CHAPTER FIFTEEN
PRIVATE JOHN SIMPSON KIRKPATRICK

15-1 John Simpson Kirkpatrick, more commonly known as John or Jack Simpson, was born on 6 July 1892 in South Shields, County Durham, England. When he was about 16 years old, he volunteered to train as a Coastal Defence Gunner in the Royal Field Artillery.\(^1\) In early 1909 he became a British Merchant Seaman and while in SS \textit{Yeddo} he landed in Newcastle, Australia, in May 1910. Simpson and others deserted the ship. He then worked at various itinerant shore jobs before returning to sea, working in several merchant vessels operating around the Australian coast until 1914.\(^2\)

15-2 Soon after the outbreak of the First World War, Simpson, then in Western Australia, joined the Australian Imperial Force (AIF). He enlisted as John Simpson [Simpson was his mother’s maiden name] on 25 August 1914, and was allotted as a Stretcher Bearer to 3rd Field Ambulance, a unit of the newly forming 1st Australian Division. Simpson departed in a troopship convoy on 1 November 1914. He arrived in Egypt on 3 December for training prior to the division’s first engagement of the war.

15-3 Simpson took part in the landing at Gallipoli on 25 April 1915. He was among the first attacking waves ashore, supporting the 3rd Brigade covering force. Simpson carried casualties, with the rest of the bearers, on that first day. Command and control was stretched, and as operations continued amid very high casualties, Simpson, like many others, became separated from his unit. He stumbled across a donkey in a hut, and with it worked up and down the dangerous valleys collecting slightly wounded servicemen and carrying them to the dressing stations.\(^3\) Simpson soon became known among the soldiers fighting in the tight confines of the Gallipoli beach head. Simpson continued this work until 19 May 1915, when he was killed in action by Turkish machine-gun fire.\(^4\) Simpson was buried ’that night on a little hill near the seashore known as Queensland Point’.\(^5\)

15-4 It is Simpson’s 25 days of service from 25 April to 19 May 1915 that is the subject of this Inquiry.

Recognition for service

15-5 For his Army service, Private John Simpson Kirkpatrick was entitled to the following Defence honours and awards:

- 1914–1915 Star

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\(^{2}\) Papers of Kirkpatrick, John Simpson (Private), AWM 3DRL 3424.
\(^{3}\) ‘War Diary’, 3rd Australian Field Ambulance, April 1915, AWM4, 26/46/4.
\(^{4}\) ‘War Diary’, 3rd Australian Field Ambulance, May 1915, p. 9, AWM4, 26/46/5.
\(^{5}\) Letter, HK Fry to Miss Simpson Kirkpatrick, 2 September 1915, AWM 3DRL 3424.
• British War Medal 1914–1920
• Victory Medal
• Mention in Despatches.

**What has led to the review?**

15-6 Over a long period of time, there have been many instances where groups, parliamentarians and individuals have called for Simpson to be awarded a Victoria Cross (VC).

15-7 According to the author, Tom Curran:

> In 1967 Australian leaders attempted to correct an inexplicable error of omission. Prime Minister Harold Holt; Governor-General Lord Casey; and Chief of the General Staff, Major General Brand; and others sent a petition to the British War Office, on behalf of the Australian people, requesting that a posthumous Victoria Cross be awarded to Private John Simpson Kirkpatrick. Their request was denied.\(^6\)

The Tribunal was unable to find any official papers or files to verify that the petition to the British War Office was ever actually raised or forwarded for consideration, or rejected.

15-8 More recently, on 31 October 2005, Ms Jill Hall, MP, Member for Shortland, included a similar statement in a petition before the House of Representatives.\(^7\)

15-9 Some members of Parliament have supported and others opposed campaigns for the posthumous awarding of a VC to Simpson:

a. On 6 February 1995, Mrs Mary Easson, MP, spoke on behalf of the Anzac Day Bill 1994. During this speech, Mrs Easson referred favourably to the deeds of Simpson.

b. On 21 January 2000, Ms Hall wrote to the Prime Minister, John Howard, urging the government to award a VC to Simpson as a matter of urgency. This was not agreed.

c. On 7 March 2000, Ms Hall, in an adjournment speech in the House of Representatives, called for Simpson to be awarded a VC.

d. On 30 October 2000, several speeches were made regarding Simpson in the House of Representatives in private members’ business. Speakers included Ms Hall, Mr Ross Cameron, MP, Mr Harry Quick, MP, and Mr Gary Hardgrave, MP.

e. On 8 March 2001, Senator Chris Schacht spoke in the Senate, nominating Simpson as one of three to be awarded a VC.

f. On 4 April 2001, Senator Schacht introduced the Award of the Victoria Cross for Australia Bill 2001. Simpson was one of three named as deserving of the VC.

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\(^7\) *House of Representatives Petitions: Private John Simpson Kirkpatrick Petition, 31 October 2005.*
g. On 4 June 2001, Mr Sid Sidebottom, MP, spoke in support of the Defence Act Amendment (Victoria Cross) Bill 2001. Simpson was one of three named as deserving of the VC.

h. On 14 March 2005 and 23 May 2005, The Hon. Bruce Scott, MP, spoke in the House of Representatives, against a proposal by Ms Hall to award the VC to Simpson posthumously.

i. On 31 October 2005, Ms Hall put a petition before the House of Representatives to have the VC posthumously awarded to Simpson. This was on behalf of 36 citizens.

j. On 21 May 2007, Ms Hall again put a petition before the House of Representatives to have the VC posthumously awarded to Simpson. This was on behalf of 414 citizens.

k. As recently as 19 March 2012, Ms Hall again spoke in the House of Representatives in support of the award of the VC for Simpson.

15-10 The inclusion of Simpson in this Inquiry formally commenced on 19 October 2010 during an estimates hearing of the Senate Standing Committee on Foreign Affairs, Defence and Trade. A member of the committee, Senator Guy Barnett (Liberal, Tasmania), named Simpson among six candidates he put forward for consideration of the award of the VC. Consequently, Simpson’s name was included by the Parliamentary Secretary for Defence on the list directed in the Terms of Reference to this Inquiry.

Submissions

15-11 The Tribunal received 23 written submissions and heard 6 oral submissions regarding Private Simpson. Of those submissions, 12 supported additional recognition, 15 were against additional recognition and 2 took no position. In addition, submissions referring to statements made in Parliament were also received.

Written submissions

a. Submission 1 — Mr Peter Dermody (against)
b. Submission 7 — Ms Sharon Telle (against)
c. Submission 10 — Mr Peter Shaw (for)
d. Submission 12 — Mrs JD Crowle (against)
e. Submission 23 — Mr Norman Corker (against)
f. Submission 38 — Ms Jill Hall, MP (for)
g. Submission 53 — Lieutenant Colonel Peter Raue (Retd) (for)
h. Submission 60 — Mr Alfred Brogan (against)

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8 Senate Foreign Affairs, Defence and Trade Legislation Committee, Supplementary budget estimates, 19 October 2010, pp. 106–109.
i. Submission 63 — 2/1st Australian Machine Gun Battalion Association [Victoria] (against)

j. Submission 67 — Ms Lynda Watson, Teacher, on behalf of Year 2 Yakamia Primary School, Albany, WA, (for)

k. Submission 89 — Nowra Greenwell Point RSL Sub-Branch (no position)

l. Submission 99 — Mr Graham Wilson (against)

m. Submission 100 — Mr Lloyd Broderick (against)

n. Submission 116 and 116A — Mr Grant Malcolm (for)

o. Submission 117 — Mr James Mulholland on behalf of South Shields Local History Group [United Kingdom] (for)

p. Submission 124 — Mr Richard Pelvin (against)

q. Submission 191 — Lieutenant Colonel Harry Smith [Retd] (no position)

r. Submission 193 — Mr Chris Schacht [former Senator] (for)

s. Submission 207 — The Hon. John Howard (against)

t. Submission 214 — Mr Richard Kubicki (against)

u. Submission 234 — The Rev Dr Peter Hollingworth (against)

v. Submission 264 — Ms Dorothy Graham (for).

**Oral submissions**

a. Mr Graham Wilson — Public Hearing Canberra — 1 December 2011 (against)

b. Mr Richard Pelvin — Public Hearing Canberra — 2 December 2011 (against)

c. Mr Alfred Brogan — Public Hearing Melbourne — 15 December 2011 (against)

d. Mr Grant Malcolm — Public Hearing Perth — 15 February 2012 (for)

e. Ms Jill Hall, MP — Public Hearing Canberra — 14 March 2012 (for)

f. Mr Chris Schacht — Public Hearing Canberra — 14 March 2012 (for).

**Background**

15-12 The first contingent of the Australian Army’s expeditionary force in the First World War, known as the AIF, raised in August 1914, was commanded by Major General William Bridges and consisted primarily of the 1st Division. This division comprised three infantry brigades (1st, 2nd and 3rd) and a light horse brigade. Medical support for each brigade was provided by a field ambulance. Thus the 3rd Infantry Brigade, which was raised from Queensland, South Australia, Western Australia and Tasmania, was supported by the 3rd Field Ambulance, which was raised in the same states.9

15-13 A Queenslander, Lieutenant Colonel Alfred Sutton, was appointed Commanding Officer [CO] of the 3rd Field Ambulance, which consisted of three sections [A, B

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and C), each divided into Tent and Bearer subdivisions. Those subdivisions and their original commanders were:

- A Section (Queensland), (with Lieutenant Colonel Alfred Sutton attached) under the command of Captains Graham Dixon and H Victor Conrick
- B Section (South Australia), under the command of Captains Frederick Goldsmith, H Kenneth Fry and Charles Moodie
- C Section (Tasmania and Western Australia), Bearer subdivision (from Western Australia) under the command of Captain Douglas McWhae; and the Tent subdivision (Tasmania) under Major Harry Butler.  

Simpson enlisted in the AIF on 25 August 1914, was allotted as a Stretcher Bearer and was assigned to C Section, Bearer subdivision, 3rd Field Ambulance, which was formed at Blackboy Hill, Western Australia.

The 1st Division departed Australia on 1 November 1914 and continued its training in Egypt, where the infantry, artillery, ambulance, transport and divisional light horse units began to form as a cohesive division. On 13 December 1914 Lieutenant Colonel Sutton wrote in his diary:

> At last I am complete, a composite Field Ambulance. We have never met before. I have not been informed of anything concerning No. 3 except the details of A Section in which I am attached. Here we are dumped in the desert to work our own salvation as best we may.  

In Egypt, the 1st Division was joined by New Zealand forces and additional Australian units. By January 1915 the Australian and New Zealand units had been formed into the Australian and New Zealand Army Corps (soon known as the Anzac Corps) under Major General William Birdwood. The Anzac Corps had two divisions. Bridges continued in command of the 1st Australian Division, while the New Zealand Infantry Brigade, the New Zealand Mounted Rifles Brigade, the 1st Australian Light Horse Brigade and (after it arrived in February) the 4th Australian Infantry Brigade (commanded by Colonel John Monash) formed the New Zealand and Australian (NZ&A) Division under Major General Alexander Godley.

**Gallipoli landing**

Birdwood decided to make the landing with the 1st Australian Division, to be followed later by the NZ&A Division. Bridges selected the 3rd Brigade, commanded by Colonel Ewen Sinclair-MacLagan, and supported by the 3rd Field Ambulance, as the covering force. The brigade was to push inland to seize and

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occupy the ridge from Gaba Tepe towards Chunuk Bair. The rest of the division, landing immediately after the beachhead was controlled, would secure both the main ridge to the north and the left flank.

15-19 Corps headquarters recognised that the operation was likely to be fluid and directed that only the Bearer subdivisions of the Field Ambulances were to go ashore in the assault; the Tent subdivisions would remain afloat and provide assistance on the hospital ships. As a result, on 19 April 1915 the Assistant Director of Medical Services [ADMS] 1st Australian Division, Colonel Neville Howse, VC, issued the following order to 3rd Field Ambulance:

The Bearer sub-division of No. 3 Field Ambulance, 3 officers, 3 NCOs and 27 squads of 4 men with all available water bottles and surgical haversacks will land with the covering party. They will be under the orders of the OC, Covering Force, and will operate over the area occupied by the 3rd Infantry Brigade.

15-20 The bearer sections of the 3rd Field Ambulance were, therefore, part of the first troops that landed at Gallipoli in the pre-dawn of 25 April 1915. Corporal Andrew Davidson of the 3rd Field Ambulance recorded that we ‘landed about 5 am on the 25th. All C Bearer Section were in one boat, and we had many men killed and wounded’.

15-21 In the landing, north of Ari Burnu, three men from 3rd Field Ambulance were killed and 14 more were wounded. Almost all of its bearers became scattered with the rifle companies and lost contact with the medical officers, who, waiting behind to attend wounded men on and near the beach, also lost contact with their battalions. Moving up in the direction of the fighting and meeting streams of wounded, the medical officers collected some bearers and established aid-posts, some more and some less advantageously placed at the head of the gullies, close behind the gradually forming battlefront.

15-22 The landing did not go as planned, and while the 1st Division secured a foothold on the peninsula, its brigades and battalions became intermingled. The 1st, 2nd and 3rd Field Ambulances concentrated their efforts chiefly on the long gullies (later known as Shrapnel Gully and Monash Valley) and their branches. Sections became dispersed, and throughout the day many ambulance bearers, among them Private Simpson, worked to a great extent on their own.

15-23 By the time Colonel Howse landed with the divisional headquarters at 0730, the wounded were already accumulating on the beach and their evacuation became an urgent matter. In the absence of corps staff, Howse established a Casualty Clearing Station — representing both a field hospital and an evacuation centre — and arranged for the care of the wounded until cleared from the beach. Strong Turkish defences were inflicting heavy casualties and by 0300 on 26 April, over 1,700 casualties had been evacuated. Of the last 500, more than half were stretcher cases.

12 For details of the Corps Order, see Austin & Austin, The Body Snatchers, p. 20.
14 Letter, AR Davidson to Major Treloar, 28 March 1938, AWM 417/020/035.
In many cases, the arrangements for casualty evacuation needed to be innovative. Within the infantry battalions, soldiers acted as regimental stretcher-bearers to carry casualties to Battalion Regimental Aid Posts. From there, field ambulance stretcher-bearers carried the seriously wounded to the ambulance, though in the first days of the landing they generally took them direct to the Casualty Clearing Station on the beach. That is not to say that the field ambulance stretcher-bearers were safe from enemy fire. As Bean recorded:

The work of a stretcher-bearer often prevented him from taking cover which others could seek. Thus on April 26th and the following days the Turks poured down Shrapnel Gully the rain of shells which gave it that name ... most passers through the valley were able to take some cover during the heavier spasms [of fire]. But the stretcher bearers carried their burdens through it, erect ... Many became fatalists. If the shell 'had their name and number marked on it,' as they said, they would be hit. Until that shell arrived, it was best to let others see them going proudly rather than flinching.

... the work of stretcher-bearers — especially the regimental — of the AIF was, if anything, more deadly than that of the riflemen, and was recognised as such ... The system was unorthodox, inasmuch as it involved heavy loss of life in the medical and stretcher-bearing sections. But it probably saved a much greater loss, and its effect on the morale of the troops was distinct. An infantryman knew with certainty that, in the chance of a wound, if it were possible for brave men to reach him, he would not die unattended.

3rd Field Ambulance command arrangements

When Howse landed, the stretcher-bearer sections were already ashore and, although the situation was not ideal for control, a chain of command was nevertheless in place. The bearer section Officers Commanding (OCCs) worked directly to Howse at division headquarters. Under normal circumstances, Howse would have been responsible to the division’s Assistant Adjutant and Quartermaster-General (AA&QMG), but the AA&QMG was evacuated to Egypt, and so Howse reported directly to Bridges. On 25 April, when Simpson landed with the other stretcher-bearers in his section, they were all commanded by Captain McWhae, but when McWhae was wounded on 27 April and evacuated the next day, Captain Fry assumed command of the bearer division. Lieutenant Colonel Sutton did not land on Gallipoli until 29 April, when he resumed command of 3rd Field Ambulance. The section OCCs then reported to Sutton, who in turn was responsible to Howse. This arrangement remained in place during May, except for the period 17–23 May, when Howse was absent aboard the hospital ship Gascon tending to the mortally wounded Major General Bridges. On 30 April, Fry was appointed as Acting Adjutant of 3rd Field Ambulance, and in this role he would coordinate and write nominations for honours and submit them to Howse.

17 ibid., p. 553.
18 ibid., p. 555.
19 Assistant Adjutant and Quartermaster-General was the senior staff officer on the Division HQ responsible for supply, transport, accommodation and personnel management.
21 ‘War Diary’, 3rd Australian Field Ambulance, May 1915. AWM4, 26/46/5.
The campaign continues

In the week after the landing, casualties continued to mount. Turkish forces held the high ground at Baby 700 and 400 Plateau, and the Anzacs were unable to advance. Conversely, the Turks were unable to drive the Anzacs back into the sea. Rifle and machine-gun fire dominated the battlefield, cutting down the most determined assaults — while in the savage trench fighting, bomb and bayonet ruled. As the fighting wore on, the stretcher-bearers’ work became continuous. By 5 May 1915 the Anzacs were left holding a slice of Turkey 1.5 kilometres from north to south, and 0.5 kilometres at its widest point. This position was held until the end of the campaign.22

Simpson at Gallipoli

Over time, many accounts have emerged that described Simpson’s conduct in the few weeks after the landing. Corporal Davidson said:

The first day Simpson carried with the rest of the bearers, but was missing the second day and reported by Sgt Hookway for being absent from his unit. He had got his little donkey and was doing good work; when this became known he was given a free hand and carried on independently. He worked mostly in Shrapnel Gully, and as we were also carrying from there we saw him daily. He came to the unit for clothes and boots but got his food mostly from the 22nd and 23rd Mountain Battery Indian mule train.23

Gunner Sydney Loch24 kept a diary during his time at Gallipoli. Shortly after returning to Australia he had the diary published as a book, The straits impregnable, under the pseudonym Sydney de Loghe. The book was banned shortly thereafter. In 2007 the book was published again, this time under the title To hell and back: the banned account of Gallipoli. In it, Loch says:

One Red Cross fellow with a donkey passed twice or thrice that day. ‘The man with the donkey’, as we called him, was becoming known to all; firing seemed not to worry him. On his donkey he would mount a man wounded in leg or foot and bring them down Monash or Shrapnel Valley to the dressing station on the beach.25

In a letter to Simpson’s sister, Miss Annie Kirkpatrick, in September 1915, Captain Fry described Simpson’s conduct:

Your brother landed with us from the torpedo boat at daybreak on the 25th of April so taking part in the historic landing. He did excellent work during the day. He discovered a donkey in a deserted hut, took possession, and worked up and down a dangerous valley carrying wounded men to the beach on the donkey. This plan was a great success, so he continued day by day from morning till night, and became one of the best known men in the division ... The work your brother did was so exceptionally good.26

23 Letter, AR Davidson to Major Treloar, 28 March 1938, AWM 417/020/Q35.
24 Frederick Sydney Loch, Service no. 827, 3rd Field Artillery Brigade, NAA: B2455, LOCH FREDERICK SYDNEY.
26 Letter, HK Fry to Miss Simpson Kirkpatrick, 2 September 1915, AWM 3DRL 3424.
15-30 Private William Robertson,\textsuperscript{27} in a letter to Reverend Sir Irving Benson in 1950, recalled the actions of Simpson:

\begin{quote}
I wish to pay my tribute to Pte Simpson whom I knew well on Gallipoli (better known to me as Murph). Being in the same section of the 3rd Field Amb. I saw his courageous help to the wounded which is now history. Many times we told him to be careful at that certain part of Shrapnel Gully but he was too brave to take any notice.\textsuperscript{28}
\end{quote}

15-31 The official historian Charles Bean devoted a number of pages in his personal diary to Private Simpson, and in the official history wrote:

\begin{quote}
One bearer was there whose name has become a tradition in Australia. A number of donkeys with Greek drivers had been landed on April 25th for water-carrying. The Greeks were soon deported, and after the first days the donkeys ceased carrying and fed idly in the gullies, till they gradually disappeared. Private Simpson, of the 3rd Australian Field Ambulance, was seized with the idea that one of these might be useful for moving men wounded in the leg. On the night of April 25th he annexed a donkey, and each day, and half of every night, he worked continuously between the head of Monash Valley and the Beach, his donkey carrying a brassard round its forehead and a wounded man on its back. Simpson escaped death so many times that he was completely fatalistic; the deadly sniping down the valley and the most furious shrapnel fire never stopped him. The colonel of his ambulance, recognising the value of his work, allowed him to carry on as a completely separate unit. He camped with his donkey at the Indian mule-camp, and had only to report once a day at the field ambulance. Presently he annexed a second donkey. On May 19th he went up the valley past the water-guard, where he generally had his breakfast, but it was not ready. ‘Never mind,’ he called. ‘Get me a good dinner when I come back.’ With two patients he was coming down the creek-bed, when he was hit through the heart, both the wounded men being wounded again. He had carried many scores of men down the valley, and had saved many lives at the cost of his own.\textsuperscript{29}
\end{quote}

15-32 Colonel AG Butler, in the history of the Australian Army Medical Services of the First World War, singled out Simpson for specific mention:

\begin{quote}
A stretcher bearer of the 3rd Field Ambulance, of quiet disposition, enlisted as ‘Simpson’, had obtained a small donkey, and with this animal (known as ‘Duffy’) he for many hours daily traversed the valley, bringing down in this way an extraordinary number of cases ... On 19 May, at the same spot as General Bridges, Simpson was shot through the heart. No cross of bronze has marked his Valour, but in the memory of his brief service he gained a monument more enduring. ‘Simpson’ has been selected for mention because the quality of his courage and the nature of the service in which he lost his life are typical of those demanded of the stretcher bearer, who must carry his case undeviatingly, without haste but without rest, through long periods of exacting and dangerous toil. Conduct such as his, and the high standard set from the first in the rescue of wounded, gained for the stretcher bearers what they desired - not a halo of sentimental eulogy, but the confidence of the men who fought and comradeship on terms of equality with them.\textsuperscript{30}
\end{quote}

\textsuperscript{27} Private William Robertson, C Section 3rd Field Amb., Service no. 239, NAA: B2455, ROBERTSON WILLIAM
\textsuperscript{29} Bean, \textit{The Story of Anzac}, vol. 1, pp. 44–45; and ‘Diary, May – June 1915’, AWM38, 3DRL606/8/1.
\textsuperscript{30} Butler, \textit{The Australian Army Medical Services in the War of 1914–1918}, vol. 1, p. 159.
Death of Private Simpson

At Gallipoli, in the early hours of 19 May 1915, the Turks mounted a major offensive to try to drive the Anzacs from the peninsula. By the end of the unsuccessful attack, more than 3000 Turks were dead, lying in view of the Anzac trenches, while Anzac casualties numbered about 100 killed and 500 wounded. The battle resulted in Australia’s first VC of the war, that awarded to Lance Corporal Albert Jacka, whose citation reads:

For most conspicuous bravery on the night of the 19th – 20th May 1915 at ‘Courtney’s Post’, Gallipoli Peninsula. Lance-Corporal Jacka, while holding a portion of our trench with four other men, was heavily attacked. When all except himself were killed or wounded, the trench was rushed and occupied by seven Turks. Lance-Corporal Jacka at once most gallantly attacked them single-handed, and killed the whole party, five by rifle and two with the bayonet.

The 3rd Field Ambulance diary noted that because of the enemy attack, Captain Fry, with six squads of bearers, proceeded to Walker’s Road Regimental Aid Post at 0500 and cleared the station of wounded. Heavy machine-gun fire in Shrapnel Valley caused three patients to be rewounded in transit and three casualties among the bearers. One of those was Simpson. His death was noted in the diary by Major Graham Dixon, who, in the absence of Sutton, was acting CO. Sutton was acting ADMS while Howse was away from Gallipoli, accompanying the wounded General Bridges to Alexandria. Dixon reported that:

No. 202 Pte J Simpson shot thru heart, killed, whilst escorting patient … The attention of the ADMS was drawn to the excellence of the work performed by Pte Simpson continuously since landing.

Private Arthur Adams, C Section, 3rd Field Ambulance, also noted Simpson’s death in his diary:

19 May. Jack Simpson killed while leading donk and patient … Bury J Simpson in evening large attendance.

On 20 May 1915, Colonel John Monash, Commander 4th Brigade, wrote to the Headquarters of the NZ&A Division as follows:

I desire to bring under special notice, for favour of transmission to the proper authority, the case of Private Simpson, stated to belong to C Section of the 3rd Field Ambulance. This man has been working in this valley since 26 April … collecting the wounded, and carrying them to the dressing-stations. He had a small donkey which he used to carry all cases unable to walk.

Private Simpson and his little beast earned the admiration of everyone at the upper end of the valley. They worked all day and night throughout the whole period since the landing, and the help rendered to the wounded was invaluable. Simpson knew no fear and moved unconcernedly amid shrapnel and rifle fire, steadily carrying out his self-imposed task day by day, and he frequently earned the applause of the personnel for his many fearless rescues of wounded men from areas subject to rifle and shrapnel fire.

31 Third Supplement to the London Gazette, no. 29303, 17 September 1915, p. 9315.
33 ‘War Diary’, 3rd Australian Field Ambulance, May 1915, p. 9, AWM4, 26/46/5.
34 Diary of Private Arthur James Adams, Service no. 78, AWM 1DRL/0004.
Simpson and his donkey were yesterday killed by a shrapnel shell, and enquiry then elicited that he belonged to none of the AMC units with this brigade, but had become separated from his own unit, and had carried out his perilous work on his own initiative.\(^{25}\)

Monash and his brigade had been defending the head of Monash Valley, which included Courtney’s, Quinn’s and Pope’s Posts.

**Eyewitness and other accounts of Simpson’s actions**

15-37 There are many witness accounts of Simpson’s conduct, some of which are included in earlier paragraphs. The Tribunal was, however, unable to find any witness accounts of a specific act of valour, like that describing Jacka’s action, which could single out Simpson’s bravery from the other stretcher-bearers in the Field Ambulance. There are recollections from those who were interviewed by Fry, but no evidence of their actual statements could be found.

**Chain of command for honours and awards**

15-38 In Simpson’s case, the authorised chain of command for the nomination and recommendation of operational honours, in the period of his service at Gallipoli was as follows:

a. Commanding Officer 3rd Field Ambulance (Sutton) in the normal course of events would initiate recommendations for honours. However, at Gallipoli, Sutton did not land until 29 April, so ADMS (Howse) as the senior medical officer ashore varied the process. OC C Section and later Acting Adjutant (Fry) would coordinate recommendations and submit them direct to Howse. This arrangement remained in place after Sutton’s landing.

b. The recommendations would be considered by ADMS 1st Australian Division (Howse).

c. If recommendations were supported by Howse, they would be forwarded to the Commander 1st Australian Division (Bridges 25 April – 15 May; Walker 15 May – 24 June).

d. If endorsed, recommendations would be forwarded to Anzac Corps Headquarters (Birdwood) for review.

e. If endorsed, recommendations would be forwarded to the General Officer Commanding the Mediterranean Expeditionary Force (Hamilton) for review.

f. The recommendation would be forwarded to the Secretary of State for War (Kitchener) for approval and gazetting in the case of Mentions in Despatches (MID). In the case of a higher level gallantry honour it would be forwarded through the Secretary of State for War to the King, for approval and gazetting.

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Honours and awards made for the 3rd Field Ambulance to 19 May 1915

15-39 On 14 May 1915, Howse signed a report on the actions of medical personnel from the day of the landing to 1 May 1915. He submitted the report to 1st Division Headquarters, where it was annotated the next day as having been seen by Bridges. In the report, Howse detailed movements and described actions undertaken, including the landing of officers and men on the days following 25 April. Howse also drew attention to the actions of a few specific personnel over the period 25 April to 1 May. He wrote:

I cannot speak too highly of the work carried out by the Bearer Sub-divisions of Nos 1, 2 and 3 Field Ambulances. They worked incessantly for 48 hours and on many occasions assisted the Regimental Stretcher Bearers in removing wounded from the firing lines ... The following names are submitted for consideration for Mention in Despatches as representative of the work done by personnel of AMC, 1st Australian Division, and attached:

... 

No 3 Field Ambulance

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<tr>
<th></th>
<th>Captain</th>
<th>H. K. Fry</th>
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<tr>
<td>No 9</td>
<td>Sergeant</td>
<td>Gunn, W.</td>
</tr>
<tr>
<td>167</td>
<td>Sergeant</td>
<td>Hookway, O.R.</td>
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<td>151</td>
<td>L. Corp</td>
<td>Farnham</td>
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<td>178</td>
<td>Private</td>
<td>Rosser C.H.G.</td>
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<tr>
<td>2250</td>
<td>Private</td>
<td>Watts, H.T.</td>
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<td>202</td>
<td>Private</td>
<td>Simpson, J.</td>
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</table>

15-40 Howse later added Captain McWhae to the list for the period from 25 April to 1 May, making a total of eight honours to be recommended for members of 3rd Field Ambulance. They were all recognised with MIDs, including the MID awarded to Simpson.³⁷ In that same period, there were no VCs recommended for any of the 17,249³⁸ Australian soldiers who had landed and fought at Gallipoli, with either the 1st Division or 4th Brigade. That would not change until 19 May, when Jacka’s action with 14th Battalion³⁹ AIF would see him as the first Australian to be awarded the VC for the First World War.⁴⁰

15-41 On 2 June 1915, in a new submission, five members of 1st and 2nd Field Ambulance and 1st Australian Casualty Clearing Station, along with three members of 3rd Field Ambulance, were recommended for recognition by Howse. The three were Captain McWhae (wounded 27 April), Lance Corporal Farnham

³⁶ Letter, ADMS (Howse) dated 14 May 1915, AWM25, 367/33.
³⁷ Supplement to the London Gazette, no. 29354, 5 November 1915, p. 11003, NAA: B2455, Service Record, Simpson, John.
³⁸ From 25 April – 1 May 1915, 1st Division landed 13,233 (all ranks) (including 117 from 3rd Field Ambulance) and 4th Brigade landed 4,016 (all ranks) at Gallipoli. Bean, The Story of Anzac, p. 282.
³⁹ 14th Battalion was a unit of 4th Brigade, which formed part of the NZ&A Division.
and Private Rosser (all had previously been recommended for MIDs for the period 25 April to 1 May). Those three recommendations resulted in each being awarded the Distinguished Conduct Medal (DCM). The recommendations for McWhae and Rosser were written and signed by Captain Fry and the three, including Farnham, were endorsed by Howse. In total, for the period 25 April until Simpson’s death on 19 May, 3rd Field Ambulance members were awarded three DCMs and eight MIDs.

Other recognition for Simpson

**Simpson becomes known to the community**

15-42 Since his death in May 1915, much has been written about Simpson and his donkey or donkeys, and their deeds. From as early as July 1915, newspapers began to carry articles on the feats of the stretcher-bearers and, in particular, Private John Simpson. On 22 July 1915, *The Mercury* published an article by CEW Bean, dated 12 June, which detailed the exploits of Simpson and the stretcher-bearers.

15-43 After the initial articles by the official correspondents (Bean and Ellis Ashmead-Bartlett) about the exploits of the Australians landing at Gallipoli, soldiers’ stories began to be printed in newspapers. For example, in *The Advertiser* on 11 August 1915, Private Herriot provided descriptions of ‘events from the view-point of the rank-and-file’. A short section of this article was devoted to the deeds of Simpson and his donkey, but as Herriot put it, ‘I heard of him from one of the 3rd Brigade’. By this time, Simpson had been dead for nearly three months.

15-44 *The West Australian* claimed Simpson as a Western Australian in September 1915, and by the time the first Anzac Day was held in 1916, a large amount of space was devoted to the Simpson story. In England, Simpson’s mother and sister were invited to the first Anzac Day commemorative service at Westminster Abbey.

15-45 As early as 1916, the Simpson story became part of the school curriculum in Australia. The third edition of EC Buley’s *Glorious deeds of the Australasians in the Great War*, released in December 1915, was adopted as a school text in Victoria, as was his other book, *Child’s history of Anzac*. Peter Cochrane, in *Simpson and the donkey: the making of the legend*, says that Buley, in the foreword of *Glorious deeds*, wrote that he would resist the temptation to identify the doers of the many deeds of remarkable bravery he had encountered in conversation, but that there would be one exception: Simpson.

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41 In its research, the Tribunal could not locate the initial recommendation for Farnham’s honour.
43 HR Herriot, ‘The mad reckless charge; Soldier’s story from the trenches; Wonderful heroism’, *The Advertiser*, 11 August 1915, p. 8.
44 ‘Saving the wounded; Trudged daily into death’s valley; Tribute to a Western Australian’, *The West Australian*, 28 September 1915, p. 7.
45 A copy of the service booklet, including a note from Miss Kirkpatrick, is among the ‘Papers of Kirkpatrick, John Simpson [Private]’, AWM 3DRL 3424.
Simpson is commemorated

15-46 In October 1933, The Argus [a Melbourne newspaper] suggested to readers that ‘once more demand has arisen that Simpson should be commemorated’ and ‘to enable expression to be given to this demand’ the newspaper decided to offer a prize for a design for the ‘most fitting monument to Private Simpson’. In conjunction with this prize, the Red Cross Society of Victoria decided to launch an appeal for funds for the memorial. The Argus reported that ‘members of the society, as do many other people, feel that Simpson’s quiet heroism typified the spirit of the Anzacs and that it should be given some permanent expression’. Over the next month or so the contributions added up and the story gained national publicity. In total over A£400 was raised. During that time many who ‘knew’ Simpson took the opportunity to tell of their memories and the stories of his exploits. On 20 June 1936, the Governor of Victoria, Lord Huntingfield, unveiled the memorial to Simpson, ‘a great Australian hero’ who was ‘an example of courage, self-sacrifice, and patriotism’ and that this was a memorial to ‘one who had lived and died for his country’.

15-47 In 1965, to commemorate the 50th anniversary of the landing on Gallipoli, a set of stamps depicting the Man with the Donkey, was issued by the Postmaster-General. Also in 1965, The man with the donkey: John Simpson Kirkpatrick — The good samaritan of Gallipoli, a book by the Reverend Sir C Irving Benson, was published. During the course of writing the book, Sir Irving gained access, courtesy of Mrs Annie Simpson Pearson [Simpson’s sister], to letters written by Simpson to his mother and herself, and many other documents retained by the family. These papers were later donated to the Australian War Memorial.

15-48 A man with a donkey is depicted on the Anzac Commemorative Medallion, which was issued from 1967 to commemorate the 50th anniversary of the Gallipoli landings. It was awarded to surviving members of the AIF who had served on the Gallipoli Peninsula at any time during the period from 25 April 1915 to the date of final evacuation in January 1916. Next-of-kin, and other persons, are entitled to receive the medallion on behalf of their relatives if the medallion has not been issued.

15-49 On 16 May 1967 the ‘first’ medallion was presented to Simpson’s sister by Lord Casey, Governor-General of Australia, at a ceremony at Australia House in London. In his address to the gathering, Casey said to her:

I met your brother on many occasions at Gallipoli, where I was Orderly Officer to General Bridges commanding the 1st Australian Division, and I

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47 ‘The man with the donkey, Demand for monument’, The Argus, 19 October 1933, p. 6.
48 ‘The man with the donkey; Proposed monument; Contributions begun’, The Argus, 21 October 1933, p. 24.
51 Letters of Rev. Sir Irving Benson, AWM 419/9/22, PR83/69.
realise very well from first hand knowledge what a very great and selfless service he performed to so many wounded men on Gallipoli.\textsuperscript{53}

Other recognition for Simpson

15-50 Simpson has also been widely recognised in various ways, some of which are listed as follows:

a. Mascot. The Royal Australian Army Medical Corps has chosen a donkey as its corps mascot in remembrance of the heroic humane deeds of Private John Simpson Kirkpatrick.

b. Statues.
   - Wallace Anderson, bronze statue, Shrine of Remembrance, Melbourne, 1935.
   - Peter Corlett, bronze sculpture, Memorial Sculpture Gardens, Australian War Memorial, 1988.
   - Leslie Bowles, bronze sculpture, Australian War Memorial Collection.
   - William Olley, sculpture, Ocean Road, South Shields, Tyneside, 1988.
   - Robert Hannaford, sculpture, Angas Gardens at North Adelaide, unveiled in February 2012.
   - John Brady, statue, carved from the stump of a tree, Lakes Entrance, Victoria.

c. Medals on display at the Australian War Memorial.

d. Stamps. 50th Anniversary of the landings at Gallipoli — commemorative stamps issued in 1965.

e. Coins and notes.
   - Depicted on $100 note, designed by Bruce Stewart and issued in 1996.
   - $5 commemorative coin — issued in 1990 to commemorate the 75th anniversary of the landing on Gallipoli.

f. Paintings.
   - Watercolour on paper, *The Man with the Donkey*, Horace Moore-Jones, 1917.\textsuperscript{54}
   - Oil, feather on hardboard, *Untitled IV* [Simpson and his Donkey], Clifton Pugh, 1990.

\textsuperscript{53} Remarks by Lord Casey in presenting the Anzac Commemorative Medallion to Mrs Simpson Pearson, NAA A3211, 1971/2712. Presentation to the Australian War Memorial of Medals and War Relics Belonging to the Late Private John Simpson Kirkpatrick [The man with the donkey].

\textsuperscript{54} This painting was identified in 1934 by surviving members of C Section, 3rd Field Ambulance, in a letter to the Western Australian State President of the RSL as not being John Simpson. Mr Richard Henderson, from New Zealand, later identified the man in the painting as himself.
g. Films and documentaries.

h. Plays.

i. Competitions.
   - The Simpson Prize – A national essay writing competition for years 9 and 10 students sponsored by the Australian Government. Winning students and two teachers travel to Turkey or the Western Front in April for Anzac Day services.55
   - Returned & Services League of Australia (RSL) Anzac of the Year Awards. To recognise the efforts and achievements of up to seven Australians who have given service to their fellow Australians and to the community in a positive, selfless and compassionate manner. The awards may be awarded to individuals or to groups who have demonstrated the spirit of comradeship and selfless service embodied in the tradition of Anzac. The Awards are bronze medallions some four inches in diameter, depicting Simpson and his donkey, presented in a specially designed presentation case.

**Recognition for Simpson’s donkey(s)**

Murphy, the best known of Simpson’s donkeys, was posthumously awarded the RSPCA Australia Purple Cross Award by the then Deputy Prime Minister, Tim Fischer, at a ceremony at the Australian War Memorial on 19 May 1997. The award was made to Murphy as a representative of all the donkeys used by John Simpson Kirkpatrick for their exceptional performance in helping humans while under continual fire at Gallipoli during the First World War.56

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55 Details of the competition can be found at www.simpsonprize.org.
Arguments put forward in submissions for the award of the Victoria Cross or other recognition for Simpson

Arguments put forward in submissions for the award

15-52 Several submitters made claims in a number of categories, supporting the award of the VC or other recognition for Private Simpson, as follows:

- Simpson was recommended for a VC
  - It was claimed that Simpson had been recommended for a VC on 3 June 1915 and since he has never been recognised in the manner intended, it was appropriate now to respect the judgements of the Commanding Officer of the time and award Simpson the VC [Submission 38 and Hall oral submission Canberra 14 March 2012].
  - Captain Fry’s diary entries show that he submitted a VC recommendation for Simpson to Howse a month after Simpson had been killed, and two weeks after the witnesses had written sworn supporting statements. That copies of those recommendations have not survived does not mean they were not written. Many documents from the Gallipoli campaign were lost. There is evidence that during the evacuation in December 1915, 3rd Field Ambulance documents were dumped into the sea [Submissions 116 and 116A, 117, and Malcolm oral submission Perth 15 February 2012].
  - There is a misconception that Simpson was recommended for the VC but was only rewarded with an MID. His name was put forward to be recommended for the MID on 1 May, specifically for using his initiative to transport wounded men with a donkey from the day after landing at Gallipoli. Following his death on 19 May, the attempt to have him awarded a posthumous VC was a completely separate recommendation [Submission 117].
  - Sutton’s diary entry on 24 May: ‘I hope he will be awarded the DCM’, and 1 June ‘I think we’ll get a VC for poor Simpson’ confirm that there must have been a recommendation for a VC submitted [Submission 117].
  - A submitter noted that Monash wrote a recommendation for Simpson. It was said that it is doubtful that Monash would spend his valuable time writing a ‘lowly’ MID recommendation. But at the same time, the submitter acknowledged that it is not a recommendation for a VC either [Submission 117].

- A witness letter confirms that Simpson’s actions had been seen and that he deserved a VC [Submission 53].

- The process failed
  - The VC was refused on a technicality, because of a mistaken application and that one signal act of valour could not be identified in accordance with the regulations. Rules for eligibility were changed to put more emphasis on those who actually conducted an act of valour in the presence of the enemy. That might have worked against a recommendation for Simpson at the time [Submissions 38 and 193, also...
discussed in parliamentary debates within the Senate and the House of Representatives\(^57\).

- Sutton was bypassed in the chain of command. Captain Fry was tasked by Howse to write the 3rd Field Ambulance’s operational report and make bravery recommendations, thus bypassing Sutton in the chain of command. Sutton wrote in his diary ‘surely my officers should report to me and I should pass it on’ [Submissions 116 and 116A].

- There is evidence in Fry’s diary that gives rise to speculation that it is possible that Simpson’s VC was denied at some level before the submission was even considered. It is possible that Howse did not send the recommendation through the chain of command [Malcolm oral submission Perth 15 February 2012].

- There have been claims made that there was possibly a conflict of interest evident in the process. It has been said that Howse denied Simpson a VC because he (Howse) wanted to be the only Medical Corps member with the VC [Malcolm oral submission Perth 15 February 2012].

• Community support for recognising Simpson with a VC is very strong
  - One submitter claimed that there is ‘enormous support from within the community, having already submitted to Parliament, petitions containing something like 6000 signatures’ in support of Simpson [Submission 38].\(^58\)
  - As an example of community support, Western Australian schoolchildren submitted letters all supporting Simpson [Submission 67].

• Simpson is the personification of Anzac and what it means to be Australian. As such he should be honoured in the highest possible way [Submission 38].

• Simpson has already been recognised with the award of an MID. This should not preclude consideration for a VC.
  - There is a precedent established that others at the same time were recognised with two awards for the same action. As an example, ‘other 3rd Field Ambulance soldiers [Farnham and Rosser] were awarded MIDs and Distinguished Conduct Medals for the same period’ [Submissions 116 and 116A, and Malcolm oral submission Perth 15 February 2012].
  - Farnham and Rosser were awarded the DCM and MID for the same actions. This begs the question; why was Simpson’s MID not upgraded to a DCM? [Submission 117].

Arguments put forward in submissions against the award

15-53 Several submitters did not support the award of the VC or other recognition to Private Simpson. These are summarised as follows:

• All members of the Field Ambulance were equals; Simpson was just doing his job
  - While Simpson became known for his donkey exploits, the rest of the stretcher-bearers were undertaking equally dangerous rescue and

\(^{57}\) CPD, H of R, 30 October 2000 p. 21423; and CPD, Senate, 8 March 2001 p. 22817

\(^{58}\) CPD, H of R, 15 June 2005 p. 214
recovery of fallen comrades. The field ambulance soldiers all performed above and beyond the call of duty under the most deplorable conditions. It is not appropriate to single out Simpson who was just doing his job (Submission 1).

- Simpson’s conduct was no more gallant than the other stretcher-bearers in his unit (Submission 60 and Brogan oral submission Melbourne 15 December 2011).

- Much of the story of Simpson is based on myth and hearsay. This should not cloud the issue and no further or greater honour should be bestowed on one individual (Submission 1).

- Simpson has had enough recognition bestowed upon him (Submission 12).

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Tribunal review of the award’s process

15-54 In considering the case for a possible award of the VC for Private Simpson, the Tribunal first conducted a process review as described in paragraph 8-44 of the Report.

15-55 The authorised process at the time for nominations for honours is outlined at paragraph 15-38. It was put to the Tribunal by a number of submitters that in Simpson’s case the process failed for various reasons. It was generally acknowledged that Simpson had been recognised for his service up to 1 May with an MID. However, views were expressed that Simpson was also recommended

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60 CPD, H of R, 30 October 2000, p. 21621 (Ms Jill Hall).
for a VC in the weeks following his death. The Tribunal decided to review each of
the claims to identify any anomalies in the process that could have impacted on
Simpson’s consideration. These claims are detailed in the following paragraphs.

Process for honours recommendations

15-56 Some submitters claimed that Howse had removed Sutton from the chain for
honours recommendations, which introduced the possibility of an injustice in
the process.

15-57 In December 1914, while in Egypt, Howse told Sutton ‘that honours would not
be distributed in the haphazard way they were in South Africa. They would all go
through the AMC [Army Medical Corps] Headquarters’. In effect, Howse was
combining the honours recommendation chain with the technical command chain
for medical units in 1st Division. This did not of itself remove Sutton from the
chain, but instead placed Howse, the senior medical corps officer in the division,
into the recommendation chain.

15-58 Sutton landed at Gallipoli on 29 April. On 1 May, Howse was beginning to develop
a report on operations and recommendations for honours for the period 25 April
to 1 May. Sutton, having not been present in that period, was told by Howse that
Fry was to report on the actions of the Bearer Division and make nominations for
recognition directly to Howse. Sutton was told by Howse that he was not required
to contribute to the report. Sutton was not happy with this arrangement, but it
remained in place.

15-59 There was no evidence presented that would lead to a conclusion that, by Sutton
not participating in the chain of recommendation, there was any disadvantage
to Simpson. While Sutton was dissatisfied with the arrangement, and made
comments to that effect in his diary, neither he nor Fry made any comments that
this had caused any injustice to Simpson or others.

Recommendation for an MID

15-60 While it was generally understood that Simpson had been awarded an MID
for his service at Gallipoli, the Tribunal’s process review revealed that Howse
intervened to ensure the honour recommendation, at one stage overlooked, was
eventually awarded.

15-61 In his report on operations for the period 25 April – 1 May, submitted as a letter
on 14 May, Howse recommended that seven members of 3rd Field Ambulance
be considered ‘for Mention in Dispatches, as representative of the work done
[by all members]’. Simpson and six others were named. Howse did not use the
authorised form for honours nominations [Army Form W.3121] at that stage. This
was not unusual. His recommendation letter was transcribed onto the authorised
form by the staff at division headquarters, so that it could be submitted to corps

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61 Diary of Colonel AG Sutton, 30 December 1914, AWM 2DRL/1227.
63 Letter, ADMS (Howse) dated 14 May 1915, Messages and Signals 1st Australian Division — General Staff May
1915, part 2 AWM25 367/83.
headquarters for consideration by Birdwood. Included on the form, with the seven names, was the following note:

The late General Officer Commanding [Bridges] referred in his previous despatch to the conspicuous gallantry of the AAMC [Australian Army Medical Corps]. The names hereon were submitted by the ADMS who in the circumstances had great difficulty in choosing from the many men whose courage and devotion were exemplary.  

15-62 On 21 May 1915 a report on operations was sent from corps headquarters to General Headquarters Mediterranean Expeditionary Forces [Hamilton]. It included a number of recommendations for honours, but not those submitted by Howse on 14 May.  

By 1 June, Howse had become aware that none of his recommendations had been approved, so he sought to have the apparent injustice rectified by acting General Officer Commanding 1st Division [Walker]. It was found that the original recommendations had been mislaid at corps headquarters. Howse then resubmitted the original seven recommendations to division headquarters, and also added Captain McWhae’s name to the list. The eight names were promulgated in corps routine orders on 29 June 1915. Simpson’s MID for his contribution in the period 25 April to 1 May 1915 was officially gazetted on 5 November 1915.

15-63 Immediately after Howse had corrected the oversight with the MID recommendations, he tasked Fry with raising nominations for individual acts of gallantry. This explains Fry’s diary entry on 2 June when he says ‘Called by Howse in afternoon … McWhae, Farnham and Rosser [for mention]’. Fry wrote and signed the specific individual descriptions of the actions of both McWhae and Rosser. Although the Tribunal could not locate the initial nomination for Farnham, he was included by Howse in the recommendations. Howse also added recommendations for another five men from other AAMC units of 1st Division. Simpson was not on that list. On 4 June, Birdwood recommended that all eight be awarded the DCM, which is what transpired.

15-64 The Tribunal concluded that Howse’s role in the process was constructive. His intervention ensured that the recommendations for MIDs were approved and awarded. He also made separate specific recommendations for individual gallantry that resulted in awards of the DCM. There was no evidence presented that would indicate any injustice arose from Sutton not participating, or that there was any failure in the process as a result.

**Recommendation for Victoria Cross**

15-65 Some submitters claimed that a recommendation to award a VC to Simpson was made, but, for a number of reasons, was not considered. This proposition was
based on entries in the diaries of Sutton and Fry, and diaries of those who had provided statements to Fry.

15-66 In late April 1915, Fry noted that Simpson had shown initiative and was working ‘from early morning till night’. 69 Other than his inclusion by Howse in the May report for an MID, Simpson was not otherwise referred to in either Sutton’s, Fry’s or the unit diaries prior to his death on 19 May. Some submitters claimed that Simpson was gallant all the time and no single act was necessarily evident. The Tribunal found no records of any acts of gallantry that can be attributed specifically to Simpson that might raise his conduct significantly above the actions of the many other soldiers present at Gallipoli, and, therefore, lead to a conclusion that he should have been awarded a VC.

15-67 As described at paragraphs 15-33 to 15-36, in the few days after Simpson’s death on 19 May, a number of descriptions arose of the nature of the work he undertook and the dangers that were present. The evidence available points to the same circumstances applying to all soldiers on Gallipoli. On 24 May, Sutton wrote in his diary that he had sent in a report about Simpson being killed, hoping that Simpson would be ‘awarded the DCM’. This does not constitute a VC recommendation, nor was it possible for Simpson to be awarded the DCM because it could not be awarded posthumously. Some have suggested that this notation in fact indicated that Sutton was not well versed at this early stage of the campaign in the regulations governing the Imperial honours system.

15-68 On 1 June Sutton wrote that ‘I think we will get a VC for poor Simpson’. There is no evidence to indicate what moved Sutton to make this comment or what he may have done to progress his intention. Around the same time, Fry was gathering information for Howse’s report. Fry wrote on 3 June that he saw Howse ‘... re Simpson & Goldsmith. (Simpson for V.C.) Adams, Sharples, Jeffries & Conrick to give evidence’. 70 This comment is consistent with the view that either Fry, Howse or both might have been considering nominating Simpson for a VC and that a case would need to be built and supporting witness statements gathered. It seems that Sutton was also assisting in the effort. On 4 June, Sutton wrote: ‘I have been writing up poor Simpson’s case with a view to getting some honour for him. It is difficult to get evidence of any one act to justify the V.C. the fact is he did so many’. 71 Also on 4 June, Fry wrote: ‘Adams & Sharples evidence [re Simpson] in morning. Afternoon Jeffries. Saw ADMS — soft futile words’. 72 Private Arthur Adams also confirmed that he wrote a statement concerning Simpson. 73 It is difficult to determine what Fry might have meant by the phrase ‘soft futile words’ but there was no further action or entries made regarding Simpson until 18 June when Fry wrote that he had ‘finally sent in Simpson’s recommendation’. 74

70 Major Frederick Goldsmith; Arthur J Adams, Service no. 78, C Section, 3rd Fld Amb; Samuel Sharples, Service no. 168, C Section, 3rd Fld Amb; Charles Frederick Jeffries, Service no. 1238; and Captain Horatio Victor Patrick Conrick.
72 Butler Collection, [Personal narratives:] Lieutenant Colonel HK [Henry Kenneth] Fry, DSO, BSc, MBBS, DPO, AWM41, 2/7/15.
73 Diary of Private Arthur James Adams, Service no. 78, AWM 1DRL/0004.
74 Diary of Captain H Kenneth Fry, Public Library of South Australia Archives: PRG 187, p. 40.
This was a relatively long period in which little appears to have been done to progress a nomination for Simpson. It is of note that earlier in June, Fry had written the individual gallantry nominations for McWhae and Rosser and those were not similarly delayed. It could reasonably be concluded that the ‘soft futile words’ might have described Howse’s hesitancy to support a nomination, on the basis of the descriptions of Simpson’s actions used by Fry, when compared with the nature of the evidence and descriptions that would be necessary to ensure the approval of a VC by higher authorities. For example, the Tribunal examined the descriptions of Jacka’s VC recommendation (see paragraph 15-33), written at that time, and concluded that it was unlikely a similar construction for Simpson could be made for an action in the presence of the enemy.

None of the available reports, letters such as that from Monash [which was not a VC recommendation] or anecdotes reveal any material that could be used to describe Simpson’s actions to the standard required for a VC recommendation. Nevertheless, on the basis of his 18 June diary entry, it seems that Fry submitted some type of nomination to Howse. There was no evidence seen by the Tribunal that any nomination, if it existed, was ever proceeded with.

Additionally, it is clear from the diaries that Sutton knew on 10 July [and since the notification was in routine orders, Fry would also have known] that Simpson was to be awarded an MID and, on 18 July, that Farnham and Rosser were to be awarded the DCM. There are no diary entries at that time expressing dissatisfaction or any criticism of Simpson’s level of recognition, or any further mention of a VC recommendation.

**Victoria Cross recommendation was submitted but not processed**

Some submitters claimed that to not proceed with Fry’s nomination represented an injustice. To determine whether that might be the case, the Tribunal referred to the regulations for the VC as discussed in Part 1 of this Report. Applying those considerations to Simpson’s case, whether or not Captain Fry submitted a nomination with witness statements to Howse, it remains that only Howse could initiate a recommendation for any honour (including the VC), for AAMC personnel in 1st Division. Fry could only provide Howse with draft nominations and evidence, and suggest that Howse initiate a recommendation for Simpson to be awarded a VC. Even then, that recommendation would only be the start of a very rigorous process before an award was approved. In its research, the Tribunal examined the records of those many Australians in the First World War who had been recommended for the VC but were not approved. In the case of Private Lancaster in 1918, it was said in a letter of explanation on the file that, although a CO may make a recommendation for a VC, that recommendation is not of itself authority for the issue of any particular decoration, but merely a suggestion to the higher command with whom the decision rests.

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75 Monash, as Commander 4th Brigade, was not a part of Simpson’s chain for honours recommendations. The phrase in his letter ‘I desire to bring under special notice, for the favour of transmission to the proper authority’ confirms this.

76 ‘War Diary’, 3rd Australian Field Ambulance, July 1915, AWMA, 26/46/7.

77 Recommendation files for Honours and Awards, AIF, 1914–18 War, 5th Australian Division, 16 June 1918 to 28 June 1918, AWMA 1/301; and, Recommendation files for Honours and Awards, AIF, 1914–18 War, 5th Australian Division, 8th Australian Infantry Brigade, Army book 129, 1916 to 1918, AWMA 2/106.
It was also submitted that Howse, as the only VC recipient in the medical corps, had a conflict of interest and obstructed the processing of recommendations. This proposition is not supported by any evidence. Nor could weight be placed on suggestions that Sutton’s diary entries implied that he had recommended a VC for Simpson and the recommendation was rejected by Howse before it was even considered. At the public hearing in Perth, Mr Malcolm, who for many years had been researching 3rd Field Ambulance and Simpson, described such propositions as absurd. He said it is clearly evident in Sutton’s diary that he [Sutton] had a very difficult relationship with, and was extremely critical of, Howse. If Sutton suspected that Howse had obstructed a VC recommendation for Simpson, for any reason, it would have certainly been written in Sutton’s diary. It was not.

One submitter put to the Tribunal that Simpson’s nomination, having not been found, could have been among the 3rd Field Ambulance documents that were pushed into the sea from the wharf during the evacuation from Gallipoli. The Tribunal placed no weight on this suggestion, given that Simpson was killed in May and the evacuation occurred in December 1915. It would be hard to imagine a VC recommendation for Simpson sitting in a file for seven months, when there is no evidence that any other recommendations for honours were delayed in such a way. In any case, if there was a recommendation for Simpson that had been mislaid, it would not be in 3rd Field Ambulance files, but instead at division or corps headquarters. While 3rd Field Ambulance documents may have been destroyed, there is no evidence that this created any injustice for Simpson.

Regardless of what may have taken place in the preceding months, by 2 September it is clear that Fry understood that Simpson could not be further honoured. In his letter to Simpson’s sister, Fry said ‘We hoped that one of the military decorations of honour might be awarded [to] him, as he fully deserved it, but unfortunately all who deserve cannot receive the special rewards’. The Tribunal notes that this sentiment equally applies to many other Australian soldiers from all conflicts, not only to Simpson.

VC denied on a technicality

Some submitters put to the Tribunal that a VC for Simpson was denied on the basis of a technicality, namely, a change to the VC regulations. Referring to its earlier discussion on changes to regulations for the VC at paragraph 4-4, the Tribunal found no substance in this argument. While there was a change made to the VC regulations that would have impacted on the AAMC during the First World War, it did not come into effect until 30 August 1916. There was no effect on any consideration that may have involved Simpson.

The award of an Mention in Despatches should not preclude a Victoria Cross also being awarded

It was put to the Tribunal that while Simpson had already been recognised with an MID, this should not preclude his consideration for a VC for the same

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78 Letter, HK Fry to Miss Simpson Kirkpatrick, 2 September 1915, AWM 3DRL, 3424.
action. It was suggested that a precedent was established in which others in this period had been recognised with two awards for the same action. In the case of 3rd Field Ambulance, McWhae, Farnham and Rosser were each awarded an MID for their service from 25 April to 1 May, and were separately recommended and awarded the DCM for the same period. While this may appear anomalous, the Tribunal found that Howse recommended the MIDs as representative of the work done by all members of 3rd Field Ambulance and, as such, there were no specific descriptions of individual actions included in the recommendation. On the other hand, the DCMs awarded to the three, while being in the same period, were made in recognition of individual acts of gallantry and the descriptions, written and signed by Fry, specifically define those acts. The Tribunal found no recommendation that described an individual act of gallantry by Simpson at the time.

15-78 By contrast, the Tribunal found that the authorised process for considering honours recommendations was not strictly adhered to because the medical technical chain of command was used rather than the operational chain of command. However, it would appear that Howse played a beneficial role in the process and the variation to the chain of command for considering recommendations actually favoured the AAMC soldiers. No evidence was found that Simpson was ever recommended for a VC.

Tribunal review of the merits of the case

15-79 The Tribunal also considered, from all the material available to it, the merits of the case for elevating the recognition of Simpson for his actions at Gallipoli. This merits review was carried out in accordance with the Tribunal’s approach as outlined in paragraph 8-46 of the Report.

15-80 In his submission, Mr Malcolm alerted the Tribunal to new evidence, a repatriation file, in which it was noted that orders were given to destroy 3rd Field Ambulance records during the evacuation from Gallipoli in December 1915. This evidence was informative, but not compelling with regard to the merits of Simpson being awarded a VC. This evidence was considered earlier in the process review.

15-81 No further new or compelling evidence was submitted or uncovered by the Tribunal in its own research.

15-82 Some submitters suggested that Simpson deserved a VC because he represented what it means to be Australian, and there was strong community support for such recognition. While this might be a popular proposition, the VC can only be awarded for valorous conduct in the presence of the enemy. The Tribunal found that Simpson’s initiative and bravery were representative of all other stretcher-bearers of 3rd Field Ambulance, and that bravery was appropriately recognised as such by the award of an MID.
Tribunal conclusion
15-83 The Tribunal concluded that on both process and merits, Simpson’s case was properly considered at the time. The process and procedures were not followed precisely, but considering the circumstances, they were appropriate and fair. Private Simpson was appropriately honoured with an MID. A merits review was unable to sustain any alternative outcome.

Tribunal recommendation
15-84 The Tribunal recommends no action be taken to award Private Simpson a VC for Australia or other further form of recognition for his gallantry or valour.