Guidance to applicants on preparing a submission for Defence to review honours and awards

Introduction
Defence encourages individuals to apply for an internal review of its decisions regarding a military member’s eligibility for a Defence honour or award, prior to an individual considering lodging an application for a review with the Defence Honours and Awards Appeals Tribunal, an independent statutory body.

What will Defence review?
Defence will review a decision for a member’s eligibility for a Defence honour or award from the beginning of World War II (3 September 1939) onwards.

Valour, Gallantry and Bravery Decorations and Honours
Under the Imperial Honours System and the Australian Honours System, valour, gallantry and bravery decorations and honours are processed through the nominated member’s chain of command for consideration. In cases of recognition being sought for acts of valour, gallantry and bravery, these decorations are only to be issued to members who have been nominated and approved for the award by their chain of command and at the highest levels within Defence (and in the case of the Victoria Cross for Australia, approval by The Sovereign).

Unit Citations
Unit Citations recognise gallantry in action, or outstanding service in warlike operations by Australian Defence Force (ADF) units. Defence will review requests for Unit Citation awards where the action or service occurred after 1991, the year when Unit Citations were introduced into the Australian Honours and Awards System.

Campaign awards, operational service awards and long service awards
In Defence, the majority of applications for review concern a member’s eligibility for campaign awards, operational service awards and long service awards. Eligibility for these awards is governed by the Regulations and Determinations issued for each award that specifies the qualifying criteria that must be fulfilled by the member to be approved by authorised approving delegates within the Directorate of Honours and Awards.

Attachment 1 to this Guidance provides the list of honours and awards that Defence will review.
What strengthens an applicant’s case for a review to be conducted?

Defence may undertake a review of an application when an applicant includes new evidence that demonstrates that:

- there was a clear intent to nominate or recommend a member for an honour or award;
- an individual was either nominated, recommended or eligible for an honour or award; and
- there has been a demonstrable failure in due process or maladministration of the nomination or recommendation for the honour or award.

What evidence is needed to support an application for review?

Defence will review a request where the applicant is able to provide evidence that, as a result of a failure in due process or maladministration:

- a member was not nominated for an honour or award and there was a demonstrated intent for this nomination to occur,
- a member was not recommended for an honour or award as a result of maladministration,
- a member was not awarded the honour or award that they were nominated for as a result of a failure in due process or maladministration,
- a member’s nomination for an honour or award was downgraded without consultation with that member’s nominating superior/ chain of command,
- a member’s honour or award was withheld, or
- a member’s honour or award was forfeited.

The application will benefit greatly by an applicant’s assistance in compiling sufficient evidence to support their case for current day decision-makers to consider the review.

The evidence used to support the application should be substantive and therefore:

- **relevant** (it must relate directly to the case);
- **authoritative** (it must be derived from official records and not be anecdotal in nature); and
- **objective** (free from prejudice or bias).

Evidence that does not meet these criteria may be considered insufficient and may affect the outcome of the review. Applications in which the evidence that is provided is anecdotal, or based on unsubstantiated claims, will be returned to the applicant with a request to provide more substantiating evidence.

Defence may conduct a review if an applicant is able to provide new and compelling evidence that was not available to the decision-makers at the time.
How will an application for a review be assessed?

**Step 1 - Process review**

Initially, Defence will undertake a process review to determine whether due process had been followed throughout the original nomination process, according to the extant rules and policy at the time of the nomination and cited service/action, in order to reach a correct and preferable decision. If due process had been followed, if no evidence of maladministration is presented, or if there is no new substantial and compelling evidence provided, then the original decision will remain unchanged.

The Tribunal has provided the following definition in determining what constitutes maladministration:

> ‘maladministration could occur not only if a commander failed to follow the required procedure, but also if a commander made a decision that could not be justified by the available evidence, if a commander did not show due diligence, or if a commander failed to make a decision when the evidence suggested that they should have made a decision’.

In circumstances where Defence is satisfied that the application has demonstrated a possible failure in due process, an occurrence of maladministration, or that new evidence has been presented that was not available to the decision-makers of the time, it will undertake further investigation to verify and confirm the information to determine if a fresh merits review is warranted.

If Defence is not satisfied that the application has made a compelling case for maladministration, or provided new authoritative and substantive evidence, Defence will not pursue further investigation of the application. The applicant will be advised of this decision in writing by the appropriate decision-maker.

**Step 2 – A merits review**

A merits review will commence once Defence is satisfied that an application provides substantive evidence that a member’s:

- nomination for recognition was not appropriately considered as a result of a failure in due process;
- nomination/recommendation for recognition was affected as a result of maladministration; or
- the application has provided new compelling and substantive evidence of a member’s actions at the time that would warrant a fresh review of these actions.

A merits review examines the evidence of the member’s actions in the context of the nature of the conflict, the policies and practices of the time, and the circumstances of the specific action or service that is being reviewed.

This will determine whether sufficient evidence exists that would support a new decision that a member could be recommended for suitable recognition.

It is important to note that a merits review does not automatically result in a member being recommended for an honour or award – a decision to conduct a separate merits reviews rests with the chain of command.
Step 3 – Historical Honours Review Board consideration

In early 2017, a Historical Honours Review Board (the Board) was established to conduct merits reviews of historical cases that may warrant medallic recognition within the Defence Honours and Awards System. Such cases will be referred to the Board upon endorsement by the respective Service Chief.

The Board membership comprises: the Chair, a Two-Star Reservist, and One-Star/ Band One membership representing Vice Chief of the Defence Force, Navy, Army, Air Force, Headquarters Joint Operations and Defence People Group.

The Board will consider the merits of each case based on the information that is provided and make a recommendation to the respective Service Chief on the outcomes of its consideration. Its recommendations may range from not recommending medallic recognition be awarded, to recommending an appropriate Australian honour be awarded under the current Australian honours and awards system.

If the Board recommends that an honour is to be awarded, endorsement of this decision will be sought from the respective Service Chief and subsequently, the Chief of the Defence Force, prior to consideration and approval to award by the Governor-General of the Commonwealth of Australia.

If the Board decides that medallic recognition is not warranted, the applicant will be advised of this decision. If the applicant is not satisfied with the Board’s decision, the applicant is able to seek an external independent review of the decision by the Defence Honours and Awards Appeals Tribunal.

Points for applicants to consider when deciding to apply for a review

Precedent. It is unrealistic for applicants to rely on comparable actions, previous decisions or previous examples of the awarding of honours as a reason for justifying a review. Both the Imperial and Australian Honours and Awards Systems recognise that no two situations that lead to a member being granted an honour or award are exactly the same.

The Quota Policy. Defence does not consider the application of the ‘quota’ policy used up to 2008, as a sole justification for reviewing a recommendation for an honour or award. The use of a quota was a policy put in place by The Sovereign and does not constitute maladministration.

The recommended format for an application

It is the applicant’s responsibility to undertake the necessary research to support their application for a review. An application can be lodged once an applicant is satisfied that they have sufficient evidence to support their claim for a review, and it should contain the following:

1. A Covering Letter providing:
   a. The applicant’s personal details (name and contact details, preferred contact telephone number, email and postal address),
   b. The service details of the member, or members, for whom the review is sought, and
   c. A concise statement of the applicant’s desired outcome.
2. **Presenting the case.** This comprises:
   a. a concise summary of the issue,
   b. a presentation of the evidence, specifically addressing the requirements of where due process was not followed, or where maladministration has occurred, and
   c. presenting any new compelling and authoritative evidence.

3. **Evidence.** The application should include good quality (readable) and **certified copies** of any documentary evidence to support the claims. Original documents are not to be included in the application. Evidence can include, but is not confined too:
   a. Eyewitness statements, appropriately signed and dated by the witness.
   b. Policy and/or decision documents that support the claim.
   c. Copies of recommendations or citations for the individual/s relating to the cited action or service.
   d. Copies of research papers or book extracts, where the source research is identified.
   e. Documents held by the Australian War Memorial (AWM), National Archives of Australia (NAA) and/or private records.

Any sensitive and/or confidential material must be clearly identified as such when it is included as evidence to an application. Any documents that are provided as evidence are to show its source. In the case of book extracts, the title of the book, its author/s and the publication date is to be provided. Records from the AWM or NAA are to contain the file reference.

**Size limits and format for applications sent by email**

If the application is to be lodged via email, the preferred format is as a readable PDF. There are different size limits for emails, depending on whether they are internal-to or external-to-Defence emails.

The limit for internal emails is five (5) megabytes (MB) including any attachments, but may vary with technology and available resources.

External emails, both incoming and outgoing are limited to a maximum of 1.5MB including any attachments.

**Where are applications for reviews to be sent to?**

Applications are to be sent to:

**The Directorate of Honours and Awards**  
C/O Policy and Tribunal Team  
Department of Defence  
PO Box 7952  
CANBERRA BC ACT 2610

E-mail: [DHA.Policy@defence.gov.au](mailto:DHA.Policy@defence.gov.au)
What will happen after Defence receives an application for review?

Once an application has been received by the Directorate of Honours and Awards (DH&A), the applicant will receive a letter acknowledging its receipt.

If the application concerns a request to review a valour, gallantry or bravery decoration or honour, the application will be sent from DH&A to the respective Service Headquarter after all required evidence is received, for an initial assessment. The appropriate Headquarter will write to the applicant separately, and provide an estimated timeframe for its consideration of the review.

Research Tips for applicants

Records relating to operational service from World War Two up to the Vietnam War can be accessed through the Australian War Memorial's Research Centre and the National Archives of Australia. When researching evidence for an application, applicants are strongly encouraged to access or seek assistance from these agencies as their staff will be happy to assist.

Australian War Memorial

The Australian War Memorial has custody of the war diaries of Australian units. Many have been digitised and may be accessed through the AWM website.

To access these records from the AWM home page:

- click on the links labelled "Search our collections" and/or “Australian Military Units”
- further access will be available to records including official histories, records based on the different times of conflicts, and Unit and Commanders war diaries and

Website:  www.awm.gov.au
Telephone: (02) 6243 4315 (Research Centre)
E-mail: info@awm.gov.au

National Archives of Australia

The National Archives of Australia also has official files which document the nomination and approval processes for honours and awards.

Reflecting the administrative processes of the day, there will be relevant files created by the then Departments of the Navy, the Army, and the Air Force, the Department of Defence and the Office of the Governor-General.

Website:  www.naa.gov.au
Telephone: (02) 6212 3600
E-mail: archives@naa.gov.au

Defence Honours that will be reviewed  (Attachment 1)

Name

1. Victoria Cross for Australia
2. Victoria Cross
3. Star of Gallantry
4. Companion of the Distinguished Service Order
5. Distinguished Service Cross (Australia)
6. Conspicuous Service Cross
7. Nursing Service Cross
8. Royal Red Cross (1st Class)
9. Distinguished Service Cross (Imperial)
10. Military Cross
11. Distinguished Flying Cross
12. Air Force Cross
13. Royal Red Cross (2nd Class)
14. Medal for Gallantry
15. Distinguished Service Medal (Australia)
16. Distinguished Conduct Medal
17. Conspicuous Gallantry Medal
18. Conspicuous Gallantry Medal (Flying)
19. Conspicuous Service Medal
20. Distinguished Service Medal (Imperial)
21. Military Medal
22. Distinguished Flying Medal
23. Air Force Medal
24. Queen’s Gallantry Medal
25. Commendation for Gallantry
26. Queen’s Commendation for Brave Conduct
27. Queen’s Commendation for Valuable Service in the Air
28. Mention in Despatches
29. Commendation for Distinguished Service
**Campaign, operational service and long service Defence Awards that will be reviewed**

**Name**

1. Naval General Service Medal 1915–62
2. General Service Medal 1918–62
3. 1939–45 Star
4. Atlantic Star
5. Air Crew Europe Star
6. Africa Star
7. Pacific Star
8. Burma Star
9. Italy Star
10. France and Germany Star
11. Defence Medal
12. War Medal, 1939–45
13. Australia Service Medal 1939–45
15. Korea Medal
16. United Nations Service Medal for Korea
17. General Service Medal 1962
18. Vietnam Medal
19. Vietnam Logistic and Support Medal
20. Australian Active Service Medal
21. International Force East Timor Medal
22. Afghanistan Medal
23. Iraq Medal
25. Australian General Service Medal for Korea
26. Australian Service Medal
27. Rhodesia Medal
28. Defence Force Service Medal
29. Reserve Force Decoration
30. Reserve Force Medal
31. Defence Long Service Medal
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32. Australian Cadet Forces Service Medal
33. Champion Shots Medal
34. Army Best Shots Medal
35. Queen’s Medal for Champion Shots of the RAAF
36. Royal Navy Long Service and Good Conduct Medal
37. Royal Navy Volunteer Reserve Decoration
38. Royal Navy Reserve Decoration
39. Royal Naval Reserve Long Service and Good Conduct Medal
40. Royal Naval Volunteer Reserve Long Service and Good Conduct Medal
41. Royal Fleet Reserve Long Service and Good Conduct Medal
42. Meritorious Service Medal
43. Long Service and Good Conduct Medal (Army)
44. Efficiency Decoration
45. Efficiency Medal
46. Meritorious Service Medal (RAAF)
47. Long Service and Good Conduct Medal (RAAF)
48. Air Efficiency Award
49. Cadet Forces Medal
50. Australian Defence Medal
51. Anniversary of National Service 1951–1972 Medal
52. Australian Operational Service Medal