

## Medals Review – the Pingat Jasa Malaysia (PJM)

### Introduction

The Prime Minister and Deputy Prime Minister have returned the Report of the MoD Medals Review and have called for the Review to be reconstituted under an Independent Chairperson, widening the Terms of Reference, and broadening consultation with Veterans.

As a consequence of the welcome news of the action taken by the PM and DPM, I am writing to you to ask your help so that I, or another of the Fight4thePJM Association team, can take part in that wider consultation – preferably by personal appearance before the Review for the reasons explained below. Can you advise me how we should apply to appear – or can you organise that for us?

We understand that the Medals Review is an MoD review and that the MoD is not responsible for the administration of the PJM. But it did take part in the original decision, and it has stated in the Report that there are no grounds for referring the PJM decision back to the HD Committee. That conclusion alone warrants further examination. The PM and DPM are apparently of the same view. It is clear that the MoD have their reasons for the position they have taken. Furthermore, in our view, the MoD have not been adequately briefed by their own Civil Service staff or by the FCO and Cabinet Office.

Our evidence to the Review will show where the evidence so far produced is not only inadequate but is also in places misleading. We can corroborate everything that we submit and are perfectly happy to present our facts in front of, and for examination by, the Review board and the Departmental Civil Servants.

### The Fight4thePJM Position

By way of introduction to my request, I would like to highlight some key points underlining why the Fight4thePJM is in a unique position to present facts, duly corroborated, that have not yet been considered, or, where they have been presented, they have not yet been properly addressed:

- Our Campaign - Fight4thePJM is a single-issue campaign and has no political or other affiliations. We have many thousands of supporters around the world. Our campaign was launched when we were told that medal rules had been set aside so that the PJM could be accepted, and then the same rules were invoked to stop the medal being worn. In Parliament, and supported by MPs from all parties, the 'ruling' by the HD Committee was called bizarre and MPs said that it not only brought shame on this country in its relations with Malaysia but it also treated shabbily ex-servicemen and women.
- We are not chasing medals - Contrary to the statements in the Extract from "Part Five – Veterans Campaigns for Medals for Past Service", Fight4thePJM specifically is not seeking, nor has it ever sought, a medal. The Supreme Head of Malaysia awarded the PJM to British and Commonwealth troops and Her Majesty the Queen has accepted it. It is therefore already established as an 'official' medal.
- The Will of Parliament - Our case has received significant support from all parties in Parliament. Five EDMs that attracted a total of 396 signatures, and a 10 Minute Bill that was sponsored by cross-party, highly regarded, MPs.
- The Ministerial Statement - The FCO Minister who presented the inconsistent PJM Statement to Parliament now supports our case and wants an end to the 'official nonsense' as he refers to the ruling, so that the PJM has official recognition for wear.
- The Royal British Legion – We have the unanimous support of the Royal British Legion for our cause, as we do of many Regimental Associations.

## Why We Hope For a Personal Presentation to the Review

The primary purpose in writing to you is to seek a personal appearance in front of the Review Board and the independent Chairman by a member of Fight4thePJM. All we have ever asked is that we are granted a fair hearing – we have never had one. We have very good reasons for this request (we can corroborate all of the following):

- For nearly five years, we have tried to put forward our case but the points we raised have never been properly addressed. They have been smothered and misrepresented in carefully crafted briefings to MPs, the media, and others from Civil Servants in Government Departments who have a vested interest in not allowing us to be heard:
  - Example 1 - We were invited by Buckingham Palace to deliver by hand to the Palace a Fight4thePJM Petition to HM The Queen. We did that and were advised in writing by the Buckingham Palace Senior Correspondence that The Queen had read our Petition and that at Her request it had been sent to the Foreign Office, the Department dealing with the matter. It disappeared, presumably within the FCO. It had been signed by representatives of the Fight4thePJM and by two VC's who were our Patrons (one still is, the other has died).
  - Example 2 - In the context that other correspondence was being 'lost' including that from The Queen, we arranged a personal meeting with the then Veterans Minister on the grounds that if we wrote to him, our correspondence would simply be forwarded to one of the Civil Servants involved in producing the discredited PJM statement and that he would never see it. He agreed to meet us and at the end of the meeting, having acknowledged that he had not been made aware of all the facts of our case presented to him by us that day, he said he would write to the Foreign Secretary on our behalf. We told him his letter would never arrive. He said it would because it was Minister to Minister. It didn't. If it did arrive at the FCO, like the Petition, it became one of the 'disappeared'.
  - Example 3 – The PJM Statement was made in January 2006. We were advised in May 2006 that the MoD were hoarding hundreds of applications. We telephoned the MoD and discovered that they were in a cupboard in Richard Coney's office (DS Sec – Honours 1).

Key evidence that we have submitted has typically turned up on the desks of the Civil Servants where it has either been submerged or corrupted – this statement will be better understood when we make our submission to the Review. And so we have no confidence in evidence presented by us on paper. The DPM's instructions for a new Review suggest that others have similar doubts about the process in the past.

## The Coalition and the Military Covenant

Before moving on to Our Lobby, we wish to highlight the conflict between the Military Covenant and the shabby treatment meted out to ex-servicemen and women as a result of the PJM.

The Military Covenant refers to the mutual obligations between the nation and its Armed Forces. "An informal understanding" that may soon become part of the laws of this country, it is now treated with great seriousness and is considered as a way of measuring whether the government and society at large have kept to their obligations to support members of the armed forces.

A senior civil servant (Denis Brennan, Cabinet office), promulgated a statement that it was to be regretted that recipients of the PJM had not shown more gratitude for the PJM ruling – a ruling that waived rules so the medal could be received and then immediately invoked them to stop it being worn. He also publicly stated that the medal was not up to standard.

These are shameful public statements in the context of the PJM Citation and the acknowledgement by Malaysia that clearly means so much to the Malaysian people. Those statements have undermined the self-esteem of ex-servicemen and women.

As has been quoted in Parliament by the MP who was Veterans Minister at the time of the PJM ruling, a PJMer was told that he could put his PJM back in his Cornflakes packet for all the medal meant to the civil servant in the 'Honours/Medals' Section at the MoD (DS Sec – Honours 1).

On their public website, the MoD referred to us as 'disaffected veterans' because we were questioning the rationale behind the PJM ruling.

In our view, the PJM issue is evidence that the Covenant has broken down and needs to be restored.

## Our Lobby

With the help of highly regarded medals specialists including those who advise the RBL, professional advisers and researchers, we have amassed a considerable amount of information over the last 5 years.

We will show that:

- From the beginning the status of the PJM was not understood by the MoD, the FCO, or the Cabinet Office. It still isn't. Astonishing, but true.
- From the beginning, for the MoD the cost of checking records and distributing the medal was an issue that they took into account when considering the Malaysian request. The total cost has had to be borne by ex-servicemen and women and by the Malaysian High Commission in London (it is on their budget, not that of KL).
- Departments continue to maintain that the PJM is essentially a campaign medal and therefore subject to Risk and Rigour and Double Medal Rule considerations. It is not. It is an award that is issued to individuals, service personnel and civilians, for service to Malaysia. It is still being awarded today for service to Malaysia well after 1966.
- The PJM cannot be considered as a double medal because its terms of eligibility are quite different to those for any British medal.
- A double medal rule cannot apply to those not eligible for a British medal and the majority of those eligible for the PJM are not eligible for a British medal.
- Departments quote the rejection of the Kuwaiti and Iraqi medals, comparing them with the PJM. They are not on all fours. The Kuwaiti and Iraqi medals are foreign campaign medals awarded for a specific military campaign. The PJM is a service medal unconnected with any specific military campaign. As said above, the PJM is still being awarded to individuals unconnected with the service in which we were involved in Malaysia and Borneo.
- Departments rely on statements about long-standing rules but fail to explain our list of some 30 recent double medals and we show how the 5-Year Rule has always been used for 'political' ends.
- We will highlight fundamental inconsistencies in how they have applied their 'rules'. For example, Buckingham Palace, on the guidance of the FCO and Cabinet Office, has given permission for a man to both receive and wear a Malaysian Medal for precisely the same service 50 years ago that qualified him for the PJM.
- We highlight the extraordinary manner in which the results of their inconsistencies impact on ordinary men and women and how they have reacted to that impact. For example, we pointed out that many British PJMers are now citizens of Australia and New Zealand (The Queen has given them permission to wear their medal) and so we asked what is their position when wearing their medal bar in the UK. We were told that they would have to remove their PJM – and rebuild their medal bar. Then re-build the bar again on return to their country of residence!
- We were told by the FCO that Gurkhas could not wear their PJM in Nepal. This was amended when it was pointed to them out that it should not be possible for the UK to determine what private citizens of other countries do or not do in their own country. We are now told that those loyal Gurkhas can wear their PJM in Nepal but must remove it from their medal bar if they seek residence in the UK.
- In order to be rid of us, we have been told by all departments to wear the medal but we have pointed out that in the month of the PJM Statement, and in advance of it, the MoD issued a DIN stating that it would be discourteous to The Queen for us to do so. Government Departments have said the same thing to us. We have asked for an explanation of their conflicting advice but have never received one.
- We have asked for a copy of the PJM Recommendation. The FCO and Cabinet Office have obtained Freedom of Information Act exemptions to enable them not to do so. But the Ministerial Statement is inconsistent as to what The Queen agreed to – and even a member of the HD Committee subsequently could not confirm the position but could only refer to an 'implied' interpretation (that HD Committee member was the Queen's Private Secretary at the time and in both capacities should have been in no doubt).
- This Review has been called because of the numerous inconsistencies surrounding medal decisions. We will give examples and maintain that the PJM decision is a clear example of a confused and inconsistent ruling – ***a ruling that they themselves agree is not catered for in the very rules they rely on!***

## The London Gazette, May 1968

There is a London Gazette Notice that promulgates The Queen's wishes that if She says an award can be received then the recipient can also wear it.

Departments first rejected this as being not relevant to the PJM on the grounds that it does not apply to Crown servants – papers at the Public Record Office clearly show that the determining factor is that the recipient was not a Crown Servant at the time the award was conferred. For us that was 2006 and we were retired from Crown Service.

They then said that it didn't apply to us as a group – it only applied to individual awards. We cannot trace the basis for this. In any event, the PJM is indeed an award conferred on individuals and is still being conferred.

Having been challenged on the first two responses, Departments then said that the Notice did not apply to PJMers because it was superseded by the PJM recommendation. We have been refused sight of the recommendation but, critically, the promulgating Ministerial Statement makes no mention of The Queen ruling that the PJM cannot be worn – only that official permission for wear would be withheld (which implies that that permission exists).

The Notice is extant and, according to our legal advisers, applies to those recipients who were private citizens at the time the PJM was conferred.

## Summary

Lobbying is not our natural habitat – we are all ex-servicemen and women. We are not zealots or disaffected veterans or, indeed, barrack room lawyers. Our aim is not to embarrass or discredit – simply to obtain a fair hearing and, we would hope, an amendment to the Ministerial Statement.

It is that confused and conflicting Statement to Parliament that, we are told, infringes our rights as private citizens. We have not seen any other Ministerial Statement lodged in Parliament with similar words imposing a restriction. In the past awards have been granted restricted status, a keepsake as they call it, but as far as we are aware, never has an award been promulgated spelling out a restriction on British private citizens as in the case of the PJM.

Our main concern is that for reasons that are very specific to the MoD (inter alia, costs) and to the FCO, ex-servicemen and women, and next of kin, have been treated shabbily – as has Malaysia. We'll never know for certain what the FCO said in its submission to the HD Committee because they have said that if their reasoning for rejecting the medal is placed in the public domain, it might be prejudicial to this country in its relations with Malaysia – they have obtained a Freedom of Information Act exemption. Our point is that if that is the case and there are political reasons under-pinning the FCO's objection to the Malaysian medal, then the Department cannot possibly claim that their recommendation to the HD Committee was based specifically on medal rules that are in the public domain. Indeed, we have maintained all along that **Foreign Medal Rules** (note, we are not talking about British Campaign Medals rules here) are typically applied inconsistently for political rather than medallic reasons.

- As a direct consequence of the FCO's own statements, the rationale behind their rejection of the PJM is more political and not based solely on an interpretation of medal rules.
- And we were told that the MoD were more concerned with the costs of checking records and distributing the medal rather than the medal rules.

Thus, two Departments involved in the PJM decision have not been completely open with ex-servicemen and women, nor with Parliament, nor with the media and the public. We maintain that veterans should not be treated like a political football in this way and medal rules that impact on the lives of ordinary men and women should be applied consistently – and applied in the context of the Military Covenant.

We very much hope that the reconstituted Review will redress the balance and take into account what veterans have to say.

If you can help us attend the Review, or advise us how to go about requesting a presence, we would be very grateful to you.

Thank you for your time in reading this letter.

[Signed]

[Address]

[Tel/Email Contact Info]