

B A R R Y F L E M I N G T E P

RECORDED DELIVERY

Mr Denis Brennan,
Secretary to the Committee on the Grant of Honours, Decorations and Medals
Cabinet Office
35 Great Smith Street
London, SW1P 3BQ

30th April 2007

Dear Mr Brennan,

Pingat Jasa Malaysia (PJM) – The London Gazette (LG), 3rd May 1968

I refer to your letter dated 11th April to Mr Robinson MP. Thank you for confirming that the LG is extant, and also that the 1969 Regulations have been superseded.

Your letter demonstrates yet again the lengths you are willing to go to in order to try and put the clock back forty years to a time when enlightened civil servants and others were calling for liberalisation and more uniformity within the Honours System – an enlightened attitude that took account of the modern world and led to progress such as the London Gazette Notice that you are so keen to trash.

Your letter consists of more U-turns and conflicting statements, all designed to lead the reader away from these key issues:

- The PJM Ministerial Statement is flawed and is wrong. It consists of a recommendation that is simply not catered for in any part of the Foreign Decorations Regulations – nor has it ever been. You made it up.
- That is why I see the word ‘subterfuge’ on FCO files when suggesting that a medal be accepted but the issue of wear be submerged so that nobody would notice! Happily, in those enlightened days of the mid-1960’s the proposed course of action, the ‘subterfuge’, was rejected.
- Her Majesty has approved acceptance of the PJM. By your own admission, Her approval does not go on to specify that the PJM may not be worn. And so She is not withholding formal permission – you are (or are attempting to).
- If The Queen approves acceptance of a Foreign Decoration and the recipient is not in Crown Service when it is conferred (the contemporaneous explanation – not your new and opposite one forty years later), then the recipient has Her permission to wear the medal – and that applies to the vast majority of those eligible for the PJM.
- There is nothing in the Foreign Decorations Rules to provide for The Queen to approve acceptance of a medal and then for others to withhold permission for it to be worn. I understand your defence here is that you have done it before – but that does not make your action any more ‘legal’ than if you were asking for your ‘previous’ to be taken into account after a trial.

Now to the U-turns, conflicts and misleading statements in your latest explanation to an MP.

- You have now withdrawn your previous attempt to rebut the London Gazette Notice by reference to para 14 of those defunct 1969 Regulations (which has absolutely nothing to do with the wearing of a medal).

- Furthermore, having previously relied on the defunct 1969 Regulations to try and rebut the LG Notice, you now have to admit that they do not even apply to it! Which has been our position all along.
- You now say that you applied the 2005 rules to the PJM and not the 1969 Regulations. In so doing you have confirmed for the first time that you created and applied rules *retrospectively* to a medal request and I believe that impinges both on the integrity of the Honours System (you are supposed to apply the prevailing Rules that are in place at the time of a request), and on my human rights.
- Yet again you deliberately mislead the reader by omitting critical issues from your references – in particular you failed to inform Mr Robinson about the key phrase in the 1968 promulgating explanation to the effect that the London Gazette Notice does not apply *only* if the medal is conferred during one’s “official life time” (and therefore it does apply to most of those eligible for the PJM who were retired from Official Life in January 2006). Why did you omit to do so?
- You have stated often enough that you cannot change what previous HD Committees have recommended – so why try now? You are attempting to reverse the 1968 explanation.
- In your recent 12th March ‘full statement’ you said very clearly that we needed HMG’s permission to receive and wear a medal (and that that was also official policy). Having been challenged on that statement, you now say it is the Queen’s permission that is needed – something we have maintained all along.
- You also now state that whatever your Regulations may say, they are superseded by The Queen’s decision. Therefore, because The Queen has approved acceptance of the PJM and has not signed or initialled a recommendation specifically to the effect that She withholds formal permission for the PJM to be worn, the London Gazette Notice applies and supersedes your attempt to impose improper restrictions on British private citizens.
- You state that a line has to be drawn somewhere in these matters. So why did you not draw that line in January 2006? The Regulations allow you to draw a line by rejecting a medal offer, or granting it Restricted or Unrestricted Approval. You chose not to draw any of those lines and left the whole matter wide open, a confused and incongruous ‘subterfuge’ and one that was clearly going to be questioned.

You mention disappointment. My only disappointment is that the British Honours system has been brought into disrepute as a result of the way this matter has been handled over the last two years. The only good to come out of it all is that we now have a commitment that the Foreign Decorations Rules will be reviewed and brought into the real world – and the emerging system will be one that is applied fairly and consistently.

Finally, despite what you are trying to do to British veterans, I have no doubt whatsoever that I, and the vast majority of those eligible, have The Queen’s permission to wear the PJM on formal occasions. Any doubt that any reader may have had will have been totally eliminated by the contradictions and U-turns you have had to employ in recent ‘explanations’ and ‘full statements’ in order to try and justify what every right-minded person sees as an unjust, untenable, and out-of-touch position.

Yours sincerely,



Barry Fleming