

C. S.

NAVAL & MILITARY
(Miscellaneous)
(Defence Force)

DEF/FID/6#14

19 44

No. 82/44.

O/C., F.I.D.F.

SUBJECT.

19 44

18th May.

Previous Paper.

FALKLAND ISLANDS DEFENCE FORCE.

Disability arising from
military service.

MINUTES.

Minute from O/C., F.I.D.F., of 18th May, 1944.

(2).

O.C.

~~F.I.D.F.~~

There is no provision for Medical Boards in the Defence Force Ord. but I think we should follow Army practice as closely as possible. I believe that in the Army a Board of M.O's assembles who assess the disability of the man & state whether it is due solely to his active service or whether the latter has merely led to an aggravation of a previous tendency or condition.

2. I suggest that Capt. Kinnear of Dr. Hopwood might constitute a Board as above.

3. S. 31. of the Ord. provides for gratuities & pensions for wounds but not for medical disability. It is considered that medical disability should be treated as equivalent to wounds, it would seem that we should amend the Ordinance. An Order under Def. Regs. might not be sufficient (see (55) on 6/10/21) because any pension paid would cease on the

Subsequent Paper.

repeal of the Regs. & there would be a gap until a new Def. Force. Ord. were enacted.

4. On the other hand a gratuity might turn out to be preferable & this could be provided for by an Order. - though I think a gratuity is unlikely to be desirable in this case.
5. In the circumstances let us first of all have the finding of a Medical Board. Then we can consider the legal position.

KB
6/6/44

Honourable Senior Medical Officer.

I would be grateful if you would do as suggested in para. (2) of (2) with a view to reporting on the lines laid down in para. 1. of (2)

O.C. F.I.D.F.

MS. O.C. F.I.D.F.

H.C.S.

(4)

7. VI. 44.

As the condition is not quiescent as yet it will be difficult to assess this man's permanent disability now. At the moment he is confined to bed with some respiratory flare-up. I would suggest we hold this Board later on

Rest
Sms
12/6/44

Honourable Colonial Secretary. (5)

In view of (4) I am returning papers for safe custody & would be grateful if it could be B.U. at a convenient date.

MS. D.L.F.I.D.F.
12. VI. 44

B.U.
1/8/44

O.C.

(6)

7.10.7

Any developments.

KB
1/8/44

(7)

The Honourable S.M.O.

Can you say please?

O.C. F.I.D.F.

(8)

McKay is still febrile and confined to bed.

Rest
Sms
7/8/44

B.U.
1/11/44

9. Minute from Senior Medical Officer of 19. 9. 44.

(10)

B.C.
7.10.2

We must discuss this case, particularly in the light of S.31. of the D.F. Ord. I attach files regarding previous pensions now being paid.

N.B.
29. 5. 44

(11)

Res

STO tells me this man is now seriously ill.

10.1.45.

N.B.
19.12.44.

N.B. McKay died 29/1/45

see 31/1/45

(12)

1/ J. McKay died as a result of ill-health due to action service & his widow & children are under S.31 of F.I. Dy. 7. Order of 1920 entitled to pensions.

2 The S. of S. has ruled in para 4 of his despatch 46 of 14 April 1916, MP 201/1915 out procedure

3 The Imperial rates are :-

22/6 p.w. for the widow & 5/ p.w. for each child up to 16 years.

4 There are other rates of widow remains &c. &c. & presumably a revision for the children of their mother dies

5 Pl. to prepare statement showing date when each child reaches 16.

13.

N.B. 29/1/45

14. Letter to Mrs. J. McKay of 3. 2. 45.

(15)

y/c

Sp. submitted for y/c's signature, pl.

N.B.
6.2.45

PA

1/10/45

15a

No S.W. is yet required. The Estimate 1945 made provision for an unallotted £260.11.11.

[Signature] 7/ii/45

Life Treasury (16)
To note 15a pl.
[Signature]
8/2/45

Hon. Col. Sec.
M
note, thank you.
[Signature]
8/2/45

Minute from Assistant Treasurer of S. 6. 46. 18.
(19)

18 Apprs. *[Signature]*
6.6.46

(20)
A.T. To note approval of your minute at (18) pl.
[Signature]
6/6/46

Hon. C.S. (21)
note, thank you
[Signature] A.T.
10/6/46

[Signature] 26/5/46
BU 20/2/46
for A.T. 1/12/49
BU for A.T. 1/12/49

H.C.S.

Betty McKay reaches the age of 16 on 10 Dec. '49 (see 13); I intend to reduce her pension by 5/- p.w. from that date.

[Signature]
1/12/49. O'K. Try.

I agree.

[Signature]
5/12/49.

[Signature] 3/12/49.
5/12/49

No.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

MINUTE.

18th May, 1944.

From Officer Commanding,
F.I.D.F.,
Stanley, Falkland Islands.

To The Hon. Col. Secretary,
Stanley.

CONFIDENTIAL.

I have received the following Minute from the S.M.O.

"Re:- Pte. J. McKay.

This man reported sick on 19/3/43 with a pleurisy. He returned to duty on 27/9/43. On 5/10/43 he again went sick with an arthritis of the right hand.

He has now been off duty six months. The condition is not yet quiescent and in my opinion this man will have considerable permanent disability of the hand. I think it unlikely that he will ever be fit for duty as a soldier or as a labourer.

(SGD) GEO. KINNEARD,
SENIOR MEDICAL OFFICER."

This is the first case that has arisen of a man being discharged from the Defence Force for health reasons when he is no longer fit for normal work. Hitherto the practice has been to find work for any man discharged on medical grounds, as their medical condition has only made them unfit for military service and not civilian employment.

2. If, as I understand from the S.M.O., this man's permanent disability arises from his military service then the question of compensation arises. I will be grateful for instructions as to how this case is to be treated.

3. The following is a record of his service.

Attested 4th April, 1928.

Active Service

to 16th November, 1943 - 3 years, 2 months, 21 days.

Rush Woodfat.

Lieutenant-Colonel,
Officer Commanding,
F.I.D.F.

No. _____

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

MINUTE.

19th September, 1944

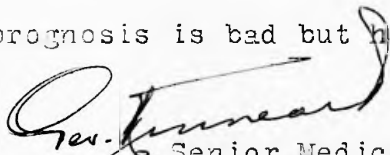
To The Hon. Colonial Secretary,
Stanley.

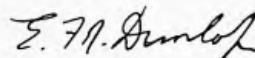
From The Senior Medical Officer,
K.E.M. Hospital,
Stanley, Falkland Islands.

Re - Pte J. McKay.

Dr. Dunlop and I have examined Pte J. McKay who is at present in the K.E.M. Hospital and we have found as follows:

- (1) This man is suffering from multiple lesions which we regard as tuberculous in nature.
- (2) His disability is 100% at present and is likely to remain so.
- (3) We believe the prognosis is bad but he might live some time.


Senior Medical Officer.

 Medical Officer.

No.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).



MINUTE.

9.

19th September, 19 44

To The Hon. Colonial Secretary,
Stanley.

From The Senior Medical Officer,
K.E.M. Hospital,
Stanley, Falkland Islands.

Re - Pte H. McKay.

In further reference to the report of the Medical Board McKay's home conditions are very poor indeed and it was for this reason that I transferred him to the K.E.M. Hospital. Should he continue to live, as he may do, for a year or so he becomes an intolerable burden on the hospital, tying up a bed indefinitely.

There is the possibility that given ideal conditions he might improve elsewhere.

Perhaps he could be sent to Uruguay or the U.K., since he is a soldier, for re-habilitation.

Senior Medical Officer.

STATEMENT SHOWING THE NAMES AND AGES OF THE
CHILDREN OF THE LATE GUNNER J. McKAY OF THE
PAKLAND ISLANDS DEFENCE FORCE.

<u>Name of Child.</u>	<u>Date of Birth.</u>	<u>When</u> <u>16 yrs. of age.</u>
Roddy	2th October, 1950	1946 x
Vera	28th August, 1952	1948 x
Betty	10th December, 1953	1949 ✓
Rex	29th January, 1956	1952

82/44.

3rd February,

45.

Madam,

I am directed by the Governor to inform you that under Section 31 of the Falkland Islands Defence Force Ordinance, No. 7 of 1920, His Excellency has approved the grant of a pension to you in consideration of the fact that your husband died from an illness aggravated whilst on active service with the Defence Force.

2. As from the 30th of January you will receive pension at the rate of £1. 2s. 6d. a week in respect of yourself, and an allowance at the rate of 5/- a week in respect of each of your children under the age of 16 years, namely, Roddy, Vera, Betty and Rex.

3. The total weekly value of your pension and allowances will thus for the present amount to £2. 2s. 6d. which automatically is reduced by 5/- per week as each of the above-named children reaches the age of 16 years.

4. In the event of your re-marriage your pension will cease on and from the date of such re-marriage.

5. Your pension and allowance for the period 30th January to the 3rd of February will be paid to you now on application at the Treasury and thereafter each Saturday morning.

I have the honour to be,

Madam,

Your obedient servant,

[Signature]
for Colonial Sec

Mrs. J. McKay,
STANLEY.

No. 82/44

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).



MINUTE.

5th June, 19 46.

To The Honourable

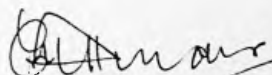
The Colonial Secretary,

STANLEY.

From Assistant Treasurer,

Stanley, Falkland Islands.

I have the honour to inform you that Mrs. J. McKay, widow of the late Gnr. McKay, F.I.D.F., remarried yesterday, Tuesday, 4th June, 1946. In accordance with para. 2 of Red 14 her pension should be discontinued from 4th June but the allowance of 5s/- per week for each of her four children should continue to be paid. Approval is sought to reduce payment by £1. 2s. 6d. weekly with effect from the above date, please?


Assistant Treasurer.