

[Review: Repat. Comm. and Defence to SEA Review](#)

Three papers were submitted to the SEA 1955-75 Review of Service entitlement anomalies. One was from the Repatriation Commission and two were from the Department of Defence.

Below is a report issued to FESR members at the time:

The main Submission, in answer to Repatriation Commission and Defence, will come from Admiral Hudson and the Naval Association of Australia. We will be at the Canberra hearings.

- a. Defence Honours and awards.
- b. Defence Entitlements.
- c. Repatriation Commission

The Public Hearing Day will be convened on Thursday 28 October at the National Convention Centre Canberra commencing at 0900.

I would appreciate any submissions comments relating to the Papers (DVA and Defence) being forwarded to reach me by no later than Friday 22 October 99.

The public hearing is not available to present new or revised presentations on perceived anomalies. The purpose is to present submissions only in relation to the DVA and Defence papers. I will provide more information on this issue next week.

REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH EAST ASIAN SERVICE 1955-75 DEFENCE SUBMISSION CONCERNING AUSTRALIAN HONOURS AND AWARDS

Introduction

The first elements of the Australian system of honours and awards were put in place in 1975. The traditions of Australia's system, however, lie in the Imperial system. Medals matters relating to the current review will lie mainly in the Australian Active Service Medal (AASM) 1945-75, the Australian Service Medal (ASM) 1945-75 and those service medals awarded under the Imperial system, eg. the British General Service Medal.

Committee of Inquiry into Defence and Defence Related Awards

During 1993/94, the Committee of Inquiry into Defence and Defence Related Awards (CIDA) conducted the most comprehensive review ever undertaken of awards for Australians involved in defence and defence related activities. From the perspective of 1994, CIDA was asked to look back over time and fulfil its terms of reference by advising the Government on past service which was worthy of recognition. The review was done in full consultation with the public and with the full support of the Government of the day. Submissions received by the Committee covered issues going back to World War II. In many cases the Committee was struck by anomalies, or had drawn to its attention service which was overlooked at the time and which by today's (and those of 1994) standards was worthy of recognition.

To help guide it through the diversity of issues raised, and to give consistency to its approach, CIDA developed a set of guiding principles. The Committee believed that the principles proved their value as the many submissions and oral presentations made during its inquiry were tested against them. The Government of the day accepted the recommendations of CIDA and adopted the principles as those which would underpin decisions relating to awards under the Australian honours and awards system. In its 1996 election policy statement, the current Government also stated its acceptance of the CIDA report thus its acceptance of the CIDA principles.

The Imperial System of Honours and Awards

The Imperial system of orders, decorations and medals had exclusive application in Australia until 13 February 1975. The Imperial system of honours and awards applied across many countries in the Commonwealth of Nations, but was administered independently in each country through agreed Statutes, Royal Warrants or

Regulations issued in the United Kingdom. These are endorsed by the Sovereign and cannot be amended without the approval of both the British Government and the Sovereign. Among other things they provided for the designation, conditions of eligibility and ceremonial considerations associated with each award. The Australian Government is entitled to make recommendations on altering or including matters in Royal Warrants for Imperial awards, and has done so on a few occasions. In addition, two awards were instituted in the Imperial system on the recommendation of the Australian Government - the Australia Service Medal 1939-45, for service in World War II and the Vietnam Medal.

Briefly, the Imperial system of honours and awards consisted of operational and non-operational components.

Operational awards were made to servicemen and eligible civilians and included:

- * awards for gallantry, distinguished service and meritorious service, published either immediately or in periodic lists; and
- * campaign medals to recognise participation in a major campaign or theatre of war and general operational awards for minor campaigns.

Non-operational awards were made to eligible civilians and servicemen and included:

- * awards for distinguished or meritorious service, published in the half yearly honours lists; and
- * awards made for bravery in peacetime, for special service, and for long service and good conduct in the civil and military Services, published at various times throughout the year.

Under the coordination of the Department of Defence, each Service issued its own instructions regarding standards and procedures for the processing of recommendations. The Prime Minister had the final responsibility for ensuring that the standards set out in the various Statutes, Royal Warrants, Regulations and British Command Papers were maintained. He submitted recommendations to the Sovereign and the Governor-General as appropriate.

The Australian System of Honours and Awards

The Australian system of honours and awards was instituted on 14 February 1975 with the establishment of the Order of Australia, the Australian Bravery Decorations and the National Medal.

On 20 April 1982, Defence Force Service Awards were introduced and Defence personnel were removed from the eligibility criteria for the National Medal, which were also amended to enable part-time and volunteer service in other organisations to qualify for the National Medal. In 1986, the awards of Knight and Dame of the Order of Australia introduced under the Fraser Government in 1976 were abolished. Following a Cabinet decision in 1985, the Australian honours system was expanded even further to include new operational and non-operational awards such as gallantry and distinguished service awards, AASM and ASM.

Comparison Between the Two Systems

Any comparison of these two distinct systems of honours and awards is difficult. In one sense, they are not alike because they have evolved in different eras to meet the needs of societies different in time, place and values. In another sense, the two systems share much in common because the Australian system grew out of traditions and practices established under the Imperial system and there are elements common to both.

Administration of Defence Honours and Awards

Service medals within the Australian honours and awards system are regulated by Letters Patent and Regulations approved by Her Majesty The Queen. Approval of individual awards is vested in the Governor-General on the recommendation of the responsible minister. The administration of the system, including the previous Imperial system as it applies to Defence service medals, is vested in the Awards and National Symbols Branch (ANSB) of the Department of the Prime Minister and Cabinet. ANSB chairs the Interdepartmental Committee on Defence Honours and Awards (IDC) to which all important issues relating to Defence awards, eg. amendments to regulations and introduction of new awards, are referred.

The IDC also consists of representatives from the Office of the Governor-General and the Department of Defence.

The IDC was responsible for the implementation of the recommendations of CIDA and has remained responsible for issues relating to awards of the ASM 1945-75. Following CIDA, the IDC has received public submissions claiming anomalies arising out of the decisions of CIDA. Some of these were recognised and have been rectified, whereas others have been dismissed. Since the introduction of the AASM 1945-75 in 1997, the IDC has also gained responsibility for matters in relation to that award. Administration of current Defence awards are primarily vested in the Department of Defence through the Chief of the Defence Force.

Statement of CIDA Principles

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.

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 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.

Current Criteria for Awards of AASM/ASM

AASM. Awards of the AASM are linked directly to a declaration of a warlike operation by the Minister for Defence.

ASM. Awards of the ASM are linked to a declaration of a non-warlike operation by the Minister for Defence. However, other hazardous or arduous peacetime service may also be considered under certain circumstances outside of such declarations, eg. awards of the ASM 1945-75 Clasp 'Germany' for service with the British Forces of Occupations in Germany after World War II and Clasp 'FESR' for RAN service with the Far East Strategic Reserve 1955-71.

The definitions of warlike and non-warlike service are contained in Appendix 1 to Annex B.

Application of Imperial Award Criteria

Imperial awards are governed by Statutes, Royal Warrants or Regulations issued in the United Kingdom. In respect of World War II awards, in 1995 The Queen devolved her powers to alter qualifying criteria as they relate to Australians to the Governor-General. This was as a result of the CIDA deliberations that no new awards recognising World War II service should be introduced and subsequent recommendations that the 1939-45 Star should be awarded for service north of latitude 14°30' south in the Northern Territory and the Africa Star for service during the Syrian Campaign. As a result of the current Government's service medals policy, the same delegation was used in relation to awards of the 1939-45 Star for aircrew and ground crew in the UK, the Pacific Star as it related to the sinking of the Hospital Ship Centaur and the reduction of time qualification for the ASM 1939-45 for both regular and part-time service.

The Government is unlikely to pursue any further delegations from The Queen in relation to Imperial awards as they relate to Australians for service after World War II due to the existence now of the AASM 1945-75 and the ASM 1945-75 for warlike and non-warlike service during the period immediately following World War II and 13 February 1975. These medals are now regarded as the primary means of recognition for service that has gone otherwise unrecognised by the award of Imperial awards. This does not mean, however, that access to an Imperial award would be denied if an individual has actually qualified for its award.

Conclusion

The Australian honours and awards system, both in its current form and through the previous Imperial system, is designed to ensure that conspicuous and inconspicuous contributions made by Australians to their country can be appropriately recognised. As such, it must be ensured that the system meets the needs and aspirations of the Australian community and that it reflects community standards of access, equity, fairness and justice. In order for the Australian system of honours and awards to remain true to the people it services, the esteem of the awards therein need to be upheld by careful judgement when assessing particular service for an award. Eligibility criteria for existing awards has been applied according to the circumstances which existed at the time of the awards. Although questioning that criteria may be healthy, it does not mean that a contemporary application would necessarily improve any perceived injustices. Careful consideration needs to be given, in particular, to the possibility of further anomalies being created through public or political pressure to accord recognition for a particular event which, when compared to other service, does not necessarily demonstrate any anomaly or injustice.

In considering historical issues, any review authority must approach its task in a spirit that remains true to the above values. In addition, the review authority must be mindful that honours and awards must be geared towards recognising the extraordinary, not simply signposting ordinary events in our society. In considering service in defence and defence-related areas, it is important to maintain the distinction between warlike and non-warlike service, as well as the distinction between service in operational theatres and service in non-operational areas.

REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH EAST ASIAN SERVICE 1955-75 DEFENCE SUBMISSION CONCERNING DETERMINATION OF ELIGIBILITY FOR REPATRIATION BENEFITS

Introduction

The Department of Defence determines eligibility for repatriation benefits pursuant to the Veterans' Entitlements Act 1986 (the VEA). Eligibility for repatriation benefits falls broadly within three different service time frames.

Conflicts Prior to and Including World War II

The first of these is confined to conflicts prior to and including World War II. It is considered, however, that any contemporary claims in relation to these periods of service have been dealt with adequately under the existing legislation and background information either held within Defence, or readily accessible by the Department. There are comparatively few queries from ex-servicemen regarding repatriation benefits pre- 1950.

Service Post 1950

In 1950, however, circumstances arose in which it became necessary to commit Australian forces to warlike operations in which neither a formal declaration of war had been made and without the total national involvement experienced during the two World Wars. As relatively fewer forces would be engaged and because of the often localised area of hostilities, the decision was taken by the Government of the day, supported by the Services, to restrict eligibility for repatriation benefits to personnel specifically directed to serve in areas and at times when there was the prospect of continuing danger from hostile forces.

This change in policy necessitated the introduction of a new method of determining and classifying service for the purposes of assessing eligibility for repatriation benefits. The fighting was often very localised and one group of

servicemen may be heavily engaged in action against hostile forces whereas another group, in close geographic proximity, might be restricted to garrison duties and not be exposed to any significant degree of danger over and above the exigencies of normal peacetime service. A two-tier system was introduced in order to accommodate these limited deployments involving fighting against insurgent forces.

Eligibility for repatriation benefits under the revised system required that:

- a. A Declaration be made of a 'Special Area' because of the existence of warlike operations or a state of disturbance in the area and,
- b. An individual render 'Special Service' within that 'Special Area'.

B-2

To perform 'Special Service' the individual, or his unit, must have been allotted for and perform duty directly related to warlike operations or a state of disturbance in a 'Special Area' (now called 'Operational Areas'). It was therefore envisaged that this system of primarily administrative decisions would restrict eligibility to repatriation benefits to those servicemen that had actually been exposed to continuing danger of action from hostile forces, and simultaneously exclude those whose duties may have placed them in the same country, or even the same operational area, but who were neither deployed to the area for that purpose nor actually involved in warlike operations during their presence in that area.

These provisions applied from the 1950s to the early 1990s and included conflicts such as the Korean War, the Malayan Emergency, Confrontation with Indonesia and the Vietnam War.

Overseas deployment conditions of service were reviewed by the ADF in the early 1990s and it was found that the existing legislation was poorly defined and did not adequately reflect the contemporary nature of overseas deployments, such as peacekeeping operations. As a consequence, a third set of service conditions was introduced to cover contemporary deployments based on the defined concepts of 'warlike' and 'non-warlike' service.

It is understood these concepts were not intended to apply retrospectively, but a precedent has since been set in relation to service in Vietnam, and verbal advice from the Legal Section of the Department of Veterans' Affairs is that there is no prohibition on the retrospective application of these concepts to past periods of overseas service.

Defence Approach

The traditional approach of Defence has been to respond to claims as and when they arise. The inherent difficulty of such an approach, however, is that the claims are often assessed in isolation and without reference to comparable periods of service. This has, on occasions led to the unwelcome result that the granting of increased benefits to one group of veterans has galvanised another group, with arguably a stronger case, into making claims of which Defence may not have had prior knowledge.

Defence was therefore placed in the position of considering claims for full repatriation benefits by groups on behalf of individuals not involved in warlike operations and of which many of whom, it could be argued, may have suffered only a perceived danger from hostile action. Conversely, other Australian units may have been involved in warlike operations and, to date, have received little or no recognition for their service.

The obvious danger with persisting with the present approach is that the claims of some vocal groups may be over-recognised, while other less vocal veterans may effectively have their level of service recognition downgraded by comparison. This may well lead to a greater level of frustration within the veterans' community and may even effectively devalue accepted Australian community concepts of extending proper recognition to those members of the Defence Force who have been involved in warlike operations.

B-3

Methods of Obtaining Qualifying Service For Service Pension Purposes

The second factor presently causing dissatisfaction amongst veterans is the methods employed to assess the level of overseas service for service pension purposes. Amendments were introduced into the principal legislation governing repatriation benefits, the VEA in the 1990s in relation to classifying overseas ADF deployments as either 'warlike' or 'non-warlike'.

The application of these amendments has not been restricted to current and future deployments.

With respect to past periods of overseas service, this has resulted in the legislation containing two separate methods of obtaining qualifying service for service pension benefits. The traditional method requires allotment of a unit or individual to a prescribed operational area, coupled with actual service in that area. The recently introduced amendments permit qualifying service to be granted by a declaration of that service as 'warlike' service. A declaration of 'warlike' service requires that the type of service performed be assessed against a quasi-objective test that the service performed was a military activity where an application of force was authorised to pursue specific military objectives with an accompanying expectation of casualties.

This has led to a great deal of confusion among veterans. For example, members of a unit allotted to the Malaya operational area in the 1950s, and who actually served in that operational area, are automatically entitled to qualifying service. If, however, the unit was not allotted at the time and a claim is subsequently made by an individual who served in a prescribed area, then the service is invariably assessed against the contemporary standard of whether or not that service was 'warlike'. The traditional method is primarily administratively based, whereas veterans who wish to establish that their service is worthy of recognition from a contemporary perspective are required to establish their service was 'warlike'.

APPENDIX 1 TO ANNEX A TO DGCMP /99OF OCT 99 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.

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:

- ~ 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.

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.

REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH EAST ASIAN SERVICE 1955-1975

A SUBMISSION BY THE REPATRIATION COMMISSION

THE TASK OF THE INQUIRY

The Terms of Reference (Annex A) empower the Inquiry to provide reports on the service undertaken by Australian personnel in four nominated deployments, and to provide advice on Service medal and Repatriation entitlements flowing from this service. The purpose of this task is to establish whether there have been anomalies in the previous granting of such entitlements.

2. The Inquiry is also empowered to comment on whether further research or analysis is required regarding other perceived anomalies related to deployments in South-East Asia in the period 1955-1975.

3. The Inquiry is not empowered by the Terms of Reference to recommend new policy for the determination of either Service medal or Repatriation benefits.

THE GENESIS OF THE INQUIRY

4. The four nominated deployments are the subject of the Inquiry because of claims made during and subsequent to a review of service conducted by the Department of Defence in 1997. These claims appear to advance one of two views. The first is that the nominated deployments were as dangerous as other deployments in South East Asia but attract lesser entitlements. The second is that the deployments were in direct support of operations and should attract the same entitlements as the deployments directly involved in those operations.

PURPOSE OF THIS SUBMISSION

5. The purpose of this submission is to state the Repatriation Commission position on the Inquiry's Terms of Reference.

HISTORICAL CRITERIA FOR REPATRIATION BENEFITS

6. Repatriation benefits are provided under the Veterans' Entitlements Act (VEA). Essentially there are two types of benefit: disability pensions and accompanying treatment provisions (Part II of the Act) and income support (service) pensions (Part III of the Act).

7. Disability pension is a compensation payment for injury, illness or death arising out of war or operational service. It is non-taxable and income and assets test free. For the period 1972 to 1994, disability pension can also be paid for peacetime-service-related injury, disease or death. Standards of proof for use in determining disability pension claims depend on the type of service offered. War/operational/peacekeeping/hazardous service attracts a beneficial standard of proof. Eligible war service (outside of operational service) and peacetime service attract the normal standard of proof for civil law cases.

8. Service pension benefits are provided through the Aged Service Pension (from age 60 onwards), the Invalidity Service Pension (depending on incapacity for work), and the Partner Service Pension (paid to partners of some Service pensioners). Service pensions are income and assets tested.

9. Service Pension has always been restricted to those who, while engaged in operations against the enemy, faced danger from the hostile forces of that enemy. The pensions were introduced originally as a benefit for World War 1 veterans that served in a theatre of war, to take some account of the unquantifiable effects of serving in ongoing conflict and the special circumstances that may warrant access to income support. Over the years the theatre of war concept has undergone some modification, but the necessity to incur danger from hostile forces of the enemy has remained. The standard legal test of "incurred danger" is that contained in the Federal Court decision of Thompson and subsequent judgements of the Federal Court. That judgement established that danger is an objective test not a subjective one. Mere fear is not enough; the danger must have been real and incurred.

THE NATURE OF AN ANOMALY

10. For the purpose of this Inquiry, the Repatriation Commission is of the view that an anomaly is an irregular, unreasonable or unexplained difference occurring within the context of the principles and policies that govern eligibility for Repatriation benefits or Service medal entitlements.

11. Therefore, differing classification of service episodes is not in itself sufficient to establish an anomaly. An anomaly can only be said fairly to exist where identical or analogous service episodes attract different classifications and, as a result, differing entitlements providing, of course, that entitlement was correctly granted for the original episode.

HANDLING OF CLAIMED ANOMALIES

12. In any system that rests on general parameters, individual cases arise which test those boundaries. This was recognised by Government at the conclusion of the 1997 review, when it noted that, while the findings adequately addressed the bulk of the service deployments examined, the circumstances of individual members of the ADF could differ markedly from those of the main forces. Government therefore agreed that such individual cases could be re-examined against the basic principles applying to service classification. Several cases have been so reviewed.

FACTORS TO BE CONSIDERED

13. From a Repatriation stance, in considering whether an anomaly exists, the inquiry will need to examine each of the nominated deployments to ascertain firstly whether considerations of operational/peacekeeping/hazardous service should apply. If so, the Inquiry will then need to decide whether qualifying service should be extended. In these circumstances, the Repatriation Commission believes the following classifications and matters are relevant. If they are not taken into account and applied consistently, the Inquiry's recommendations may engender their own anomalies.

Eligible War Service

14. To be a veteran under Parts II and III of the Act, an Australian service person must have rendered eligible war service (VEA S5C (1)). Eligible war service is defined in S7 of the Act. This definition indicates that during the period of relevance to the Inquiry, a person shall only be considered to have rendered "eligible war service" if he or she rendered "operational service", or meets the conditions of S13 (6).

Operational Service,

15. Operational service is service outside of "peacetime service" as defined below. Originally restricted to periods of declared war, it also encompasses non-declared war under the special allotment determinations and the relatively new categories of "warlike" and "non-warlike" service (see below). Specifically, it is service in a designated operational area vide Schedule 2 of the VEA, in designated areas or forces vide S6A to 6E of the VEA, and in designated periods of "warlike" or "non-warlike" service in S6F of the VEA. The Repatriation Commission's view is that outside of declared war, for service to be operational service, the force involved should have been designated and deployed with a specific operational mission and with authority to use armed force, at the very least at the level of self defence, to achieve that mission. (See also the next section of this submission.)

Peacekeeping Service

16. Vide VEA S68 (1), Peacekeeping Service means service with a designated peacekeeping force.

Hazardous Service

17. Hazardous service is service determined to be hazardous, in writing, by the Minister for Defence for the purposes of VEA S120 (7). This classification can only be applied in respect of service since 7 December 1972.

Peacetime Service

18. Peacetime service is service outside of declared war that is not operational, peacekeeping or hazardous service. Peacetime service can be rendered inside and outside Australia. The VEA only provides coverage for peacetime service from 1972 to 1994. Before this period, peacetime compensation coverage was provided by the Commonwealth Employees Compensation Act. Since 1994, the Military Compensation and Rehabilitation Scheme have provided peacetime coverage of military service.

Qualifying Service

19. For qualifying service to be established, any individual must have been engaged in operations against an enemy in circumstances where that person incurred danger from the hostile forces of an enemy. In practice this means that the service must have been rendered in declared war, or in a designated operational area, or during Defence-designated warlike service. (See also the next Section of this submission.)

20. The conflicts following WWII did not lend themselves easily to the concept of service in a "theatre of war" because of the absence of a formal declaration of war. The special concept of "allotment" was introduced. The Department of Defence was responsible for the allotment of members for service and for determining whether the level of danger should be equated to war-like service so as to attract service pension. The mere fact that some danger existed for some troops or that some casualties occurred did not mean that the particular service, or elements if it, should be characterised as "qualifying service" or war-like service as it is now known. Such service would, however, be categorised as "operational service". (See Section above.)

Warlike Service

21. Warlike service is a modern Defence term for service having the characteristics outlined at Annex B. For disability pension purposes, warlike service is operational service. For Service pension, warlike service constitutes qualifying service as it contains the concept of an enemy more closely aligned to a declared war scenario and against whom the use of force is authorised to achieve the purpose of the mission. It follows that the likely use of return force by that enemy places the ADF member in danger more so than is envisaged for any other category.

Non-Warlike Service

22. Non-Warlike Service is a modern Defence term for Service having the characteristics outlined at Annex C. For disability pension purposes, non-warlike service is operational service. For service pension, non-warlike service does not constitute qualifying service. While there is danger in this service, this term does not normally encompass service where there is an 'enemy' against whom force is authorised to achieve the purpose of the mission. For non-warlike service, the use of force is likely to be authorised only in self-defence.

23. There have been two examples of the decisions taken in advance and at a time when there was no protocol for "warlike" or "non-warlike" service: Namibia and Cambodia. Qualifying service was extended, as a consequence of the system then in use and in circumstances that today would probably attract the "non-warlike" classification. The Repatriation Commission does not believe that these examples have persuasive precedent value.

Relationship to the Granting of Medals

24. In general terms, Australia awards the Australian Active Service Medal (AASM) for warlike service and the Australian Service Medal (ASM) for non-warlike service. Findings of the inquiry would need to stand alongside decisions to award these medals for particular service. It would be most unusual to recommend qualifying service, for example, for a deployment where the medal entitlement was the ASM.

OPERATIONAL SERVICE AND QUALIFYING SERVICE

25. The Repatriation Commission believes it important to stress that the two concepts of operational and qualifying service are not synonymous. The mere presence of risk does not make operational service the same as qualifying service, nor does the fact that an injury is sustained convert the service from operational service to qualifying service.

26. Therefore, on historical and statutory grounds, any argument that deployments in direct support of operations should attract the same entitlements as deployments charged with the actual operation needs to be scrutinised with care against the conditions involved in the deployment.

USE OF CAMPAIGN MEDALS AS A MEANS OF DEEMING SERVICE

27. The VEA contains two examples where the granting of particular campaign medals has been used as a mechanism to deem satisfaction of the qualifying service tests.

28. The first example is limited to World War 2 Commonwealth and Allied veterans, not Australians, where the granting of specified medals is used in lieu of a decision on the qualifying service test of 'incurred danger from hostile forces of the enemy'. It is a useful mechanism for this group of veterans where access to service records cannot be guaranteed. Service records are available for Australian veterans.

29. The second example is the award of the Naval General Service Medal (NGSM) with Malaya clasp, an Imperial (UK) award with its own regulations as to eligibility. Provided certain conditions regarding dates and location are met, eligibility for and the award of the NGSM Malaya clasp are deemed to satisfy the incurred danger test.

30. The use of medal eligibility may be suggested as a means of settling issues of qualifying service. This would be a fundamental change to the principles of determining qualifying service and beyond the terms of reference for the inquiry. In any case, in the experience of the Repatriation Commission, this approach is one that is potentially flawed.

31. The question was considered in detail in 1991 and rejected for a number of reasons. Firstly, it did not ensure that those who should have entitlement to repatriation benefits received them. Secondly, it was a complex system because it required too many exceptions to the rule. Thirdly, it removed the power of Parliament to determine repatriation benefits because the rules for the award of medals were not within Parliament's control. Changes to medal eligibility meant automatic changes to the entitlements without referral to the Parliament. These flaws meant that a medals-based approach was not acceptable.

32. As an example of the practical effect of these flaws, there are many veterans who currently have repatriation eligibility who would not have obtained it under a medals-based approach. This includes those who served in the Northern Territory from Feb 1942 to November 1943 and those who served in the Torres Strait Islands. Moreover, there were thousands of World War 2 veterans who did not get a campaign medal for service in Rhodesia, Palestine, Canada, the United Kingdom, and Malaya before the Japanese attack.

33. There is also the problem of the qualification period for some campaign medals. Repatriation benefits apply from the moment of deployment, but medals often have qualifying periods for eligibility. This time differential would affect deleteriously those who served in a theatre of operations but not for the required time.

THE DEPLOYMENTS IN THE TERMS OF REFERENCE

Ubon

34. A RAAF contingent was deployed to the Royal Thai Air Force base at Ubon in Eastern Thailand with an official role of air defence of Thailand as part of Australia's South East Asia Treaty Organisation obligations. The contingent was deployed from 31 May 1962 until 31 August 1968. The Repatriation Commission understands that the contingent's mission only committed it to the use of force in self-defence and in the air defence of Thailand. Neither situation eventuated although the Inquiry may provide further material on this aspect.

35. Ubon was also an USAF base from which aircraft operated to attack targets in Laos and North Vietnam, and it is claimed that this made it a target for communist insurgents.

36. It was considered at the time that the nature of the contingent did not warrant its categorisation as operational service and hence no Repatriation benefits were made available originally. The Ubon commitment was reviewed in 1997, and the Government decided that the service should be declared operational service. This entitled the veterans to disability compensation under the VEA.

37. The Repatriation Commission expects that the Inquiry will take evidence on the dangers and risks faced at Ubon during this period to ascertain if the service should also be considered qualifying service. Logically, this would depend upon the contingent's mission, the presence of a viable threat to the base from troops or aircraft under the control, direction or influence of an enemy, some incurring of actual danger, and the authority granted to the contingent to use force to achieve its mission.

Far East Strategic Reserve (FESR)

38. Naval forces allotted to the FESR served with Commonwealth allies throughout the Far East in the 1950s and early 1960s. As the title implies, this was a strategic reserve, designed to give a visible Commonwealth presence over a very large geographic area, at a time of political uncertainty. It is the Repatriation Commission's understanding that while FESR service overlapped the period of emergency in Malaya, FESR ships were not specifically deployed for service in the Malayan operation. As part of a strategic reserve, they were available for service there, if required. At least four RAN ships were so used, in on-shore bombardments and close in-shore patrols.

39. Naval units serving in the waters around Malaya at the time were originally not considered eligible for either operational or qualifying service. The 1997 review found that service in FESR between 2 July 1955 and 27 May 1963 had the hallmarks of hazardous service, but because this category of service could not be applied pre-1972, FESR service in this period has been accepted as operational service for Repatriation purposes. Thus FESR members gained equity on this point with the Army and RAAF members actually allotted and on service in Malaya. The remaining point of contention is FESR eligibility for qualifying service.

40. The question of qualifying service for FESR turns on the question of the danger from hostile forces of the enemy faced by the units involved. The Inquiry will collect evidence on this issue. It is the view of the Repatriation Commission that the service of military units held at high readiness and earmarked for early deployment to operations should the need arise is not of itself qualifying service (or even necessarily operational service). The reason for this viewpoint is that unless a deployment occurs and the use of force to achieve the mission is authorised, the incurred danger test is not satisfied. Forces may have been held at a higher state of readiness and regarded as being on pre-deployment station, but the question of whether they faced danger remains.

41. It may be argued to the Inquiry that WW1 and WW2 service established a precedent where all service in a theatre of war was deemed to be qualifying service, and that this precedent should be applied to all units that operated around Malaya during the Emergency. Two questions arise in seeking to apply this precedent. Firstly the Commission understands that ships were not allotted to service in Malaya, and secondly the World Wars were declared wars with enemy forces possessing a viable maritime capacity. The Malayan Emergency was predominantly a guerilla and anti-insurgency campaign and thus involved no such obvious threats for the naval forces involved. However, the modern trend of including each of the Service elements equally under the general declarations of warlike or non-warlike service is also noted.

42. The Repatriation Commission believes that closer examination for the purpose of qualifying service is required of the circumstances of the four ships already mentioned:

HMAS ANZAC and TOBRUK - 29 September 1956

HMAS QUEENBOROUGH and QUICKMATCH - 22 January 1957

43. Their deployments took them within closer proximity to the enemy force, and presumably could have elevated the danger from whatever weaponry that enemy had available. In regard to close in-shore patrolling, the Repatriation Commission has no information on the extent of contact with local surface traffic, armed boarding, or searching as examples of activities that could reasonably have exposed the crews to danger from enemy forces.

44. The purpose of the on-shore bombardment by these ships has been a point of contention in the past. Claimants have argued that the gunfire was directed at suspected enemy targets, while others have contended that it was mere naval gunnery practice, designed to test the effectiveness of naval bombardment in such circumstances. Previous attempts to resolve this debate by reference to the ships' records have been inconclusive. Although resolution of this debate will not necessarily resolve the underlying incurred danger question, the Repatriation Commission has become aware that each of those shoots were observed by spotter aircraft, despatched by British units in Malaya. It is the Repatriation Commission's belief that this issue might be best resolved by reference to the records of the British spotter squadrons, which may detail the purpose of each sortie flown. While it is understood that the British authorities have been reluctant to embark on wide archival searches in the past, they should have little objection to a request to search perhaps a single unit's records for just two days' missions.

RAAF Butterworth, And Service in Malaysia during Confrontation

45. It would be the Repatriation Commission's position that the classification of all service in Malaysia and its territorial waters during the period of Confrontation be determined on the basis of the force involved, its mission, its actual location, its authorised rules of engagement, known Indonesian deployments at that time, and Indonesian capabilities. This approach would be consistent with the service classification principles set out earlier in this submission and the principles governing entitlements to both disability compensation and qualifying service, set out in the VEA. The Department holds no specific information on those matters.

Neil Johnston

PRESIDENT

ANNEX A

TERMS OF REFERENCE

REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH EAST ASIAN SERVICE 1955-1975

1. The Australian Government wishes to review possible anomalies in service entitlements affecting those members of the Australian Defence Force who served in South East Asia during the period 1955-1975.
2. This review will provide advice about the principles and other relevant matters that should be taken into account for subsequent assessment of entitlements flowing from service during this period by the Department of Veterans' Affairs (for repatriation benefits) and the Department of Defence (for service medals).
3. The review will produce a written report which will have regard to:

- * RAAF in Ubon
- * Service with the naval component of the Far East Strategic Reserve (comparing the conditions prescribed for the naval contingent with those from the other two services)
- * RAAF Butterworth in Malaysia
- * Service in Malaysia during the period of Confrontation with Indonesia

4. The review may also comment on whether or not further research and/or analysis needs to be conducted regarding any other service deployment anomalies during the period 1955-1975.

5. The review will report to the Government by 29 October 1999.

ANNEX B

WARLIKE SERVICE

Warlike service is service 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:

- * 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.

ANNEX C

NON-WARLIKE SERVICE

Non-warlike service includes hazardous and peacekeeping service.

It covers those military activities short of warlike operations where there is a risk associated with the assigned tasks and where the application of force is limited to self-defence. Although casualties could occur, they are not expected.

Hazardous service is activity 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 service 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

ENDS DVA PAPER

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Dear all,

As recently anticipated, the review has been extended due to a number of "additional issues" to be included, particularly relating to civilian service.

The Minister for Veteran's Affairs, the Hon. Bruce Scott MP, has written to General Mohr and Admiral Kennedy, both to provide some additional (but welcome) guidance relating to the Government's expectations and, to advise of the direction given to Defence and Veteran's Affairs in relation to providing the Review Panel with the information they seek. The Minister also offered an extension of two months to the review timescale which, as mentioned, has been accepted. A text of the Ministers letter is attached. (Please note that whilst I have a signed copy in the office, it is simpler to provide the text of the letter in these E-mails.)

On receipt of the letter the review panel met to refine the way ahead with the following outcomes:

- *Difficult to commence writing the report until the content of the Defence/DVA submissions is known.
- *Need to start writing the report by 01 November at the latest.
- *No further submissions will be accepted after 15 October 1999.

(except submissions relating to the DVA/Defence submissions - the date of final acceptance of those to be advised) (I propose returning late submissions to sender with an appropriate letter)

*Hope to convene a public hearing in Canberra during the week commencing 25 October.

*Hope to receive the Defence and DVA Submissions early week commencing 11 October.

*Will provide minimum of five (5) working days for organisations to comment on submissions. The panel will endeavour to provide as much time as possible to allow you to submit any concerns to them. Please keep in mind their very strong desire to commence writing on 01 November. (Unfortunately, due to the tight timescale, my initial proposal of three weeks proved too generous)

*Whilst the Public Hearing will be open, Only the panel will be able to put questions to Defence and DVA.

*Questions and or concerns relating to the Defence / DVA submissions should be addressed to the Secretary who will provide a consolidated list to the Panel. (copy will be provided on the Internet) If in agreement with the individual concerns raised, the panel will subsequently seek clarification from the relevant Department during the Public Hearing.

I will provide you with updated details as soon as they come to hand. Please do not hesitate to contact me, preferably via the Internet if you have any queries.

Finally, following each sitrep I will nominate one addressee to acknowledge receipt. This is for my benefit to confirm the message went out.

Regards

Tim Bloomfield

Copy of Letter from Minister Scott.

Dear General Mohr and Admiral Kennedy,

I recognise that the important but different roles as independent inquirer and military adviser that you are each playing, which is why I am writing to you jointly.

I understand that you have completed the national public hearings phase of your review and that the open hearings have been well received by the veteran community at large. I am pleased with this outcome but appreciate that your review still has a way to go before its conclusion.

In particular I am advised that a substantial volume of material has been gathered from written and oral submissions and a number of additional areas of service have been presented as perceived anomalies.

The next phase of your review, the analysis of this information and its consideration in the context of the terms of reference, will necessarily be detailed and complex given the principles and policy issues involved. I thought it timely, therefore, to write to you both and provide some guidance about the Government's expectations on matters to be covered by the review, in the hope that this will facilitate the process.

The question as to what constitutes an anomaly seems to have been an issue in itself at the public hearings. Anomalies are, of course, more than simple differences in treatment. There are many examples of dissimilar entitlements due to different circumstances and service, and this is entirely appropriate. These can result from clearly stated decisions of Government and are intentional and proper. Anomalies for the purposes of the review are differences that are irregular, unreasonable, or without explanation, within the context of the long established principles that underpin eligibility for medals and repatriation benefits.

The differing treatment between and within some areas of past overseas ADF service has been at the heart of representations made to governments for almost 40 years. What is at issue for your review is whether or not the information now to hand indicates that past judgements made about the nature of the ADF service in question, within the context of these principles of eligibility, warrants revision.

Consequently, it would facilitate the Government's consideration of your report, and be of considerable benefit to the veteran community, if your recommendations could be placed in context by relating them to the principles governing eligibility for medals and repatriation benefits. Some consideration of possible implications of your recommendations for areas of service outside your terms of reference would also be useful.

With that in mind, and to clarify your concerns about this matter, I have asked the Departments of Defence and Veterans' Affairs to detail for you, the principles governing eligibility for medals and repatriation benefits. I expect that both Departments will provide you with written submissions within the next week. I hasten to add that the principles underpinning our medals and repatriation systems are not in question.

To ensure that the review process continues in the public and open way that it has been conducted to date, I would very much appreciate you making opportunities available to relevant Departmental officials to appear before further public hearings, preferably in Canberra, to discuss the substance of those submissions.

I realise that the rigorous approach needed to refine your recommendations in the context of the principles governing eligibility for medals and repatriation benefits may entail some delay in submitting the report of the review, especially given the volume of information at hand and the research required. As a result, I would like to advise you of my willingness to extend your reporting date by some two months if you do require further time.

Yours sincerely

Minister

Last Update

From Commander Tim Bloomfield, Secretariat to Review

The final series of Public Hearings in Hobart, Lismore and Port Macquarie are now complete. All hearings went well with at least one new issue raised, albeit outside the terms of reference.

We now have the task of settling down to the analysis phase of the Review. This involves the collation of the vast amount of material provided into specific subject groups and the subsequent analysis of that information into individual issues within each group. Suffice to say we have a long haul ahead and, in view of a number of issues, originally outside the Terms of Reference but now included, I anticipate the completion date will move right by about 8 weeks.

As some of you are already aware, Departmental submissions on the principles relevant to medals and Repat Benefits pertaining to the period will be presented to the review Panel. This will allow any recommendations within the report to be appropriately framed.

You will recall that in a previous update I alluded that it may be necessary for General Mohr and Admiral Kennedy to discuss a number of policy issues with DVA and or Defence. Both the General and Admiral were concerned at that approach and the need to maintain their independence, hence the requirement for the papers outlined above.

I wish to stress that the papers, when available, will be provided via the internet to all those who express an interest. Further, a period of 3 weeks will be set aside for you to review and comment on the submissions if necessary.

In relation to these updates, there is one point I wish to stress, please do not try to read any more into what is written than what you see in black and white.

If you have a query - ask me and I will endeavour to answer it - If I don't know the answer - I will tell you and if I am able to find out the answer - I will. As Secretary of the review, my primary objective is to ensure that all the information you have provided is put before General Mohr and Admiral Kennedy along with the results of any necessary research on factual issues. Be assured, should I or any of the Review team have any questions or require clarification, we will get back to you..

The following is a list of the issues raised to date

Pre Far East Strategic Reserve 50 - 55: Seeking AASM and Full VAE

Far East Strategic Reserve 55 - 71" Seeking rectification of a perceived anomaly relating to Veterans Entitlements and medals granted to the Navy as opposed to those granted to the Army and Airforce. In particular Service pension, NGSM, AASM 45-75 and RASB

Far East Strategic Reserve – ARMY/AIRFORCE: Seeking recognition for ASM Clasp FESR for Army and Air Force personnel who served in the region through until 1971 but were outside the award criteria for the AASM

RAAF UBON 62 – 65 / 65 - 67: Seeking service be classed as Active Service Malaya/Malaysia

- a. Seeking recognition for service (ASM) in Malaya/Malaysia 1965 – 1975
- b. 101 FIELD BATTERY RAR seeking ASM to recognise service in Malaya 1 Aug 60 – Oct 61. Consider service more hazardous and more demanding

Thai Malay Border: Seeking service be classed as Active Service

RAAF BUTTERWORTH: a. Seeking ASM for periods where not qualified for other benefits

b. Seeking full VAE for the period of the Indonesian Confrontation from 1963 to 1966. Have been awarded the AASM (clasp Malaysia) and GSM (clasp Malaya) for the "Active Period" of the Confrontation, but have never been granted any Veterans Affairs Entitlements.

Civilian Medical Teams: Seeking veteran status for service in Vietnam. Have Medals but not Repat entitlements

Civilian Merchant Mariners: Seeking veteran status for service in Boonaroo and Jeparit in Vietnam. Have medals but not Repat entitlements.

QANTAS Pilots: Seeking veteran status, in particular medal entitlements, for service in Vietnam.

Foreign Affairs Service: Seeking recognition by way of medals for service/courier work in operational areas recognised by Defence.

Thailand: Seeking recognition for service (ASM) in Thailand during the 1960's

Indonesian Confrontation: Seeking recognition for No 10 ML Squadron during confrontation.

Indonesia: Seeking recognition (ASM) for service in Indonesia during the period 1950 – 1975

Indonesian Independence 1945 – 1948: Seeking recognition for involvement in conflict between Indonesia and the Dutch over sovereignty

Singapore (Farelf 1960): Seeking recognition for service with the Farelf – 1960.

Vientiane: Seeking recognition for service (ASM) in Vientiane - Laos

Korea: Seeking Recognition for service during the period 1952 – 1956. (RASB, AASM 45/75)

Borneo: Seeking recognition for service in Borneo 1966 (ASM).

RAAF Overseas Service: 36 Transport Squadron is seeking recognition of service overseas on flights through South East Asia.

Submarine Service: Seeking recognition for Special Ops service HMAS OTWAY - 1969

Army Survey: Seeking ASM for survey work in and around Indonesia

Army Air Dispatch Company: Seeking recognition for the period 1955 –63 in particular 62-63 for service in Malaya Borneo and Singapore

National Service: Seeking a. recognition as National Servicemen b. recognition by way of a medal for National Servicemen who served in Australia and did not go to Vietnam

Kashmir: Seeking upgrade of service as observers to Active Service

Confrontation: Some army units not allotted but involved in Fighting seek recognition.

Service of Army on Malay Peninsular 1962-66: Seeking ASM

VLSM: Seeking extension of entitlement to cover trips of Naval ships into Saigon Jan 62 and service personnel based ashore in Vietnam during that period as observers. (inclusive of full repat benefits)

South Vietnamese Medal for Gallantry: Seeking recognition for award to D company 6 RAR

Loan Service during Indonesian Confrontation: Seeking recognition /VAE for service when on loan to Malaysian Ships during the Indonesian Confrontation

Mine Disposal: Seek ASM clasp EOD as opposed to clasp PNG

Neptune Aircraft involvement in intelligence gathering: Seek VAE recognition for involvement of Neptune Aircraft conducting ECM over Indonesia low level – 1960 May/June

North West Indian Ocean Deployments: Seeking ASM. Outside the scope of the review but noted

Vietnam: a. Seeking Gallantry Awards. Outside the scope of the Review. This committee will stand by the recommendations of the EOWL-V review on this issue. A copy of the Independent Review Report is on the Defence page on the internet for those who wish to read it. b. Seeking recognition for CMF observers in Vietnam. c. Seeking recognition for multiple tours in Vietnam.

HMAS DIAMANTINA: Seeking ASM for Oceanographic Work.

WWII: Seeking recognition a. for service in Gorrie servicing Spitfires. (just south of the line in Darwin) b. by Australia of Australians who served in British Units in WWII

PNG Nationals: Seeking recognition for the ASM 45/75 clasp PNG for service with Australians in PNG.

Brunei: Seeking recognition by Australia for service in Brunei (ASM).

East Timor Insurgence 1975: Seeking recognition for participation in East Timor Insurgence 1964 (ASM)

Montebello, Maralinga and Moruaroa Atoll: Seeking entitlements to VAE due to exposure to radio activity from nuclear tests.