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Office of the Chief of the Defence Force

MINUTE

B 8/11

PE 97-24314  
CDF 777/2000

Minister Assisting the Minister for Defence

ADF MEDALS POLICY – WHERE WE HAVE BEEN AND WHERE WE ARE GOING

RECOMMENDATION

That you:

- **approve** the recommended policy for the future award of the ASM and ASM 1945-1975, and
- seek to establish a bipartisan approach to the proposed policy for the future award of the ASM and ASM 1945-1975.

OVERVIEW

- On 22 May 00, you requested a well developed paper on medal's policy as to where we have been and where we are going. Due to the complexity of the issue, it was agreed that considerable time would be allowed to develop the paper.
- During the development of the paper, it was further requested that it be honest and forthright in its approach. Accordingly, any criticism or observations made are constructive and demonstrate the facts as they exist.
- The paper is written mainly around recognition of 'non-warlike' service by the awards of the Australian Service Medal (ASM) and/or ASM 1945-75, as it is mostly these medals which come under argument by the current and ex-Service communities.
- The paper demonstrates that some benchmark needs to be identified beyond which awards will not be made and that it needs to be enshrined in ADF and bipartisan policy.
- Bringing the matters raised in the paper to your attention should assist in current and future Government policy direction concerning the ASM and ASM 1945-75.
- The paper has been cleared by the three Service Chiefs.

**Sensitivity.** Yes: Possible criticism from ex-Service groups who consider that their interests have not been considered.

**Resources.** Nil.

**AUTHORISED:**

**APPROVED/NOT APPROVED**

C.A. BARRIE  
Admiral, RAN  
Chief of the Defence Force

BRUCE SCOTT MP  
28/6/01

2 Jan 01

CONTACT: Mr Pat Clarke  
Tel: 6265 2116



Australian Government  
Department of Defence

*With the compliments of*

Dear Mr Wade,

Please find the documents you requested under the FOI Act in your letter dated 23 July 2010.

Kind regards

A handwritten signature in black ink, appearing to read "G. Haaranne".

Freedom of Information and Information Management Branch  
CP2-3-055 Campbell Park Offices CANBERRA ACT 2600  
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## **SENSITIVITY**

The recommended policy will not meet with the interests of some ex-Service groups such as National Servicemen's Associations who have been lobbying for the ASM 1945-75 or a special medal to recognise their service, or the RSL which has a 'medal for all' policy.

## **BACKGROUND**

The enclosed paper has been developed under direction that it was to be honest and forthright in its approach. This requirement follows the increased political, media and public interest in medals over the last few years since the 1993/94 'Committee of Inquiry into Defence and Defence Related Awards', the Coalition's service medals policy leading into the 1996 election and the more recent 'Independent Review of Service Entitlements Anomalies in Respect of South-East Asia Service for the Period 1955-1975'.

It was requested that the paper:

- a. demonstrate the way in which the Australian honours and awards system is managed now, and has been in the past, in relation to Defence service medals;
- b. indicate what has changed in the past few years and why; and
- c. provide recommendations as to how medals should be used in the future.

As a result of consultation with your staff, the paper has been written mainly around recognition of 'non-warlike' service, as opposed to service in 'non-warlike operations' per se. Accordingly, it provides a background on the intent of the ASM describing the changes in its award brought about by political intervention and resultant changes in its award for non-warlike service, and makes recommendations as to a way ahead.

As it was specified that the paper be honest and forthright, it is somewhat critical of past reviews and political intervention into what is highlighted as essentially an ADF matter on how the service by its members should be recognised. Under the circumstances, any criticism or observations made are constructive and demonstrate the facts as they exist. Bringing these to your attention should assist you in considerations of current and future Government policy.

## **CONSULTATION**

The Three Service Chiefs of Staff have been consulted in the preparation of the paper.

## **COMMUNICATION ASPECTS**

Once a decision is made on the recommendations of the paper, an appropriate Defence Instruction will be drafted with advice being communicated, through PACC, to ex-Service organisations.

## **ATTACHMENT**

Paper entitled "ADF Medals Policy - Where We Have Been and Where We Are Going"

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## ADF MEDALS POLICY WHERE WE HAVE BEEN AND WHERE WE ARE GOING

### INTRODUCTION

1. The earning, receiving and wearing of medals is an integral part of Service culture. Service medals are awarded in recognition of operational service, in activities which are clearly and markedly more demanding than normal peacetime duties. In addition, other medals are also awarded for gallantry, distinguished service or considerable, long and efficient service. However, the award of a medal, just for service in the Australian Defence Force has never been a tenet of the Australian Honours and Awards system.
2. Unfortunately, the issue of medals in the Service and ex Service community creates a passion and interest like no other. Those that crave recognition through the award of a medal continually press to have the guidelines amended to make them eligible for a medal. Others agitate against the changing of guidelines as they believe the process diminishes their own achievements and medals. In short, no one group will ever be satisfied.
3. In the past eight years the guidelines for the awarding of medals has been the subject of particularly rigorous lobbying and change. In recognition of this it has become necessary to clearly redefine the criteria for medal eligibility criteria. The Minister Assisting the Minister of Defence directed the Defence Personnel Directive (DPE) to:
  - a. demonstrate the way in which the Australian honours and awards system is managed now, and has been in the past, managed in relation to Defence service medals;
  - b. indicate what has changed in the past few years and why; and
  - c. provide recommendations as to how medals should be used in the future.
4. The aim of this paper is to meet the requirements of the Minister.
5. In achieving the aim the focus of this paper will be on the Australian Service Medal (ASM) 1945-75 and the current ASM for recognition of non-warlike service. Non-warlike service is one of the two tests for recognition of operational service. The other test is warlike service. These are defined in annex A.

### WHERE WE HAVE BEEN

#### **The Vietnam Logistic and Support Medal (VLSM)**

6. The VLSM was established in 1993 in a response to strong lobbying by former Royal Australian Navy (RAN) members who were not posted to the Vietnam area of operations, ie. did not meet the basic qualifying conditions for warlike service as shown in annex A, but carried out support functions, mainly on HMAS SYDNEY. As most did not serve the 28 days, required at the time under the 'visitor' rule for the Vietnam Medal (VM), the then Labor Government established the VLSM as a 'default' medal for not receiving the VM. This was the first time a medal had been established to be used in this way and it drew criticism from

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holders of the VM that it was a 'second rate' medal. This criticism continues today and as a result a VLISM lobby has developed. This lobby seeks to translate the VLISM into the VM.

7. The establishment of the VLISM met a particular circumstance that has not been replicated since as all ADF elements involved directly as part of a deployed force in an operation are now considered equitably, for example RAN operations in respect of East Timor. Unfortunately, however, the VLISM can be seen as the catalyst which has brought criticism by veterans of past conflicts that their service has become devalued, along with the Australian honours and awards system.

### **Australian Service Medal (ASM)**

8. When the current ASM was introduced in 1992, it was intended that it would be awarded for operational service which was declared non-warlike by the Minister. At the time it was agreed between the three Services that the criteria for its award would be as follows:

- a. Specific exclusions:
  - (i) normal overseas service in diplomatic, representational, exchange, training or Defence cooperation activities, regardless of the hazards associated with that service; and
  - (ii) assistance in ADF aid to the civil community, either in Australia or overseas, where that service is integrated with other civilian organisations and any threat does not require the use of uniquely military skills, eg. humanitarian relief or assistance as a result of natural disasters.
- b. Activities not so excluded be judged against:
  - (i) service not involving warlike service activities in a state of declared war or combat operations against an identified enemy or belligerents;
  - (ii) the likelihood of service being conducted overseas;
  - (iii) being activities military in nature, utilising military skills and specialist resources according to the area (circumstances) and/or self protection, eg. rather than an activity involving skills that are available within civilian organisations;
  - (iv) involving elements of military threat and hazard;
  - (v) conducted at the direction of Government, rather than an ADF decision alone; and
  - (vi) likelihood of the activity being of a prolonged duration of 30 days or more.

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9. Activities could extend to service in Australia which involved the use of military skills where civil powers did not have the capacity to deal with the situation at hand, eg. low level insurgency by foreign forces into Australia. This is why the ASM was not called the Australian *Overseas* Service Medal and has since been considered, for example, in the award of the Clasp 'Special Ops' in cases where the ADF may be involved in the resolution of a terrorist act in Australia or other hazardous occurrences that may be considered as 'special' by the particular Service Chief. In addition, it was considered that the ASM would only be awarded for operational service that had not been recognised by another internationally accepted medal, eg. the United Nations (UN) Service Medal. However, this did not occur and as a result, the ASM is now awarded for UN and other service where another foreign medal may be awarded, thus perpetuating a 'double medalling' system.

### **The 1993/94 Committee of Inquiry into Defence and Defence Related Awards (CIDA)**

10. In 1993, the CIDA was established as the first part of a two stage review of the Australian honours and awards system. The first stage was a comprehensive review of Defence and Defence related areas of interest, including the application of existing Australian awards in recognition of service. The second stage was to review the honours and awards system and its application to the Australian community generally (this is not covered in this paper). During its deliberations, CIDA established 10 guiding principles which have been accepted as a basis for the awarding of medals for service, particularly when assessing past activities. These do not detract from the conditions agreed by the three Services in 1992, but assist in assessing entitlements on the basis of equity. The Principles are attached at annex B.

11. CIDA handed down its report in 1993 and amongst its recommendations was the establishment of a retrospective ASM 1945-75 to recognise service that had otherwise gone unrecognised by an 'Australian' award during the period 1945 to 1975. It was considered that it would not be appropriate to use the existing ASM for service prior to 14 February 1975, the date of the introduction of the Australian honours and awards system. The ASM 1945-75 was established under the same conditions as the existing ASM.

12. Under the ASM and ASM 1945-75 regulations, an operation has to be declared non-warlike by the Governor-General. This declaration does not need to be linked to one by the Minister. It therefore allows flexibility for the medal to be granted outside such a declaration, eg. service with the RAN with the Far East Strategic Reserve, service in Japan post WWII with the British Commonwealth Occupation Forces (BCOF) and service with the UN Command Korea by ADF Defence Attachés in relation to maintaining the Demilitarised Zone. However, CIDA took a very benevolent approach with its recommendation for the award of the ASM 1945-75 for service in Papua New Guinea from the establishment of the Pacific Island Regiment in 1951 to independence in 1975. This benevolent approach contradicted its own principles, particularly Principle No 1 at annex B and has generated consistent criticism since. The criticism is well founded considering the current situation in PNG. ||

13. Other significant recommendations made by CIDA were:

- a. ASM 1945-75 for 30 days service in Korea after the armistice 1953-57;
- b. ASM 1945-75 for 30 days service on the Thai-Malay Border 1961-64;

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- c. ASM 1945-75 for 30 days service at Ubon in Thailand as part of a South East Asian Treaty Organisation agreement 1962-68;
- d. VM to nurses who conducted medical evacuations but were not posted to a unit in the operational area of Vietnam (against the conditions of the VM warrant); and
- e. VLSM to civilian groups who served in Vietnam such as QANTAS air crews, diplomatic couriers and entertainers who were not under ADF command; and
- f. a review of the 1989 Australian Government *Guidelines Concerning the Acceptance and wearing of Foreign Honours and Awards by Australians (Foreign Awards Guidelines)* with a view to liberalising the criteria.

14. **Former Government.** All CIDA recommendations at paragraph 13 were accepted by the then Labor Government. Although the recommendations of CIDA satisfied many in the ex-Service community, it created many other anomalies in attempting to solve those which existed or were perceived to exist at the time. That the CIDA recommendations were not considered to have gone far enough has been manifested by a 125% increase in correspondence to both Members of Parliament and the Department of Defence. With regard to medals, most of the ministerial correspondence centred on the following:

- a. complaints by Korean War veterans that the ASM 1945-75 should have been extended to them, not just those who served after the Armistice (this is despite the fact that nearly all Korean War veterans had two medals for their service, while many of those who served in Korea after the Armistice war had none);
- b. complaints by BCOF personnel that service from 1947 until the cessation of BCOF in 1952 should have been recognised;
- c. calls for recognition of service in PNG to be backdated to the cessation of World War II in 1945, and other post war service in the South West Pacific to be recognised;
- e. complaints from former RAN personnel that the CIDA recommendations on service in the Far East Strategic Reserve (FESR), particularly during the period of the Malayan Emergency 1955-60, did not go far enough;
- f. that an End of War List for Vietnam should be pursued;
- g. that service on the Thai-Malay Border and Ubon in Thailand should be reassessed as warlike for medals and veterans' entitlements;
- h. the qualifying criteria for the ASM 1945-75 should be reduced to allow more ex-Service personnel to qualify for it; and

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- i. recognition of the service rendered by National Servicemen from both the 1950s and 1960s intakes (these groups arguing that they were forced into service in times of war against their will and 'suffered' accordingly).

15. In short, the result of CIDA raised medals matters to a new political high with Members of Parliament responding to active and aggressive lobbying by their ex-Service constituents. Consequently, toward the end of 1995, the then Labor Government reviewed some of the concerns raised and effected the following changes in the award criteria of the ASM 1945-75 prior to its election defeat in 1996:

- a. recognition for BCOF service extended to 1952;
- b. recognition for service with the Berlin Airlift 1948/49 recognised; and
- c. a review of service in the South West Pacific, immediately following World War II (this was not completed until later in 1996).

### WHERE WE ARE NOW

16. In its 1996 election policy written by the then Shadow Minister for Defence Industry Science and Personnel, Wilson Tuckey MP, the Coalition released a policy which they considered addressed the concerns of ex-Service community. Highlights of the Coalition's policy were:

- a. ASM 1945-75 Clasp 'FESR' for RAN service with the FESR for the period 1955-71;
- b. award of the ASM 1945-75 for warlike service (except Vietnam) between 1945-75;
- c. an End of War List-Vietnam to be established, limited to those whose nominations which were recommended at the highest level in Vietnam but downgraded or rejected in Australia;
- d. recognition of service in PNG backdated to 1945;
- e. reduction of qualifying service for the ASM 1945-75 reduced to 30 days in all cases;
- f. award of the 1939-45 Star for service in the last six months of World War II for less than the required six months eligibility; and
- g. a reduction of eligibility for the Australia Service Medal 1939-45 to 30 days for full-time service and 90 days for part-time service from 18 months and three years respectively.

17. Whilst the aim of the Coalition's policy was to meet the concerns raised by the ex-Service community, inevitably like CIDA, it created more anomalies than it resolved.

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Except for subparagraph 16.e. above, for each of the positives gained from the Coalition's policy initiatives, there were equal negatives. These were:

- a. the award of the ASM 1945-75 for RAN with the FESR met with a great deal of criticism from those who served with land based forces in the Far East at the time;
- b. the ASM 1945-75 not being awarded to Vietnam veterans met with much criticism from this group;
- c. Vietnam veterans were critical that a full End of War List review was not conducted and that the Coalition's policy was an easy way out;
- d. Service in PNG post 1975 not being recognised;
- e. the award of the 1939-45 Star for any period of service in the last six months of World War II being too restrictive by not including all World War II veterans, thus devaluing the service of those who may have missed out on the award prior to that last six months, particularly by a day or two; and
- f. the reduction of the criteria for the Australia Service Medal 1939-45 seen by many World War II veterans as devaluing the award from its original intention of recognising 18 months or more 'long service' to the war effort, particularly when the British War Medal already existed to recognise 28 days or more 'short service'.

### **The Independent Review of Service Entitlements Anomalies in Respect of South-East Asia Service for the Period 1955-1975 (SEA Review)**

18. As a result of ongoing representations from the ex-Service community, the SEA Review was established in an attempt to resolve many of the outstanding issues and concerns. As it is still in its implementation stage, it is too early to predict what the full impact of the SEA Review recommendations will have in respect of new or further anomalies. Some which have been identified are:

- a. Claims that service in other parts of the world under similar conditions to FESR should be recognised. For example RAN deployments to the North West Indian Ocean with naval elements from the United Kingdom and United States of America.
- b. The further extension of the VM, for additional medical evacuation sorties into Vietnam from units outside the area, which are over and above the CIDA recommendation, has strengthened arguments from other groups for access to the medal rather than the VLSM, particularly former RAN members.
- c. Criticism from ex-Service organisations that the recommendations of the Review did not go far enough for recognition of service in Butterworth after cessation of the FESR in 1971, or for service in PNG post 1975.

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19. One very significant principle established by MAJGEN Mohr, during his deliberations on service in South East Asia, was that if ADF personnel are placed in circumstances where they may be used to react to an assessed threat made by Australian Government Intelligence agencies, it has to be considered operational service. This is regardless of whether that threat is realised or not. MAJGEN Mohr based this principle on opinion made in his capacity as a South Australian State High Court Justice.

### **Impact of Changes and Perceptions since CIDA**

20. The recommendations of CIDA, the Coalition Government's service medals policy and the SEA Review have changed Australia's approach to the awarding of Defence service medals. Despite the 1992 agreement by the three Services to a set of criteria for the award of the ASM and the principles established by CIDA, there have been awards of the ASM outside of these. Consequently, the independence of the Chief of the Defence Force to make decisions relating to how members of the Defence Force should be best recognised for their service has also been reduced.

21. Since these reviews and policies, two significant themes behind most complaints concerning medals have become apparent. These are:

- a. many individuals feel that they cannot belong to an ex-Service association (particularly the Returned and Services League of Australia (RSL)) or march on ANZAC Day without a medal; and
- b. members of unit associations with less medals as a result of different, or less service in certain activities than their associates, consider they should have the same array of medals as their 'mates'.

22. These themes have resulted in unreasonable and unjustifiable claims for medals; or lobbying for the qualifying conditions for some medals to be changed. Such examples have been:

- a. a call for the VLISM to be awarded to all ADF personnel who served during the period of the Vietnam War whether service was rendered in Vietnam or Australia;
- b. the award of the ASM 1945-75 for National Service due to their obligation to serve Australia against their will as opposed to regular servicemen who volunteered for duty;
- c. the award of the 1939-45 Star and Defence Medal to all WWII veterans as they perceive their duty to have been operational because they served during wartime and in the defence of Australia; and
- d. an award of a medal for service by virtue of being in the Defence Force (under the 15 years period required for a long service medal) as they perceive that such service is inherently more demanding and hazardous than any other occupation.

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23. The RSL supports such claims on the basis that they have a responsibility for their constituency. It also realises that to maintain current membership levels, or in fact increase the membership, the award of medals would assist this by seizing on the sentiments of those who fall into the category that believe they cannot belong to the RSL without a medal. This was highlighted at the QLD State Congress in 1999 (and other RSL meetings since) where a motion was overwhelmingly supported that a medal should be awarded for all ADF service since 1945 with a minimum qualification period of two years. The basis for the motion was that there are potentially 900 000 ex-Service personnel who, if they had a medal, would possibly join the RSL.

24. Despite arguments to the contrary, there is no precedence to recognise normal peacetime service rendered by regular, reserve or national service personnel either in Australia or overseas with the award of a medal. The award of the Australia Service Medal 1939-45 is cited as a precedent by the National Servicemen's Association and other ex-Service organisations in that it was awarded for service in Australia to those who never saw operational service overseas. However, the intent of the award was to recognise 'long service' during a time of war when Australia was on a war footing. This was changed in the Coalition's service medals policy, following representations by certain World War II service personnel. However, despite the change, it does not detract from the original intent of the medal.

25. Significantly, CIDA and the more recent SEA Review have turned what is essentially an ADF matter into a highly political one. This is demonstrated by the Coalition's service medals policy in response to CIDA and current correspondence from Members of Parliament concerning the SEA Review. The decisions to award the VLSM for short service in Vietnam; the ASM 1945-75 for service in PNG during 1951-75 and RAN service with the FESR between 1955-71; and now service in South East Asia generally for the period 1955-71 have considerably changed the benchmark for awarding service medals. These decisions go against ADF policy and the CIDA Principles and have placed a new set of expectations into the current and ex-Service communities regarding the types of service which may now be recognised by a medal. These decisions have reduced the ASM (in its generic sense) to recognising service that has been carried out as part of normal Defence Force duties, albeit overseas and in some cases under uncomfortable (but not hazardous) circumstances. For example, most of the service in Singapore and Butterworth was rendered under normal peacetime garrison conditions with additional luxuries not experienced in Australia such as the availability of housemaids and servants.

*No Aust.  
Honours  
awards matter.*

### WHERE WE ARE GOING

26. The unfortunate result of the more liberalised approach is that it has become increasingly difficult to maintain the ASM for the purpose for which it was originally intended. Although it may be considered that such liberalisation is a small cost in an effort to solve strong lobbying by ex-Service groups and individuals, and possibly to bolster morale in the ADF, some benchmark needs to be identified beyond which awards will not be made. This needs to be enshrined in ADF and bipartisan policy.

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### Way Ahead

To retain some value, it is recommended that the ASM should be awarded for service which, in every case, is the subject of a formal declaration of 'non-warlike' operation or activity by the responsible Minister."

27. To retain some value, it is recommended that the ASM should still be awarded for service which, although it may not be the subject of a formal declaration of 'non-warlike' operation by the responsible Minister, can still be put into a category which may be regarded as non-warlike service and declared accordingly under the ASM 1945-75/ASM regulations. Using the 1992 Services agreement as a basis, but adjusted to cater for the new benchmark set by recent changes as a result of CIDA, the Government's policy and the SEA Review, a prescriptive minimum set is recommended as follows:

- a. service rendered in situations that include international security treaties or agreements, eg. FESR, SEATO, ANZUK, MFO, Five Power Agreement etc;
- b. service involving that with an international coalition force and where other countries involved have recognised their defence personnel with a medal, eg. UN deployments, MFO and situations such as the Gulf crisis 1990/91;
- c. activities conducted at the direction of Government, rather than an ADF decision alone, which require the use of military skills unavailable to civilian organisations at the time and are of a nature that allow the activity to be declared non-warlike on the recommendation of CDF vide the ASM 1945-75/ASM regulations."
- d. humanitarian service as a result of human disaster involving civil unrest, rather than natural disaster, where that service involves a military presence for self protection and protection of the community involved, eg. Kurdish relief after the Gulf War in Iraq in 1991 and Rwanda in 1994;
- e. activities of a special or particularly dangerous or hazardous nature, in Australia or overseas, involving military skills not available to civil powers at the time which result in control being given to the ADF to conduct the activity in part or in full, (this recommendation meets with the CIDA recommendation, accepted by CDF and the Government in 1994, that certain hazardous activities of a special nature, eg. counter terrorist activities and other similar activities, should be considered for awards of the ASM based on their own merits);
- f. qualification be set at 30 days except where activities involve an imminent threat of war, activities are so short of warlike that they carry similar hazards, special operations outside of normal operations involving associated increased risks, or particularly dangerous or hazardous situations, eg. those outlined in subparagraph e. above, service such as that rendered immediately before the Gulf War in 1991, forward intelligence operations, hot extractions; and

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- g. service on exchange duties with a foreign defence force in a hazardous area, not declared by the responsible Minister as a non-warlike area of operations for ADF deployment, be generally excluded (although in some cases it may be appropriate to assess such service on its merits against a particular reason behind a formal third country deployment approval).
28. Absolute exclusions recommended are:
- a. service involving warlike service activities in a state of declared war or combat operations against an identified enemy or belligerents (an area declared 'warlike' by the responsible Minister);
  - b. normal overseas service in diplomatic, representational, exchange, training or Defence cooperation activities (this exclusion does not apply to members conducting these activities in an area subject to a formal declaration of non-warlike);
  - c. assistance in ADF Aid to the Civil Community, either in Australia or overseas, where that service is integrated with other Commonwealth, State or civilian agencies such as the State Emergency Service Organisations or National Parks and Wildlife, and that service or threat does not require the use of uniquely military skills, eg. relief or assistance as a result of natural disasters such as drought or bushfires, and assistance to Australian National Antarctic Research Expeditions; and
  - d. normal duties carried out either in Australia or overseas involving no military risk or threat, whether in a capacity of regular, reserve or conscripted service in order to meet Government/ADF ceilings.

The consistent application of these criteria would be enhanced if a bipartisan approach to their use could be agreed to.

### CONCLUSION

29. The award of a medal, just for service in the ADF, has never been a tenet in the Australian Honours and Awards System. However, the System has been under considerable pressure in recent years from various Service related lobby groups because the issue of medals in the Service and ex Service community creates a passion and interest like no other. This pressure has resulted in a number of modifications to the criteria applied for the awarding of the ASM and ASM 1945-1975 over the past eight years. These modifications, and the precedence they have established, has resulted in new anomalies developing which have led to further interest group pressure.

30. The use of medals to serve the perceptions and requirements certain groups needs to be resisted and consequently the time has now arrived where a new set of criteria, for the awarding of the ASM and ASM 1945-1975, need to be agreed to and strenuously applied. In developing a new set of criteria to the Government should be mindful of the types of activities in which the ADF has recently been, and will continue to be, engaged. The new criteria also

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need to meet the expectations and attitudes of former and serving ADF personnel. This means, acceptance of the changes made over the last few years; retention of the 'operational perspective' as applied by MAJGEN Mohr in his SEA Review recommendations; and recognition of the intent of the ASM. In addition, the CIDA Principles need to be applied in assessing the relative merits of service, particularly those which are being assessed in respect of the past. The criteria outlined in paragraph 27 meet all these requirements. Finally, to ensure that a consistent approach is made towards to any future awards of the ASM and ASM 1945-1975 the adoption of a bipartisan policy on this issue would be advantageous.

### RECOMMENDATIONS

31. It is consequently recommended that the Government:
  - a. agree to use the criteria, detailed in paragraphs 27 and 28, as the future test to be applied in relation to the award of the ASM and ASM 1945-1975, and
  - b. endeavour to establish a bipartisan approach to policy with regard to the future award of the ASM and ASM 1945-1975.

#### Annexes:

- A. Definitions of Warlike and Non-Warlike Service
- B. Statement of the Principles of the 1993/94 Committee of Inquiry into Defence and Defence Related Awards (CIDA)

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## ANNEX A

### DEFINITIONS OF WARLIKE AND NON-WARLIKE SERVICE

Following discussions between Defence and Cabinet in 1994 it was decided that the following definitions would be applied to warlike and non-warlike service:

#### Warlike

Warlike operations are those military activities where the application of force is authorised to pursue specific military objectives and there is an expectation of casualties. These operations can encompass but are not limited to:

- a state of declared war;
- conventional combat operations against an armed adversary; and
- Peace Enforcement operations which are military operations in support of diplomatic efforts to restore peace between belligerents who may not be consenting to intervention and may be engaged in combat activities.

Normally, but not necessarily always, they will be conducted under Chapter VII of the UN Charter, where the application of all necessary force is authorised to restore peace and security or other like tasks.

The eligibility criteria for the award of a service medal for warlike service is generally one day or more on the posted strength of a unit or formation allotted (or assigned) to and serving in the operational area, or one operational sortie into or over the operational area from a unit allotted for such service. Visits or occurrences of a temporary nature usually attract a 30 day qualifying period.

#### Non-Warlike

Non-warlike operations are defined as those military activities short of warlike operations where there is risk associated with the assigned task(s) and where the application of force is limited to self defence. Casualties could occur but are not expected. These operations encompass but are not limited to:

- **Hazardous.** Activities exposing individuals or units to a degree of hazard above and beyond that of normal peacetime duty such as mine avoidance and clearance, weapons inspections and destruction, Defence Force aid to civil power, Service protected or assisted evacuations and other operations requiring the application of minimum force to effect the protection of personnel or property, or other like activities.
- **Peacekeeping.** Peacekeeping is an operation involving military personnel, without powers of enforcement, to help restore and maintain peace in an area of conflict with the consent of all parties. These operations can encompass but are not limited to:

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- activities short of Peace Enforcement where the authorisation of the application of force is normally limited to minimum force necessary for self defence
- activities, such as the enforcement of sanctions in a relatively benign environment which expose individuals or units to 'hazards' as described above under hazardous;
- military observer activities with the tasks of monitoring ceasefires, re-directing and alleviating ceasefire tensions, providing 'good offices' for negotiations and the impartial verification of assistance or ceasefire agreements, and other like activities;  
or
- activities that would normally involve the provision of humanitarian relief.

The eligibility criteria for the award of a service medal for non-warlike service is generally 30 days or more in the operational area, or 30 or more sorties into or over the operational area. Visits or occurrences of a temporary nature also usually attract a 30 day qualifying period.

### Notes:

1. Humanitarian relief in the above context does not include normal peacetime operations such as cyclone or earthquake relief flights or assistance.
2. Peacemaking is frequently used colloquially in place of Peace enforcement. However, in the developing doctrine of Peace operations, Peacemaking is considered as the diplomatic process of seeking a solution to a dispute through negotiation, inquiry, mediation, conciliation or other peaceful means.
3. Peacetime is routine operations short of warlike or non-warlike.



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## ANNEX B

### STATEMENT OF THE PRINCIPLES OF THE 1993/94 COMMITTEE OF INQUIRY INTO DEFENCE AND DEFENCE RELATED AWARDS (CIDA)

CIDA recognised that the Australian system of honours and awards is underpinned by values which are held in high regard in our society and which characterise the way Australians view the world around them. These values include a sense of fairness, equity and compassion, and an egalitarian commitment to acknowledge the quality of service and substance of action without regard to status or class. Accordingly, CIDA developed ten principles to guide its consideration of the many submissions placed before it and the diversity of issues raised therein. These principles are as follows (however, amended to remove CIDA specific statements to account for use as the general guide as discussed above):

- 1. Recognition of service by medals (other than medals for long service or special occasions such as a coronation) should only occur when that service has been rendered beyond the normal requirements of peacetime. Normal duties such as training and garrison duties should not be recognised by the award of a medal, even though they may be demanding, hazardous and uncomfortable, and may be undertaken in countries other than Australia. As a general rule, medals should be reserved for the recognition of service in military campaigns, peacekeeping or other military activities clearly and markedly more demanding than normal peacetime service.**

Normal service in the Defence Force does not in its own right warrant a medal. The conditions of service and salary structure of the Defence Force recognise hazardous duty, relocation and difficulties which arise during the normal course of employment. Medals should be reserved for those who have done something special. It is recognised that in certain countries, medals are given to mark various stages in the careers of service personnel. This has never been the practice in Australia and should remain the case.

- 2. Normally only one medal within the Australian system of honours and awards should be given in recognition of a single period of service. In the case of a major or protracted conflict consisting of different campaigns in different theatres, such as the two world wars, it is appropriate to consider a range of campaign awards. It is recognised that overseas service by Australian Defence personnel in certain military operations may attract foreign awards or recognition from organisations such as the United Nations. This should not affect the decision to award an Australian medal. The same considerations apply in relation to medals issued by philanthropic organisations, such as the International Red Cross.**

The Imperial tradition of avoiding duplication of awards has been adopted by the Australian system of honours and awards.

- 3. To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded.**

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Consistency must be maintained in making recommendations to Government. The standards of measurement for service that apply must be transparent and fair in the eyes of the community.

- 4. Existing Regulations for defence and defence-related awards and decorations in the Australian system allow for access to these awards by civilians. This is appropriate. However, access by civilians should be limited to those closely involved with military activities or in clear support of military efforts in the theatre of operations to which the award relates. Deserving civilians performing humanitarian functions in or near the operational theatre should be considered for a non-defence award.**

Under the Imperial system certain groups of persons such as Merchant Mariners who were closely involved in military activities, qualified for war medals. Where the Australian Defence Force (ADF) has to call on civilian technical and other expertise during the course of its activities in a theatre of operations and these civilians work in close collaboration with the ADF as part of ADF operations, it is appropriate that their eligibility for defence and defence-related awards and decorations be considered on the same basis as the eligibility of ADF personnel in the same situation.

- 5. Decisions to recognise service through the award of a medal must be made against the background of a range of practical considerations, including the practicability of confirming the accuracy of claims and identifying the eligible participants. Another consideration is the passage of time and the proportion of total persons eligible who might be able to claim personally a medal for service which they rendered.**

The integrity of any system of honours and awards requires service to be recognised by a medal to be validated and verified through official records. However, it is recognised that this is not possible in certain cases because of an absence of official records. In this instance, if a member or veteran is able to provide substantive proof, then this can be considered. There is also a consideration that generally those who rendered the service should be the ones who enjoy personally the celebration of that service through a decoration or award.

- 6. In relation to Imperial awards, amendment to the terms and conditions governing them will only be contemplated under the most exceptional circumstances where a clear anomaly or manifest injustice can be established. Otherwise solutions will be sought within the established terms and conditions for these awards and situations will only be addressed where an anomaly or injustice in application may have occurred.**

Should anomalies or injustices in either the terms and conditions or application of Imperial awards be detected, the preferred method of rectification is to grant access to the Imperial award for which persons would now be considered to qualify. In cases where the Imperial system did not provide recognition for a particular service but where it is believed that recognition is warranted, it should be made under the Australian system. Account should be taken of the views of Her Majesty The Queen that issues relating to Imperial honours and awards for World War II are closed. Her Majesty's preference is also noted where she stated in 1992 that Australian governments no longer make recommendations under the Imperial

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system of honours and awards, now that Australia has its own comprehensive national system. However, this is balanced with an approach to issues from the perspective of what is considered fair and reasonable today.

- 7. Adherence is given strongly to the official view that honours and awards given to Australians on the recommendation of Australian governments under the Imperial system are Australian awards.**

All awards made on the recommendation of an Australian government are Australian awards, whether they are awards made under the Imperial or Australian system. All such awards are an expression of gratitude from a grateful nation for services rendered, and have been granted in this light. It may be possible to criticise the Imperial system for not serving the needs of Australia to the same extent as our own system, but it is not appropriate to belittle awards made under that system as inferior or non-Australian.

- 8. When viewing past service through the eyes of today, it is considered that appropriate benchmarks in considering hitherto unrecognised service prior to 1975 (the year of introduction of the Australian system of honours and awards) are the terms and conditions currently attached to an award of the AASM and ASM. Service rendered prior to 1975 which generally meets those terms and conditions should receive retrospective and comparable recognition.**

It is considered that the terms and conditions attached to the AASM for service in warlike operations and the ASM for service in non-warlike military operations, and the standards of measure which have been used in relation to these awards are a fair and contemporary expression of the level of service which is worthy of recognition through a medal.

- 9. While regard is given to previous decisions and interpretations on awards made by the Australian Government and military authorities, consideration of service for an award is not constrained by these. Assessing authorities will always take into account any new or additional information which is made available and will operate according to the normal standards of fairness.**

Assessing authorities will always have to take a fresh look at all issues as they arise and seek to deal with them fairly and equitably.

- 10. Matters relating to honours and awards should be considered on their merits in accordance with these principles, and these considerations should not be influenced by the possible impact, real or perceived, on veterans' entitlements.**

However mindful that a nexus may exist between medals and entitlements under the *Veterans' Entitlements Act 1986*, such entitlements are a separate matter for consideration by the Australian Government and its agencies.

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