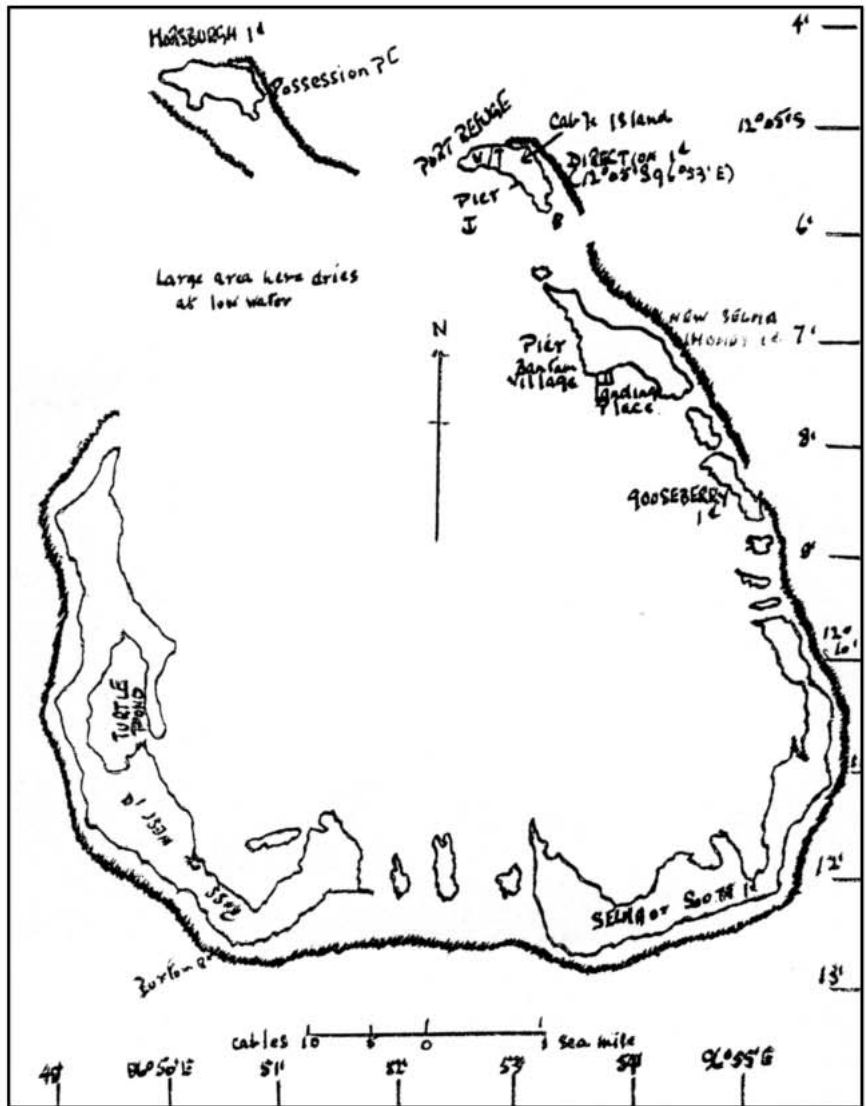
While these great events were taking place, a small force from the Ceylon Gar-

rison Artillery was assembled and shipped some 1,500 miles to the Cocos Islands. It seems that they were all volunteers. To anyone who knew the larger picture, this was not an attractive assignment with the likelihood of being sunk on the way and capture or death after arrival on an island remote from friendly forces and totally without facilities.

By 1944, it was vital that a staging airfield be provided somewhere on the 3,000-mile route from Ceylon to Australia. With so much of the Far East in Japanese hands, and Christmas Island, 600 miles to the eastward, too mountainous, West Island in the Cocos group was evaluated as the best choice. However, as the construction of a landing strip would necessitate the felling of thousands of coconut trees (on which the islands' prosperity depended), compensation had to be paid to the Clunies-Ross estate for the consequent loss of income. Then, when the stores ships were unloaded, it was found that a large amount of equipment had been pilfered in transit, some packing cases being completely empty! Work finally began on a 2,500-yard runway on April 7, 1945, the first aircraft landing on May 28. Our author, Wing Commander Derek Martin (front row left), was Chief-of-Staff to Air Commodore A. W. Hunt at the Joint-Service Force Headquarters on Cocos in 1945, but so closely-guarded have been the facts surrounding the mutiny which took place there in 1942, that when we contacted him in August 1995, he had no knowledge of the affair at all.



It was only when the appropriate War Office file (WO71/741) became available for inspection at the Public Record Office in May 1994 that the full story of the mutiny became known. Let the ring-leader, Bombardier G. H. Fernando, describe his plan in his own words: 'The whole thing was planned with a purpose. Captain Gardiner was just an obstacle. I just wanted to break away from the white people. I am not so much anti-British as anti-white. I have felt this for a very long time. I was not doing it for my own sake. I had not the least grudge against Captain Gardiner personally. I would have done the same to any white man. I felt that if I succeeded I might do things that would revolutionise the war effort in the East. I wanted to try and get Japanese help. I firmly believe in Asia for the Asiatics. I am in sympathy with Japanese war aims. . . . I had Gunner Anandappa and Gunner Gauder in my confidence. They knew my plans. My plan was to disarm the Guard. I ordered my sentry to shoot the Night Officer on duty. I went up the O.P. I fired a shot. Someone ran up. I shot at him. I tried to get the tommy gun. Could not fix the magazine — so put it under cover. I doubled to the Bren gun which I had already put near the battery gate outside. I wanted to pick off the men as they got bunched coming into the gate. I thought when I fired the first burst of the Bren I had got Captain Gardiner. I meant to send the alarm to Direction by the Secret Code. They would have sent an S.O.S. I have studied the Direction Island defences and felt I could have overcome them. I could have sent a message, as from the CO asking for say ten men in the morning and could have dealt with them. With about eight men from Horsburgh I could have overcome the remaining C.L.I. on Direction Island. . . . I did not want to kill them. I wanted to destroy the cable station and R.N.D.F. station. . . . If I was successful I think I might have been helped by Lance Bombardier Diaz, Gunners Peries, Daniels, Hamilton, G. B. de Silva, and Hopman.'

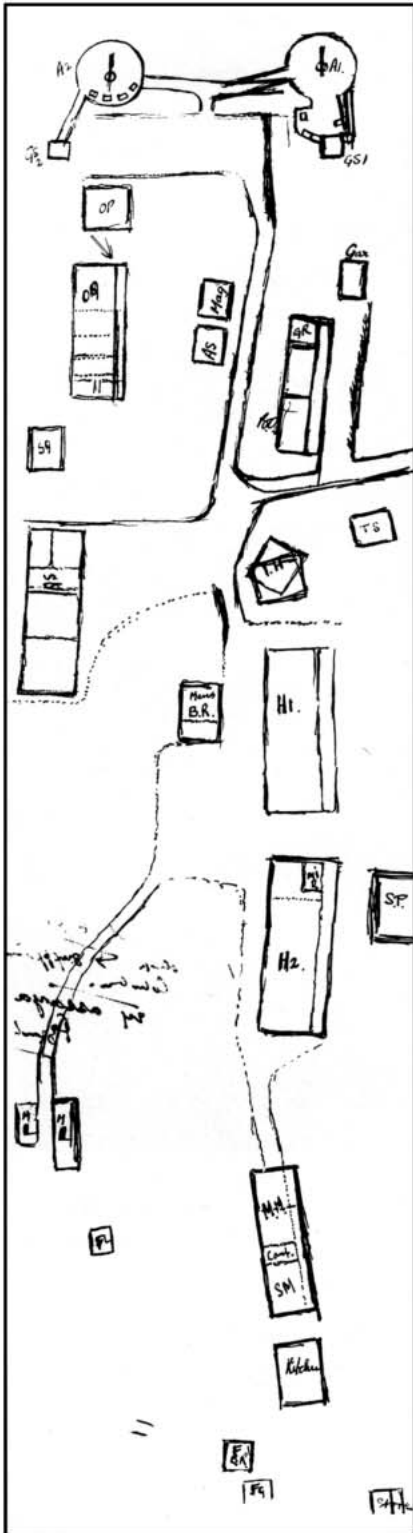


It was not a happy contingent which left the comfort of Ceylon to guard the Cocos Islands. Gunner G. D. Anandappa said that on the journey out (which would have taken 5-7 days) the food was bad and there was little water. They had to sleep amongst the poultry with its bad smells. The Battery Quartermaster Sergeant was already show-

ing favouritism towards the men of Battenburg Battery and this partiality continued when they reached Cocos where there was a shortage of cigarettes and soft drinks. About the middle of April, Bombardier G. H. Fernando declared: 'I feel like shooting some of the officers' but, as Anandappa said later, he was always talking like that.

We sent this sketch plan to Dr Martin Mowbray, the present-day administrator on Cocos, and he kindly arranged for Matthew Bryson to take a party over to the now-uninhabited Horsburgh Island to see what remained of Battery Rowe. However, being in the cyclone belt, one could not hold out much hope.





'It seems that the only recognisable parts of the battery left are the guns (of which one is in two pieces and both may have been moved), a couple of rises and a rusting well', wrote Matthew after his visit. 'The single, whole gun on the water's edge is to the south-east of the other, inland, gun, the barrel of which is 50-100 metres further west. Even when using the hand-drawn map [above from the court-martial file] as a guide, our party had great difficulty in matching up the details with the site (see picture page 48). It seems that between the destruction by the weather, and the evacuation, there is not a lot left on Horsburgh Island.'



Lieutenant H. F. Stephens stated that on the night of May 8/9, 1942, he was in the officers' war shelter at Rowe Battery as duty officer. 'After I fell asleep after visiting rounds, I was aroused by Gunner R. A. V. Perera. He spoke to me through the window in the wall between the Guard Room and the officers' war shelter. He told me that all small arms and ammunition had been removed and that all the guards were locked in the Guard Room. I went to the entrance of the Guard Room. It was latched from outside, the padlock being open. I opened the door and asked what the trouble was. The Guard Room was in darkness. They all said the rifles and S.A.A. had been removed. . . . As I turned the corner I saw somebody coming round the bend. It was Gunner Gauder coming towards me with his rifle under his arm pointing in my direction. He was about two yards away when I spoke to him. I called his name. He fired a round at me. The bullet grazed my right cheekbone just below my eye. I fired my revolver where the flash came from. He fired another round at me. I fired back. I think Gauder fired four or five rounds at me. I fired five rounds. As I had only one round left, I took cover in the camouflage by the OP. I was wounded in my left leg, the bullet passing through. . . . I heard two bursts of Bren gun fire. After some time I heard the voice of Bombardier G. H. Fernando calling out. I also heard him shout several times: "Captain Gardiner to the battery". From my cover I saw Fernando come into the magazine and look for me. He then went away. . . . I stayed under cover till daylight when I heard the voices of Corporal Ferdinands and Sergeant I. L. Pereira. I decided to come out of cover and met Captain Gardiner at the magazine entrance. I told him that Gunner Gauder had fired at me.'

Although he had enlisted voluntarily in the Ceylon Defence Force, Fernando had a complex as far as white people were concerned. In his evidence to the Field General Court-Martial, which was convened by Captain G. Gardiner (his superior officer) on Cocos as he was entitled to do, after the mutiny of May 8/9, 1942, Fernando said: 'I am not so much anti-British as anti-white. I do not have the least grudge against Captain Gardiner personally. I would have done the same to any white man. I felt that if I succeeded [in the mutiny] I might do things that would revolutionise the war effort in the East. I wanted to try and get Japanese help. I am in sympathy with the Japanese war aims.'

In his statement before the court-martial, Fernando said that he 'came to Cocos because he wanted to get out of Galle Face Battery [in Ceylon]'. In his statement in mitigation after conviction, he said: 'My mind was deranged . . . I volunteered for Cocos because I had some unhappiness in Ceylon over domestic and a love affair.'

Fernando also had an obsession about race. He had questioned Gunner K. R. Porritt about his nationality. Porritt told him that his father was a European and his mother a Eurasian. Porritt said that Fernando had also asked Gunner M. C. J. W. de Rooy the same question. Fernando gained some support from some others in the battery: Gunners C. A. Gauder, Anandappa, and R. S. Hamilton who were later found guilty of all charges.

Mutiny seems to have been under discussion for about a month before it started. Fernando's chance came when he was appointed commander of the guard of Rowe Battery on the night of May 8/9. His own statement outlined what he hoped to do: 'My plan was to disarm the guard. I ordered my sentry to shoot the Night Officer on duty [Lieutenant H. F. Stephens]. I went to the OP. Someone ran up. I shot at him. I doubled to the Bren gun which I had already put near the battery gate outside. I wanted to pick off the men as they got bunched coming into the gate. I thought when I had fired the first burst of the Bren gun that I had got Captain Gardiner.'

The attempt to take the battery, led by Fernando, the Guard Commander, created a night of confusion. Gauder shot at Lieutenant Stephens. Fernando fired the Bren at Captain Gardiner and wounded him, but not seriously. Gunner G. B. de Silva shot and killed Gunner M. S. D. S. Jayasekera. However, in his evidence, de Silva said he had been ordered by the Guard Commander [Fernando] to go to the top of the OP. While he was there, he heard a shot followed by footsteps coming up the stairs. He challenged the intruder who continued up to the top step, so de Silva shot him. It turned out to be Jayasekera.

In his evidence, Gunner Hamilton said that Fernando was the main cause of all the trouble. Fernando had the Bren gun. Gunner de Silva asked Hamilton to kill Lieutenant Stephens but Hamilton said that he could not do that. Later, de Silva saw Gunner Gauder shoot and wound Lieutenant Stephens.

Fernando had told his fellow conspirators that they must take the battery by killing both officers and all the senior NCOs. They should also kill the Cable & Wireless staff on Direction Island and then send a message to the Japanese telling them to come and destroy this place [Cocos].

During the shooting, Lance Sergeant O. M. D. W. Perera and Sergeant I. L. Pereira apparently got into the battery enclosure at the first alarm yet there is no evidence to show that from their favourable position they took any action during the following hours to restore order.

On May 12, 1942, three days after the event, 15 men were arraigned before a Field General Court-Martial charged with the capital offence of mutiny. There were three alleged offences: 1. Causing a mutiny; 2. Joining a mutiny; 3. Failing to report an impending mutiny. Fernando, Gauder, de Silva, Hamilton, Anandappa and Lance Bombardier K. W. J. Diasz were found guilty of all charges. Others were found guilty of lesser charges and Gunners L. B. de Zilva, T. B. Kronenberg, D. A. Patterson and F. J. Daniels were found not guilty of any of the charges. The death penalty was confirmed on three of the mutineers: Fernando, the ring-leader, who was seen by Sergeant Pereira firing a Bren gun at Captain Gardiner; Gauder who fired shots at Lieutenant Stephens wounding him; and G. B. de Silva who shot and killed Jayasekera.

After the court-martial, the convicted were given the opportunity to petition the GOC Ceylon before he made his final decision as confirming officer. They were assisted in the preparation of their statements by Lieutenant-Colonel M. Joseph, formerly a Colombo magistrate.

Documents on the trial released in the Public Record Office in May 1994 refer to legal matters associated with the court-martial. As it was a Field General Court-Martial, the accused had no defending officers. Gunner M. A. Hopman alleged that he believed the court-martial to be a 'preliminary enquiry' and he claimed that he had not been allowed to make notes to assist him in his own defence. Hopman said that 'some men' had met beforehand in the magazine. There was grumbling and dissatisfaction about life on the island. Gunners Anandappa, Elders and Porritt said that there had been 'a lot of bad feeling that the Battenburg personnel were getting preferential treatment'.



After the war, Gunner Jayasekera, shot by Gunner G. B. de Silva was transferred to Kranji War Cemetery in Singapore (Plot 46, Row C, Grave 13). (Peter MacMillan)

STATEMENT SHOWING CHARGES AND FINDINGS
AGAINST THE UNDERMENTIONED INDIVIDUALS OF 1ST COAST REGIMENT, CEYLON GARRISON ARTILLERY.

Serial No.	Regtl No.	Rank and Name.	Charges.	Finding.	Sentence.
1.	2.		3.	4.	5.
1.	1712	Bdr G. H. FERNANDO	(1) Causing or conspiring with persons to cause a mutiny.	Guilty on all 3 charges.	Death.
2.	2002	Gnr C. A. GAUDER		Guilty on all 3 charges.	Death.
3.	1969	Gnr G. E. De SILVA	(2) Joining a mutiny.	Guilty on all 3 charges.	Death.
4.	2028	Gnr R. S. HAMILTON		Guilty on all 3 charges.	Death.
5.	1765	Gnr G. D. ANANDAPPA	(3) After coming to the knowledge of an intended mutiny failing to inform without delay their C.O. of the same.	Guilty on all 3 charges.	Death.
6.	1971	L/Bdr K. W. J. DIASZ		Guilty on all 3 charges.	Death.
7.	2190	Gnr A. J. L. PEIRIS		Guilty on charges 1 and 3.	Death.
8.	1727	Gnr L. B. De ZILVA		Not guilty on any charge.	Acquitted.
9.	2152	Gnr A. B. EDEMA		Guilty on charge 3.	One year's imprisonment with hard labour.
10.	2154	Gnr T. B. KRONENBERG		Not guilty on any charge.	Acquitted.
11.	2022	Gnr M. A. HOPMAN		Guilty on charge 3.	Three years penal servitude.
12.	2147	Gnr D. A. PATTERSON		Not guilty on any charge.	Acquitted.
13.	2159	Gnr F. J. DANIELS		Guilty on charges 1 and 3.	Seven years penal servitude.
14.	1996	Gnr K. R. PORRITT		Guilty on charge 3.	One year's imprisonment with hard labour.
15.	2055	Gnr S. H. De ZILVA		Not guilty on any charge.	Acquitted.

On May 12, Captain Gardiner convened a Field General Court-Martial with himself as President and Lieutenants H. de Sylva

and S. K. Menon as Members. Fifteen soldiers were arraigned before the court which gave its judgement four days later.

Lance Bombardier Diaz complained that some of the witnesses at the court-martial were also guards who had heard the evidence of the other witnesses before they themselves gave evidence. Diaz said: 'I was convicted on evidence or statements that were not made before me and which I did not have the opportunity of denying or proving false by cross-examination'. Gunner A. B. Edema confirmed Diaz's statement.

A report on the trial was prepared by the Assistant Judge Advocate General (JAG) in Ceylon and submitted to Army Command HQ on June 7. Many weaknesses were apparent in the proceedings but, the report said, most were due to circumstances existing at the place of the offence and that it was for just such circumstances that most of the ordinary rules of procedure could be dispensed with at a trial by Field General Court-Martial. However, the JAG ruled that the convictions on the first charge (causing or conspiring with persons to cause a mutiny) should be set aside because 'it has been held that corroboration by another accomplice, or even by several accomplices, does not suffice'. Likewise, it was ruled that the sworn and signed statements by the accused were inadmissible. Although death sentences had been given by the court to seven of the mutineers, the JAG recommended that it only be carried out in the case of three, summarised by the JAG as follows:

'**Bdr FERNANDO.** The chief ringleader and undoubtedly the man who caused the mutiny, but the conviction on this charge (causing or conspiring with others to cause) must be set aside. His own evidence at the trial, however, is quite sufficient to convict him on the other two charges without his attached statement. In fact, his evidence goes much further than his statement and the admission of the latter in no way prejudiced him.

'**Gnr G. B. de SILVA.** In his evidence he admits shooting at some person in the OP. Gnr Subrananian states that he saw this accused shooting at Gnr Jayasekera who was killed. This, with other points in the accused's own evidence, is sufficient to convict him of joining in the mutiny and of having had previous knowledge of it and not reporting it. I suggest confirmation of the convictions on the 2nd and 3rd charges and, because he actually killed a man, that the sentence of death also be confirmed.

'**Gnr C. A. GAUDER.** In his evidence this accused says "I took part in the mutiny". Lt Stephens says definitely that Gauder fired four or five shots at him from a range of about two yards after he had spoken to him. One bullet grazed Lt Stephens' face and another wounded him in the leg. It appears certain that Gauder meant to kill Lt Stephens. Other evidence makes it clear that Gauder had previous knowledge of the intended mutiny. I suggest that because of this accused's deliberate attempt to shoot his officer, that the sentence of death also be confirmed.'

The sentences on Fernando, de Silva, and Gauder, were approved by General Wavell, Commander-in-Chief India, on July 22, 1942 by which time the convicted men would have been lodged in prison in Colombo. The sentences were carried out on August 5 and, as none of the men are commemorated by the Commonwealth War Graves Commission (as are some servicemen executed in Britain — see *After the Battle* No. 45), one presumes that they were dismissed from the service before execution.

Gunner A. J. L. Peries complained that 'I did not have a fair trial. Two days after I had been arrested when I was taken before Captain G. Gardiner I asked what the charge was against me. He replied: "That is nothing to do with you." Lieutenant H. de Sylva, a member of the court-martial, often interrupted when evidence was being interpreted and gave his own interpretation which was sometimes wrong'.

On July 22, 1942, General Sir Archibald Wavell, the Commander-in-Chief India, approved the sentence of death by hanging of 1712 Bombardier G. H. Fernando, 1989 Gunner G. B. de Silva, and 2002 Gunner C. A. Gauder, all members of the Ceylon Garrison Artillery. They were hanged on August 5, 1942, the only members of the British armed forces to be executed for mutiny during the Second World War.

SCHEDULE.

Number, Rank, (a) Name and Unit of accused (b)	Offence charged	Plea.*	Finding, and if Convicted, Sentence (c).	How dealt with by Confirming Officer (d).
No:1712. Bdr: Fernando G.H. C. G. A.	A. A. 87 Part (1) (3) and (4)	Not Guilty on all three charges	Guilty. on all three charges. Death.	<i>Finding on 1st charge NOT confirmed. Findings on 2nd and 3rd charges, Confirmed. Sentence of death Confirmed. To be hanged. H.R.P.</i>

*Question to be asked of accused if he pleads not guilty (Rule of Procedure 39 (A)):-

Do you wish to apply for an adjournment on the ground that any of the rules relating to procedure before trial have not been complied with, and that you have been prejudiced thereby, or on the ground that you have not had sufficient opportunity for preparing your defence?

Answer (to be recorded on separate sheet if necessary):-

(Signed) _____ (Signed) _____

Commanding _____ Convening Officer (e) _____ President.

(a) Appointment, acting rank or acting appointment, if any, to be stated in brackets after the substantive rank.

(b) Unless unavoidable, not more than three names are to be entered on one form, and in serious cases one only.

(c) Recommendation to mercy, if any, to be inserted in this column.

(d) It is not necessary that the Confirming Officer should sign his name in this column. Initials are sufficient.

(e) Must be signed by the same Officer who signs on the first page, and all alterations in the first two columns of the Schedule to be initialled by him.

18th

I certify ~~that~~ the above Court assembled on the _____ day of _____ and duly tried the persons named in the Schedule, and that the plea, finding, and sentence in the case of each such person were as stated in the third and fourth columns of that Schedule.

I also certify that

- The members of the Court
- The witnesses
- (3. The interpreter)
- (4. The Officers under instruction)

were duly sworn.

Signed this 16th day of May, 1942.

Wavell
President of the Court-Martial.

I approve the sentence of death by hanging

Signed at *Delli* this *twenty second* day of July, 1942.

Sentence carried out on 5/8/42.

A. J. G. Wavell
Deputy Commander-in-Chief, General.