



Ministry
of Defence

Defence Business Services
Room F10, Innsworth House
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Gloucester
GL3 1HW

Ref: FOI2015/08365

E-mail:

DBSRES-Secretariat@mod.uk

██████████
Email: request-294210-5061eba7@whatdotheyknow.com

23 October 2015

Dear ██████████,

Thank you for your email of 27 September 2015 to the Ministry of Defence requesting the following information:

"In June 2002 the then Army Casualty Branch was involved in a review over identification of the grave of Lt J Kipling. This review was in response to work earlier undertaken by the CWGC.

I would be grateful if a copy of any report generated by this review and any evidence used to justify the outcome of the review can be provided."

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has been completed within the Ministry of Defence, and I can confirm that some of the information in scope of your request is held. We have interpreted your request to be in reference to the review conducted in April 2002 by the Army Personnel Services.

The information you have requested can be found attached to the covering email, but some of the information falls entirely within the scope of the absolute exemption provided for at Section 40 (Personal Data) of the FOIA, and has been redacted accordingly.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Under Section 16 (Advice and Guidance) of the FOIA, it should be noted that the 2nd Battalion Irish Guards War Diaries referenced in the report are held at the National Archives at Kew. The address is below:

The National Archives,
Kew,
Richmond,
Surrey,
TW9 4DU.

Web Address: <http://www.nationalarchives.gov.uk>

Its catalogue (<http://discovery.nationalarchives.gov.uk/SearchUI/>) is available on the web to conduct a search for relevant files, although you will not be able to view any documents online without paying a fee for each record. However, should you decide to visit the National Archives to conduct research free of charge, you will either need to bring a Reader's Ticket, or if you do not possess one you will be able to obtain one without charge at the registration desk. For this you will require some form of identification, a passport, driving licence, etc.

Under Section 16 (Advice and Guidance) of the FOIA, it may also be helpful to advise that with the approaching centenary of John Kipling's death, the Commonwealth War Graves Commission undertook a complete review of the case, examining original records, as well as the original identification submission in 1992 and consulted a number of external record sources. The Commission ruled that it was content that the original identification of the remains in Plot VII.Row D. Grave 2, St.Mary's A.D.S. Cemetery as being those of Lt. John Kipling remained sound, and that there was clear and compelling evidence to support the identification.

You may also find it helpful to know that the Commonwealth War Graves Commission's exhumation policy is that the remains of Commonwealth war dead should, as far as possible, be allowed to rest in peace. Exhumation would not be considered unless it was the only means of preventing a grave being destroyed or lost. In this respect the Commission and its Member Governments follow the principle laid down in the Additional Protocol to the Geneva Convention, that the war dead should not be disturbed except for reasons overriding public necessity.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

Defence Business Services

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MINISTRY OF DEFENCE
Personal Services 4 (Army)
Casualty and Compassionate Cell
Building 43 Trenchard Lines
Upavon
PEWSEY
Wiltshire SN9 6BE

Telephone: 01980 [REDACTED]
Military Network: Upavon Mill [REDACTED]
Facsimile: 01980 [REDACTED]
E-Mail: [REDACTED]

[REDACTED]
Commonwealth War Graves Commission
2 Marlow Road
Maidenhead
Berkshire SL6 7DX

Reference: D/DPS(A)/ 85/7

Date: 18 April 2002

Dear [REDACTED],

Further to your letter of 20th September 2001 regarding the case of Lieutenant J Kipling, Irish Guards, I have now examined the arguments put forward by [REDACTED] and [REDACTED] and [REDACTED] and have come to the following conclusion.

Whilst [REDACTED] and [REDACTED] arguments have raised questions about some of the evidence put forward by [REDACTED], I do not believe that they are sufficient for there to be reasonable doubt as to the identity of the body being that of Lieutenant Kipling. Therefore, the headstone should not be altered, and in due course Lieutenant Kipling's name should be removed from the Loos memorial.

The reasons for this decision are listed below.

Identity of the body

[REDACTED] and [REDACTED] suggest that the body recorded by the Graves Registration Unit in 1919 as an 'Unknown Lieutenant of the Irish Guards' could not have been that of John Kipling because he would have been wearing the rank insignia of a Second Lieutenant at the time of his death. They go on to suggest that the body could have been that of an Other Rank in the Irish Guards, or a Lieutenant in another regiment.

I do not believe that the body of an Other Rank could have been mistaken for that of an officer because of the differences in uniform. Officers' tunics were made from different cloth, and cut to a different pattern to Other Ranks. Officers wore a collar and tie, whereas Other Ranks' tunics



buttoned up to the neck. Officers often wore Sam Browne belts and swords, even when going into battle; Other Ranks did not. Officers carried pistols and would have had a leather holster, whereas Other Ranks were armed with rifles. Officers wore leather gaiters or long cloth puttees, whereas Other Ranks wore shorter cloth puttees. Further, it should not be possible to confuse the regimental star worn on shoulder titles by Other Ranks with an officer's pip, which, even if that pip was based on the Regimental star, would have been made of bronze, rather than brass, and would have been embossed, rather than flat. I have enclosed a photograph, which shows differences in dress.

Equally, I think it unlikely that the Graves Registration Unit would have misidentified an officer from another regiment as belonging to the Irish Guards. The pips worn by Guards officers differed from those worn by officers of line regiments in two ways. First, they were worn on the shoulders rather than the cuffs and second, they were of different design. Guards officers' tunic buttons were arranged differently to other officers (in fours for the Irish Guards). An ex-Guards officer informs me that even the material of a Guards officer's tie was different to that of a line officer's. Further to all this, by 1919 the Graves Registration Units must have been extremely experienced in noting the various differences between regiments in order to determine identity. Once it had been established that the body was that of an officer, attention would have focused upon determining the regiment to which he belonged. The differences in dress between Guards officers and officers of line regiments, as outlined above, would have made identification of the regiment relatively easy.

All this is predicated upon the assumptions that a complete body was found and that the uniform had not rotted away during the time the body was in the ground. I believe these are safe assumptions to make because of my own experiences of dealing with exhumed World War I remains. These remains have all been in the ground for over eighty years and in most cases a surprising amount of the uniform does survive intact; certainly enough to determine whether the body is that of an officer or a soldier. Also, if a shell had hit the body, and only fragments survived, then the find would have been recorded as a find of partial remains by the Graves Registration Unit.

The third point made by the [REDACTED] that John Kipling would have worn the rank insignia of a Second Lieutenant, rather than a Lieutenant, does cast doubt on the identification. I agree with [REDACTED] and [REDACTED] that it is unlikely that John Kipling would have put his rank up prior to being gazetted. Although from [REDACTED] experience in the Army, commanding officers often simply told subalterns that they had been promoted and to add the second pip to their uniforms prior to their promotions appearing in the London Gazette. Nevertheless, the fact that John Kipling referred to himself as Second Lieutenant only days before his death does suggest that he made no alteration to his uniform and that he had not been told of his promotion.

One possible explanation is that the Graves Registration Unit used Lieutenant as a generic term to cover both First and Second Lieutenants, rather like the way we refer to Colonels and Lieutenant Colonels, today, as Colonels. At this distance in time I am sure that we will never know whether, or not this was the case. Therefore, I would conclude that the soldier was an officer of the Irish Guards of indeterminate rank, but below Captain. I say this because I think it more likely for a mistake to have been made over rank than over regiment, or status.

Location of the Body

The second argument put forward by the [REDACTED] is that [REDACTED] assumption that G25 actually meant H25 is unsupported. The essence of this argument is that it is unlikely for one body to have the wrong grid reference. It is more likely that, if the Graves Registration Unit, or someone further down the line, had wrongly recorded, or transcribed the grid reference in 1919, that the other

bodies found in that area on that day would also have the wrong grid reference. In this I agree with the [REDACTED]

[REDACTED] and [REDACTED] go on to use the case of Private Blaber of the 15th Battalion London Regiment to support their claim that the Graves Registration Unit correctly recorded the location on that day as G25 and that that by extension the unknown soldier could not be John Kipling.

However, according to my own research, [REDACTED] and [REDACTED] view that the 2nd Battalion Irish Guards approached the front line via G25 is incorrect. In fact, according to the War Diaries, the Battalion arrived at H25 from the North, rather than the West and there are no indications in the Battalion War Diaries of any casualties in the prelude to the assault on Chalk Pit Wood. Nevertheless, other bodies of Irish Guardsmen were found in the same location as the Unknown Lieutenant. Therefore, one can only conclude that elements of the 2nd Battalion Irish Guards retreated, or were taken back, to G25 following the abortive attack on Chalk Pit Wood. We know from the official Regimental history that the attack was not a success and that the Battalion retreated in some confusion. To my mind it is possible that Kipling, who was severely injured during the assault, was among these elements.

Other Candidates

[REDACTED] and [REDACTED] also suggest that, even if the Graves Registration Unit had correctly identified the body as an 'Unknown Lieutenant of the Irish Guards', there were still three missing Second Lieutenants - Clifford, Kipling and Law - and that it could have been any one of them.

I have examined the Service files of all three; they are held at the Public Records Office, Kew. Clifford's file contains a letter from the German authorities to the British stating that the Germans had buried Clifford near St Augustine. In Law's file the Officer Commanding the 2nd Battalion states that Law was buried between Loos and Chalk Pit Wood. Although, in Kipling's file there is a verbal report stating that Kipling was buried in a wood near Loos, there is also a contradictory report, and of the three it is the least well supported.

Conclusion

In conclusion, I think that the Graves Registration Unit made no mistake in 1919. I believe that the term 'Lieutenant' was used in a generic sense and that the body was that of an officer of the Irish Guards below the rank of Captain, and that, bearing in mind the evidence outlined above, it was most probably John Kipling.

However, the only way in which this matter will finally be resolved is for the grave to be exhumed and the remains examined. This would allow those present to ascertain from surviving fragments of uniform whether the body was that of an officer, or an Other Rank, and also possibly his regiment. A forensic examination of the remains would also determine the age of the soldier at death, and the soldier's approximate height. All this could be cross-checked with the existing evidence in John Kipling's Service file. I realise, however, that this would possibly set an invidious precedent in the eyes of the Commission.

If you are happy for the grave to be exhumed, then the department will assist, and the release of any decision can be deferred until after the examination has taken place.

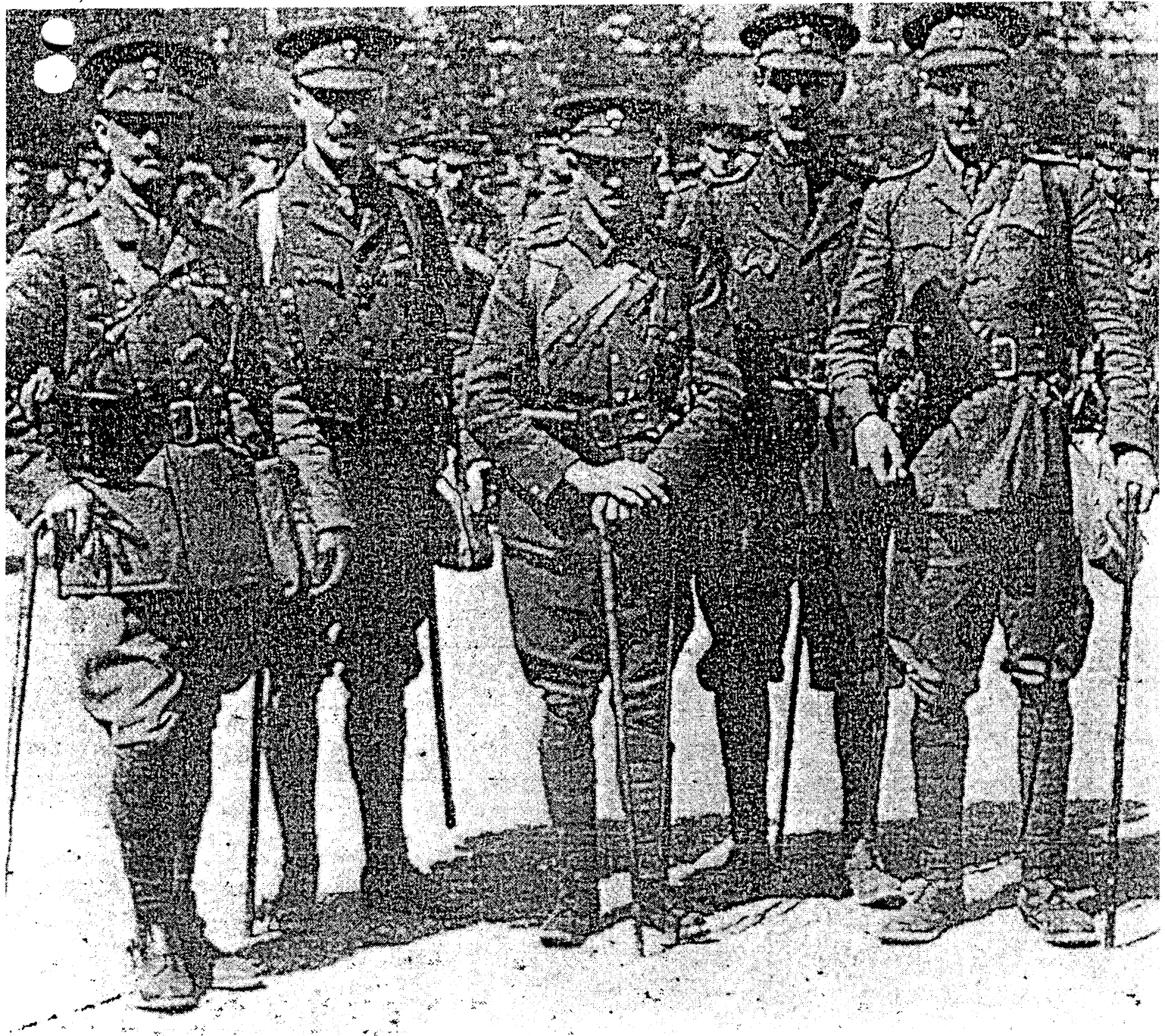
I look forward to hearing from you in due course.

Yours ever,

[REDACTED]

[REDACTED]

for Director of Personal Services(Army)



note the differences in dress between the group of officers in the foreground and the sergeant in the background.

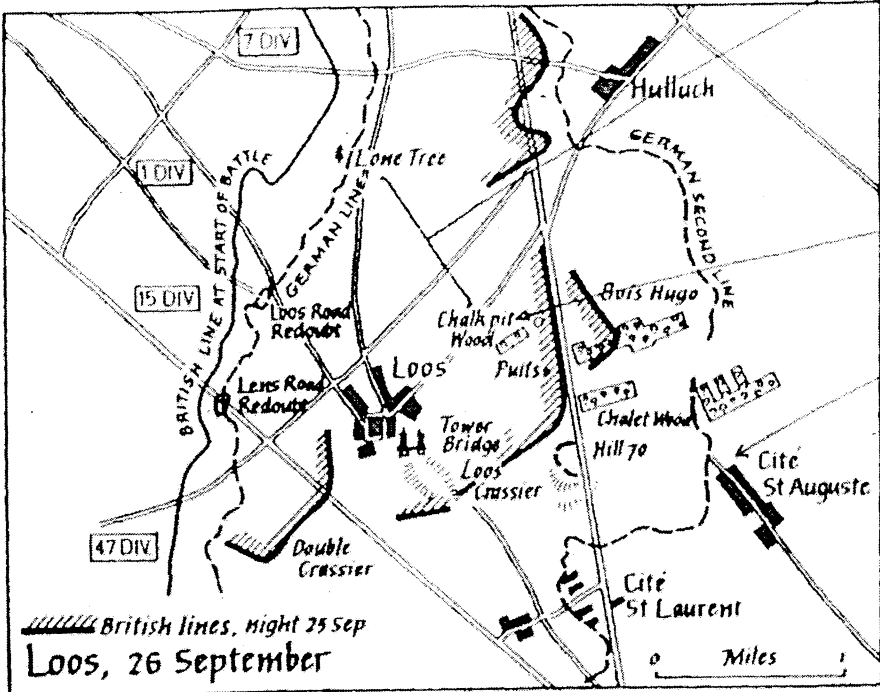
Officers wear collars and ties, whereas the sergeant's tunic buttoned up.

Officers wear Sam Browne belts and swords.

Officers carry pistols in leather holsters.

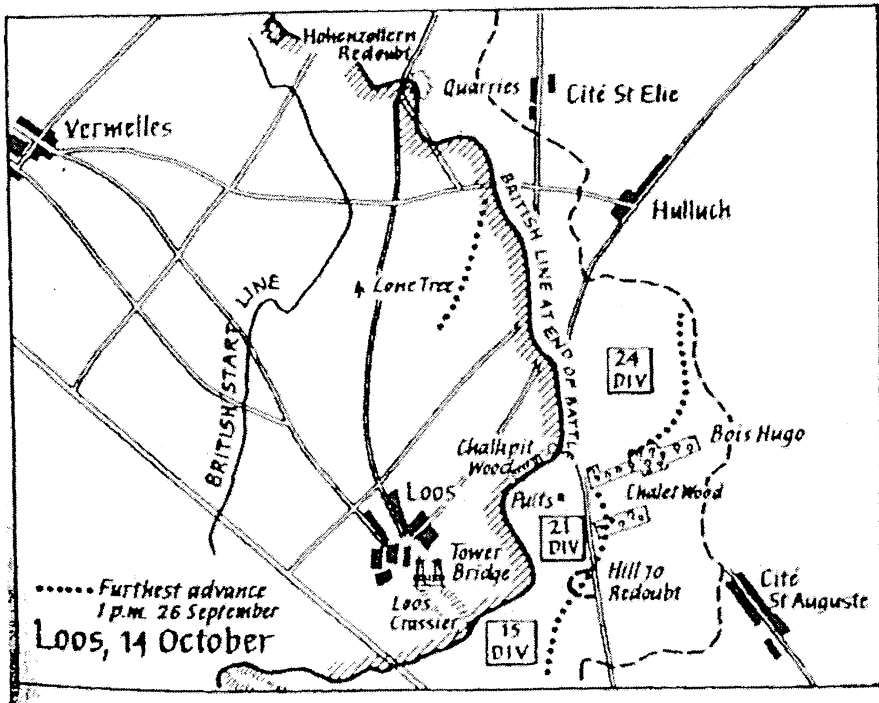
Officers wear breeches and gaiters; the sergeant wears trousers and

[Redacted] buried. (Irish Gds)



[Redacted] 2 Lt J Kipling missing

[Redacted] buried (German Army)



REC 1/14 ← COPIED FROM

Note for file

GRAVE 7.D.2 - ST MARY'S A D CEMETERY, FRANCE
LIEUTENANT JOHN KIPLING

Yesterday I took a call from [redacted] who wished to speak to DG about the Kipling case.

The publication date for the [redacted] revised book was imminent and he wished to obtain permission for DG's letter of 14 September to be reproduced. I agreed to contact DG.

I spoke to DG later that afternoon and he was quite happy to agree to the proposal. I informed [redacted] via [redacted] answerphone (on [redacted]).

Roger Dalley
Deputy Director General

10 October 2001

~~Dys~~ - = - 211

16/10
[redacted] RA (RLAA) [redacted]!
please read recent Solio's
40-43 then book the
E Site in and put away
Thank you

[redacted]
[redacted]
Records [redacted]

15 OCT 2001



Commonwealth War Graves Commission

2 MARLOW ROAD MAIDENHEAD BERKS SL6 7DX

Telephone 01628 [REDACTED] Telex 847526 Comgra G Facsimile 01628 [REDACTED]

Website : www.cwgc.org Email: [REDACTED]@cwgc.org

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[REDACTED]
Personal Services 4 (Army)
NWG
Building 43
Trenchard Lines
Upavon
Wiltshire
SA9 6BE

Our ref.: REC 1/14

1 October 2001

Dear

With reference to your phone conversation earlier today with [REDACTED] regarding burial documents held by the Commission on the grave bearing the headstone of John Kipling, I enclose copies of the two documents that we do hold, namely the burial return in respect of grave 2 Plot 7 Row D in St. Mary's ADS Cemetery, France and also the grave concentration report form- note the map reference G 25 C. 6.8 linking both .

I trust these documents will be of assistance to you.

Yours sincerely

[REDACTED]
for Director-General

Yours sincerely

[REDACTED]
for Director of Information
and Secretariat

reference Snt. 4-A.
The following are buried G.17.B.8.9.

where body exhumed.

Regiment	No.	Name	Rank and Initials	Date of Death	Cross Erected or despatched	Plot Row & Grave
IRISH GUARDS	UNKNOWN	BRITISH OFFICER (LIEUT)			G25.C.6.8.	
	UNKNOWN	BRITISH SOLDIER			-do-	
	UNKNOWN	BRITISH SOLDIER			-do-	
15th LONDON REGT. CIVIL SERVICE RIFLES.	2829	BLABER	Pte. P.	9-11-15	G25.C.9.9.	
6th ROYAL IRISH REGT.	1802	McGEE	Pte. P.	6-6-16	-do-	
	UNKNOWN	BRITISH SOLDIER			-do-	
	UNKNOWN	BRITISH SOLDIER			G25.C.6.8.	
15th LONDON REGT.	UNKNOWN	BRITISH SOLDIER			-do-	
	UNKNOWN	BRITISH SOLDIER			-do-	
	UNKNOWN	BRITISH SOLDIER			G25.C.9.9.	
	UNKNOWN	BRITISH SOLDIER			G25.C.9.4.	
IRISH GUARDS	UNKNOWN	BRITISH SOLDIER			-do-	
	UNKNOWN	BRITISH SOLDIER			G25.C.9.9.	
	UNKNOWN	BRITISH SOLDIER			G25.C.2.5.	
	UNKNOWN	BRITISH SOLDIER			-do-	
2/Bn. Cans.	633732	McPHERSON	Pte. T.	16-8-17	G25.D.1.3.	

BURIAL RETURN.

Name of Cemetery of Re-burial

ST. MARYS CEMETERY.

Map.Ref. G.17.B.8

Plot	Row	Grave	Map Reference where body found.	Was Cross on Grave?	Regimental particulars.	Means of Identification.	Were any forward Base?
7.	D.	2	G.25.C.6.8.	No.	U.B.S. Officer Lieut. Irish Guards.		
"	"	3	" "	"	U.B.S.		
"	"	4	" "	"	U.B.S.		
"	"	5	G.25.c.9.9.	Yes	2829 BLAHER.P. 15th London Reg.Civil Service Rifs. K.I.A. 9.11.15.		
"	"	6	" "	"	1802 Pte.McGee.P. 6th Royal Irish Reg.K.I.A. 6.6.16.		
"	"	7	" "	No	U.B.S.		
"	"	8	G.25.C.6.8.	"	U.B.S.		
"	"	9	" "	"	15th London Reg. U.B.S.	Numeral Found.	
"	"	10	" "	"	U.B.S.		
"	"	11	G.25.C.9.9.	"	U.B.S.		
"	"	12	G.25.C.9.4.	"	U.B.S. Irish Guards.	Numeral Found.	
"	"	13	" "	"	U.B.S.		
"	"	14	G.25.C.9.9.	"	U.B.S.		
"	"	15	G.25.G.25.	"	U.B.S.		
"	"	16	" "	"	U.B.S.		
"	"	17	G.25.D.1.3.	Yes	633732 Pte.McPherson.T. 3rd Coy.		
"	"	18	G.25.G.2.5.	No	U.B.S.		
"	"	19	" "	"	U.B.S.		
"	"	20	" "	"	U.B.S.	A.H. Domaille. 2/Lt. For Lieut.O.C. 18th Labour Coy.	

[Redacted]

Director of Information and Secretariat



Commonwealth War Graves Commission

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Telex 847526 Comgra G

Facsimile 01628 [Redacted]

E-mail [Redacted]@cwgc.org

[Redacted]

Personal Services 4 (Army)

NWG

Building 43

Trenchard Lines

Upavon

Wiltshire

SA9 6BE

Our ref: REC 1/14

Date: 20 September 2001

Following our telephone conversation I am enclosing the relevant papers on the Kipling case.

The background is:

1. John Kipling, the son of Rudyard Kipling, went missing, presumed killed, in September 1915 and was commemorated by the Commission on the Loos Memorial.
2. In March 1992, the Commission's Records Officer made a case that Kipling was buried in St Mary's ADS Cemetery, France, as an unidentified officer of the Irish Guards (enclosure 1). This was accepted and a headstone for Kipling was erected over the grave. His name was left on the Loos Memorial until such time as the panel was replaced.
3. In 1998, [Redacted] and [Redacted] wrote to the Commission to say that as part of the research for their book on Kipling, they had examined the case and considered the identification unsafe (enclosure 2). Whilst accepting that different conclusions might be drawn from the evidence the Commission did not think it appropriate to undo the identification (see Press Statement enclosure 3).
4. In August of this year the [Redacted] again wrote to the Director General saying that they were reprinting their book and asked whether the Commission would reverse its decision. As you know, since 1992, we have decided the Member Governments should be consulted in identification cases and when the matter was discussed at the

[REDACTED]
Director of Information and Secretariat

Commission Meeting last week it was agreed that the case should be referred to the Ministry of Defence. Roger Jacklin, 2nd PUS, agreed that he would provide the Director General with the name of somebody to whom the case could be referred, and his office has subsequently given us your name. I am also enclosing the recent exchange of correspondence with the [REDACTED] and some other papers, including correspondence with the Irish Guards, which may be of some help. You will see that we have told the [REDACTED] that we are seeking your views.

Please do not hesitate if you require anything more. Thank you for your help with this.

REC 1/14, YP 87041

Director General

KIPLING IDENTIFICATION

You asked me to look again at the Kipling case following the [redacted] letter at folio 40.

Unfortunately we do not appear to have all of the documentation on the decision making process that led to the identification but we do have the paperwork for the original case made by [redacted] at folio 1. Despite what has been said subsequently the original case did stand up well. John Kipling was the only Lieutenant of the Irish Guards known to be missing and the grave in St Mary's ADS Cemetery was marked as a Lieutenant of the Irish Guards. It is therefore easy to see why the identification was accepted in 1992.

Several years after the identification the [redacted] wrote several articles on the case and in 1997 wrote to us to say that their research indicated that the identification was unsafe and that they would be including this in their book "[redacted]", see folio 23. [redacted] was asked to look at the [redacted] case and [redacted] conclusions are at folio 25. [redacted] concluded that the [redacted] had provided sufficient evidence to cast doubt on the identification and having looked at the arguments myself I agree with [redacted] conclusion. The [redacted] recent letter does not add anything new to this.

When the [redacted] made their case in 1997 it would appear that [redacted] replied to them but I cannot find a copy of [redacted] letter. We did however issue a Press Statement, attached, which said effectively that the [redacted] had come to a different conclusion to the Commission but we did not intend to change things. Although several press articles were written following the publication of the [redacted] book we weathered the storm.

The [redacted] have now given us the option of reconsidering the matter before they republish their book. If we were to do so and change things the safest identification would probably be "An Unknown British Soldier". I do not think that we could put "Believed To Be" and if we accept the [redacted] arguments there must be some doubt as to whether the grave is that of a Lieutenant or an Irish Guard.

With the wisdom of hindsight I would not now support the identification but there may be many identified burials which could be questioned if thoroughly researched. As a general rule I do not support revisiting such cases and undoing decisions which have stood for many years but the Kipling case is quite recent and I do not think we should be afraid to reconsider if it is appropriate. Since the identification was made we have adopted the practice of asking member governments to look at such cases and if we are to contemplate making a change to the Kipling identification it is probably appropriate to ask MOD to look at it now. If we are to do so you may wish to let the [redacted] know what is proposed.

The lessons of this case are that it does not do the Commission any good to pursue identifications off its own back. Whilst we and the member Governments cannot necessarily ignore cases for identification put forward by researchers things are often better left as they are.

[REDACTED]

[REDACTED]

Director of Information and Secretariat

24 August 2001