

APPENDIX 5

TEXT OF FORMAL OPENING AND CLOSING STATEMENTS USED AT PUBLIC HEARINGS

[At the start of each morning and afternoon session of public hearings for the Review, the Chairman for that day gave a standard formal opening statement. The Co-Chairs of the Working Party (Rear Admiral Ian Crawford and Mr Garry Nehl) alternated the chair on a daily basis. This is the opening statement given by Mr Nehl in chairing the hearings at Parliament House, Canberra, on 16 August 2005.]

As those present will know, Admiral Crawford and I have been appointed as Co-Chairmen of a Working Party, and Brigadier Gordon Jones and Ms Colleen Thurgar as invited members, by the Honourable De-Anne Kelly MP in her capacity as Minister Assisting the Minister for Defence, to review the appropriateness of the award of the Australian Active Service Medal 1945–1975 and the Returned from Active Service Badge for service in Korea from the 28th of July 1953 until the 26th of August 1957, and to report our recommendations to her.

The establishment of this Review highlights the fact that there is a serious commitment to find an appropriate outcome. The Terms of Reference have been well advertised. We have been encouraged to interpret the Terms of Reference freely, to give effect to the wish of the Minister to be advised how those Australian servicemen and women who served in post-Armistice Korea should be recognised, and to this extent we shall be extending the Review to consider how those who died during this service should be honoured.

Research is an important part of the Review. It is an ongoing task which will extend beyond the period of hearings. We have already consulted and need to continue to consult a number of sources of information, including the Australian War Memorial, the National Archives, the Office of Australian War Graves, previous reviews and contemporary records from overseas sources. We also acknowledge the research done by some of those making submissions. This has been very helpful and is very much appreciated.

Before proceeding with the more formal part of this hearing, I wish to make some general remarks on behalf of the Working Party.

First, we wish to stress that the Review will be open, public and impartial. Evidence given will not be on oath. Proceedings will be recorded, and transcripts of their evidence will be provided to individual witnesses. Extracts from some evidence may be published in the final report. Although the date for acceptance of submissions has passed, we are prepared to accept written submissions or other supporting documents provided to the Secretariat now. The general procedure of the hearings is that those peoples who have made a written submission have been invited to speak in explanation and/or expansion of their submission. Any other persons who wish to give evidence at this hearing should register with the Secretariat staff now, if they have not already done so. Anyone giving evidence today who has supporting documentation should give it to the Secretariat and make it known whether it can be

retained by the Review, or copied. If the time allotted for giving evidence in this venue proves to be insufficient, further arrangements will be made in due course.

Secondly, we want to draw attention to some important matters which have influenced our approach to the Review. We are aware that there are many terms—some defined, some not—in a variety of uses. We are formally seeking an independent legal advising on the legal relevance of these terms to the issues under review. It is important that we all understand how post-Armistice service, experience and conditions relate to the conditions of eligibility for the Australian Active Service Medal 1945–1975 and the Returned from Active Service Badge. So we have printed this information on the reverse of the notes for the guidance of witnesses.

Finally, we would like to reiterate that this is an independent review. It will be open, public and impartial. Collectively and individually, we have not prejudged any issue, and for the thoroughness of our Review we must pursue all options. We are here to listen, and we thank you for your willingness to help us.

[At the end of each day of public hearings for the Review, the Chairman for that day gave a standard formal closing statement. The Co-Chairs of the Working Party (Rear Admiral Ian Crawford and Mr Garry Nehl) alternated the chair on a daily basis. This is the closing statement given by Rear Admiral Crawford at the end of the first day of hearings at Parliament House, Melbourne, on 22 August 2005.]

This hearing is now concluded. I would like to thank all those who have given evidence for their time and contributions. As we said at the start of the hearings, these proceedings have been recorded and will be transcribed. Transcripts of their evidence will be provided to individual witnesses for clearance. Lists of persons who have made submissions and given evidence will be published in our report. Extracts from submissions and transcripts of evidence may be quoted in the text of our report; this will be done in a way that does not identify individuals.

The Review will reconvene in Melbourne at 10.00 am tomorrow, Tuesday the 23rd of August. I declare this hearing closed.