



**The Australian Peacekeeper & Peacemaker Veterans' Association Incorporated, National Executive,  
Submission to the Defence Honours & Awards Tribunal  
Into the Eligibility of the Australian Defence Medal**



*Australian Soldiers observing a massacre at Kibeho, Rwanda, 24 April 1994*



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Sunday, 21 September 2008

**Defence Honours and Awards Tribunal,**  
Locked Bag 7765,  
CANBERRA BUSINESS CENTRE, ACT, 2610

To Whom It May Concern:

It is with great pleasure that I present this submission to the ADM Review Inquiry Committee of the ADF Honours & Awards Tribunal.

The APPVA strongly rejects the award of the ADM for service prior to 3 September 1945. Members of the ADF were eligible for the War Medal (28 days service) and the Australian Service Medal (30 days service or 90 days part time service). It is therefore contended that service in the ADF was sufficiently and adequately recognised with two medals.

The APPVA submission focuses on the integrity of the ADM prescribed service eligibility, in order to meet the award criteria. Whilst there may be some matters that have been raised that fall short of the eligible service obligation, there are some cases to provide an approach that seeks fairness, particularly when the former ADF member has been discharged due to reasons beyond his/her control. This is particularly in the context of women, non-service related medical conditions and a case-by-case or merit approach for those who were discharged due to Compassionate reasons.

The APPVA has strongly rejected a number of matters raised in the TOR, in particular when an individual had the opportunity to continue to serve, however chose to opt for discharge from a prescribed service obligation. The integrity of the ADM needs to be reinforced that whilst there may have been a reason to opt for discharge at own choice, that these choices were made where a prescribed service obligation was not fulfilled.

Yours Sincerely,

*(Signed)*

**Paul Copeland, OAM, JP,**  
National President.

*"Looking After Our Own"*





## **1. Background.**

1.1 The Australian Peacekeeper & Peacemaker Veterans' Association Inc (APPVA) has a membership of 1,000 current, ex-serving ADF members and Police Peacekeepers. The APPVA is a Key Ex-Service Organisation (ESO), which is recognised by the Department of Veterans Affairs (DVA); the Federal Police; and the Australian Defence Force. The APPVA primarily consists of Post 1975 veterans and peacetime service members of the Permanent and Reserve Forces. This constituency is high in number with over 70,000 ADF and Police members who have served on Peacekeeping, Humanitarian, other Operations and other Conflicts since 1947.

1.2 The APPVA does not include Korea, Malaysia, Borneo or Viet Nam veterans as they are well represented by their respective ESO. It is also estimated that well over 250,000 Australians have served on Peacetime service with the ADF since 1975 onward.

1.3 The APPVA actively lobbies Government for a range of issues from the health of Younger Veterans; Legislative matters; Reclassification of Service; Medallion Recognition and Commemoration. The APPVA also provides Advocacy and Compensation Entitlement assistance to current and ex-serving members of the ADF and Police Peacekeepers, under a range of Legislative Acts.

1.4 The APPVA placed a paper of an ADF submission to Government in March 2005, to The Hon Deanne Kelly, MP, the then Minister for Veterans' Affairs, who was responsible at the time for medals within her portfolio. This paper is attached for further consideration by the Review committee.

1.5 Also attached are some thoughts of the ADM, for further recognition of various service types by way of clasps to the ADM.

## **2. Aim.**

The aim of this submission is to convince the ADM Review Committee of the APPVA's concerns toward the criteria within the Terms of Reference (TOR), and address the matters being reviewed for the awarding of the ADM in varying circumstances.

## **3. General.**

The ADM was lobbied by a "New Medal Group" for a number of years (2002-2005), in response to the Anniversary of National Service Medal 1951-1972 (ANSM). It was contended by a number of key ESO that the ADM be **only** restricted to those who volunteered their service to the country, who may have in some way completed a term of service that is recognised as a suitable period.

3.1 The ADM, much to the displeasure of a number of veterans, former serving members and ESO, including the APPVA, was also awarded to National Servicemen, despite that they had already been awarded the ANSM for their contribution to Australia. It was agreed however by the APPVA and other Key ESOs, that if a member of the ADF served beyond their National Service requirement, that the serviceman would have dual eligibility for both the ANSM and the ADM, provided that a minimum service requirement was met.

3.2 The ADM has been a contentious issue for some time with a number of varying methods of recognition proposed by a number of ESO. The APPVA stance is that the current Legislation appears fair; however the dual eligibility toward National Servicemen, without additional volunteered service to the ADF was rejected. The Legislation in this context cannot be changed and the APPVA will now have to accept the decision made by the Government at the time.

#### **4. Terms of Reference.**

In relation to the TOR, the APPVA Submits the following matters within the TOR for '*Specified ADF Personnel.*'

#### **5. Defence Force personnel, who meet the minimum period of service as prescribed under the Regulation, but the period of service commenced prior to 3 September 1945.**

5.1 It is of the view of the APPVA that Defence Personnel who served within the Armed Forces of Australia during war (pre-3 September 1945), were recognised by the following Service medals:

5.1.1 **The War Medal 1939-45** was awarded for full-time service in the Armed Forces, wherever that service may have been rendered during the war. Operational and non-operational service may be counted, providing that it was of 28 days or more duration.<sup>1</sup> This medal is awarded for 28 days full time service in the period between 3 September 1939 and 2 September 1945.

5.1.2 **The Australian Service Medal 1939-45** was instituted in 1949 to be awarded to all members of the Australian armed forces and those members of the Australian Mercantile Marine. On 16 August 1996, the qualifying periods for the award of the Australia Service Medal 1939-45 were changed to 30 days' full-time or 90 days' part-time service respectively, for service from 3 September 1939 to 2 September 1945.<sup>2</sup>

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<sup>1</sup> ADF Honours & Awards – World War II, War Medal 1939-1945, website: <http://www.defence.gov.au/medals/>

<sup>2</sup> ADF Honours & Awards – World War II, Australian Service Medal 1939-1945, website: <http://www.defence.gov.au/medals/>

5.2 It is therefore the view of the APPVA, that service within Australia during World War II was adequately recognised with 2 medals, each with the service requirements as noted, which are between 1 month full-time to 90 days part-time service. Hence, the APPVA submits that service prior to 3 September 1945 has been duly recognised and that the awarding of the ADM should **not proceed** in this particular situation.

**6. Mobilised wartime naval reservists, who, in or about 1947, accepted a two year engagement in the Royal Australian Navy and exercised their right to opt for a free discharge after the first 12 months of service.**

6.1 The APPVA is of the view that if a prescribed service was nominated at the time of enlistment or appointment, in this case a period of 2 years and the sailor did not complete that period of service, despite the right to opt for a free discharge after the first 12 months of service, that they forfeit their right to the ADM. This being the case in any of the completed service requirement for the award.

6.2 This is placed in similar context that if a Recruit at the Royal Australian Navy (RAN) Recruit Training School, feels that service in the RAN is not for them, then the service requirement of today (4 years continuous service), is therefore forfeited for the award of the ADM.

6.3 The ADM must retain its integrity and eligibility, to be a credible award for a prescribed period of ADF service. Therefore, in this case, the APPVA contends that this service in 1947 with the RAN, if the sailor did not complete the required 2 year service criteria, they therefore **forfeit** the eligibility for the award of the ADM.

**7. Defence Force personnel who were women and who were discharged:**

- i. prior to 1969 on grounds of marital status; or**
- ii. prior to 1974 on grounds of pregnancy.**

7.1 The APPVA believes that the service of women in the ADF prior to 1969 and 1974 were treated in a misogynist manner. Hence, if they married and/or were pregnant they would be discharged. This situation is clearly discriminatory in context to modern Human Resource Management (HRM) practices and in particularly draconian even for those days. Women were not at the time of post World War II up to 1975, expected to serve in conflicts overseas, with the exception perhaps of nursing staff. Most women who served in the ADF fulfilled strategic and support roles and were never contemplated by the ADF to serve overseas on operations.

7.2 Most women were not trained to fire weapons until the end (in terms of the Army), of 1984, where women were provided with equal status and were required to be trained in the same manner as men. The evolution of women serving in Arms Corps within the Regular Army today is an added dynamic, particularly with female soldiers posted to Infantry Battalions.

7.3 Whilst we digress with the development of females serving in the ADF, it is contended by the APPVA that in both instances listed in the TOR, which is prior to 1969 on grounds of marital status; and prior to 1974 on grounds of pregnancy, that these service women are recognised for their service to Australia. They were removed from their service due to antiquated military rules and were not in a position to continue serving in the ADF, which was beyond their control or options.

7.4 In addition, under the auspices of the ADM Regulations 2006,<sup>3</sup> it is plausible that the use of the reference noted, that is prevailing discriminatory Defence policy at the time, would place this matter into this category as a discriminatory policy against the marital status of women pre-1969 and pregnancy pre-1974. It is recommended that the Review Committee utilise this clause within the ADM Regulations to deem the matter of the defence women in this instance as positively resolved.

7.5 Therefore, the APPVA **strongly recommends** that women who served in the ADF and were discharged due to marital status prior to 1969; and due to pregnancy prior to 1974, be awarded retrospectively the ADM.

## **8. National Servicemen, who do not meet the minimum period of service as prescribed under the Regulation and who elected to be discharged under the provisions of the *National Service Termination Act 1973*.**

8.1 Whilst the APPVA views merit to this situation, it also places the same perspective to those within the TOR for sailors opting to discharge in 1947 prior to their 2 year service obligation.

8.2 It is felt that the National Servicemen in this context have been recognised with the ANSCM, regardless of their termination options. The National Servicemen, who elected to be discharged under the National Service Termination Act 1973, indicates that these men were not willing to contribute and continue serving Australia.

8.3 Again, we highlight the integrity of the ADM, and that a prescribed period of service needs to have been completed for the award of the ADM. If the Review Committee believes that such integrity must be retained, then it is logical to state that it is essential that the service requirement is met, in particular if the service person opted at **their own election**, not to continue to serve the ADF for a given prescribed period of service.

8.4 Therefore the APPVA strongly suggests this group of National Servicemen **are not awarded** the ADM, due to their own volition of not willing to continue to serve the ADF for a prescribed period.

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<sup>3</sup> CAG S48 dated 30 March 2006, s4(1)(d)(iii), (*Award of the Medal*)

**9. Defence Force personnel who were discharged:**

- i. with a non-compensable illness or injury;**
- ii. as a result of the application of a discriminatory policy; and**
- iii. on compassionate grounds.**

The APPVA will address these three points individually.

**10. Discharged due to a non-compensable illness or injury.**

10.1 The APPVA believes that any service person who has been discharged due to a non-compensable illness or injury should not be discriminated in terms of medallic recognition. This places a degree that the discharge that occurred was beyond the option of the service person and there was no other choice but to be discharged, with the inability to complete a given prescribed period of service.

10.2 Matters that may be related toward this issue are life threatening illnesses such as cancers; car accidents etc, that were not service related or caused. It is recommended that these service members are recognised for their service and their potential to continue serving as a result of the prevention to continue to serve a given period of eligible service for the ADM, for non-service related medical conditions. This is beyond the options of the individual concerned and is suggested to be treated as service period potentially served by the ex-member.

10.3 Therefore, the APPVA strongly recommends that ADF members discharged due to a non-compensable or non-service related or caused illness or injury are provided the benefit of the doubt that they would have continued serving, but for these conditions.

**11. Discharged as a result of the application of a discriminatory policy.**

11.1 The APPVA believes that the discriminatory policy that is mentioned under this TOR perhaps relates to female ADF members from their service prior to 1969 and 1974 in terms of marital status and pregnancy respectively.

11.2 Discriminatory Policy that is mentioned in this context is not clearly understood as opposed to the situations of ex-female ADF members. Discriminatory Policy certainly was not extant when enlisting indigenous, ethnic or any other particular background of a member. The ADF has not provided discriminatory policy toward race, colour, or religion as far as we are aware.

11.3 It is suggested that further information is brought to light in this particular TOR item, in order for the APPVA to place an educated or logical approach toward the matter.

11.4 Within the Commonwealth of Australia Gazette (CAG), S48 dated 30 March 2006,<sup>4</sup> s4(1)(d)(iii), (*Award of the Medal*), it is noted that there is the provision of a discharging service member who has served less than the 4 years or periods less than 4 years who was unable to serve is able to be awarded the ADM if: “*member due to a prevailing discriminatory Defence policy, as determined by the Chief of the Defence Force or his/her delegate.*”

11.5 Hence, it is believed by the APPVA that the issue that a person is not eligible for the ADM as a result of the application of discriminatory policy has been appropriately met within the ADM Regulations 2006.

## **12. Discharged on compassionate grounds.**

12.1 The APPVA believes that in line with the matter of a defence member looking after a family member in time of need is critical toward the wellbeing and retention of serving members.

12.2 The APPVA is aware of many serving members who have had Compassionate Postings in order to assist with a loved one or family member, which would be outside of a normal posting cycle.

12.3 The APPVA is not aware of any former ADF member that has had to discharge on compassionate grounds, given the flexibility of the ADF to provide Compassionate Postings. However, if the case has been that Compassionate Postings have not been made possible, then it would be understood why the member would discharge on Compassionate Grounds, particularly in support of a family member.

12.4 Given this context, the APPVA believes that the importance of the wellbeing of a service member and the member’s family life is a priority of an ADF member and this is widely recognised by the ADF today. It is concluded that if a member had to discharge due to Compassionate reasons, then the decision to make this decision would not have been taken lightly by the member.

12.5 The potential for the member to continue service within the ADF has therefore been taken away from the member due to Compassionate grounds. Hence the ex-service member has made a decision of which could not be facilitated by the ADF in terms of a Compassionate Posting, therefore denying further service of the member.

12.6 In the above context, it is therefore strongly supported by the APPVA that a member who has discharged on Compassionate Grounds be reviewed on a case-by-case basis as to the merit of the discharge and the potential of service for eligibility of the ADM.

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<sup>4</sup> Australian Defence Medal Regulations 2006 – Special Gazette

**13. Defence Force personnel who were discharged from the Citizen Military Forces ('CMF') or Reserve unit, voluntarily, due to a civilian posting where no reasonable alternative means to continue that service existed (e.g. residence in a remote rural or regional area); due to a CMF or Reserve unit having been disbanded and no reasonable alternative means to continue that service existed.**

13.1 The APPVA is somewhat perplexed with this situation, as service within the CMF or Reserve has been viewed as regionally based across Australia. Even in some of the most remote parts of Australia, Reservists have been able to render service. This has been the case for many years.

13.2 In viewing this particular matter, flexible arrangements have been and continue to be offered to serving members of the Reserve. It is also noted that the same was available to CMF members. Some members were placed onto special service arrangements so that they would be able to render Efficient Service over a period of time.

13.3 It is the view of the APPVA that CMF and/or Reservists were able to continue serving in some form of capacity, regardless of where their civilian occupations took them. Even situations of CMF and/or Reservists living overseas has been effected with attachments to various Allied nation's armed forces for the period of time the member was required to work within the given country.

13.4 It is therefore contended that this matter is not supported by the APPVA, as a member of the CMF and/or Reservist do in fact have the capability to render Efficient Service in remote or rural locations around Australia and also including the requirement for the member's civilian occupation to serve in Territorial Forces or other Allied Armed Forces overseas.

13.5 It is felt that if the member discharged due to a change of location in rural/remote Australia, then the member has not sought assistance in securing ongoing service, which is within the individual's power. Therefore, the awarding of the ADM for not providing eligible prescribed service should not be made in this context and is not supported.

**14. Defence Force personnel who have performed active service and who were discharged voluntarily before they had four years of service (e.g. Vietnam veterans).**

14.1 The above issue is perplexing, in that it does not appear to represent the type of service rendered by Viet Nam Veterans at the time of active service. Most National Servicemen completed their 2-year service obligation and have since received the ADM.

14.2 A Regular or Permanent Forces member was normally expected to complete their prescribed period of service obligation. There are a number of variables to this depending on the service; however the ADM regulations are flexible toward any eligible service obligation completed by a given Defence Member.

14.3 It is particularly curious to note that if a person discharged voluntarily before they had four years of service, would not be eligible for the ADM. The 4 years service was introduced into the ADF in 1988, under the Open Ended Engagement (OEE) program, which gave the member the option to serve at least four years and to continue serving, without having to re-apply at the completion of a prescribed service.

14.4 The four years service is the benchmark for eligibility since 1988 for prescribed service performed by the serving member. It is contended that the four year service requirement was not in existence during the Viet Nam war, nor in any other conflicts prior to 1988.

14.5 In the Army it was 3 or 6 years (Australian Regular Army Supplement (ARA(S); and ARA), with 9 years for Officers and Apprentices. RAAF and RAN had prescribed periods of service for 6-9 years, the latter mainly pertaining to Officers and Apprentices.

14.6 Post 1988, if an ADF member serves on Warlike Service (WL), or Non-warlike Service (NWL), and voluntarily discharges prior to the prescribed service obligation of 4 years, it would be contended by us that the member discharged as being either Not fit for further service; Administrative Discharge (Disciplinary or otherwise); Medically Discharged; or Absent without Leave (AWL), of which the member would be Administratively Discharged. A former ADF member cannot voluntarily discharge prior to the completion of a service obligation and expect recognition with the award of the ADM.

14.7 Given the discussion on this matter, it is therefore believed that if a Viet Nam Veteran served on Active Service and completed their prescribed service obligation, then that service member would be eligible for the ADM. If the Viet Nam Veteran did not complete a prescribed period of service to meet the eligibility of the ADM, regardless if that service person served on WL or not, then that person does not meet the criteria for the award. The matter is therefore not supported.

## **15. Members of the British services on exchange duties with Australian Defence services**

15.1 In order to maintain the integrity of the ADF Honours & Awards system, it is believed that British Defence Force that serves on exchange duties with the ADF does not warrant the award of the ADM.

15.2 It is firmly believed by the APPVA that the ADM is for service by ADF members who meet the eligibility criteria. Whilst it may be accepted that Exchange postings or Exercise "Long Look" may see British and ADF members serving in various conflicts or Peacekeeping Operations, of which medallic recognition is awarded to the individual for that service, the idea of the ADM is firmly believed to be a unique ADF award made only available to ADF members who serve a prescribed service obligation. The matter is therefore not supported.



## 16. Cadet officers and instructors.

16.1 The APPVA views Cadet Officers and Instructors as not functional or serving members of the ADF in the Permanent or Reserve Forces. Cadet officers and instructors are not required to undergo the level of training that ADF members are required and are considered outside of the function of the ADF. Within the context of the ADM Review TOR, Cadet Officers and Instructors are not *'specific ADF personnel'*.

16.2 Within the Australian Defence Force Act 1982 (DFDA), Section Three, (Interpretations):

*"defence member"* means:

- (a) a member of the Permanent Navy, the Regular Army or the Permanent Air Force; or
- (b) a member of the [Reserves](#) who:
  - (i) is rendering continuous full-time service; or
  - (ii) is on duty or in uniform.

16.3 Cadet Officers and instructors began at various schools and colleges and have now developed into Regional Cadet Units (RCU), with a given ADF unit to provide a degree of support in terms of logistics to RCU. There has been no requirement for the ADF to tend to the training of Cadets. This is a function normally provided by the Cadet Officers and Instructors.

16.4 The Cadet Officers and Instructors are recognised for long service with the awarding of the Cadet Forces Medal, which is not available to a serving member of the ADF.

16.5 It is considered that the intent of the ADM is to award ADF members for their efficient service to the ADF. Therefore, Cadet Officers and Instructors, whilst performing a role that is appreciated and is potentially used as a future recruitment philosophy for Cadets, do not fulfil duties that require them to deploy overseas or protect Australia.

16.6 All ADF members must be either Deployable or employable and provide service to the ADF in the Defence of Australia. Cadet Instructors and Officers are not obliged to meet this requirement, nor meet any prescribed service obligations.

16.7 It is therefore contended that Cadet Officers and Instructors are **not eligible** for the ADM and the matter is not supported.

## **17. Other categories of persons identified by the Tribunal during the course of this inquiry.**

17.1 The APPVA has had robust discussion on the subject of the ADM. Specifically in relation to specific recognition of service through a system of clasps, similar to the Australian Active Service Medal (AASM); and the Australian Service Medal (ASM).

17.2 A paper for a proposed Clasp system for the ADM is attached to this submission, for the Review Committee to consider.

17.3 Notwithstanding, it is essential that some special service activities are recognised, that are beyond the AASM or ASM system. Such consideration is Special Operations and Humanitarian Operations (Defence Aid to Civil Community (DACC) Overseas tasks). Whilst the existence of the ASM Clasp “SPECIAL OPS”; and the Humanitarian Overseas Service Medal (HOSM), have been awarded in recognition for various overseas operations, it is felt that a number of these operations have yet to be officially recognised by the Australian Government. This may perhaps be more appropriately approached and presented at a later time.

## **18. Conclusion.**

18.1 The APPVA holds a strong ethic in relation to the integrity of the ADF Honours & Awards System. At times however, it has been noted that it appears to be very tedious and difficult process to officially and easily recognise particular service rendered by members of the ADF. The question is often raised by many veterans: “*Why is it so hard to be appropriately recognised?*”

18.2 However, in the cases of the ADM placed into this submission, the integrity of the prescribed service for eligibility of the ADM needs to remain within the realms of the ADF and having the eligibility criteria strictly adhered.

18.3 The cases presented in this submission provide for some flexible approaches for those who have, to what we believe have been unfairly recognised for their service; however the overall cases presented in this submission are not supported.

## **19. Recommendations.**

The APPVA therefore recommends the following:

19.1.1 *Defence Force personnel, who meet the minimum period of service as prescribed under the Regulation, but the period of service commenced prior to 3 September 1945, do not* have eligibility to the ADM, due to the award of the War Medal and Australian Service Medal (1939-1945) to this group of veterans. The award of the ADM is therefore **not supported**.

19.1.2 *Mobilised wartime naval reservists, who, in or about 1947, accepted a two year engagement in the Royal Australian Navy and exercised their right to opt for a free discharge after the first 12 months of service. As the former ADF member opted for discharge, without meeting the prescribed two year engagement, it is therefore believed that the sailor(s) **do not** meet the eligibility for the ADM. This matter is **not supported**.*

19.1.3 *Defence Force personnel who were women and who were discharged prior to 1969 on grounds of marital status; or prior to 1974 on grounds of pregnancy.*

This matter is believed to be beyond the control or choice of the female ex-service person, due to unfair HRM policy at the time. In addition, under the auspices of the ADM Regulations 2006,<sup>5</sup> it is plausible that the use of the reference noted, that is prevailing discriminatory Defence policy at the time, would place this matter into this category as a discriminatory policy against the marital status of women pre-1969 and pregnancy pre-1974. It is recommended that the Review Committee utilise this clause within the ADM Regulations to deem the matter of the defence women in this instance as positively resolved. This matter is therefore **strongly supported** for the award of the ADM.

19.1.4 *National Servicemen, who do not meet the minimum period of service as prescribed under the Regulation and who elected to be discharged under the provisions of the National Service Termination Act 1973.*

The former National Servicemen had the choice to continue to serve in the ADF, however chose not to further serve. These National Servicemen may have been awarded the ANSM, which is deemed adequate recognition for their service. Therefore, the award of the ADM to this group of servicemen is **not supported**.

19.1.5 *Defence Force personnel who were discharged due to a non-compensable illness or injury.*

It is believed by the APPVA that these service people would have completed their service obligation as eligible service toward the ADM. The circumstances in this matter were beyond their control and it was not a choice to be discharged from the ADF due to the seriousness of their medical conditions. It is therefore **strongly supported** that these ex-members are eligible for the ADM.

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<sup>5</sup> CAG S48 dated 30 March 2006, s4(1)(d)(iii), (*Award of the Medal*)

19.1.6 *Defence Force personnel who were discharged as a result of the application of a discriminatory policy.*

As noted within the CAG S48 dated 30 March 2006, s4(1)(d)(iii), (*Award of the Medal*), it is noted that there is the provision of a discharging service member who has served less than the 4 years or periods less than 4 years who was unable to serve is able to be awarded the ADM if: “*member due to a prevailing discriminatory Defence policy, as determined by the Chief of the Defence Force or his/her delegate.*” It is therefore viewed by the APPVA that this matter is **already addressed** within the ADM Regulations of 2006.

19.1.7 *Defence Force personnel who were discharged on compassionate grounds.*

The APPVA believes that the option for the member to discharge on Compassionate Grounds holds merit in not being able to meet the prescribed period of eligible service for the ADM. However, it is recommended that this situation is viewed on a **case-by-case** approach.

19.1.8 *Defence Force personnel who were discharged from the Citizen’s Military Forces (‘CMF’) or Reserve unit, voluntarily, due to a civilian posting where no reasonable alternative means to continue that service existed (e.g. residence in a remote rural or regional area); due to a CMF or Reserve unit having been disbanded and no reasonable alternative means to continue that service existed.*

The APPVA views this situation as being tenable in terms of the flexibility of the CMF and Reserve to their members for purposes of Efficient Service. It is suggested that the ex-serving member(s) in this category had the opportunity to source a flexible arrangements with regional, rural or remote Reserve units. It is therefore contended that a CMF or Reservist in this situation had the potential to continue efficient service with the CMF or Reserve, therefore this matter is deemed to be within their control in order to continue serving. This matter is therefore **not supported.**

19.1.9 *Defence Force personnel who have performed active service and who were discharged voluntarily before they had four years of service (e.g. Vietnam veterans).*

As contended by the APPVA in this submission, this matter appears inconsistent with service obligations at the time. It is therefore believed that if a service person was unable to complete a given prescribed period of service to satisfy the criteria of the ADM in this instance, then the veteran(s) have not met the service obligation for the award of the ADM. This matter is therefore **not supported.**

19.1.10 *Members of the British services on exchange duties with Australian Defence services.*

The APPVA views the ADM as an ADF only award and wishes to see the maintenance of the integrity of this award, particularly toward prescribed service for the eligibility of the award. British service personnel who serve on exchange duties with the ADF are viewed as visitors on exercise or exchange postings. The British have their own Defence Honours & Awards system and it is viewed by the APPVA that current and ex-serving members of the ADF are the only benefactors. This matter is therefore **not supported.**

19.1.11 *Cadet officers and instructors.*

It is viewed by the APPVA that the Cadet Officers and Instructors are **not** members of the ADF and therefore **do not** have prescribed service for the eligibility of the ADM. Cadet Officers and Instructors are also **not** defence members in terms of the Australian Defence Force Act 1982, Section 3 (Interpretations). Therefore Cadet Officers and Instructors are **not** ADF members and are **not eligible** for the ADM. This matter is **not supported.**

19.1.12 *Other categories of persons identified by the Tribunal during the course of this inquiry.*

The APPVA attaches suggested methods of recognising specific groups of ADF members for recognition of service with a Clasp system. It is recommended that these matters are considered by the Inquiry for potential additional recognition.

**Attachments:**

1. Submission to the Hon Deanne Kelly, MP dated 20<sup>th</sup> March 2005: *APPVA Proposal Toward The Australian Defence Medal.*
2. The Australian Defence Medal – Proposed Clasp System.

## **Bibliography.**

The Australian Defence Force Act 1982.

The Australian Defence Force Honours & Awards website:  
<http://www.defence.gov.au/medals/>; War Medal 1939-1945 Description; and the  
Australian Service Medal 1939-1945 Description.

Australian Defence Medal Regulations 2006 – Special Gazette, Commonwealth of  
Australia Gazette S48, 30<sup>th</sup> March 2006.

Commonwealth of Australia Gazette S409, dated 30<sup>th</sup> October 2002 – Declaration and  
Determination under the Anniversary of National Service 1951-1972 Medal Regulations.

Letters Patent - Anniversary of National Service 1951-1972, Regulations 2001.

Terms of Reference: Inquiry into Eligibility Criteria for the Australian Defence Medal,  
Australian Government, Defence Honours & Awards Tribunal dated August 2008.



**AUSTRALIAN PEACEKEEPER & PEACEMAKER  
VETERANS' ASSOCIATION  
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*The National Younger Veteran  
Consultative Forum*

*The New Military Compensation ESO  
Working Group*

*Veterans' Medicines Advice and  
Therapeutic Education Services*

*Listed Ex-Service Organisation with the Department of Veterans' Affairs ESO Directory*

Friday, 25<sup>th</sup> March, 2005

**The Honourable De-Anne Kelly, MP,**  
The Minister for Veterans Affairs,  
The Minister Assisting the Minister of Defence,  
Parliament House,  
CANBERRA ACT 2600

**Subject: APPVA Proposal Toward The Australian Defence Medal.**

Dear Minister,

The Australian Peacekeeper and Peacemaker Veterans' Association (APPVA) write to you with concern regarding the criteria for the medal to recognise voluntary service in the Australian Defence Force (ADF), since 1946, in the form of the Australian Defence Medal (ADM).

The APPVA believes in retaining continuity of the Australian Honours & Awards system, particularly when recognising service of the ADF. The APPVA does hold concerns at some ESO issues, which may potentially diminish the integrity of the Awards system by placing unrealistic criteria cases for recognition of Defence Service.

It is our belief that the ADM was initiated by the Government in order to appropriately recognise voluntary service for the period of time a member served. Over the years the service engagement period has been varied by different policy and changes to that policy.

The length of service has been 3 years (Australian Regular Army (Supplement) (ARA (S))), 6 years (ARA, RAAF & RAN) and 9 years (ARA, RAAF & RAN), and in some cases 12 years depending on which service conditions that the individual member enlisted or was appointed. A significant change to Enlistment was made in 1987, for an ADF member to serve a minimum 4 years, with 6 months notice for Discharge at own election. This policy is called the Open Ended Engagement (OEE).

*"Looking After Our Own"*

There was/is the Return of Service Obligation (ROSO) in which certain specialist trades required an additional length of service as a retention strategy for the specialised and expensive training – such as Technical Engineering courses at University.

The issue raised by some ESOs of former Defence Servicewomen, in which many discharged before their service obligation due to marriage or pregnancy is noted to be a practice used until the mid-1970s, in contrast to the claims by the New Medal Group that it was used until the 1990's<sup>1</sup>. The APPVA would appreciate that consideration is made by the Government toward this situation for those women.

The Government has stated that six years is considered to be a reasonable period of time for ADF members to be adequately trained for operational deployment or war. The government has, does and will continue to deploy Defence Personnel on operations or warlike service regardless of whether they have had six years service. Historically, during the Vietnam War, for example, National Servicemen were conscripted, trained and were sent to War within a 12 month period. These servicemen were adequately capable with their military skill sets to conduct military operations in an Active Service environment. The same situation continues today.

Of recent times, Full Time members of the ADF have deployed in a number of cases directly out of Initial Employment Training into various operations, both Warlike and Peacekeeping. These members would have at best between 6-9 months service, training from initial enlistment. Officers trained at Officer Cadet School in Portsea (until 1985), The Royal Military College Duntroon, and the ADF Academy have trained in periods of 1 year, 1 ½ - 3 years and 4 years consecutively. These Officers also have the prospect of being deployed to war operations immediately after their training.

The time criterion lobbied by the New Medal Group for Reserve service to be placed on equilibrium toward Full Time service for two years service is **not** reasonable and diminishes the value of the award. The minimum commitment of a Reservist (who has had no previous military experience) of 20 days “Effective Service” in any year over six years does not equate to the Full Time Defence member’s commitment and time spent training for war.

If a Reservist parades for 20 days over a 6-year period a total of 120 days is classed as “Effective” service. Compare this to the 365 days over 6 years Full Time Defence service, which shows a difference of 2070 days of service between the Reservist and the Full Time Member.

A Reservist would nominally attend a Unit Annual Field Exercise of 16 days duration. It must also be remembered a Reservist’s parade day is classified as 6 hours, with Half-days between 3-6 hours. Is it a fair comparison when using the argument of 6 years for deployability for full time service and Reserves? We suggest not. We further suggest that the **minimum service** time required for a Reservist should be **at least 6 years of un-broken “Effective Service”**, with the **minimum service** criteria for a Full Time ADF Member as the individual’s engagement period.

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<sup>1</sup> Reasons for Two Years for ADM by Mr David Marinon 4 July 2004.



To compare a Part Time member's ability to deploy on operations at short notice, it was observed when a Reserve Infantry company was raised to serve with the 5<sup>th</sup>/7<sup>th</sup> Battalion of the Royal Australian Regiment (5/7 RAR) in East Timor, it took at least 6 months Full Time service to train that Reserve company to a competent level to serve on Operations in East Timor.

The Government has stated that this medal will be available for those killed or medically discharged under the six year criteria provided they were are discharged because of a service related injury or death.

The APPVA is concerned that inconsistency in the criteria for an equilibrium of service between Reservists and Full Time ADF Members would cause friction in the Current and Ex-Service community. We have witnessed similar incidents with the awarding of the Anniversary of National Service Medal (ANSM).

The APPVA supports the awarding of the ADM. The APPVA wants to see the retention of the value of such an award to be awarded to individuals who have provided a reasonable service period, and who are adequately prepared to be deployed on Operations. However we strongly insist that the Government considers the following:

1. Recognition of the length of service a Full Time service person who was engaged and completed, be it 3, 6, 9 or the minimum 4 years as is the current requirement;
2. That a stringent criteria for Reserve (Part Time) service is instigated for at least 6 years consecutive Effective Service (not in aggregate);
3. That Medically Discharged people are awarded the ADM, regardless of their length of service; and
4. That servicewomen discharged prior to the completion of their service obligation, due to Service Policy for being married or pregnant, (until the mid-1970s) is waived.

The APPVA suggests that the only exemption to this medal is Administrative discharge (Dishonourable), due to illegal or criminal activity or retention is not in the best interest of the particular service arm, should forfeit the award. However, Administrative discharged members could still be eligible if they completed their service obligation prior to the discharge period.

For the sake of the integrity of such an award as the ADM, the APPVA strongly suggests that this medal is **only** awarded to discharged members of the ADF, upon their discharge day. This would be viewed as an appropriate token and recognition for the particular individual's service at the end of their military career thus, the ADM would ideally receive support from within the ADF.

Respectfully,



**P.A. Copeland,**

CBUS (USQ), Adv Dip Comms Mgt, Dip Proj Mgt (UNE), Dip FM (I), Cert Radio Freq Mgt, MAHRI

**National President**

**For Information:**

The Minister for Defence

The Chief of the Australian Defence Force

The Shadow Minister for Veterans' Affairs

The Shadow Minister for Defence

The Shadow Minister for Defence Personnel

Mr Graham Edwards Opposition Spokesman for Honours and Awards

The President of the New Medal Group

The National President - Returned and Services League

The National President - Australian Veterans and Defence Services Council

The National President - Injured Service Persons Association

The National President - Vietnam Veterans' Association of Australia

The National President - Vietnam Veterans' Federation of Australia

The National President - Naval Association of Australia

The National President - The Totally & Permanently Incapacitated Federation

## **The Australian Defence Medal (ADM) – Proposed Clasp System.**

1. The ADM was designed to recognise Voluntary Service but, this was then changed to the current eligibility criterion, of any period of completed eligible service. On the reverse of the medal are the words "For Service". Therefore, this should be a medal that records a person's service which, is not already conveyed by the wearing of other medals. There is a requirement for a distinct recognition of the type of service rendered, along with recognition of death, wounding, injury, and illness of an individual.
2. It is suggested that a 3 tiered system of clasps is initiated for the ADM. From bottom to top of the riband;
  - a. Bronze clasp; "Volunteer", "National Service", and "Gap Year", maximum 1 clasp;
  - b. Silver clasp; One for each 5 years served to a maximum of 2 clasps (10 yrs), or a single clasp to denote 10yrs service;
  - c. Gold clasp; "KIA", "WIA", "K. Ops" (Killed on Operations), "W. Ops" (Wounded on Operations), "Killed in Defence" (Died / killed while training), and "DMR" (Discharged for Medical Reasons), maximum 3 clasps - "WIA", "Wounded on Ops", "Killed in Defence" or, "WIA", "Wounded on Ops", "DMR", or "WIA", "Wounded on Ops", "Killed in Defence".
  - d. A rough definition of the Gold Clasps in each category is;
    - (i) KIA - a person who was killed by an enemy or belligerent force (WLS + NWLS).
    - (ii) WIA - a person who was physically or psychologically wounded due to contact with an enemy or belligerent force. If psychologically injured, the person should be rated at Impaired to 70%+ under the Veteran Entitlement Act 1986 (VEA), or 50 Impairment Points under the Military Rehabilitation and Compensation Act 2004 (MRCA) for the trauma incurred (WLS + NWLS).
    - (iii) K. Ops - a person having died while on deployment overseas but not by an enemy, or belligerent force. E.g., WO2 Dave Nary, the 9 who died in chopper crash in Sumatra, etc, (WLS + NWLS).
    - (iv) W. Ops - a person who was injured/wounded while on deployment overseas but not by an enemy, or belligerent force, and required Case vac or MEDEVAC or, suffered psychological trauma rated at 70%+ under the VEA or 50 Impairment Points under the MRCA,

due to the operational environment (WLS + NWLS).

- (v) K. Trg - a person having died during the course of military training outside of WLS / NWLS. This is not to include deaths such as the 3 members of SASR who died on the bridge on Swan Island.
- (vi) DMR - a person who was medically discharged due to injury/ illness directly related to military service. This excludes persons who were classed as medically unfit due to physical/psychological injury which occurred off duty. E.g., physically incapacitated due to drink driving, psychological problems not previously identified by the ADF (bi-polar, schizophrenia, etc) or psychological trauma.
- (vii) It may be possible to include a former member to have a Gold Clasp for WIA and DMR. It is suggested to have DMR as a separate Gold Clasp, beneath the Gold Clasp of WIA, or W.Ops.