

This document provides comments on the Ministry of Defence Medal Review
it is not the case or submission for the UK National Defence Medal

MINISTRY OF DEFENCE MEDAL REVIEW

COMMENTS BY THE

**UNITED KINGDOM
NATIONAL DEFENCE MEDAL
CAMPAIGN**

UKNDM/503/6/11

24 JUNE 2011

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UNITED KINGDOM NATIONAL DEFENCE MEDAL CAMPAIGN**

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Introduction

1. Since the ending of the Second World War in September 1945, individual veterans and service organisations have been campaigning, unsuccessfully, to redress the injustice of successive Government failures, to recommend medallic recognition of their service to the Sovereign.

2. The Iraq war and involvement in Afghanistan focussed the public's attention on the Armed Forces. It was therefore not surprising, the 2010 General Election, saw an outpouring of support for the Services. Veterans were encouraged by Political Parties' willingness to finally address the past injustice of the medal system.

3. In June 2008, a Conservative shadow defence minister wrote on behalf of the shadow Defence Secretary, Dr Liam Fox MP, in a reply to a member of the public, "We will revise the HD Committee on entering office and instruct the new Committee to conduct a review of all outstanding claims." (*Dr Murrison's ltr to Farrar dated 6 Jun 2008*)

4. A Military Covenant Commission's report for the Leader of the Conservative Party, now Prime Minister, the Rt Hon David Cameron MP, recommended, ' **A future Conservative Government should review the structure, membership and terms of reference of the Committee on the grant of Honours, Decorations and Medals (HD Committee). The reconstituted HD Committee should then review outstanding claims that 'will draw a line in the sand.'** (*Page 7, Military Covenant Commission report dated 23 Sep 2008*)

5. The Conservative Party General Election manifesto made a commitment to address the inconsistency in which medallic recognition of former service personnel had been implemented. **‘Awarding of medals is decided by the HD committee. But the rules governing the awarding of medals have been applied inconsistently. The Conservatives will review the HD Committee, as well as the rules governing the awarding of medals. As part of that review all outstanding medal cases will be examined’** (*Conservative Party General Election Manifesto 2010, A New Covenant for the Armed Forces, page 28 dated 21 Apr 2010*)

6. Specific support was provided for the institution of the UK National Defence Medal by the Liberal Democrat Party in their General Election literature and was a commitment in the United Kingdom Independence Party (UKIP) election manifesto.

7. An Early Day Motion, presented to Parliament by former Lt Col, the Rt Hon Michael Mates MP, called for **‘a working group to be established to work with the HD Committee to institute the National Defence Medal as soon as possible.’** It received signatures from 189 MPs together with written support from many more. (*EDM 327, 2 Dec 2010*)

8. Post the General Election, the Coalition Government, formed by the Conservative and Liberal Democrat Parties, included within its ‘Programme for Government’, **‘a commitment to carry out a review of the rules governing the award of medals.’** (*Programme for Government May 2010*)

9. In 2011 the Defence Secretary, Rt Hon Dr Liam Fox MP, launched the Armed Forces Covenant document, which reiterated the Government’s intention to, **“review the rules governing the award of medals as part of its commitment to rebuild the Military Covenant.”** (*The Armed Forces Covenant Today and Tomorrow, page 58, 2011*)

The Medal Review Process

Comments

10. By August 2010, there were indications the Medal Review was to be carried out by the Ministry of Defence on behalf of the Coalition Government. The Ministry of Defence, in a reply to a request for information from the UK National Defence Medal campaign, confirmed this on 16th September 2010. (*DCDS (Pers) Sec, ltr TO04633/2010*) The decision for the Ministry of Defence to carry out the Medal Review was ill conceived. For the review to be successful in fulfilling the commitments made to rebuild the Military Covenant it would have to carry out a review of the HD Committee together with the rules governing the award of medals that had created so many inconsistencies and injustice. The Ministry of Defence was not vested with such authority. It was therefore inconceivable that 'the 'line in the sand', envisaged by the Military Covenant Commission's report, concerning outstanding medal claims, some of which had been on going for over 60 years, would be achieved.

11. Despite, questions in Parliament; letters from veterans, from the public and from campaigning medal organisations to the Ministry of Defence; the start date of the review was not promulgated publicly, nor its terms of reference or the date it would report its findings. By late November 2010, information was obtained that the review was underway and it would aim to report its conclusions in the New Year. (*DCDS (Pers) Sec ltr to a member of the public dated 30 Nov 2010; Veterans Minister's ltr to Damian Hinds MP dated 8 Dec 2010*) However, on 13th December 2010, in response to a letter from a constituent, who asked for details of who was in the Medal Review Team, what its terms of reference were, and when it would report? John Glen MP wrote, " I have hunted for the answers to the questions you raise but unfortunately the information does not seem to be in the public domain."

12. The Medal Review, throughout its short existence, carried out its task without any public visibility whatsoever. Despite requests by representatives of

the various medal campaigns there was no communication by those carrying out the review.

13. It became clear the Defence Secretary, like the veterans, was unaware the final Medal Review report had been submitted to the Veterans Minister on the 10th January 2011. Dr Fox wrote to one of his constituents on 11th January stating, “Mr Robathan (Veterans Minister) is leading a review governing the award of medals. At this stage he does not believe there is a requirement for further consultation during his review.”

14. As late as the 8th February 2011, statements were being made in Parliament and in letters to MPs indicating the Medal Review was still on going. (*Veteran's Ministers ltr to Mark Tami MP dated 27 January 2011; DCDS (Pers) Sec ltr to Patron of the UK NDM Campaign dated 28 January 2011; Westminster Hall debate dated 8th Feb 2011 Hansard Column 50WH –58WH*) The Veterans Minister also wrote to Mark Hunter MP, on 14th February 2011, over one month after the Medal Review Team had reported to the Minister, “ The review is underway, we aim to report its conclusion in the near future.”

15. Surprisingly, a letter was also sent by the Ministry of Defence to a member of the public on 14th February, assuring them the Review Team would give their submission, dated 24th January 2011, appropriate consideration. (*DCDS (Pers) Sec ltr dated 14 Feb 2011*)

16. A Freedom of Information request to the Ministry of Defence (*FOI request dated 17 Feb 2011 and reply dated 23 Mar 2011*) determined the Medal Review commenced on 19th November 2010, reported to the Veterans Minister by 10th January 2011; the **final** review report was forwarded by the Defence Secretary on 16th February 2011 to the Prime Minister and Deputy Prime Minister for endorsement.

17. The FOI request identified the Medal Review had been confined to the Ministry of Defence and carried out by Air Vice Marshal Murray, DS Sec, who

was, because of his staff appointment, a member of the HD Committee. A copy of the review's terms of reference was also obtained. See **Appendix One**.

18. The review had been convened in the context of the Coalition's Programme for Government of **carrying out a review of the rules governing the award of medals** as part of its commitment to rebuilding the Military Covenant. However, the Objective of the Medal Review directed the Air Vice Marshal to, "**carry out a review of rules governing the award of military medals to ensure that they are appropriately applied in relation to medallic recognition to current and past medal decision.** The Conservative Party manifesto and Coalition Government had committed themselves to reviewing the medal system rules, responsible for causing the inconsistency in medallic recognition; yet the Ministry of Defence Medal Review was reviewing outstanding medal claims, using the existing rules that were considered to have caused the problems; without consultation with Veterans, and through what can only be described as a 'paper exercise'.

19. The Ministry of Defence Medal Review terms of reference specifically excluded a review of the HD committee, which was outside of their authority. It also excluded two medal groups: State medals (Silver and Golden Jubilee) and Long Service and Good Conduct medals, both of which had caused significant inconsistency and injustice in medallic recognition of veterans over many years. Although the Ministry of Defence had no authority to review the Jubilee medals, the terms of reference directed the Air Vice Marshal to consider the issue of a Diamond Jubilee Medal! As the Long Service and Good Conduct group of medals are military service medals no conceivable rationale for their exclusion from the review could be found.

20. Lord Astor of Hevers (PUS of S Defence) made the following reply on 11th February 2011, in response to a question by Lord Touhig, "The Ministry of Defence's **review of the rules governing the award of medals** will not review the role or membership of the Committee on the Grant of Honours, Decorations and Medals (HD Committee) as the committee's governance is a matter for the Cabinet office." So despite all the commitments to review the HD Committee it

had become exempt from this medal Review. Lord Hevers however, confirmed **the rules governing the award of medals were being reviewed**. But that was incorrect; the review had been concluded one month previously with the objective of carrying out **a review of the current rules governing the award of medals to ensure they were being appropriately applied to current medal and past medal decisions**, not a review of the rules themselves. It appeared the Government were unsighted in respect of the significant and important transformation to the Government's intention that had taken place within the Ministry of Defence's Medal Review. A Freedom of Information Act request has been submitted seeking copies of the documents, tasking the Ministry of Defence to undertake the Medal Review on behalf of the Government together with any communication with the Cabinet Office on the issue. (*Cabinet Office FOI 3115136*) This information should, once in the public domain, determine where the responsibility for the change in the Coalition Government's commitment lies.

21. In reply to a question in the House asked by Rt Hon Denis MacShane MP on 16th February 2011, the Defence Secretary, Liam Fox MP said, "We have completed the review of military medals and today I signed off the report, which will be published and no doubt discussed in the House before Easter." (*HC Deb 16 Feb 2011 c1037*)

22. By 21st February 2011, the Ministry of Defence was confirming the review had reported its findings to Defence Ministers and that, "the Prime Minister and Deputy Prime Minister would now evaluate these proposals before final conclusions are reached." (*DCDS (Pers) Sec ltr to a member of the public dated 21 Feb 2011; Veteran's Minister's ltr to Andrew Murrison MP dated 23 Feb 2011*).

23. Throughout the period, September 2010 to late April 2011, it was apparent from letters and statements made by the Ministry of Defence that it was uncomfortable with any likely institution of a UK National Defence Medal (*Veteran Minister's ltr to John Thurso MP dated 15 Sep 2010*). It also became clear, the justification for the Ministry of Defence not supporting the institution of the defence medal in the Medal Review **final** report, passed to the Prime Minister and Deputy Prime Minister for endorsement on 16th February 2011 was based on

misleading facts, inaccurate statements and false arguments. (*Veterans Minister's ltr to John Glen MP dated 25 Oct 2010; Westminster Hall NDM debate dated 8th Feb 2011; Veterans Minister's ltr to Mark Hunter MP dated 14 Feb 2011; Veterans Minister's ltr to Ashley Fox MEP dated 22 March and many more*)

24. On 26th April 2011, written answers by the Veterans Minister to MPs' questions in the House confirmed the review findings were with the Prime Minister and Deputy Prime Minister for **final** evaluation and an announcement of the conclusions was likely just after Easter. (*Written response to a question raised by the Shadow Defence Minister Rt Hon Jim Murphy MP on 26 April*)

25. In reply to a question by Lord Ashcroft in respect of the UK National Defence Medal on 26th April 2011, Lord Astor of Hever stated, "There are currently no plans to introduce the National Defence Medal. Nevertheless, the Government are undertaking a review of the rules governing the awarding of military medals in line with their commitment in the Programme for Government. The Review is currently with the Prime Minister and Deputy Prime Minister for final evaluation and I hope that an announcement of the conclusions of the review will be made shortly after Easter.

26. There is little doubt that the discredited Medal Review report, forwarded to the Prime Minister and Deputy Prime Minister for endorsement, was considered to be the **final** report. There can also be little doubt that the review had not fulfilled the Coalition Government's commitment.

27. The flawed Medal Review process, with its selective terms of reference and findings based on false arguments, was discussed by Colonel (ret'd) Terry Scriven, the co-Chairman of the UK National Defence Medal campaign with the Armed Forces Minister and DS Sec Honours, at a meeting in the Ministry of Defence on the 26 April 2011. A report covering the weaknesses of the Medal Review was submitted to both the Armed Forces Minister and DS Sec Honours at this meeting (*TGS/500/11 dated 25 April 2011*).

28. Shortly after, the Prime Minister and the Deputy Prime Minister refused to endorse the **final** Medal Review report. The Ministry of Defence was directed by the Prime Minister to carry out consultation with veterans and the Deputy Prime Minister called on the Defence Secretary to reconstitute the Medal Review with an independent chair, widen the terms of reference in line with Government commitments and to broaden consultation with veterans. (*Various un-referenced emails*)

29. From the 30th April to 9th June 2011, discussions were underway between the special advisers of the Deputy Prime Minister and of the Defence Secretary in respect of a reconstitution of the Medal Review under an independent chair and with wide consultation with veterans together with a review of the existing rules governing the award of medals and a review of the HD Committee. Throughout this period mixed messages were emerging from the Ministry of Defence.

30. On the 5th May the Defence Secretary wrote to one MP stating, ‘the review had reported its findings to the PM and DPM and that **final** conclusions would shortly be published.’ (*Defence Secretary ltr to Rt Hon Denis MacShane MP dated 5th May*).

31. Further confusion was created, when letters from the Ministry of Defence, dated the 16th May, in reply to MPs and to veterans, confirmed a final **draft** Medal Review had been completed, and in line with the Government’s Transparency Agenda, relevant elements would be sent to the representatives of the various medal campaign groups so as to consider their views before the final outcome of the review. (*Veterans Minister’s Private Secretary’s ltr dated 16 May to Charles Hendry MP; Veterans Minister’s ltr dated 16 May to Graham Evans MP and his ltr to Louise Ellman MP also dated 16 May; Defence Secretary’s ltr dated 16 May to a constituent*)

32. In a period of just two weeks, the **final** Medal Review report awaiting endorsement by the PM and DPM, had been referred back to the Ministry of

Defence, been downgraded to a final **draft** report, and awaiting comments from veterans, prior to it being presented, again, to the PM and DPM for endorsement.

33. The Ministry of Defence appeared to have decided there would be no reconstitution of the Medal Review, no independent chair, no consultation with veterans, no review of the existing rules on the award of medals and no review of the HD Committee. On 25th May 2011, the Principle Staff Officer to Defence Services Secretariat wrote to representatives of the various medal campaigns. He informed them the Medal Review was currently at its final stage and requested their comments on the findings as Ministers wished to be sure the views of the major groups, that had campaigned in recent years, were taken into account before approval of the final report was sought.

34. Veterans were asked to comment, on final **draft** report findings. As opposed to being consulted and participating in a Medal Review process. Therefore, understandably, a perception existed that any change to the findings and decisions, previously made in the **final** report and approved by the Ministry of Defence, was highly unlikely. There was also concern as the Ministry of Defence, in requesting comments from medal campaign representatives, had given no indication as to how such comments would be reviewed, who would review them, what feed back would be given to those who made the comments, and what possibilities for discussion or appeal would exist.

35. The decision by the Ministry of Defence to send only the current medal rules from the draft final Medal Review report (Part Two) and the relevant extract (Part Five) of the report to respective Medal campaign representatives, where one existed, added to the concerns already expressed about transparency of the review process. This was especially so in respect of the UK National Defence Medal campaign as the defence medal seeks to address overall recognition and in so doing, 'sweep up' the injustice suffered by past medal campaigns.

36. An application was subsequently made by the UK National Defence Medal campaign, on 2nd June 2011, to the Principle Staff Officer to Defence Services Secretariat, for copies of the Medal Review report extracts in respect of

the Berlin Airlift; National Service; Korea post armistice; nuclear testing; the Cold War; and service outside of Northern Ireland during the Republican extremist campaign together with reasons for the exclusion of the Jubilee medals and the Long Service and Good Conduct group of medals.

37. In a phone call to the Principle Staff Officer to Defence Services Secretariat by the UK National Defence Medal campaign (*Scriven/Woyka dated 10 Jun 2010*), it was ascertained the request had been elevated for a decision, it could not be confirmed that a review had included all of the extracts requested, even if they did exist it was not certain that copies would be sent.

Summary

38. The actual process of the Medal Review, conducted by the Ministry of Defence, was flawed from its conception. It was unable to include a review of the two key areas, the HD Committee and rules concerning the award of medals that had created many of the significant issues, which had led to a need to undertake a Medal Review in the first place. In addition, the Ministry of Defence excluded from the terms of reference for the review, two major groups of medals also responsible for many of the medallic recognition problems. These shortfalls in the effectiveness of the review were compounded by the self imposed and unrealistic time frame (19th November 2010 to 10th January 2011), just 53 days inclusive of start and finish dates, but only 34 days exclusive of weekends, Christmas and New Year, to address the failures of successive Governments in respect of medallic recognition of those who served.

39. The review failed to engage with the very people who had experienced the failures of the medal system, the veterans. No attempt was made to meet with or consult with veterans, service organisations or medal campaign representatives. Its failure to publicly promulgate its start date, terms of reference, report date or contact details of the person carrying out the Medal Review meant 'stake holders' were excluded from making any voluntary submissions. Instead it relied on a paper-based exercise to arrive at its findings and conclusions. (*FOI request dated 17 Feb 2011 and reply dated 23 Mar 2011.*)

The Medal Review had failed spectacularly to comply with the Government's Transparency Agenda.

40. In less than two months, the Medal Review had discounted previous claims of inconsistency and injustice of medallic recognition, experienced by veterans stretching over 60 years and some were not even included within the review. The process had been sufficiently flawed to invalidate its findings in what as a consequence was to become a discredited final report, which both the Prime Minister and Deputy Prime Minister refused to endorse. The Medal Review was returned to the Ministry of Defence for consultation with 'stake holders.' This did not take place and only comments on the invalidated findings were requested from medal campaign representatives. These are now discussed.

Comments on Part Two

Principles Underpinning the Award of Medals

Background

41. Once the Military Covenant Commission's report had identified such inconsistency and injustice in medallic recognition, it had been assumed by Veterans that significant action would be taken, especially when transposed into the Conservative Party election manifesto as a commitment and subsequently into a commitment within the Coalition's 'Programme for Government'. At last the Veterans would get a fair hearing; in the words of the Military Covenant Commission, "a line would be drawn in the sand" on all outstanding medal cases. Unfortunately, the process adopted by the Ministry of Defence made that impossible to achieve.

42. As described earlier, the Medal Review, carried out by the Ministry of Defence was flawed, constrained by time, by lack of consultation, by lack of transparency, restricted in its remit with no authority to review the HD Committee responsible for the award of medals, and exclusion of State Jubilee medals and Long Service and Good Conduct medals from the terms of reference governing

the review's implementation. The Medal Review was further weakened as its terms of reference directed it to, 'review the rules only to ensure they are being appropriately applied'. This was not a **review of the rules governing the award of medals**, which was the Coalition Government's commitment.

43. Part Two of the now draft final Medal Review report was sent to medal campaign representatives for comment. The Ministry of Defence's terms of reference directed the review to look at the 'pros and cons' of the existing rules to ensure they were being appropriately applied to current and past service, draw conclusions and make recommendations where appropriate – if within the gift of the Ministry of Defence. Yet more restrictions had been placed on the review.

44. Comments are made in the next five pages on specific paragraphs of Part Two in respect of how they relate to the institution of the new UK National Defence Medal. More general comments are then made followed by a summary. For ease of reference, where appropriate, the paragraphs from the review are included in italics followed by comments in bold.

Comments in respect of Part Two

General

2.1 The UK's approach to the award of medals for operational services is underpinned by a strong ethos within the Armed Forces. There is no appetite to follow the practice of some other nations where some medals are awarded purely as a record that an individual had served their country UK operational medals are an important element of the moral component of fighting power. For the vast majority of Service personnel, who do not earn individual recognition for gallantry or meritorious service, campaign medals are the means by which dangerous and demanding operational service is recognised by the nation. However there is a general feeling that, to be of value, a medal must be earned and only awarded in circumstances that justify it.

45. Comments on 2.1:

a. The UK National Defence Medal is not a campaign medal. It is a new medal in recognition of service.

b. Freedom of Information Act requests, made to the Ministry of Defence, failed to identify any research carried out during the Medal Review to support the claim, within the review report, 'there is no appetite' to institute a medal that recognises service to the Nation. Conversely, the 'appetite' for the institution of the UK National Defence Medal is huge, according to the Medal Review's own report at Part Five paragraph 5.49. Indeed, the campaign represents tens of thousands of veterans who wish to see the defence medal implemented.

c. Veterans who are campaigning for the UK National Defence Medal saw service in the Berlin Airlift; were conscripted under an Act of Parliament in National Service; were involved in nuclear testing; in Korea post Armistice; in the Cold War; under threat of Republican extremism outside of Northern Ireland; or have purely taken the oath or affirmation of allegiance to Her Majesty and been prepared, to put their life on the line, to keep the nation and its interests safe and secure. They believe, as do their families, many service organisations, current serving and former senior officers, Members of Parliament, Members of the House of Lords, public dignitaries, celebrities, Veteran icons such as Dame Vera Lynn and many from a grateful Nation that they have 'earned' medallic recognition of service.

2.2 The introduction of all new medals requires individual cases to be submitted through the Committee on the Grant of Honours, Decorations and Medals (the HD Committee to the Sovereign for approval. The HD Committee has been in existence since before WW2.

46. Comment on 2.2: There has been proven inconsistencies and injustice in respect of the current medal system of which the HD Committee has

been at the centre in operating the medal rules and principles. The length of time an organisation has been in existence does not make either its composition right or its decisions beyond reproach. The Military Covenant Commission report assessed it was time to review the HD Committee, the rules for the award of medals and then outstanding medal claims. This was supported as a commitment both by the Conservative Party before the General Election and the Coalition Government after the election.

2.3 The award of UK medals for military service is bound by two enduring rules and one principle:

a. The Five-Year Rule. The institution of a new medal or clasp or the amendment of existing conditions of an award will not be considered more than 5 years after the conclusion of operations, provided the issue was given due consideration at the time.

47. Comment on 2.3.a:

a. The Five-Year Rule was used after the end of the WW2 as a cut off date for submission for gallantry awards for actions in the war. It appears to have been subjected to 'mission creep' and is now being used in all retrospective cases for all Armed Forces medals.

b. The UK National Defence Medal is a new medal that seeks recognition of service for veterans and those currently serving, with criteria, as yet to be determined, by a working group. The Five-Year rule has no significance for the UK National Defence Medal other than the medal will be awarded in retrospect to former Armed Forces personnel for service over the past 60 years.

b. The Double Medalling Rule. An individual may not be awarded more than one medal in recognition of the same period of military service.

48. Comment on 2.3.b: It is considered this rule does not apply to the UK National Defence Medal.

c. The Risk and Rigour Principle. This requires that there should be a significant degree of risk to life and limb and deployed personnel will be exposed to arduous conditions in excess of what might normally be expected.

49. Comment on 2.3.c: The Risk and Rigour Principle does not apply to medals for service as evidenced by the medals listed at Appendix Two to these comments. It is emphasised that the UK National Defence Medal is a medal in recognition of service and not a campaign medal.

The HD Committee

2.4 The HD Committee is the principal Government body concerned with Honours awards and medals. The Committee is chaired by the cabinet Secretary and other members are: the Private Secretary to the Queen; Permanent Secretary, Prime Minister's Office; Permanent Secretary; Ministry of Defence; Defence Services Secretary; Permanent Secretary FCO, Home Office; Secretary of the Central Chancery of the Orders of Knighthood; Head of Honours and Appointments Secretariat and Ceremonial Officer of the Cabinet Office (Secretary). The HD Committee provides the mechanism for consideration of all matters relating to United Kingdom honours, awards and medals, and the Committee is the only channel through which proposals for additions to, or changes in, the system, including proposals affecting Armed Forces awards specifically, may be submitted to the Sovereign.

50. Comments on 2.4: The need for a review of the HD committee, both in its composition and the way it operates, has been well rehearsed. It might have been more appropriate in the circumstances and to avoid any conflict of interest, if one of the two Ministry of Defence's representatives on the HD Committee had not been tasked with carrying out the Medal Review.

51. Paragraphs 2.5 to 2.16 are an amplification of medal rules, they do not provide any analysis, the 'pros and cons' of their effectiveness, consequently no additional comments are made to those in paragraph 45, 47 and 48 above.

Conclusion

2.17 The principles underpinning the award of medals outlined above have been in place for many years and remain sound. Exceptions have been made In the case of the Five Year Rule (e.g. the Canal Zone) and Double Medalling (e.g. Korea) but these 'precedents' have not created sufficient case law to invalidate the formal continuation of principles that have stood the UK medal system in good stead for over 60 years.

52. **Comments on 2.17: Surprisingly, rules for medals in recognition of service or for non-operational medals did not appear. No analysis or evidence of research was provided to draw the conclusion that, 'the principles, underpinning the award of medals, and have been in place for many years remain sound.'** Freedom of Information Act requests identified there had been no attempt made to speak to any of the thousands and thousands of veterans who consider they have suffered an injustice as a result of the current medal system. The conclusions, from what has been a paper exercise, is at total variance with the Military Covenant Commission's report yet no explanation for this difference was produced. It also disregards the Coalition Government's commitment.

Recommendations

2.18 The enduring intentions of the Five Year and Double Medalling Rules and the principle of Risk and Rigour should continue to underpin all recommendations and decisions made by the Ministry of Defence on medallic matters.

53. **Comment on 2.18: Insufficient evidence was either not obtained or omitted within Part Two to support this recommendation.**

General Comments

54. Throughout Part Two many false and subjective statements were made. For example, it was inappropriate to infer there is no 'appetite' for the institution of the UK National Defence Medal, knowing it is supported by many tens of thousands of veterans, and that the Medal Review itself identified the likely take up rate of the defence medal would be huge.

55. It had already been established by initiating the Medal Review that the whole process was in need of revision. Yet no facts in Part Two of the Medal Review were produced to substantiate the claim that, *'the principles underpinning the award of medals remain sound.'* Throughout, there was a distinct lack of any objective analysis relying instead on subjectivity, which was a disservice to veterans who have been campaigning over many years to address the injustice.

56. A considerable amount of time was set-aside at Part Two to explain the HD Committee process. It was made clear this was the only organisation through which proposals for additions to, or change, in the Armed Forces medallic awards may be made. Therefore, it was incomprehensible why, given the grave concern in respect of the inconsistencies and injustice experienced by veterans, thought to stem from the HD Committee and its rules, the Review was allocated to the Ministry of Defence to undertake; an organisation with no authority to review the Committee. A situation made worse by the inexplicable decision by the Ministry of Defence to nominate one of its two members on the HD Committee to carry out the Medal Review. The exposé of the HD Committee's membership, whether intentional or not, provided clear visibility as to why it is in need of revision so as to become more representative of society.

57. There was no analysis carried out of the Five Year Rule, Double Medalling Rule and the Risk and Rigour Principle, the 'pillars' of the Armed Forces Medal system as executed by the HD Committee. For example, the 'Five Year Rule', introduced to provide a cut off date of 1950 for considering recommendations for gallantry awards in WW2, its underlying rationale was, those in authority now cannot put themselves in the position of those who would have had the responsibility for assessing the gallantry awards at the time, quite right. However, the rule/custom is

now, incorrectly being used in respect of all retrospective medallic recognition within the Armed Forces but why? The same restrictions do not and should not apply.

58. There was a total absence of discussion in Part Two in respect of how such a significant change had taken place, a lack of analysis of the consequences on the medal system and a lack of awareness of the impact on the medallic recognition of Veterans. A Freedom of Information Act request has been submitted to the Cabinet Office, requesting details of how and when the change from a rule introduced in June 1946 in respect of gallantry awards finished up in June 2011 as a rule in general use in respect of all retrospective medal submissions?

Summary

59. The conclusion and recommendations in Part Two were flawed. The assertion that, *'insufficient case law existed to invalidate the formal continuation of principles that have stood the UK medal system in good stead for over 60 years together with its recommendation that all the rules should continue to underpin all recommendations and decisions made by the Ministry of Defence on medallic matters'*, was unsubstantiated. The review had failed to take time to speak to any of the thousands and thousands of servicemen and women who consider they have either been the subject of inconsistency, injustice or both in respect of medallic recognition. It failed to explain why, when reviewing the application of the current rules it was at total variance to the Military Covenant Commission's report findings, and it failed to explain why the Coalition Government's commitment to review the existing rules was wrong.

60. It was apparent from the review carried out of the current rules and principles governing the award of medals, there was no rationale for the decision of the Medal Review, to turn down the institution of the UK National Defence Medal.

Comments on Part Five - The UK National Defence Medal

Background

61. In September 2009, the Labour Government (MoD) Veterans Minister wrote to the Chairman of the UK National Defence Medal campaign. He unceremoniously turned down the submission for the institution of the defence medal (submitted in June 2009), refused to meet with veterans and declared the issue 'now closed'. A Freedom of Information Act request identified the submission had been dealt with in what can only be described as a shameful and shallow way with shabby staff work.

62. On the 27th October 2009 the UK National Defence Medal campaign was re-launched with a realigned structure and two co-Chairmen.

63. It has been demonstrated that the current Medal Review process is flawed. The review of the current medal rules as they apply to current and past service, has been shown to lack credibility both in its lack of analysis and its lack of evidence based conclusions and recommendation. Neither the process nor the rules at Part Two in the Medal Review substantiated the decision, by the review, to turn down the institution of the UK National Defence Medal.

64. In addition to Part Two, the UK National Defence Medal campaign were sent an extract of Part Five of the Medal Review report, which provided the 'Case, Discussion and Conclusion in respect of the institution of the UK National Defence Medal.

65. As in Part Two, comments are now made on the paragraphs of the Part Five extract in respect of institution of the proposed UK National Defence Medal. More general comments are then made followed by a summary. For ease of reference, the paragraphs from the review are in italics followed by comments in bold. However, it is first considered appropriate to comment on the composition of the Part Five extract.

Short Analysis of Composition

66. The extract at Part Five of the Medal Review report concerns the National Defence Medal. It is 65 lines/part lines in length, covering eight paragraphs, 5.43 to 5.50. Over 35% of the extract, twenty-five lines/part lines had been used previously, word for word, by the Veterans Minister, in his speech in the National Defence Medal debate in Westminster Hall. (*Hansard column 50WH – 58WH*)

67. The Case for the Medal. In the allocated 24 lines over three paragraphs, 5.43, 5.44 and 5.55, no attempt is made in the report extract to present a coherent case for the institution of the UK National Defence Medal. Eleven of the lines in paragraph 5.43 provide an introduction. Paragraph 5.44 uses nine lines to explain why Australia and New Zealand implemented their Defence Medal. The remaining four lines, in paragraph 5.55, predominantly concentrate on why operational medals are generally introduced.

68. The Discussion. The discussion contains 37 lines, paragraphs 5.46, 5.47, 5.48 and 5.49. However, there is no discussion and no analysis. These paragraphs concentrate on producing reasons why the defence medal should not be instituted. No attempt is made to hide that fact as the Conclusion paragraph, 5.50 (3 lines), states; ‘MoD does not support the institution of a National Defence Medal for the reasons outlined in paragraphs 5.46 to 5.49.’

69. Less than 10% of the Medal Review, Part Five extract, provides any positive statements about the defence medal, 65% is negative, and the remainder is mainly about Australia and New Zealand.

Detailed comments

The Case

5.43 Calls have been made in recent years for the institution of a new universal medal, which recognises all efficient service in the Armed Forces of broadly two years or more since 3 September 1945.

Supporters of a National Defence Medal (NDM) seek recognition for all who have served irrespective of where they have been called upon to do that service

Medals are generally introduced for particular operations where there is the presence of particular risk and rigour' but many have served, and continue to serve, on commitments which are demanding in their own way but are not recognised by a medal.

70. **Comment on 5.43:** The statements in the first two sentences are agreed. However, this is the case for the medal, the third and final sentence is malocated and is a statement of discussion. It is an inaccurate generalisation, and not based on fact. The UK National Defence Medal is not a campaign medal but a medal for service. Medals that are for service are not based on risk or rigour.

71. There are precedents set for non-operational service medals and medals issued outside of campaigns for example: 'Long Service and Good Conduct medal, Volunteer Reserve medal, Cadet Force medal, Jubilee and Coronation medals, Rhodesia Medal, The Accession Medal (OMAN) and the Sultan of Oman's 30th Renaissance Medal National Day, all official medals accepted and allowed to be worn officially. A full list of non-Campaign medals primarily issued for service is attached at Appendix Two.

5.44 The argument is strengthened by the fact that a number of allies have their own Defence Medals.

72. Comments on 5.44: The argument is certainly supported, especially as it is Her Majesty the Queen who has awarded the defence medals to veterans and those in the Armed Forces in Australia and New Zealand.

5.44 (cont) Australia and, most recently, New Zealand have introduced Defence Medals for four years and three years Service respectively. The Prime Minister of New Zealand announced the introduction of the New Zealand Defence Service Medal on 11 October 2010. The intent of the Medal is to recognise the unique requirements of military service. These requirements are stated as including: commitment to service of the Crown, liability for operational service subject to military discipline and lifestyle and imposed constraints on employment conditions and personal freedoms.

73. Comment on 5.44 (cont): The above criteria identify what a unique profession the Armed Forces are and how much is demanded of those who serve. Australia and New Zealand are proud of their service personnel and Veterans but unlike the United Kingdom, they have recognised and honoured their service appropriately by a defence medal, awarded by Her Majesty the Queen. Their Defence Ministries have not tried to get by with an identification badge introduced by their Veterans Department. In rebuilding the broken Military Covenant, questions must be asked why the Government has allowed this to happen? See also comments in respect of paragraph 5.48.

5.45 The Liberal Democrats passed a motion at the 2010 party conference to support the introduction of a National Defence Medal in the UK In the debate and elsewhere supporters of the cause suggested that those entitled be invited to buy the medal rather the Government meet the cost.

74. Comments on 5.45:

a. This paragraph is inaccurate, misleading, out of place and raises questions as to not only why it was afforded such prominence but also why it was there in the first place? The fact the Liberal Democrat Party, representing an electorate of around 10 million, support the institution of the UK National Defence Medal has nothing to do with the justification of the defence medal. It is also a fact that the award of the defence medal is also the official policy of the United Kingdom Independence Party (UKIP).

b. It is important to clarify the misleading statement. Liberal Democrats at its two annual conferences decide the Liberal Democrat party policy, unlike other political parties. As they are Party policy making events, rigour in getting a motion selected for conference is intense. The institution of the UK National Defence Medal was the first policy motion taken at a Liberal Democrat Conference since being in Coalition Government. However, it was not the motion that was important, it was the fact it was the first motion approved, and unanimously, as Party policy, that was its significance. The fact Liberal Democrat supporters suggested those entitled to the medal be invited to buy it has nothing to do with the justification of the medal and raises questions as to why it was included in the 'limited case' produced for the medal? Comments on finance are at paragraph 81 and details of the UK National Defence Medal campaign official policy in respect of funding the defence medal are at paragraph 97c and at Appendix Four.

Discussion

5.46 There is no tradition in the UK for medals being awarded simply for being members of the Armed Forces; medals are not issued as a record of service, as is the case in some countries.

Qualification for medals is generally based on the risks and rigours of campaigns and operations, individual brave or meritorious service, long service and good conduct.

The only medals issued for simply having served in the Armed Forces are Coronation and Jubilee medals and even then there are strict qualifying criteria that have to be satisfied before a medal is issued.

Introduction of a medal for all irrespective of where and when they served would thus represent a change in ethos for the UK military

75. Comments on 5.46:

a. The first sentence is misleading and inaccurate. Subjective assumptions like this have contributed to the inconsistencies and injustice suffered by Veterans over the past decades. There are, as outlined earlier, many examples of medals awarded for service (see Appendix Two). There may be criteria attached to such awards but that will also be the case of the UK National Defence Medal.

b. The UK National Defence Medal is a proposed new medal awarded by Her Majesty as recognition of Service for those who have taken the oath or affirmation of allegiance and who have kept and continue to keep this Nation safe and secure. It is not comparable to issuing medals for every posting or country a service person visits

c. The second sentence has previously been shown to be misleading. There are medals awarded for service such as the group of Long Service and Good Conduct medals, which for some unknown reason have been excluded from this Medal Review yet have caused much of the inconsistency and injustice over many years and the disparity still causes concern. For example, Reserve forces qualify for a VRSM after only 180 days over 10 years of non-operational service and officers are included; cadet forces 12 years; regular forces require 15 years but officers are excluded. A request was made to the Ministry of Defence on 2nd June 2011 for the reasons why the Long Service medals were excluded from the review but to date no reply has been received.

d. The third sentence is inaccurate. As already identified the Long Service and Good Conduct medals are awarded to the Regular, Reserve Forces and the Cadet Force, all are very much about recognising service. There were no strict qualifying criteria surrounding the Silver Jubilee medal and what there was raised many questions. E.g. a limited number of medals were issued which resulted in one Regiment of 550 officers and men receiving six. The CO decided he must have one and he gave one to his Adjutant, one to his Accounts officer and the rank and file drew lots for the remaining three medals – hardly strict criteria! This left the remaining 544 officers and men feeling aggrieved. A situation mirrored across the Armed Forces! An example where a medal was almost not instituted through lack of finance and when struck, responsible for medallic injustice to the majority of the Armed Forces. (See ‘The battle for the Jubilee medal 1976’ Government papers by Dominic Casciani –news.bbc.co.uk/1/hi/uk_politics/6212949.stm)

e. This last sentence is confusing. It is another example of a subjective statement; there is no evidence to support it. There are already medals in existence for service. The medallic recognition of those who have taken the oath or affirmation of allegiance to the Sovereign, and been prepared to put their life on the line to keep the Nation safe and secure, cannot, by any stretch of the imagination, represent a change in ethos of the UK military. The lack of substance and throwaway remark is another reason why Veterans feel frustrated in respect of what they believe to be an unjust medal system that has ignored their service over the past decades.

5.47 There is no indication that currently serving personnel have any particular desire for a universal defence Medal.

76. **Comment on 5.47:** Another subjective statement with no foundation and is similar to the statement in Part Two that identified ‘no appetite’. A Freedom of Information Act request (reply FOI 17-02-2011-114317-004-Scriven dated 16 and 23 March 2011) showed no surveys were carried out with the Armed

Forces. The statement dismisses completely the rights of Veterans to have a feeling on the matter despite the fact they are the group actively campaigning and by far the largest group involved. The FOI reply identified that only limited internal comments were sought from very senior officers, Government officials and Civil Servants. This narrow group cannot be defined as representative of those currently serving in the Armed Forces.

5.47 (cont) New medals are generally instituted primarily for serving personnel, not for veterans, that was one reason why the MOD instituted the Armed Forces Veterans lapel badge in 2004.

77. Comment on 5.47 (cont): New medals are generally instituted for serving personnel however, the institution of the UK National Defence Medal is aimed at righting the wrongs of past medal inconsistency and injustice in the fairest way possible. Information obtained from Ministry of Defence documents as a result of an FOI request (MOD Veterans Policy Unit SP5.10.10.102.9 Dated 14 Oct 08) was quite specific why the Veterans lapel badge had been instituted, it was not to recognise service or instead of a medal of recognition. This was confirmed by a reply to a further Freedom of Information request in 2011(PW-14-12-2010-142552-002-Gray dated 23 March 2011). It should be noted the UK National Defence Medal is for both veterans and serving personnel alike who meet the relevant criteria.

The badge is a universal recognition of past military service without implying that the wearer has or has not been engaged or involved in activities that were subsequently recognised by the award of a medal. Whilst the NDM supporters claim that the badge is insufficient recognition for having served, there is evidence of its popularity with over 800,000 veterans claiming a badge and one is now issued to all personnel leaving the Armed Forces.

78. **Comment on 5.47 (cont):**

a. This is a totally inaccurate and misleading statement. The Veteran's lapel badge was not introduced as recognition of service given to the Sovereign and the Nation. It is an ID badge, a badge by which the public can recognise its Veterans and Veterans can recognise each other. There are no criteria for issue other than having served in the Armed Forces. There is no restriction on application from those who have not completed basic training or been dishonourably discharged. It is defined by the Ministry of Defence as a survivors badge and as such is not issued posthumously.

b. The Medal Review and Ministerial statements have made totally inaccurate claims and used the existence of the lapel badge as a reason why the UK National Defence Medal should not be instituted. Detailed comments are provided on the lapel badge at Appendix Three to this document. It is time for the Ministry of Defence to cease making misrepresentations about the Veterans lapel badge and to cease using the badge as an excuse for not officially recognising our veterans by the award of the UK National Defence Medal.

5.48 Medals introduced by the Governments of Australia, New Zealand and others are their own responsibility in line with their own customs and military ethos, Since Australia and New Zealand withdrew from the Imperial Honours System, advice from their Ministers to The Queen does not have to be mirrored by the British Government.

79. **Comments on 5.48:**

a. Previously at paragraph 5.44 in this extract of Part Five of the Medal Review report a list of criteria showed just why any Nation should be proud to recognise its Armed Forces personnel by the award of a defence medal. In this statement at 5.48 those star qualities appear to be dismissed. Great store is placed on the fact that Australia and New Zealand are no longer part of the Imperial Honours system therefore the

British Government do not have to mirror the advice given to Her Majesty by their Governments.

b. To use the Imperial Medal System as a reason for not recognising those who have taken the oath or affirmation of allegiance to the Sovereign and kept the Nation safe and secure should cause the author of the Medal Review some acute embarrassment. The Imperial Honours system is the very same one that the Military Covenant Commission report, the Conservative Party election manifesto and the Coalition Government have committed themselves to reviewing. The one responsible for causing so much of the medallic injustice suffered by veterans over the past 60 plus years.

c. At this point the Ministry of Defence should be questioning why their position is so different from that of the Coalition Government in respect of a review of the medal system; and why they are fighting so hard to avoid recommending medallic recognition of service to Her Majesty the Queen for her veterans through the award of the National Defence Medal. Certainly veterans are asking why would those responsible for rebuilding the Military Covenant be using inaccurate statements such as those that surround the lapel badge to avoid such recognition.

5.49 The potential number of applicants for a NDM would be huge. It is estimated that some 4 million people could apply either for themselves or on behalf of a deceased relative (2 million alone completed post War National service).

80. Comment on 5.49: Despite the subjective statement made earlier in Part Two that there was 'no appetite', and in Part Five 'no desire' for such a medal, the review has come to the conclusion that the potential applications for the UK National Defence Medal would be huge. This latter assessment is probably right judging from the recorded support for the defence medal.

5.49 (cont) *The cost of a National Defence Medal could therefore extend to as much as £300 million.*

Campaigners for the medal have suggested that a medal could be paid for by individuals, Official medals are the gift of The Queen, who is the fount of all Honour in the UK. Medals are awarded free of charge to individuals who meet or exceed the published qualifying criteria laid down for each one. All medals have eligibility criteria and only those who are awarded them in the name of The Sovereign may wear them. If a charge were placed upon such a medal it would devalue the status of the award and the UK Honours and Awards system more generally.

81. **Comment on 5.49 (cont):**

a. **The UK National Defence Medal campaign do not recognise the figure of £300M, which was first presented by the Veterans Minister in the Westminster Hall debate on the National Defence Medal on 8th February 2011. No financial model has been produced or offered within the Medal Review. Throughout the review there has been no attempt to contact the UK National Defence Medal campaign team to ascertain their estimates of costs or to request their financial model for funding.**

b. **A finance paper has been prepared by the UK National Defence Medal campaign and is at Appendix Four. Overall costs are expected to be in the region of £60M. However, only 15M would be a direct cost to the public purse over ten years. The remaining 45M in respect of administration, processing, packaging and distribution costs would be obtained through the ethos of the 'Big Society' where individuals may donate time or money. It is emphasised the cost of the actual medal would not be paid for by individuals. There is absolutely no possibility that this model of funding would devalue the UK National Defence Medal or the UK Honours and Awards system more generally.**

c. **The Ministry of Defence have stated on a number of occasions that finance would not be the sole reason for not recommending the**

institution of the UK National Defence Medal. It would be appropriate, in light of the strong case for institution of the defence medal, that the Ministry of Defence work with the UK National Defence Medal campaign representatives to mutually agree the exact costs. The views of the Palace have been sought and are awaited.

Conclusion

5.50 Having given this issue the fullest consideration, the MOD does not support the institution of a national defence Medal for the reasons outlined in paragraphs 5.46 to 5.49 above.

82. Comment on 5.50: No evidence was presented throughout the extract of Part Five that the Medal Review had given the issue of the UK National Defence Medal the fullest consideration. Indeed, the evidence produced seemed to contradict such a claim. Therefore its decision not to support the institution of the defence medal is questioned. Certainly further clarification in respect of how such a decision was arrived at is required.

Summary

83. The process of the Medal Review was flawed. No review was carried out of the HD Committee or of the rules governing the award of medals; some groups of medals had been excluded from the review and the analysis of the rules as they appertained to current and past medal decisions was not carried out. The conclusion in Part Two that existing rules had stood the system in good stead for 60 years and the recommendation that there should be no change flew in the face of evidence that proved the opposite. Throughout all of this, no justification as to why the UK National Defence Medal should not be instituted was produced. The evidence provided in the review report Part Five extract needed to be substantial and evidence based. It failed; no justification was produced as to why a UK National Defence Medal in recognition of service should not be instituted.

84. It was soon apparent from the 'extract' that the review of the proposed institution of the UK National Defence Medal was weighted against the introduction

of the medal; even the case for the medal included reasons against it. The discussion on the UK National Defence Medal failed to attempt any discussion or analysis, instead restricting itself to subjective and misleading statements and arguments based on proven inaccurate facts. Having extolled the virtues and qualities of those who serve and why the Australian and New Zealand Government had requested Her Majesty honour their veterans and members of the Armed Forces with their respective defence medals; the review took refuge in the fact that actually those countries were no longer within the Imperial Medal system so there was no need to ask Her Majesty to honour our veterans! This was the same Imperial Medal System controlled by the HD Committee with questionable medal rules that the Coalition Government had committed itself to reviewing.

85. Once and for all the claims surrounding the Veterans lapel badge, that it was introduced to recognise service, were shown for what they were, false. The lack of 'appetite' and 'desire' for such a medal changed to the fact there was likely to be a huge 'take up' therefore a cost of £300M would be a major factor. However, any attempt to privately fund the medal would not only devalue the status of the award but the whole UK Honours and Award system. It was of course all nonsense, and if the review team had taken the opportunity to speak to the representatives of the UK National Defence Medal campaign rather than carry out a paper exercise, most of the erroneous content of the extract at Part Five could have been avoided.

Conclusions and Recommendations

Conclusions

86. **General.** Successive Governments have been responsible for not meeting their obligations in respect of the Military Covenant. This has included the inconsistencies and injustice experienced by veterans in respect of medallic recognition.

87. Campaigning by Veterans over many years together with the Conservative Party and Coalition Government's commitment to rebuild the Military Covenant, with strong 'cross party' support by Members of Parliament was directly responsible for the Medal Review. The commitment was explicit, review the HD Committee, review the rules governing the award of medals and then review outstanding medal cases.

88. Inexplicably the task of carrying out the Medal Review was assigned to the Ministry of Defence who had no jurisdiction to review the HD Committee or to review the rules that governed the award of medals. (The results of the Freedom of Information Act request to the Cabinet Office in respect of how such a decision was made are still awaited.) What was evident by this decision was the resulting Medal Review would not meet the recommendations or commitments made and would not address the inconsistency and injustice of medallic recognition, experienced by Veterans over the past 60 years.

89. **The process of the Medal Review.** The Ministry of Defence within its limitations restricted its terms of reference to determining whether or not the **existing rules** had been appropriately applied in relation to current medals and medallic recognition of past service. This was not in line with the Coalition Government's commitment.

90. The restrictive remit of the Ministry of Defence's terms of reference were diluted still further when they decided to exclude the Long Service and Good Conduct group of medals, and although not excluded, the review failed to examine

the general rules and rationale surrounding the institution and award of non-campaign/recognition of service medals. The Silver and Golden Jubilee medals were also excluded as the Ministry of Defence were not empowered to review State medals. Criteria and the award for both of these groups of medals, had over the years, been the cause of both inconsistency and injustice. Surprisingly, despite all of these exclusions, the award of a likely Diamond Jubilee medal was included.

91. The Ministry of Defence failed to publicly promulgate the review's terms of reference; the date the review commenced; and the date of completion; this together with a mystic around the progress of the review contravened the Government's Transparency Agenda.

92. Campaigning by veterans over many years had brought about the Medal Review. The commitment by the Coalition Government had revolved around addressing the grievances by Veterans in respect of medallic recognition. Despite these facts there was no attempt to engage with Veterans, service organisations or representatives of medal campaigns; the very people the Medal Review was about, were excluded. Instead the review relied on a paper-based exercise to arrive at its findings and decisions.

93. The time frame for the Medal Review was totally unrealistic, approximately 50 days, which included the Christmas and New Year break (19 Nov to 10 Jan), to complete the review and submit the report to the Veterans Minister. The report was however submitted on time and by the 16 February the Defence Secretary had 'signed off' the final report and sent it to the Prime Minister and Deputy Prime Minister for endorsement.

94. The Prime Minister and Deputy Prime Minister did not endorse the report and it was returned to the Ministry of Defence as it had failed to consult with stakeholders (veterans). It had taken 50 days to complete the review and final report but by the end of May, some four-months on, the final report had become a draft final report with parts of it being sent to representatives of selected medal campaigns but for comment only. This overall total of six months would have been better spent in planned consultation with veterans and detailed analysis of the issues. It had

become another shabby episode in addressing the outstanding medallic recognition of veterans.

95. The execution of the Prime Minister's directive by the Ministry of Defence was conducted with a lack of transparency and openness. Only selected medal campaign representatives were asked to comment on parts/extracts of the report. The whole draft report was not publicly available and requests for additional parts/extracts were either turned down or ignored by the Ministry of Defence. Being asked to comment on flawed findings and parts of a discredited draft final report did not represent consultation in a Medal Review. No details of who or how comments would be dealt with were made available or how feed back or further representation could be made.

96. **The UK National Defence Medal.** It had been apparent for some considerable time, prior to and during the Medal Review, in response to letters from MPs, veterans, members of the public, statements in reply to questions in the House together with statements made in debates that the Ministry of Defence were uncomfortable with the prospect of the institution of the UK National Defence Medal. This may well have been due to their concerns about cost or a frustration that it was being caught up in the time frame surrounding the Queen's Diamond Jubilee Medal.

97. Detailed scrutiny of Part Two and the Part Five extract of the Medal Review, in respect of the institution of the UK National Defence Medal, displayed the same characteristics that had been identified both prior to and during the process of the Medal Review. A reliance on subjective and misleading statements, inaccurate assumptions and facts, decisions based on false arguments and a lack of analysis. These characteristics were further compounded by a reluctance to consult with representatives of the defence medal campaign. There was a failure to provide any evidence-based justification for the decision not to approve the institution of the UK National Defence Medal.

a. **Support for the Medal.** The inference in the report that there is no 'appetite' and the statement there is no 'desire' for the defence medal are not based on fact and are wrong. The UK National Defence Medal is strongly

supported by tens of thousands of veterans, by MPs, by public dignitaries, by both former and serving senior officers, by celebrities, by veteran icons and by members of the public. Indeed a later statement in the report assessed the potential demand for the medal to be huge.

b. **Rules.** There are precedents for the institution of medals in recognition of service. However, service medals together with the general rules and rationale for the institution of non-campaign medals were totally omitted from the Medal Review. As the defence medal is a new medal its institution would appear not to break any of the current medal system's 'two rules and one principle' contained in Part Two of the report. The medal will be available to Veterans who served post September 1945 but does not infringe the 'custom' of 'non retrospective', as that was deemed to relate to gallantry awards and later extended by the HD Committee to include campaign medals. No comments of any likely breaches of the existing rules were made at Part Five.

c. **Veterans Lapel Badge.** Servicemen and women take the oath or affirmation of allegiance to the sovereign, in so doing they show a willingness to put their life on the line to keep the Nation and interests safe and secure. The case for recognition of those who serve is substantial and it is appropriate, such recognition, is by the Sovereign. The attempt in the past few years by the Ministry of Defence to use the Veterans lapel badge as a reason for not instituting the UK National Defence Medal, claiming it would be duplication of recognition, is frankly disingenuous. Ministry of Defence documents show clearly that official recognition of service was not a reason for its introduction; it was a means of veteran identification of each other and by the public, its subsequent rollout, and criteria for issue has not officially changed. Veterans have earned the right to be treated with dignity and it is time the Ministry of Defence cease exploiting the lapel badge as an excuse and recommend to Her Majesty the award of the UK National Defence Medal.

d. **Cost.** Financing of the UK National Defence Medal has become an issue, as indeed have medals before it such as the Silver Jubilee medal. The estimated cost by the Ministry of Defence of £300M to institute the UK National Defence Medal is inaccurate and mischievous. There will be a cost

to the public purse and the principle that medals awarded by the State should not be privately funded is accepted but with reservations. Cost should be taken to be the production of the medal and ribbon. In this climate of austerity, they should not include the cost of administration, processing, packaging, postage and VAT, these are all costs, which can and should be picked up in the culture of the 'Big Society', through voluntary contributions in both time and money as is being encouraged in almost every other area of the community. The 'actual' medal costs to public funds is calculated at around £15M spread over ten years.

e. **The Decision.** No justification has been provided in either Part Two or the Part Five extract as to why those who have taken the oath or affirmation of allegiance to the Sovereign and served the Nation should not be recognised by the award of the UK National Defence Medal.

98. **The Medal Review.** The Medal Review did not fulfil the commitment by the Coalition Government to review the rules governing the award of medals. It was also constrained by many other factors and limited, for whatever reason, to a paper based exercise, failing to fully grasp why it had been constituted in the first place. Consequently, it was no surprise that the various parts and extracts of the report, circulated for comment, as described previously, appeared to be based on subjectivity, displaying a considerable lack of analysis and relying on misleading statements, inaccurate assumptions and facts with decisions based on false arguments, to arrive at unacceptable conclusions and recommendations for no change of the medal system and no support by the Ministry of Defence, for the institution of the UK National Defence Medal.

Recommendation

99. The discredited Medal Review report based on a flawed process together with findings that are unsubstantiated should not be resubmitted to the Prime Minister or Deputy Prime Minister.

100 It is recommended the Medal Review be reconstituted under an independent chair; it widens its terms of reference, consults widely with the stakeholders including veterans; it takes into account the recommendations by the Military Covenant Commission's report and fulfils the Conservative Party's election manifesto commitment and that of the Coalition Government.

101. It is suggested, there is a need for careful reflection within the Ministry of Defence, in respect of just how Veterans have been dealt with throughout this Medal Review, in what has been another shabby episode surrounding medallic recognition.

Tony Morland

Colonel Terry Scriven (Retd)

**Co-Chairmen
UK National Defence Medal Campaign**

Attachments:

- Appendix One - Review of Medallic Recognition – Terms of Reference
- Appendix Two - Medals issued for non-Campaign Service
- Appendix Three - The Veterans Lapel Badge
- Appendix Four - Financing the UK National Defence Medal

APPENDIX ONE
TO UKNDM/503/6/11
DATED 24 JUNE 2011

Note: Below are the Terms of Reference for the Ministry of Defence Medal Review, which was carried out between the 19th November 2010 and 10th January 2011. They were not promulgated in the public domain and were obtained by the UK National Defence Medal campaign two months after the review was completed through a Freedom of Information Act request.

REVIEW OF MILITARY MEDALLIC RECOGNITION
TERMS OF REFERENCE FOR AVM MURRAY – DS SEC

Objective

You are to carry out a review of the rules governing the award of military medals to ensure they are being appropriately applied in relation to current medal decisions. In addition you are to review the applicants of these rules in relation to medallic recognition for past service, which has since been the subject of requests for change. The review is only to consider military medallic recognition and is not review the HD Committee, state honours and awards (including national gallantry awards) or Long Service and Good Conduct Medals.

Context

The Coalition stated its intention in the Programme for Government, published in May 2010, to review the rules governing the award of medals as a part of its commitment to rebuilding the Military Covenant.

Timing

You are to provide a report to me, containing recommendations, by 10 January 2011.

Detail of the Review

The review is to:

❖ Consider the current medallic situation and examine the rationale for the current principles including the 5-year rule (including non retrospection), double medalling, risk and rigour and the HD process. It is to explain why current arrangements exist, the pros and cons of them, making recommendations where appropriate for any changes – if within the gift of MOD.

- ❖ Consider what operational medals are currently being awarded and whether the current arrangements and awards are appropriate.
- ❖ Consider cases that have been made for past service that currently exist, making recommendations on each medal or campaign, giving reason for the recommendations. Examples might include the Arctic Convoy campaign, the Korean Medal, the Bomber Command campaign, the National Service Medal/National Defence Medal, the Pigat Jasa Malaysia Medal and the Lancaster Trooping disaster. Where possible, indicative costs are to be included with each recommendation on each campaign/medal, together with evidence of desire for change.
- ❖ Consider the wearing of foreign medals that have been awarded to individuals (including UN/NATO medals), outlining current policy and identifying any potential changes that may be made.
- ❖ Consider what other medallic recognition may be appropriate. This is to include consideration of changing time required on operations to be eligible for the award of the ACSM, worldwide medallic recognition for current operations, the issue of the Diamond Jubilee medal, and the status of the NATO Meritorious Service Medal and compartmentalised and special operations and any other issues that you consider appropriate.
- ❖ Make recommendations for changes to current arrangements, costed as appropriate.

Signed on original

Andrew Robathan MP
Minister for Defence Personnel Welfare and Veterans

19 November 2010

APPENDIX TWO
TO UKNDM/503/6/11
DATED 24JUNE 2011

MEDALS ISSUED FOR NON CAMPAIGN SERVICE

2.1 There is an assumption made within the Medal Review that the institution of the UK National Defence Medal would break with tradition by awarding a medal in recognition of Service. This is not the case. JSP761 identifies a number of medals, which have been instituted within the Armed Forces for non-campaign/recognition of service during the past 60 years:

Coronation and Jubilee Medals.

Her Majesty The Queen's Coronation

Her Majesty The Queen's Silver Jubilee Medal

Her Majesty The Queen's Golden Jubilee Medal

Long Service and Efficiency Awards

Meritorious Service Medal

Regular Forces Long Service and Good Conduct Medals:

Medal for Long Service and Good Conduct (Military)

Naval Long Service and Good Conduct Medal

Royal Air Force Long Service and Good Conduct Medal

Long Service and Good Conduct (Ulster Defence Regiment)

Volunteer Reserves Long and Efficient Service Awards:

Army Emergency Reserve Decoration (ERD)

Efficiency Decoration (Territorial) (TD)

Efficiency Medal (Territorial)

Royal Naval Reserve Officers' Decoration (RD)

Royal Naval Reserve Long Service and Good Conduct

Royal Fleet Reserve Long Service and Good Conduct

Royal Naval Auxiliary Service Medal

Air Efficiency Award (AE)

Volunteer Reserves Service Medal

Ulster Defence Regiment Medal (UD)

Northern Ireland Home Service Medal

Queen's Medals for Champion Shots

Cadet Forces Medal

Rhodesia Medal

Loan/Seconded Service

The Accession Medal (Oman) when Sultan superseded his father

The Peace Medal (Oman)

Muscat Victory Medal (AS SUMOOD)

Sultan of Oman's 30th Renaissance Medal National Day 2000

APPENDIX THREE
TO UKNDM/503/11
DATED 24 JUNE 2011

**THE VETERANS LAPEL BADGE KNOWN AS HER MAJESTY'S ARMED FORCES
VETERANS BADGE**

Background.

3.1 Service personnel, when they join the Armed Forces, take the oath or affirmation of allegiance to the Sovereign. It therefore is appropriate it is the Sovereign who formally recognises such service on behalf of the Nation.

3.2 The Ministry of Defence has continually used the existence of the Armed Forces Veterans lapel badge as the main reason why the UK National Defence Medal should not be instituted, claiming that it would be duplication as the badge already recognises such service. The lapel badge has been designated by the Ministry of Defence as Her Majesty's Armed Forces Veterans Badge (HMAFVB). Consequently, many recipients are under the impression the HMAFVB has been approved by Her Majesty. Many veterans are pleased to receive their badge as in a number of cases the badge is all they have to show for their service to 'Queen and country'. However, any idea the badge was authorised by Her Majesty or was introduced to officially recognise service in the Armed Forces is a myth. (*MOD Veterans Policy Unit SP5.10.10.2.9 dated 14 Oct 2008 and FOI request PW-14-12-2010-142552-002-Gray dated 23 March 2011*).

Medal Review

3.3 The recent Ministry of Defence Medal Review report, in providing evidence against the institution of the UK National Defence Medal, indicated that one reason why the Ministry of Defence instituted the Armed Forces Veterans lapel badge in 2004 was because new medals are generally instituted primarily for serving personnel not veterans. No evidence to support this claim has been

presented by the Ministry of Defence. Indeed documents obtained from the Ministry of Defence through the Freedom of Information Act show the lapel badge was not introduced for that reason.

3.4 A Freedom of Information Act request identified the badge was first introduced in 2004 by the Labour Government's Ministry of Defence Veterans Minister. It was to be an identification lapel badge issued to Second World War veterans, who were returning to Theatres of operations where they had fought, to commemorate the 60th Anniversary of the ending of WW2 as part of the 'Veterans Reunited' programme. The Ministry of Defence website, as at 9th June 2011, states, "The HM Armed Forces Veterans' Lapel Badge was launched in May 2004, by the then Minister for Veterans, to raise the profile of veterans by assisting the wider public to recognise them."
(www.veterans-uk.info/vets_badge/vets_badge.htm).

3.5 As it was an identification badge and not a medal it did not require the HD Committee approval, did not require Her Majesty's approval, was not part of any debate and did not receive any Parliamentary approval.

3.6 Many WW2 veterans applied for the badge and were delighted to receive it for everyday wear on their overseas visits. In addition, many other WW2 veterans not involved in operational service who had already received the 1939-1945 Defence Medal also applied and received the badge. A Freedom of Information request (SPVA/Sec/6/7/63 FOI/024/11 dated 25 May 2011) identified that SPVA have issued 115,941 lapel badges since April 2005 to WW2 veterans but no data has been retained before this date.

3.7 The badge later became available to World War One veterans and to those who had served between the two wars, no records were maintained of applicants. A pilot scheme was also held in 2005 to issue it to all Service Leavers. Although 27% of badges were either refused or returned, the pilot was deemed a success, and now all service leavers are issued with the HMAFVB in their leaving packs.

3.8 There is no criteria in respect of the issue of the lapel badge, it is available to all those who have served in HM Armed Forces, including Volunteer and Regular Reserves. The badge is a survivors badge and therefore is not issued posthumously except for War Widows and Widowers who are in receipt of War Widows/Widowers pension. This effectively means those persons who have not completed basic training and left the Service may apply and receive a badge and those who are dishonourably discharged may apply and receive one. Badges are also replaced if lost although no records of replacement badges are held.

3.9 Ministry of Defence documents, obtained under the Freedom of Information Act, show clearly the aim of the Veterans lapel badge was not issued to recognise service. (FOI request PW-14-12-2010-142552-002-Gray dated 23 March 2011). However, over the past three years Defence Ministers and their staff have stated the lapel badge is issued to recognise service and used this as a reason for not agreeing to institute the UK National Defence Medal, which aimed at recognising service, as it would be duplication. Despite requests, no document has been forthcoming from the MoD in response to a FOI request for information, which officially discusses and/or authorises the change of a veterans' lapel badge aimed at assisting the wider public to recognise them to a badge awarded to veterans to official recognition their service to the Sovereign and the Nation. The Armed Force Covenant 'Today and Tomorrow' pamphlet issued in 2011 confirms the badge was launched in May 2004 to raise the profile by assisting the public to recognise veterans.

3.10 In June 2008 an MOD document, obtained under the Freedom of Information Act, stated, '*the extended availability of the UK Armed Forces badge was to raise the profile of veterans by assisting the wider public to recognise them. It's symbolism is intended to unite all veterans in recognising the commonality of service, to encourage a sense of unity and community between surviving veterans and to ignite public recognition of current veterans and their continuing contribution to society.*' This same statement was used in answer to a further Freedom of Information request on 25 May 2011. The Ministry of Defence official website (9 Jun 2011) in respect of the badge stated, '**To promote recognition of veterans by the wider British public the unique and unifying**

symbol of the HM Armed Forces Veterans Badge is available to all those who have served in the Armed Forces. There can be little doubt the veteran lapel badge is for day-to-day wear to identify the wearer has served and undertakes a totally different function to that of a medal in recognition of service.

3.11 Differing estimates are made by the Ministry of Defence in respect of the numbers of the badges that have been issued; these have ranged from one million by the Veterans Minister in the National Defence Medal debate in Westminster Hall on 8th February 2011, to 832,952 by SPVA in response to an FOI request, and 'over 800,000' in the Medal Review report Part Five extract on the National Defence Medal. The fact is, no records were kept of those who received the badge in 2004 to April 2005; no records were maintained of service leavers who received the badge before November 2010; and despite a recent FOI request to SPVA in May 2011, it has not been possible for the Ministry of Defence confirm the number of personal details of veterans held on their data base of former service personnel who have been issued with a badge. The best information received so far is SPVA claim to have records of 521,618 applications, some are multiple applications, and there is no indication how many may be reissues.

3.12 The claims by the MoD that the 800,000(+) veterans who have claimed the lapel badge is evidence of its popularity is misleading for a number of reasons:

- ❖ There are no criteria for the issue of the Veterans' lapel badge.
- ❖ There is no record of how many WW2 veterans claimed the ID badge in 2004 to April 2005. Although SPVA state they have details of 115,941 WW2 veterans, not confirmed, on their database. These former service personnel would not be eligible for the new defence medal.
- ❖ There is no record of how many service leavers were automatically issued with a veterans lapel badge on discharge prior to November 2010, SPVA believe it was over 100,000. Clearly they did not apply, it was an automatic issue.

- ❖ The designation of the lapel badge as Her Majesty's Veterans Badge has led many veterans, in the absence of other service recognition, to apply for the badge, believing it is awarded/authorised by Her Majesty.
- ❖ SPVA do not have an exact record of how many veterans have been issued with a badge or who they are or if there have been any duplicate issues.
- ❖ The Ministry of Defence estimate there are four million post war veterans who are eligible for the UK National Defence Medal. If all of the estimated 800,000(+) lapel badges had been issued to post WW2 veterans, over seven years of its existence, it would represent less than 20% of those eligible but it is assessed the exact total is much less than 20%; hardly an indication of popularity.

APPENDIX FOUR
TO UKNDM/503/6/11
DATED 24 JUNE 2011

FINANCING THE UK NATIONAL DEFENCE MEDAL

Background

4.1 The award of the UK National Defence Medal, seeks to address the injustice, experienced by veterans, over the past 60 years, through an absence of medallic recognition by Her Majesty the Queen, for those who have kept the Nation safe and secure.

4.2 The banking crisis has contributed to significant Government debt, which has created a period of austerity within the UK. In addition, questionable procurement processes of equipment by the Ministry of Defence, has resulted in a budget deficit. These factors militate against funding the institution of the UK National Defence Medal at this particular time. Although Ministerial statements have indicated that cost alone would not be a reason for refusing to support the award of the medal, there can be little doubt that it is a major issue.

4.3 It is estimated by the Ministry of Defence that the number of veterans or relatives who potentially apply for the defence medal is around four million and that the 'take up' in applications would be substantial. The Ministry of Defence put the cost of awarding four million defence medals at £300M, which represents £75.00 a medal. This estimate is considered inflated and to date the Ministry of Defence has offered no detailed breakdown of actual costs. Medal specialist advisers have placed a cost of around £5.00 for a medal, ribbon and light card medal box with varying estimates for processing and administration. Expenditure by both Australian and New Zealand Governments have been shown to be substantially below the MoD figure coming in at an inclusive cost of medal and administration etc of £17.00 each.

4.4. A strong belief is held by Ministry of Defence that private funding would devalue the whole UK medal system. They have also indicated that Her Majesty

would not approve private funding for the UKNDM. As no evidence of the Palace's position on this matter has so far been forthcoming from the Ministry of Defence, a letter of request for such information was submitted to Buckingham Palace on the 8th May. A reply is awaited. The UK National Defence Medal campaign accept the principle that medals awarded by the State should not be privately funded but with reservations.

The Way Forward

4.5 The culture within the Armed Forces; those who have served and their families, epitomise what the Coalition Government are trying to achieve by the introduction of the Big Society. A 'can do' culture, willingness to help their comrades, assist those less fortunate than themselves and play a part in the community provides the key to the funding and provision of the UK National Defence Medal.

4.6 It is unlikely that all of the estimated four million veterans or relatives eligible to submit an application for the UK National Defence Medal will do. Currently less than 20% of those eligible for a Veterans lapel badge have applied over the past seven years. However, it is estimated the take up rate for the UK National Defence Medal will be high and could be in the region of three million (75% of this eligible).

4.7 Funding projections show that somewhere in the region of 350,000 UK National Defence Medal applications would need to be processed annually for between eight to ten years. Estimated costs to the public purse for the actual UK National Defence Medal would be £15M (3 million applicants x £5.00). This would represent an average annual outlay of £1.5M, which is considered an acceptable expenditure to Government.

4.8 Costs for administration and processing, packaging and VAT of UK National Defence Medal applications together with dispatch are in the region of £45M over 10 years (3 million applications x £15.00). These costs are for

operating a process and should be privately fund in time or money using the 'Big Society' concept.

4.9. In the 'Big Society' concept there appears to be no argument about such private funding of many of the day-to-day activities that take place in our communities, which were hither to Government funded. Indeed, the 'Big Society' has its bedrock in a culture of 'volunteering'.

4.10 From discussions with veterans and families there appears to be an 'Army' of volunteers who are willing and waiting get involved in this project and provide both time and money over the next 8 to 10 years to deal with the administrative 'overheads'.

4.11 Clearly, careful selection of volunteers would be required and detailed co-ordination but such skills are available. The fine-tuning of this 'Big Society' principle in facilitating the recognition of service by our veterans is comfortably within the gift of the Ministry of Defence and the UK National Defence Medal campaign Executive.

The Process

4.12 It is anticipated that the centre for administration, processing and dispatch would be based with SPVA. From date of application to dispatch would be three to six months with a capacity to deal with approx 6,000 medals a week.

4.13. Applications would be dealt with on a rolling scale, possibly along similar lines to the example shown on the next page.

Application – rolling scale based on date of joining Armed Forces or age		
Year One	1945- 1949	80 or over
Year Two	1950 -1954	75 or over
Year Three	1954 –1959	70 or over
Year Four	1959 –1964	65 or over
Year Five	1964 - 1969	60 or over
Year Six	1969 - 1978	50 or over
Year Seven	1978 -1988	40 or over
Year Eight	1988 - 1998	30 or over
Year Nine	1998 -2011	20 or over

4.14 Facilities would be available for fast track. Individual costs could be along the following lines:

- ❖ Veterans – medal and administration/processing/dispatch – free
- ❖ NOK – medal £5 - administration/processing/dispatch £15 total = £20.00
- ❖ Veterans fast track, 6 wks, medal free, admin £15, fast track £5, total £20.00
- ❖ NOK fast track (6 wks)- medal £5, admin £15, fast track £5, total =£25.00

4.15 It is anticipated the bulk of the applications would be received in the first three years with many veterans and NOK making maximum use of the fast track service. Therefore, were the UK National Defence Medal to be introduced by late 2011, most medals would have been issued by 2015. Medal ceremonies and finding suitable persons in the community who would volunteer to award such medals is not considered to be an issue and is likely to foster a greater community spirit.

Conclusion.

4.16. There is little doubt of the injustice suffered by veterans over the past decades in respect of medallic recognition. Such injustice would be significantly increased, were the Government (MoD) to fail, in its commitment to positively address the institution of the UK National Defence Medal because of budgetary constraints.