

A fight for justice

Victor Spencer

Born 1 November 1896 in Otautau to Mary, née Manson, and James Spencer III, Victor Manson Spencer's early years were beset with tragedy. He lost a baby brother to enteritis, and then while only a toddler, he lost his mother, Mary, to tuberculosis. As a consequence, Victor went to live with his father's sister, Sarah Gomez, (or Goomes). Later, when he was 10 years' old, Victor lost his father, James, to the same terrible disease his mother had died from.

After finishing his schooling in Bluff, Victor became an apprentice engineer with Metzger and Matson. Of very slight build (165cm tall and 59kg), Victor was cox for the local rowing club.

On 16 April 1915, Victor signed up to fight in World War One. In order to meet the age requirements for enlistment, he claimed he was born on 1 November 1894, two years before his actual birthdate. After completing military training at Trentham, Spencer joined the 1st Battalion Otago regiment and set sail for Egypt on 14 August 1915 with the 6th Reinforcements. Upon arrival, Victor was transferred to Gallipoli, and then on to the Western Front.

During the Battle of Armentières in Northern France, Spencer was wounded by a German mortar and as a result, spent 19 days convalescing before returning to his unit. Immediately on his return to the unit Victor went missing and, once found, was arrested and sentenced to 18 months imprisonment with hard labour as punishment. Victor served nine months of his sentence before being returned to his battalion and sent back into the firing line. It was not long before he went missing again and was found, two months later, with a French woman and her two children.

This time there was no hard labour or imprisonment. Instead, Victor was put on trial and charged with desertion. It was during his trial that the reality of his despair was revealed. While in the trenches at Armentières I was blown up by a minenwerfer (mortar) and was in hospital for about a month, suffering from shellshock. Up to this time I had no crimes against me. Since then my health has not been good, and my nerve has been completely destroyed.

Thankfully, Victor's story doesn't end there.

After reading Christopher Pugsley's book, *On the Fringe of Hell*, Invercargill artist and filmmaker Mark Winter became interested in Victor Manson Spencer's story. Mark spent the better part of a decade working on and completing a documentary and feature-film script about Victor's life. Sadly for the Spencer whānau, the documentary and film never eventuated. Mark Winter had vanished taking much of the information supplied by whānau with him. He did however, share his knowledge of the Spencer case with Invercargill MP Mark Peck, who sought redress for the five executed soldiers by lodging a private member's bill, *Pardon for Soldiers of the Great War Bill*, in 1998.

Fred Ryan and Spencer Morrison, Victor's great nephews, reminisce;

Spencer: *'I knew nothing about Victor until I said to my dad "I'm going to join the Army", and he said "Well, I'd better tell you something about our family", and that's the first time I was told anything about him.*

Fred: *'Like Spencer, I knew nothing of Victor either, that was until my late brother Del, who lived in Lyttelton sent me down some clippings out of the Canterbury paper. That's how I got to know about it, the old people down here never, ever spoke about it... maybe because of the shame I suppose.'*

Fred continues: *'In 1996 I was president of the local RSA here in Bluff and the MP for Invercargill, Peck comes in with his wife sat with us. He said "I'm putting a private member's bill through Parliament for a soldier in Bluff who was shot as a deserter, but I don't suppose he'd have any relations left in Bluff?" I said "well for your information Mister, there's heaps of us here, I happen to be one, me and my colleague beside me here, Spencer Morrison, happens to be second cousins to Victor Spencer"'. And so it started from there.'*

When Mark Peck first announced publically that he was intending to put together the members' bill, he arrived at his parliamentary office to find a white feather on his desk. And, Fred too was the recipient of a number of anonymous and abusive phone calls.

The bill successfully passed in 2000 and the Act officially pardoned Victor Manson Spencer for the offence of desertion.

Fred Ryan and Spencer Morrison, along with family members of the other four soldiers shot, made a pilgrimage halfway around the world to the soldier's graves. Those involved with the journey experienced a rollercoaster ride of emotions.

Spencer recalls; *'It was something we felt we needed to do... We were welcomed everywhere by everyone, which was nice, we felt good being there.'*

Spencer had carved a waka huia for Victor's pardon and the family presented it to a war museum near where he was buried in The Huts Cemetery, Leper, Belgium. They also took a piece of pounamu with them, as well as a little bottle of sea water and sand from Morrison Beach, opposite from where his grandfather lived, for Victor's grave.

We met up with our cousin, Georgina Ellis, and her husband over there in Ypres', remembers Fred, 'She wrote a good book on the Spencer whānau. Time and Tide, is the title'.

But that did not signal the end of the fight for justice for whānau. In 2016, the Military Veterans Kaupapa Claim was lodged with the Waitangi Tribunal. Fred and Spencer took it upon themselves to seek full exoneration of Victor Manson Spencer and to restore his honour. The claim stated the Crown's historical failure to adequately prepare for and rehabilitate the soldiers from the effects of shell shock, as well as failure to recognise the soldiers' efforts in the war.



Shot at Dawn Remembrance Day Statue of Soldier at the National Memorial Arboretum, Staffordshire, England.

The wish of Victor Manson Spencer's whānau is that one day they will be able to visit the site of his grave with the news that he has been completely exonerated, his mana restored, his name cleared and justice finally served.