

Missed Opportunity: Sir Lyman P. Duff and the Report on the Canadian Expeditionary
Force to the Crown Colony of Hong Kong

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Following the capitulation of Hong Kong on 25 December 1941, the participation of Canadian troops in the defence of this isolated colonial outpost became a major political crisis for the Mackenzie King government. Public outcry, and choruses of disapproval from within the House of Commons, cast doubt on the Department of National Defence's decision to participate in the protection of Hong Kong. The 1942

Royal Commissioner's Report on the Canadian Expeditionary Force to the Crown Colony of Hong Kong was commissioned by the Liberal government on 12 February 1942. The findings of this inquiry ultimately validated the government's decision to send Canadian Forces to Asia.

Upon closer examination of this report, it becomes apparent that a political solution was orchestrated by the Prime Minister, and Sir Lyman P. Duff. A re-evaluation of the Commission raises several questions of why the government supported a quick resolution to Canada's involvement in Hong Kong. This uncertainty leads many to wonder if a less politically biased evaluation of the incident had taken place, would the Canadian military have been better prepared for the conflicts that followed the Second World War?" The controversy surrounding the garrisoning of Hong Kong still exists sixty years after many Canadian soldiers lost their lives in Asia. The 'Duff Report' is an important part of understanding the legacy of this tragic event.

The first mention in the national press of Canadian forces in the battle of Hong Kong occurred on Monday, December 8, 1941.¹ In a small column in the *Toronto Daily Star*, buried amidst the headlines proclaiming "Jap Bombs Kill 1,500 in Hawaii," and "Declare War on Japan F.D.R. Asks Congress," are ten short sentences describing the events in Hong Kong. This brief report informed Canadians that 30,000 Japanese soldiers were conducting an attack on the colony from the surrounding Chinese territory. The newspaper cites an official British military communiqué, providing information on Canadian forces with the statement "Canadian troops only recently arrived in Hong Kong under Brigadier Lawson."² The damage inflicted on the defence force was described as being "not extensive and casualties were small."³ The exact meaning behind this statement would remain unknown for several years. Unbeknownst to the reporters and the Canadian public, this sentence relating the number of soldiers hurt as "small," contained Canada's first two combat casualties of the Second World War.

The official announcement that Canadian troops in Hong Kong had suffered heavy casualties appeared in national headlines, after Canadian authorities reported that Brigadier J. K. Lawson, and the senior staff officer, Colonel P. Hennessy were believed to be killed in action. The *Toronto Daily Star* reprinted the entire official communiqué released by the Canadian defence department. The most important portion of the government announcement informed the Canadian public that:

A situation report from Hong Kong up to 6 p.m. yesterday, received through the British admiralty, indicates that the force generally, has suffered heavy casualties. The only particulars given of casualties was the regrettable news that the Canadian commander, Brig. J. K. Lawson was

¹ The time difference between Canada and Hong Kong is 12 hours. The Japanese air raid occurred at 9:00am local time. Word of these developments in the Pacific reached Canada sometime after 9:00pm Sunday night, and were printed in the Monday newspapers.

² Staff Writer, "Canadian Units Fight Air Raid at Hong Kong," *Toronto Daily Star*, 8 December 1941, 1.

³ *ibid.*

believed to have been killed and that the senior staff officer, Col. P. Hennessy, had been killed by shell-fire.⁴

These early casualty reports, and news of Lawson's and Hennessey's deaths did not contain any detailed information on the course of the battle. The newspapers painted an ominous picture of the events, and hinted that the defence of the colony might soon be lost. This three-page article was followed on 26 December 1941, with news that Hong Kong had fallen to the Japanese on Christmas Day.

The first mention of the Hong Kong disaster in Parliament took place on 21 January 1942 in response to Ontario Conservative Leader, Colonel George A. Drew's accusations that troops lacking training were attached to the Hong Kong contingent prior to its departure from Canada.⁵ In his address to the house, the Minister of National Defence, J. L. Ralston discussed the selection process of the two regiments, how they were trained for the mission, the nature of their equipment, and the plans established for transporting them overseas for duty. Ralston praised the two regiments speaking of the "battle honours of two fine Canadian regiments, ... [who] have added to our history an unforgettable page of gallantry and devotion."⁶ In response to the aftermath of reports on the loss of Hong Kong, the purpose of the Minister of Defence's speech was to outline why a Canadian expeditionary force was sent to Hong Kong in the first place.

During his speech, two major pieces of information surface, prompting a parliamentary debate over why Canadian authorities had acquiesced with the British request. The recent garrisoning responsibilities of the Winnipeg Grenadiers in Jamaica, and the Royal Rifles of Canada in Newfoundland, were offered as qualifications for their selection for duty overseas. When these regiments were chosen for the mission in Hong Kong in September 1941, Ralston informs the House that "the Royal Rifles was up to full strength (with two men surplus) and the Winnipeg Grenadiers was 129 men under strength." This admission leads to the revelation that in order to prepare the two battalions, 127 men were required to bring the Winnipeg Grenadiers up to full operational level, and 312 additional men for reinforcements had yet to be secured.⁷ In total, the missing forces needed for garrison duties in Hong Kong were 439 soldiers.

Ralston gives evidence that these additional men were "obtained without delay from other units and training centres" in Canada.⁸ Of the 439 men selected to accompany the two regiments, 291 individuals were certified as being "fully up to the established standard of training required for overseas duty as reinforcements," while 138 soldiers did not possess the qualifications deemed necessary by military standards for service overseas.⁹ The other shocking disclosure by the Minister of Defence concerned the

⁴ H. R. Armstrong, "Hear Brig. J. K. Lawson and Col. P. Hennessy Dead in Fierce Battle," Toronto Daily Star, 23 December 1941, 1.

⁵ Staff Writer, "Ralston to Answer Drew in the Commons," Toronto Daily Star, 21 January 1942, 2.

⁶ House of Commons, Parliamentary Debates, 21 January 1942, 4470.

⁷ House of Commons, Parliamentary Debates, 21 January 1942, 4471.

⁸ *ibid.*

⁹ *ibid.*

transport of 212 vehicles, including the universal carriers that were to be used by the two regiments in Hong Kong. Ralston revealed that the troopship, HMCS *Awatea* was unable to accommodate the mechanized transport needed by the two regiments to properly fulfill their garrisoning duties.

The freighter *Don Jose* was secured through the British ministry of war transport, departing from Vancouver on November 4. The freighter was rerouted by the United States naval authorities to Manila after the outbreak of war with Japan.¹⁰ Ralston notes that it may have been possible for about 20 of the 212 vehicles to accompany the *Awatea* when it departed Vancouver on October 27. Some confusion appears to have occurred between the rail lines and military authorities over the dates for transporting the smaller number of vehicles. An internal investigation was being conducted by the Ministry of Defence, but was presumably overshadowed, or abandoned in favour of a government inquiry into the matter.

Mackenzie King was very concerned with the outcome of any investigation into the issues behind the Hong Kong debate in Parliament. One of the major subjects that caused him distress was the dangerous question of conscription. The Tories were bound to strengthen their position towards this topic in light of the government's handling of the dispatch of troops to the Far East. Ironically, when the decision to go forward with a Commission under the Public Inquiries Act was made, the Prime Minister adopted an entirely different perspective towards the possible benefits of an investigation into the government's actions. King viewed the inquiry as a weapon to combat the Tories in their efforts to secure mandatory service from the Canadian public. In his diary, the Prime Minister wrote:

It [the inquiry] really is a help to us as it will show where the onus really lies, how ready we were to meet a British request, and will put the blame where it ought to be on those responsible for taking some men overseas who should not have gone. Instead of helping the Tories in their determination to have conscription at all costs, it is going to react against them. The public will see that our whole war effort being what it is, that a mistake is being made in pressing matters so far. I hope the Defense Department will see the same. They have themselves to blame for getting this off at the start.¹¹

The King's confidence in the commission's depiction of the government, and its ultimate findings was easily secured by the appointment of the Chief Justice of Canada, Sir Lyman P. Duff to head the investigation.

The selection of Duff was a calculated political move to ensure that the Liberal government was not held responsible for the unfortunate circumstances surrounding the

¹⁰ *ibid*, 4472.

¹¹ David Ricardo Williams, *Duff: A Life in the Law* (Vancouver: University of British Columbia Press, 1984), 223. It is interesting to note that the Prime Minister of Canada uses American spelling for the word "defense."

Hong Kong affair. On 12 February 1942, following weeks of public criticism, censure from the Canadian media, unrelenting attacks from opposition parties within the House of Commons, and empty promises of an investigation into the matter, the Liberal government tabled a motion to hold an inquiry into the Hong Kong affair. In an attempt to calm the scepticism generated by the government's exploration into its own actions, Mackenzie King promised Parliament, that an investigation into the matter "would be a parliamentary inquiry, without restriction."¹² After private discussions between the Prime Minister and the Opposition leader, it was decided that a commission under the Public Inquiries Act would be less conspicuous than a parliamentary committee investigation. Since parliamentary inquiries were very secretive in nature, Mackenzie King did not want the investigation to foster objections from individual's critical of the government's conduct.¹³

Lyman Duff was born in Meaford, Ontario on 7 January 1865, to Charles Duff, a Congregational Minister, and his Irish-American wife, Isabella.¹⁴ In 1881, Duff began his post-secondary education at the University of Toronto. He would eventually graduate from the Law Society of Upper Canada at Osgoode Hall in 1893.¹⁵ Before obtaining an appointment to the Supreme Court of Canada in 1906, Duff traveled to British Columbia and practised law. In 1933, he became the Chief Justice of the Supreme Court of Canada, and was knighted the following year by George V.¹⁶ King's decision to seek Duff's services was designed to benefit the government, and subvert justice.

The choice of Duff as the Royal Commissioner assured the exoneration of the Liberal government for the role it played in the Hong Kong mission. When Mackenzie King approached the Chief Justice with his proposal, the political motives for Duff's appointment were glaringly obvious. On 22 January 1941, after a visit to Duff's home to ask him to chair the inquiry, Mackenzie King commented in his diary:

with the feeling that he would accept. I can see that it is from a sense of duty and I think, too, of feelings that the government has considered him in every way, and that he should now consider it.¹⁷

The Prime Minister's request provided Duff with an opportunity to show his gratitude for the recent extension of his term in office, as well as providing some recompense for his earlier appointment as Chief Justice.¹⁸ Duff's acceptance of Mackenzie King's proposition had been put to him in such a way, that it left him little choice but to accept. The Order in Council P.C. 1160 charged Duff with the responsibilities of reporting and

¹² House of Commons, Parliamentary Debates, 12 February 1942, 520.

¹³ Williams, 223.

¹⁴ *ibid.*, 6.

¹⁵ *ibid.*, 17.

¹⁶ Discovery School's A-to-Z History, "Sir Lyman P. Duff," (Electronic Version) [Online], Available: HTTP: <http://school.discovery.com/homeworkhelp/worldbook/atozhistory/d/168620.html> [2001, March 1].

¹⁷ Williams, 224.

¹⁸ *ibid.*

enquiring into “the organization, authorization and dispatch of a Canadian Expeditionary Force to the Crown Colony of Hong Kong.”¹⁹

This motion was introduced by the Prime Minister in the House of Commons on 12 February 1942, in the wake of a highly publicized newspaper article that appeared in the *Toronto Daily Star* on 3 February, questioning the government’s delay in releasing the casualty lists from Hong Kong. A query into the government’s knowledge of the casualty numbers was made on 2 February by M. J. Coldwell, Member of Parliament for Rosetown-Biggar. Ralston responded that no information was available at the current time.²⁰ The only information possessed by the government was the estimation received by the War Office that out of a total of 12, 000 soldiers that made up the British force protecting Hong Kong, “a very rough guess [of] 4,000 [were] killed and wounded.”²¹

The Royal Commissioner and his investigation were charged with determining if any dereliction of duty, or error in judgement had taken place in the dispatch of troops to Hong Kong.²² Interestingly, these instructions did not ask the Commission to render any recommendations, so that future military activities could avoid the pitfalls that were encountered while planning the Hong Kong mission. The formation of an inquiry that is charged with identifying the problems while not permitted to make recommendations for the future, appears to contradict its own existence. Duff’s limited criticism of the government’s part in the organization of the Royal Rifles of Canada, and the Winnipeg Grenadiers ultimately reflects the negligent role that the government played in this tragic portion of Canadian military history.

With only one glaring exception, the inquiry “without restriction” pledged to Duff and the people of Canada would take place. This exemption would coincidentally involve the one person who many individuals held responsible for the improper posting of Canadian troops to Hong Kong. General H. D. G. Crerar would never testify in person before the Commission, during the twenty-nine days in March when the inquiry heard testimony. This miscarriage of justice is a little-identified fact in the history of the Royal Commission’s investigation into Hong Kong. Mackenzie King noted in his diary that both Ralston and himself believed that a blunder had been made within the military hierarchy. King writes:

[Ralston] is much afraid that Crerar may seek to slip out from under his responsibility by seeking to have it appear that the matter was one of political decision, though the records were clear that it was referred to the Chief of Staff for their approval before any action was taken. ... apparently the Department did not feel it necessary to go into the question

¹⁹ House of Commons, Order Paper and Notices, 13 February 1942, 47.

²⁰ House of Commons, Parliamentary Debates, 2 February 1942, 212.

²¹ House of Commons, Parliamentary Debates, 3 February 1942, 278.

²² Sir Lyman P. Duff, Report on the Canadian Expeditionary Force to the Crown Colony of Hong Kong (Ottawa: Edmond Cloutier, 1942), 3.

of conditions at Hong Kong, but accepted the British request as covering the aspect, which involves complications with the Command...²³

In the rush to comply with the British request for assistance, the military had blindly moved forward with ill-defined preparations. Although the contempt for Crerar and the military establishment is hinted at in King's diary entry, his manipulation of the inquiry process to absolve the government of any wrong doing is almost as suspect as Crerar's conduct.

As a casual side note to Duff's introduction to the Royal Report, it is noted that General McNaughton advised the Commission that Crerar would be unable to attend the investigation. The inquiry was told that the General's presence in England was needed for secret activities that were "from a military point of view indispensable."²⁴ Crerar's absence before the inquiry went uncontested in Parliament, and received no criticism in the daily newspapers. Instead, Duff permitted statements by Crerar to be given in response to a series of questions that were submitted by the Commission to General McNaughton.

The first topic addressed by the 'Duff Report' is the authorization of the expedition. This section attempts to identify the process by which the request was received, and who, if anyone should have turned down the British request for help. The Commission reports that after the receipt of the British telegram, and an initial conversation between Power and Crerar, Ralston was contacted during his holidays in Los Angeles. This telegram was accompanied by a memorandum stating that Crerar "sees no objection" to the request, the War Committee of Cabinet accepts the proposal, and a decision, or immediate answer was not needed by the Committee.²⁵ Ralston spoke with Crerar that night, and a memorandum that the C.G.S. composed during their conversation records his opinion "that I had definitely recommended that the Canadian Army should take this on."²⁶ Scholarly investigations have placed special emphasis on the encounter between Major-General A. E. Grasett and General Crerar as a determining factor for Canada's participation in the defence of Hong Kong.²⁷

On his return voyage from Hong Kong in 1940, Grasett spoke with his fellow RMC classmate H. D. G. Crerar, suggesting Canadian involvement in the Far East. Crerar's description of this encounter appears in the Royal Commission's report as the following:

So far as general military situation at Hong Kong and prospective problem of its defence against attack were concerned, I had had long discussions in Ottawa, in July or August, 1941, with Major-General Grasett, who was passing through Canada on returning to the United

²³ Williams, 225.

²⁴ Duff, 12. It is presumed that these secret reasons included the planning of the Dieppe raid.

²⁵ Duff, 13.

²⁶ *ibid.*

²⁷ D. A. B. Douglas & Brereton Greenhous, Out of the Shadows (Toronto: Dundurn Press, 1977), 111.

Kingdom ... In his appreciation of the military situation confronting the Hong Kong garrison in the event of war with Japan, Major-General Grasett informed me during our conversation that the addition of two or more battalions to the forces then at Hong Kong would render the garrison strong enough to withstand for an extensive period of the siege an attack by such forces as the Japanese could bring to bear against it.²⁸

The Duff report absolves Crerar from any guilt, using many of his own comments and observations as justification for the government's decision to send troops to Hong Kong. "It was Canada's turn to help; Canada ought to share in the responsibility for garrisoning the Pacific area," was the main conclusion of Duff's investigation into Crerar's role in recommending the mission. The lack of a Canadian intelligence gathering mechanism, and the unwillingness of the British to share sensitive information with Canadian military authorities are the major reasons why the imminent attack by Japan went unrecognized.

The next section of the Commission examines the selection of soldiers, and the formation of the regiments sent for duty overseas. Duff's explanation for the selection process completely dismisses the Minister of Defence's role in the matter. By identifying the decision to send the Winnipeg Grenadiers, and the Royal Rifles as the choice of the C.G.S., Duff has absolved Ralston of any responsibility.²⁹ Ralston's approval of Crerar's choice of troops was never called into question. In the report, Duff proclaims Crerar's capabilities to choose the troops by stating "No one could be better capable of forming an estimate of the effect of any given choice upon the morale of the army as a whole, or of any particular part of it." The focus of this entire section is centred on Crerar, and his careful selection of the two regiments.

Along with his written testimony, Crerar submitted a copy to the Commission of a memorandum to Ralston, describing his selection of the two regiments for duty overseas. Duff reproduces this communication from 30 September 1941, in its full text in the third section of the report. After reviewing these points, their content contradicts the reasoning for the final selection of the regiments. The second, and most important point of Crerar's recommendation states:

2. As these units are going to a distant and important garrison where they will be detached from other Canadian forces, a primary consideration is that they should be efficient, well-trained battalions, capable of upholding the credit of the Dominion in any circumstances.³⁰

With this in mind, it seems rather conspicuous that the two regiments that were chosen for the mission were understaffed and poorly trained for the duty proposed by the British request. Admissions in the House of Commons by the Minister of National Defence, and the reports in the newspaper had already identified that 138 men from the 1,985 soldiers

²⁸ Duff, 14.

²⁹ Duff, 19.

³⁰ Duff, 19.

sent to Hong Kong lacked the necessary training for overseas duty. Almost fifteen percent of the overall force shared in this deficiency.

The emphasis placed by Crerar on the selection of “efficient, well-trained battalions,” does not correspond with the assignment of the Winnipeg Grenadiers or the Royal Rifles of Canada to duties overseas. Aside from the untrained additions haphazardly attached to the force before their departure for Hong Kong, Crerar on an earlier occasion had given both regiments a “C” rating. The Winnipeg Grenadiers and the Royal Rifles of Canada were described as “insufficiently trained and not recommended for duty.” As fighting groups, they were classified as not being ready to fight.³¹ Evidence of Crerar’s negative appraisal of the two regiments was not uncovered until many years after the inquiry.

In section three of Duff’s investigation, a detailed analysis of the preparations undertaken when a regiment is mobilized for duty overseas is provided. This is followed by a detailed history of the composition and training of each regiment. Duff’s review of the Royal Rifles and the Winnipeg Grenadiers is confirmed by testimony from military individuals who were once attached to these two regiments. The question of whether or not enough training had been received by several of the new recruits, was answered by Lt.-Col. Lamb. He responds to the Commission’s questions by testifying:

because I have seen men who have had anything from four weeks’ to six weeks’ training in the Basic Training Centre, and I would like to say that one week or two at the most of the training these men got in our own recruit squad would be equivalent to four weeks’ training at the Basic Training Centres.³²

Since the majority of the regiment’s evaluations and history was lost with the Canadian Command in Hong Kong, the words of the few military individuals who had served with the regiment were given paramount consideration.

Two major considerations should have been taken into consideration by Duff in his evaluation of Lamb’s testimony. The desire by this witness to prove his regiment’s fighting capabilities and his loyalty to the military institution has probably affected his statements. The testimony of Captain P. A. MacMillan, a staff officer for General-Major Maltby, and one of the few individuals to escape from Hong Kong, commented during his debriefing on the ineffective role that the Canadian regiments played during the battle.³³ MacMillan reported that

. . . they made the most elementary mistakes . . . Had we in the morning of December 18 [sic] two fully trained battalions capable of carrying out

³¹ Ted Ferguson, Desperate Siege: the Battle of Hong Kong (Toronto: Doubleday Canada Limited, 1980), 11.

³² Duff, 23.

³³ Carl Vincent, No Reason Why: the Canadian Hong Kong Tragedy – an Examination (Belleville: The Intelligencer, 1981), 228.

the counterattacks ordered in the difficult country of Hong Kong, we might have localized Jap penetration, prevented further landings and dealt with what was already ashore.³⁴

The opposition offered to the Japanese by the Canadians, as well as the strength of the other battalions in Hong Kong, failed because it was “ill-conceived, unsupported, and numerically unequal to the task.”³⁵ It is unfortunate that during and after the Second World War this attitude of a Canadian failure was advanced in British post-war reports and histories of the battle.

The assessment of the selection of the battalions for the expedition contained in the third section of the report finds no fault with General Crerar for choosing the Royal Rifles of Canada and the Winnipeg Grenadiers for overseas duty. The culpability of J. L. Ralston, Minister of National Defence is dismissed by Duff as he observes in the report “I can perceive no ground upon which the propriety of his decision to accept the advice of his professional adviser can be justly criticized.”³⁶ The Royal Commission’s findings in this particular section focuses more on the inability of Canadian military authorities to decline Britain’s request for two battalions to garrison Hong Kong, than the question of whether General Crerar or the Minister of National Defence were deficient in their responsibilities.

With the decision made to send the Royal Rifles of Canada and the Winnipeg Grenadiers to Hong Kong, the next task for Canadian military authorities was the addition of several soldiers to strengthen the overall force of each unit. In the fourth section of Duff’s report, an examination of the selection of 136 men for the regular fighting force, and 300 men for the battalions’ “first reinforcements” is given. The Commission found that the overriding determinant for bringing both battalions up to strength was the secret, and rapid response to the British request for assistance.³⁷ Duff explains that “first reinforcements” for a unit in the field are usually left behind the lines, at the battalion depot. Since the regiments were being sent across the Pacific to Hong Kong, it was deemed necessary that the “first reinforcements” be sent along with the fighting force.³⁸ In Duff’s categorization of the soldiers who were recruited for service, he reports that the entire force, “all with one exception (a man who enlisted on August 1, 1941), had had military experience, either with a militia regiment, a unit of the permanent forces, or in a Basic or Advanced Training Centre prior to enlistment in the active army.”³⁹ The Royal Commission concluded that the selection of troops for additions was not the fault of anyone man, but a sacrifice for “rapidity and secrecy.”⁴⁰

The last three sections of the Commission’s report are “Section V – The Headquarters Staff,” “Section VI – Details of Organization of the Force,” and “Section

³⁴ *ibid.*, 229.

³⁵ Vincent, 229.

³⁶ Duff, 21.

³⁷ Duff, 35.

³⁸ *ibid.*

³⁹ *ibid.*

⁴⁰ *ibid.*

VII—Mechanical Transport.” Duff briefly examines the headquarters staff, and finds no fault with the government’s compliance to this British request.⁴¹ The control of Canadian troops by Canadian officers was a very important lesson learned during the First World War. The presence of a Canadian headquarters in Hong Kong was an asset to the administration of the force while overseas. Similarly, a quick analysis of the details of the organization of the force occupied five paragraphs of Duff’s final report. Shockingly, no criticism is given to the training of troops with mortars, anti-tank rifles, Bren gun, and Thompson guns. The training received by the Royal Rifles in Newfoundland, and the Winnipeg Grenadiers in Jamaica had mostly occurred without ammunition.⁴² Duff excuses this fact since the general condition of all Canadian troops during their training in Canada underwent similar experiences.

The final section of the Royal Commission examines the transportation of vehicles to Hong Kong. 45 motorcycles, 6 light Ford cars, 57 universal carriers, 63 fifteen-cwt. trucks, 2 fifteen-cwt. water tanks, and 39 three-ton trucks were ordered for the mission.⁴³ The unrecognized problem of space surfaced very early in the development of plans for the mission. The troopship *Awatea* had been secured by British officials to transport the Canadians and their gear to Hong Kong. Following information received from the British on 11 October 1941, “as much of above weapons, transport, ammunition [was] to be taken with units” to Hong Kong.⁴⁴ Unfortunately, since the total cargo space of the *Awatea*, after room for approximately 2,000 troops, ammunition, and baggage, only 10,00 to 12,000 cubic feet remained.⁴⁵ The Transport Controller was in charge of ensuring that shipping permits were received before transport of materials took place. He was also responsible for checking to see if enough space was available on the designated carrier for the cargo.⁴⁶

Mr. Connor, the Transport Controller, halted the shipment without consulting the army, realizing that the *Awatea* could never accommodate the troops, cargo, and vehicles all destined for departure on 27 October 1941. Connor decided to postpone shipment until a carrier could be found on the Western coast to take the vehicles to Hong Kong.⁴⁷ Duff’s major criticism of the entire Commission’s investigation is Colonel Spearing’s lack of initiative in resolving the problem with shipping. After it had been realized that the *Awatea* could not carry the entire fleet of vehicles, no effort was made by Spearing to ascertain how many vehicles could be sent along with the troops. After thoroughly investigating the background behind the duties involved in shipping military ordinance during times of war, Duff finds that “Colonel Spearing’s activities “on this occasion, whatever may have been the cause there was some lack of energy.”⁴⁸

⁴¹ *ibid.*, 48.

⁴² Vincent, 59.

⁴³ *ibid.*, 50.

⁴⁴ *ibid.*, 51.

⁴⁵ Brereton Greenhous, “C” Force to Hong Kong; a Canadian Catastrophe, 1941-1945 (Toronto: Dundurn Press, 1997), 29.

⁴⁶ Duff, 52.

⁴⁷ Williams, 230.

⁴⁸ Duff, 58.

Since there was no evidence that the transportation of vehicles affected the overall conduct of the Canadian regiments in battle, Duff concludes that the mistakes had little impact on the overall mission. This judgement is severely ironic since during his chastisement of Spearing's lack of "energy," he concludes

In war, energy is, perhaps, the cardinal virtue. It must of course be guided by knowledge and judgement, but without energy, knowledge and judgement are fruitless.⁴⁹

The disorganized nature of the mission certainly had some impact on the commanders and troops that were being sent to Hong Kong. The inability of the vehicles to reach the *Awatea* before it departed most likely left a lasting impression on the two regiments of the Army's preparations for the mission. Although there are no direct examples of how the missing vehicles impacted the morale of the crew, it is possible that the brief rebellion of the troops just before the ships departure was generated by this blunder.

When Canadian prisoners returned from Europe and Asia after the war, it was discovered that twenty-five per cent of Western prisoners perished in Japanese prisoner of war camps, while only four per cent of Allied prisoners died in German captivity.⁵⁰ This astonishing statistic demonstrates the harsh and inhumane treatment of POWs by the Japanese during the Second World War. For the most part, the Canadian government was unaware of the treatment of captured soldiers in Asia during the war. It was not until November 1943 that Canada asked to participate in Allied protests against the Japanese treatment of prisoners. In the wake of the Allied findings from the war crimes trials in Asia held after the war, public outcry over the government's actions in the dispatch of troops to Hong Kong was redirected towards the findings of the Royal Commission.

On 31 March 1942, Duff adjourned the official inquiry into the dispatch of troops to Hong Kong until the testimony of General Crerar could be received by the Commission. When this evidence arrived, Duff granted another break to give the lawyers enough time to write their final recommendations. These summations were to be handed to Duff by 22 May 1941. On 8 April, before Crerar's testimony had been received by Duff, Mackenzie King drove the Royal Commissioner home from a dinner party for the external affairs minister of Australia. The Prime Minister recorded their conversation in his diary. King wrote:

I drove the Chief Justice home. We had a pleasant talk together. To me, he looked quite frail. Spoke several times of how well I looked and how strong I looked. He says he has his mind all made up on the Hong Kong matter, and material all together but has to wait for some further statement from Crerar and give opportunity to counsel for written argument. He gave me no hint of what his opinion would be, but I think the fact he

⁴⁹ *ibid.*

⁵⁰ Patrick Bode, Casual Slaughters and Accidental Judgements: Canadian War Crimes Prosecutions, 1944-1948 (Toronto: University of Toronto Press, 1997), 157.

mentioned it at all makes clear he is satisfied with the Government's position.⁵¹

The lawyers' interpretation of the evidence of the government's conduct during the dispatch of troops overseas would have no impact on Duff's final declaration. When the lawyer's arguments were presented to Duff on 22 May, the Chief Justice of Canada had already drafted his final report.⁵²

On 5 June 1942, Mackenzie King read a portion of Duff's findings in the House of Commons. The *Globe and Mail's* opinion of the Commission was fueled by the complaints of Lieutenant-Colonel George A. Crew, who charged Duff with hiding "blood-curling facts" in his final evaluation of the decisions that led to the loss of two great Canadian regiments. The headlines in the *Globe* read "Commission Hides 'Blood-Curdling Facts,'" "Asserts Evidence of 'Incompetence' Kept From Public," and "Colonel Complains Inquiry Should Not Have Been Secret." In an interview granted to the *Globe and Mail*, Crew asserts that the military and government authorities were responsible for "inexcusable blundering, confusion and incompetence [that] had been hidden from the public."⁵³

Objections towards Duff's conclusions were again debated in the House of Commons when Major-General Maltby completed his official report of the battle of Hong Kong.⁵⁴ Maltby's emphasis on the Canadian regiments' conduct during the battle as a determining factor for the swift Japanese victory, suggests that Duff's findings lacked a critical examination of the military's planning for the mission. Canadian historians for several years have focused on Maltby's report, determined to prove the successful conduct of Canadian soldiers during the defence of Hong Kong.⁵⁵ Since Maltby's position humiliated the Canadian military establishment, the lack of military censure in the 'Duff Report' is understandable.

The 1942 Royal Commissioner's Report on the Canadian Expeditionary Force to the Crown Colony of Hong Kong validated the government's actions after the decision to send troops had been recommended by military authorities. Mackenzie King's efforts to insure that military and government authorities were not found liable for the loss of life in December 1941 illustrates a clear attempt to shape the Commission's findings. Too many facts show that individuals within the military complex acted negligently towards their duties when they allowed these two regiments to be sent to Hong Kong. Aside from Duff's meek chastisement of the lack of "energy" in those individuals responsible for the shipment of mechanized transport, little criticism of government and military policies were raised. A significant opportunity for the reform of the military and its policies were

⁵¹ Williams, 231.

⁵² *ibid.*

⁵³ Staff Writer, "Commission Hides 'Blood-Curdling Facts,'" *Globe and Mail*, 6 June 6 1942, 2.

⁵⁴ Williams, 237.

⁵⁵ C. P. Stacey, *The Canadian Army in Canada, Britain and the Pacific*, Vol. 1 of *Six Years of War* (Ottawa: The Queens Printer, 1955), 439. Douglas & Greenhouse, 111. Grant S. Garneau, *The Royal Rifles of Canada in Hong Kong, 1941 – 1945* (Quebec: Progressive Publications, 1980), XXV.

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