



Defence Honours and Awards Appeals Tribunal

RE: Killed-In-Service Clasp Campaign Kerry Danes 30 March 2021 - Addendum 12 May 2021

Mr Stephen Skehill

Tribunal Chair

Defence Honours and Awards Appeals Tribunal

Sir,

I would like to thank the panel for allowing me and my wife Kay to present our submission to the Inquiry into recognition for Australian Defence Force (ADF) members who have been killed, wounded or injured in or as a result of service.

During our session before the panel, questions were raised to which I would like to provide some additional context. I hope this helps you in reaching your decision on these matters.

- ✓ I consent to the Defence Honours and Awards Appeals Tribunal making my submission publicly available.
- ✓ I also consent to the Defence Honours and Awards Appeals Tribunal:

using information contained in my submission to conduct research; providing a copy of my submission to a person or organisation considered by the Tribunal to be appropriate; and providing a copy of my submission to a person or organisation the subject of adverse comment in the submission; using content in my submission in its report to Government. The Tribunal will decide which person or organisation is appropriate, and this may include: 1. persons or organisations required to assist with the Inquiry; and 2. persons or organisations with an interest in the Inquiry.

- ✓ I declare that the information I have provided is correct.

With respect,

Kerry

Warrant Officer Class 1 (Retd) Kerry Danes, CSM

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Addendum to Original Submission:

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Addendum

My observations of some of the discussions taking place before the Tribunal are reflected below.

Additional historical context

Our primary focus over the past 25 years has been devoted to recognising '*ultimate sacrifice*' on an ADF member's medal set. In doing so, adorn the most appropriate medal with a medallic clasp that respectfully tells the story of that sacrifice. In 2009-2010, however, MAJGEN Paul Symon, who was Deputy Chief of Army at that time, requested that we also include a submission detailing recognition for those ADF members injured or wounded in service. We had previously avoided these categories because we did not want to detract from our primary objective of recognising *ultimate sacrifice* (*death*), and because these other categories were seen to be problematic. However, we did provide extensive talking points for MAJGEN Symon as per his request. As expected, our concerns were soon realised when MAJGEN Symon informed us that during a Service Chiefs meeting, the discussion around recognition for injured or wounded in service became so complex that it halted all discussion on ultimate sacrifice. The then Chief of Army, LTGEN Gillespie, had directed that the entire proposal be set aside due to the panel's inability to agree on a solution for Killed, Injured and Wounded in military service. Back then, we were never afforded an opportunity to present our campaign in person. Had we been given that opportunity, we would have suggested that the panel consider recognition for 'Ultimate Sacrifice' as a primary outcome and allow further discussion on the other categories moving forward. Sadly, we could not make any such recommendations, and the debate was shut down entirely. We continued to raise awareness for our Killed-In-Service clasp campaign, gathering bi-partisan Federal Government support and close to 50,000 petition supporters.

Today, I am deeply concerned that history may repeat. While I appreciate the opportunity to appear before the Tribunal, I would like to offer that same advice that a decision can be made, and should be made, recognising 'Ultimate Sacrifice' (Killed-In-Action or Killed-In-Service) without being dependant on recognising other sacrifices relating to military service.

Past Precedence and Imperial Awards

During the Tribunal, the question was raised about whether a contemporary clasp could be affixed to an Imperial medal. It would be unprecedented, but as wisely stated by the Tribunal Chair, the fact that something has not been done previously should not be an impediment for change but would result from realising a gap in the current system or words to that effect. Moreover, that something needs to change to keep pace with the times. The social norms, standards, or expectations of a country or world become different over time.

It would not be unreasonable for the Australian Prime Minister to make a case to Her Majesty to allow the Australian Government to recognise the '*ultimate sacrifice*' of past Australians by issuing a clasp to their imperial award retrospectively, dating back to 1885 to acknowledge Australians killed in the Sudan campaign, and especially since four colonies of Australia at that time already enjoyed responsible Government since 1856 as a federated dominion. Moreover, in 2020, precedence was set when the Australian Prime Minister sought and was granted approval by Her Majesty to allow the Government the authority to revoke the Meritorious Unit Citation from over 3,000 ADF personnel of the Special Operations Task Groups.



In his wisdom, this decision was overturned by Defence Minister The Hon Peter Dutton. This example shows that change is entirely possible where circumstances are unprecedented. Indeed, the proposed act of seeking permission to issue a clasp to imperial awards retrospectively has the potential to enable Her Majesty the opportunity to offer a similar distinction across the Commonwealth to enhance commemoration. This could be seen as a positive endeavour to further enhance Australia's current bilateral relationship with one of its closest allies, officially and uniquely acknowledging Australia's earliest contributions to the Crown.

Historical Point: In 1850, the proposal to allow self-government of all Australian colonies was rejected. However, at the time, and to some extent, the Governor of *New South Wales* had, in fact, been constituted as a form of Federal Executive presiding over the whole of *Australia*.

By 1856 the New South Wales Government achieved self-government as a federated dominion.

In March 1885, the NSW government cabled London with an offer to send and fund the deployment of Australian troops from its NSW Infantry Contingent at Victoria Barracks on deployment to the Sudan campaign. The British Government accepted the offer on the stipulation that the contingent would be under British command. This was an unprecedented occasion, marking the first time that soldiers in the pay of a self-governing Australian colony were to fight in an imperial war. Those servicemen were recognised as Australians in service to a self-governed federated dominion for all intents and purposes. The contingent, an infantry battalion of 522 men and 24 officers, and an artillery battery of 212 men served in the Sudan campaign and returned some months later. After they arrived in Sydney, the contingent, dressed in their Australian khaki uniforms, marched through the city to a reception at Victoria Barracks. It was generally agreed at the time that, no matter how small the military significance of the Australian contribution to the adventure, it marked an important stage in the development of colonial self-confidence. During this campaign nine (9) Australians were Killed-In-Service.

Australian War Memorial Roll of Honour

The Australian servicemen aforementioned have met the eligibility criteria for the Australian War Memorial Roll of Honour records and commemorates members of the Australian armed forces **who have died during or as a result of war service or for Post 1945 conflicts, warlike service, non-warlike service and certain peacetime operations.**

The following summarises *the language used* to determine the criteria for eligibility according to the Australian War Memorial:

Pre-1914 conflicts

Sudan
South Africa
China

To be eligible, an individual must:

- have died during service as a member of a naval or military unit raised by one of the Australian colonies or, after Federation, by the Commonwealth of Australia, or as a result of that service; and
- have died within one of the following specified periods.



First and Second World Wars

To be eligible, an individual must:

- have died during service as a member of the Australian armed forces, or as a result of that service; and
- have been a member of a unit which was, or could be sent overseas or, after the entry of Japan into the Second World War, a member of the Australian armed forces; and
- have died within one of the following specified periods

Specified Periods

The official commencement and cut-off dates for inclusion in the Australian War Memorial Roll of Honour and the Commemorative Roll are as follows.

Conflict/operation	Start date	End date
Sudan	1885	1885
South Africa	11 October 1899	31 May 1902
China	6 August 1900	25 April 1901
First World War	4 August 1914	31 March 1921
Second World War	3 September 1939	30 June 1947

*Other periods specified can be found on <https://www.awm.gov.au/commemoration/honour-rolls/roll-of-honour>

As part of its ongoing commemorative capability, the Australian War Memorial could consider expanding its existing commemorative section to honour all those who have been Killed-In-Service. Similarly, there is potential that the Australian War Memorial could expand recognition for those who have given various other forms of sacrifice.



Retrospective Australian Award

Alternatively, if the idea of seeking to award an appropriate clasp on an Imperial Award is thought to be too problematic, then the Tribunal could propose to the Australian Government the retrospective award of the Australian Defence Medal with the appropriate clasp for all eligible Australian servicemen and women who served in pre-Federation conflicts. Thereby, covering the current gap by recognising the period 03 March 1885 - 02 September 1945.

Ultimate Sacrifice

As presented in our submission, we feel strongly that there should be a distinct category of ‘ultimate’ sacrifice. A medallic clasp that is awarded to the medal set of the Australian Defence Force (ADF) member that completes their story of their service and sacrifice, and accurately aligns that symbolism with their military personnel service record and status on the Australian War Memorial Roll of Honour. We affirm that recognising the ‘ultimate’ sacrifice’ should remain with the distinction of Killed-In-Action (KIA) as it is globally recognised. However, building on the story of sacrifice, introduce Killed-In-Service (KIS) to honour those who have been killed either on warlike and non-warlike operations or during general service.

Additional and new discussion on the use of acronyms on clasps

Since our interview with the Tribunal on 06 May 2021, we have spoken with some of our petition supporters and other service organisations about the positive progress of the Tribunal. Like us, many feel that the design of the clasp should be the wattle and should have the supporting acronym already accepted for service-related categories notarised in military service records and on the Australian War Memorial Roll of Honour and records. These acronyms provide distinction over other designs. For example, having a ‘black band with the date of death on a clasp’ would likely lead to more questions and would give the wearer an opportunity to engage in those conversations. However, as it has been raised by several family members to us, the acronym KIA, KIS, IIS, WIS and WIA are distinct and immediately alert bystanders to the fact that the wearer of those medals with those particular acronyms may have lost someone who was killed, injured or wounded in or as a result of their service (and perhaps died following service in a service-related suicide or illness), and should be approached with greater sensitivity to that fact. The medal wearer can choose to expand on the story of the medals if they are emotionally postured to do so or not.

The rational and measurement matrix for Honouring the Fallen

The Canadian Sacrifice Medal provides a matrix in respect to eligibility criteria. However, our submission proposes some modifications to keep pace with sacrifices unique to ADF personnel.

<p><i>The Concept</i></p>	<p>Formalise already accepted service-related categories: <i>Killed-In-Service (KIS), Killed-In-Action (KIA), Injured-In-Service (IIS), Wounded-In-Service (WIS) or Wounded-In-Action (WIA)</i> onto a specific conditions medallic clasp that would adorn either the Australian Defence Medal, a campaign medal or another medal already in service, or one that may be introduced in future.</p>
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Honour the Fallen



Award a Killed-in-Service (KIS) clasp on their campaign or service medal to complete their story of personal service and sacrifice.



Killed-In-Action (KIA) is a broadly recognised acronym worldwide, but in contemporary terms and in consideration of Australia's involvement in war, it may be somewhat limiting in that it only provides for commemoration that relates to a death attributed to the battlefield against a hostile enemy.

Eligibility: Killed under honourable conditions as a direct result of military service during warlike operations.



Killed-In-Service (KIS) recognition which encompasses those ADF members who are killed either on warlike and non-warlike operations or during general service.

Eligibility: Killed under honourable conditions as a direct result of military service during warlike and non-warlike operations or during general service (training/peacekeeping) operations either at home (Australia) or Overseas.



Injured-In-Service (IIS), Wounded-In-Service (WIS) or Wounded-In-Action (WIA) are terms that could encompass all kinds of wounds and injuries incurred during service that were not fatal but required treatment by a physician, and whereby that treatment was documented, or were later proven to be service related and which resulted in a significant change of lifestyle.



Eligibility: Injured or wounded under honourable conditions as a direct result of military service during warlike and non-warlike operations or during general service (training/peacekeeping) operations either at home (Australia) or Overseas.



NB: Wounds and injuries are categorised as conditions where there is a piercing of the body, as in a penetrating or perforated **wound**, or none, as in the contused wounds (injury) such as fractures, burns, blast concussions, all effects of biological and chemical warfare, the effects of exposure to ionising radiation or any other destructive weapon or agent.

We still believe that a **medallic clasp** with a priority on **Killed-In-Action (KIA) and Killed-In-Service (KIS)** should be **awarded without being dependant** on recognising other sacrifices relating to military service. But that **Injured-In-Service (IIS), Wounded-In-Service (WIS), or Wounded-In-Action (WIA)** is still the most meaningful way to honour those who have been injured or wounded in service to our Nation.

Story-telling is important to nation-building and without the acronyms we believe the story of the individual ADF member's sacrifice is not complete. We believe priority should be given to these *acronyms*, while other forms of medallic *design* could be used to make the medallic clasp distinct (e.g., wattle, poppy etc...).

(Please refer to our Killed-In-Service/Injured-In-Service submission).

<https://defence-honours-tribunal.gov.au/wp-content/uploads/ninja-forms/4/Killed-In-Service-Campaign-Kerry-Danes-30-March-2021v1.pdf>



Honour the Fallen



Award a Killed-in-Service (KIS) clasp on their campaign or service medal to complete their story of personal service and sacrifice.



Photo Credit: RSL NSW

It's their Service and their Sacrifice!