



Australian Government

Defence Honours and Awards Appeals Tribunal

Jones and the Department of Defence [2015] DHAAT 29 (18 June 2015)

File Number(s) 2014/066

Re **Mr Michael Henry Jones**
Applicant

And **Department of Defence**
Respondent

Tribunal Brigadier Mark Bornholt AM (Retd) (Presiding Member)
Mr Richard Rowe PSM

Hearing Date 14 May 2015

DECISION

On 18 June 2015 the Tribunal decided to affirm the decision of the Directorate of Honours and Awards of the Department of Defence that Mr Michael Jones is not eligible for the award of the Defence Long Service Medal.

CATCHWORDS

DEFENCE AWARDS – Defence Long Service Medal

LEGISLATION

Defence Act 1903 – ss 110T, 110V(1), 110VB(2)

Defence Force Regulations 1952, Reg 93C

Commonwealth of Australia Gazette No S352 dated 10 July 1998

REASONS FOR DECISION

Introduction

1. The applicant, Mr Michael Jones (Mr Jones) seeks review of a decision of the Directorate of Honours and Awards of the Department of Defence (the Directorate) that he is not eligible for the award of the Defence Long Service Medal (DLSM). On 25 November 2003 Mr Jones made application to the Directorate for the award of the DLSM. On 21 March 2007 the Directorate advised Mr Jones that he did not qualify for the award as only 10 years of his 15 years of service in the Australian Army Reserve (ARES) had been declared as efficient service. On 21 February 2014 Mr Jones provided a submission to the *Inquiry into the Refusal to Issue Entitlements to, Withholding and Forfeiture of Defence Honours and Awards* regarding his own eligibility. On 30 April 2014, the Chair of the Tribunal wrote to Mr Jones asking if he wished to seek an individual review of his entitlement. On 13 May 2014 Mr Jones confirmed by email that he would like the Tribunal to review his eligibility for the DLSM.

Tribunal Jurisdiction

2. Pursuant to s110VB(2) of the *Defence Act 1903* (the Defence Act) the Tribunal has jurisdiction to review a reviewable decision if an application is properly made to the Tribunal. The term *reviewable decision* is defined in s110V(1) and includes a decision made by a person within the Department of Defence to refuse to recommend a person for an award in response to an application. Regulation 93C of the *Defence Force Regulations 1952* defines a defence award as being those awards set out in Part 2 of Schedule 3. Included in the defence awards set out in Part 2 is the Defence Long Service Medal. Therefore the Tribunal has jurisdiction to review decisions in relation to this award. The role of the Tribunal is to determine whether the decision of the Directorate is the correct or preferred decision having regard to the applicable law and the relevant facts.

Conduct of the Review

3. In accordance with its *Procedural Rules 2011*, on 19 June 2014, the Tribunal wrote to the Secretary of the Department of Defence informing him of Mr Jones' application for review and inviting him to provide a submission. On 13 November 2014, the Directorate, on behalf of the Secretary, provided the Tribunal with the Defence submission in the form of a written report. In that report the Directorate confirmed its position that Mr Jones was not eligible for the DLSM as he had not accrued 15 years of efficient service. The Tribunal forwarded a copy of the report of the Directorate to Mr Jones for comment on 20 November 2014 and he provided a written rebuttal on 8 April 2015.

4. The Tribunal met on 6 May 2015 when it considered the material provided by Mr Jones and the Directorate. On 14 May 2015 the Tribunal heard oral evidence from Mr Jones who agreed to be available by telephone that day.

Mr Jones' Service Record

5. Mr Jones enlisted in the Active Army Reserve as an infantry soldier in the 2/17th Battalion, the Royal New South Wales Regiment on 21 May 1988. He discharged at his own request on 23 May 2003 having completed 15 years of service. His service included a period of Continuous Full Time Service with the 6th Battalion, the Royal Australian Regiment from 31 July 1990 to 1 March 1991.
6. For his service, Mr Jones was awarded the Australian Defence Medal.

Australian Long Service Awards

7. Australian service personnel have received honours and awards under two systems – the Imperial system and the Australian system. The Imperial System was used until February 1975 when the Government introduced the Australian system. When the Australian system was established, the National Medal (NM) was intended to replace all existing Imperial long service and good conduct medals for the Australian Defence Force (ADF) and other services including police, ambulance and emergency services. Regulations governing the award of the NM were published in the Commonwealth Gazette on 17 February 1975.¹ The eligibility criteria for the award of the NM included a qualifying period of fifteen years of service. The NM was unpopular amongst service personnel and following several representations and reviews it was decided that there should be a long service medal introduced which would recognise the uniqueness of ADF service. As a result, the Defence Force Service Awards (DFSA) Regulations were introduced by Letters Patent on 20 April 1982 for the purpose of:

... according recognition to persons who render long and efficient service as members of the Defence Force...for a period of 15 years...²

8. Three awards were established; the Defence Force Service Medal awarded to members of the Regular Forces; the Reserve Forces Decoration for reserve officers and the Reserve Forces Medal for reserve members who were not officers. Pursuant to sub-regulation 3(2) of the DFSA Regulations, the Chief of the General Staff (CGS) determined on 25 November 1983 that the period which a person shall be required to undergo training or render service in the capacity of a member of the ARES to be:

...26 days, comprising such periods of continuous training and home training as are directed by the proper military authority...³

9. This training liability was amended on 26 August 1993 when the CGS determined that in order to qualify for an award within the DFSA Regulations, a person:

¹ Commonwealth of Australia Gazette No S28 dated 17 February 1975

² Commonwealth of Australia Gazette No S78 dated 27 April 1982

³ Australian Army CGS Determination - Defence Force Service Awards Regulation 3 dated 25 November 1983

...shall be required to undergo training or render service in the capacity of a member of the Australian Army Reserve ... for 14 days in each training period...⁴

10. In 1994, the Committee of Inquiry into Defence Awards held a review of the Defence honours and awards system. The report recommended that the Defence Force Service Awards be replaced by one single long service award - the Defence Long Service Medal. The DLSM was introduced by Letters Patent on 26 May 1998 for the purpose of:

... according recognition to persons who render long and efficient service as members of the Defence Force...who have given qualifying service for a period of at least 15 years...where the service was given as a member of the Permanent Services or the Reserve Forces... and gave efficient service...⁵

11. On 13 April 2000 the Chief of the Defence Force (CDF) pursuant to the DLSM Regulations set out in the Schedule to the Letters Patent, directed that:

...on and after 20 April 2000 a member will undertake qualifying service for the purpose of the Defence Long Service Medal if the member undertakes a minimum of 20 days service per year calculated at the anniversary of the enlistment of the member...⁶

Defence's Submission

12. The Defence decision of March 2007 states that the DLSM may be awarded to a member who has completed 15 years qualifying service in the ADF provided that this service 'includes remunerated and efficient service'. It further states that 'to be deemed efficient for long service award purposes, members must fulfil their annual obligations being 26 days per enlistment year prior to 30 June 1993, 14 days from 1 July 1993 to 19 April 2000 and 20 days per enlistment year from 20 April 2000 onwards'. The decision includes a clear statement that a member is 'required to render service throughout the year' and defines enlistment year to be the period of 12 months that commenced on the day the member enlisted or the anniversary of that day. In Mr Jones' case this date is 21 May each year.

13. The decision summarises Mr Jones' efficiency by year and concludes that he did not meet the efficiency/eligibility criteria in five annual periods as follows:

• 21 May 89 – 20 May 90	21 completed	26 required
• 21 May 92 – 20 May 93	05 completed	26 required
• 21 May 98 – 20 May 99	00 completed	14 required
• 21 May 99 – 20 May 00	00 completed	14 required
• 21 May 02 – 23 May 03	01 completed	20 required

⁴ AHQ MS A92-495 – *Defence Force Service Awards Regulation 3* dated 26 August 1993

⁵ *Commonwealth of Australia Gazette No S352* dated 10 July 1998

⁶ DLSM Regulations – *Directions by the Chief of the Defence Force* dated 13 April 2000

14. The Defence submission dated 13 November 2014 includes a re-assessment of Mr Jones' eligibility for the DLSM. In the conduct of the re-assessment, the Directorate indicated that the legal basis for the decision was a set of consolidated Gazettes incorporating various amendments and included *Commonwealth of Australia Gazette (CAG) S352* of 10 July 1998, *CAG S160* dated 30 March 2000 and *CAG S2* dated 3 January 2002⁷.

15. The submission indicates that the decision to not recommend Mr Jones for the award of the DLSM was made by an appropriately authorised delegate.⁸

16. The submission indicates that an extensive review of Mr Jones' service records was conducted in 2014 in consultation with the Reserve pay cell. The submission indicated that there were 'some slight variations to the original (2007) assessment' and that this later review concluded that Mr Jones had only accrued nine years of efficient service.

17. The submission addresses Absence Without Leave letters from 1995 and 1999 wherein Mr Jones was declared non-efficient. The submission suggests that Mr Jones was given a grace period in 1995 as he was subsequently declared efficient for that year.

18. The Defence submission concludes that after re-assessment, Mr Jones is not eligible for the DLSM as he had not accrued 15 years of efficient service prior to his discharge.

Mr Jones' Submission

19. Mr Jones' written submission focusses on the five years where he was declared non-efficient. He contends that 'at no stage of my fifteen years efficient service was I classified "AWOL", "Inactive" or "Non-efficient"'. He further points out that in the period 21 May 89 – 20 May 90 'there are ten days missing as per my Programme of Training⁹ and during that period of service I was studying for the Higher School Certificate'. He also asserts that there are 32 days training on his 'Program of Training from 21 May 92 – 20 May 93' and that in the period 21 May 98 – 20 May 00 he was studying at Hunter Institute of Technology. In support of these contentions he has attached copies of his Program of Training for respective periods. He appears to assert in his submission that as he was not absent without leave during these periods that he was therefore still a part of the ARES and should be declared efficient.

20. In his written rebuttal of the Defence submission, Mr Jones again restates his assertions regarding leave of absence. He states '...I have taken leave only twice in my 15 years of service, yet the Defence report shows no records or evidence of leave

⁷ *Defence Long Service Medal Regulations (Consolidated incorporating Commonwealth of Australia Gazette No S352, of 10 July 1998, Commonwealth of Australia Gazette No S160, of 30 March 2000 and Commonwealth of Australia Gazette No S2, of 3 January 2002)*. – Defence Submission Schedule (Attachment B-1)

⁸ *Defence Long Service Medal Regulations – Instrument of Delegation* – dated 9 August 2014.

⁹ Each ARES unit produces an annual 'Program of Training' or 'Parade Card' which is a summary of the annual calendar and outlines the periods of training which will be available to unit members throughout the year. The program is authorised by the unit commander and allows soldiers to plan their attendance in order to meet their annual obligations.

... for the dates stated..’. He accepts that there are some letters of intent on his record but he asserts that this merely points to ‘administrative and clerical errors’. In support of this assertion he points to various inconsistencies between records and supporting evidence including a Minute used in 2006 to assess his eligibility which indicates that he completed 35 days training in 2000-2001 yet in the assessment in 2014 he was recorded as not completing any training.

21. Mr Jones concludes his submission by asserting that ‘...the Tribunal cannot find beyond reasonable doubt whether or not their records are true and correct....this must cast a shadow of doubt on the evidence brought forward ... and the Tribunal cannot rely upon their [Defence’s] records to give them accurately a true indication of why they should not award the DFSM...’.

22. In his oral evidence, Mr Jones continued to assert that the records were inaccurate and that he had paraded continuously throughout his service. He indicated that it was impossible to have not been recorded as attending for a two year period as he had worked almost fulltime and seven days a week on some occasions. He thought he had completed in excess of 100 days in some years and frequently had issues with his headquarters and the pay clerk when he was not paid and was required to inform them that he had in fact been in attendance. He stated that pay records were notoriously inaccurate and that many discrepancies existed. Mr Jones pointed to the various inconsistent assessments conducted in his own case as evidence that the records were amiss. He also pointed to the Directorate’s own statement in an email ‘...there are a number of inconsistencies between various databases...’¹⁰ as evidence that his records were most likely incorrect or missing. He stated that if he was in fact non-efficient he would have been discharged and as he was not, then he must have been a regular attendee.

23. The Tribunal agreed with Mr Jones that there was some element of doubt regarding his efficiency for some of the years in question but that he would need to produce evidence that he had been remunerated to allow him any chance of success in his appeal. The Tribunal agreed to wait for four weeks to allow him time to attempt to retrieve bank records in support of his assertions before progressing to detailed consideration based on the evidence. Mr Jones provided a further submission dated 3 June 2015 which was received by the Tribunal on 15 June 2015. In this submission Mr Jones stated that he had been paid \$1249.88 for 19.7 days service in May 2002 and \$187.46 between June 2002 and March 2003. He did not provide the relevant statements to support these transactions. He also included bank statements for the period May 1999 to April 2000 which included several irregular deposits of between \$210 and \$235. These deposits were recorded as ‘cash deposits’. The remainder of this submission restated his previous assertions that his Programme of Training indicated that he had worked on a number of days and that the records of Defence were inaccurate.

¹⁰ Email from Mr Michael Cannon, DHA dated 1 July 2014 – Defence Submission dated 13 November 2014, Attachment B7.

Tribunal Consideration

24. The Tribunal carefully considered all the material placed before it including written submissions and oral evidence. As Mr Jones made application for the DLSSM on 25 November 2003, the Regulation governing his eligibility is *CAG S352* of 10 July 1998. The relevant Determinations made pursuant to this Regulation specify that annual minimum training obligations to meet eligibility criteria during his service will be:

- *Until 30 June 1993* - *26 days*
- *1 July 1993 – 20 April 2000* - *14 days*
- *From 20 April 2000* - *20 days*

25. The Tribunal noted that the Directorate in its re-assessment of Mr Jones' service had used as the legal basis for its decision a set of consolidated Gazettes. Whilst not having a material impact upon the final conclusion, the Tribunal considered that these consolidated Gazettes were not a legislative instrument and preferred to use as the basis for its legal review the Letters Patent of 1998.¹¹

26. There is no dispute about Mr Jones' service record from enlistment on 21 May 1988 to his discharge on 23 May 2003. The Tribunal noted that the Directorate had correctly identified and assessed Mr Jones' eligibility based upon his enlistment year and date being the 21st day of May each year from 1988. At issue is Mr Jones' annual efficiency declarations; to be eligible for the award of the DLSSM he is required by the Regulation to give qualifying service for at least 15 years as a member of the Reserve Forces and that service must be 'efficient'.¹²

27. The Tribunal considered the definition of 'efficient' and in so doing, noted that the Directorate in its original decision of March 2007 stated that in relation to eligibility for the DLSSM, qualifying service 'includes remunerated and efficient service'. The Tribunal discussed this definition with Mr Jones during the hearing and indicated that the definition had been drawn from a CDF instruction in 1984 which stated¹³:

...11. ...that in assessing whether a member has rendered efficient service for the required qualifying period ...

*13. Only service rendered under Service conditions of service **and remunerated at Service rates of pay** may be taken into account as qualifying service for members of the Permanent and Reserve Forces... (Highlight added for clarity)*

28. The Tribunal therefore considered that to be eligible for the DLSSM, Mr Jones must have been declared efficient for each of his 15 years of service and to be declared as such he must have been remunerated for the minimum period of his annual obligation.

¹¹ *Commonwealth of Australia Gazette No S352* dated 10 July 1998

¹² *Ibid.5.a (ii)*

¹³ *Defence Instructions (General) Personnel 31-1* dated 6 April 1984 – Determination of Efficiency

29. The Tribunal noted that Mr Jones made several assertions regarding his Programme of Training and that these programs pointed to his attendance in the absence of other evidence. The Tribunal did not agree with this proposition as the Programme does not provide evidence of remunerated attendance and is used as a planning tool to enable an individual to predict their attendance to meet the annual obligation.

30. The Tribunal found that there was no dispute that Mr Jones was efficient for at least nine of his 15 years of service. The Tribunal turned to the evidence in relation to the six years where Mr Jones asserted he should have been declared efficient or where there is uncertainty regarding his status:

- a. **21 May 1989 – 20 May 1990.** Mr Jones was required to complete 26 days of training. The Defence Pay and Accounting (DEFPAC) assessment in 2006 concluded that he completed a total of 21 days¹⁴. The Reserve Pay and Administration Centre (RPAC) assessment in 2014 concluded that he had completed a total of 5 days¹⁵. Supporting evidence indicates he completed nine days of a limited Drivers course (Continuous Training) which commenced on 12 May 1990¹⁶ and another five days of Non Continuous training in this period¹⁷. There is no further evidence to support additional remunerated service in this period. The Tribunal noted that Mr Jones stated that ‘ten days are missing as evidenced by his Programme of Training’. The Tribunal noted that Mr Jones advised that ‘during that period of service I was studying for my Higher School Certificate’. The Tribunal considered that it was most likely that the DEFPAC assessment of 21 days was in error and that Mr Jones completed 14 days in the period in question whilst studying. In any case, the Tribunal found that there was doubt regarding the actual amount of days that Mr Jones had completed as remunerated service but in the absence of any further evidence, it was more likely than not that Mr Jones did not complete 26 days of remunerated service in the enlistment year 21 May 1989 – 20 May 1990 and was therefore correctly deemed to be non-efficient in this period.
- b. **21 May 1992 – 20 May 1993.** Mr Jones was required to complete 26 days of training. The DEFPAC assessment in 2006 concluded that he completed a total of five days. The RPAC assessment in 2014 concluded that he had completed a total of 14.83 days. The Tribunal was unable to locate any supporting evidence of remuneration in this period and noted that there were no entries on Mr Jones’ Service record in the period¹⁸. The Tribunal noted that Mr Jones stated that ‘I have 32 days of training as per my Programme of Training’. The Tribunal also noted from this program

¹⁴ DEFPAC/RESPAY 2307813 dated 15 February 2006 - Defence Submission dated 13 November 2014, Attachment B9..

¹⁵ RPAC/OUT/2014/545 dated 4 July 2014 – Defence Submission dated 13 November 2014, Attachment B6.

¹⁶ ARMREC 8228450 - Defence Submission dated 13 November 2014, Attachment B8.

¹⁷ Microfiche History – Pay 1988-1990 - Entries from 23 May 1989 to 8 May 1990- Defence Submission dated 13 November 2014, Attachment B7.

¹⁸ Record of Service – Army PH139 - Defence Submission dated 13 November 2014, Attachment B3.

that it was likely that Mr Jones attended the Australian Army Skill at Arms Meeting (AASAM) in May 1993 and may have been remunerated for this attendance¹⁹. However in the absence of further evidence regarding remuneration, the Tribunal found that it was more likely than not that Mr Jones did complete 14 days of training at AASAM and this is the remuneration reported in the RPAC assessment. This does not achieve the required 26 days of remunerated service in the enlistment year 21 May 1992 – 20 May 1993 and accordingly, the Tribunal considered that Mr Jones was correctly deemed to be non-efficient in this period.

- c. **21 May 1998 – 20 May 1999.** Mr Jones was required to complete 14 days of training. The DEFPAC assessment in 2006 concluded that he had not completed any training days. The RPAC assessment in 2014 concluded that he had not completed any training days. The Tribunal was unable to locate any supporting evidence of remuneration in this period and noted that the only entry relevant to Mr Jones' service on his record in this period was a declaration of non-efficiency for 1999²⁰. The Tribunal noted that Mr Jones advised that during this period 'I was studying for my Diploma of Management and Leadership and Diploma of Human Resource Management'. He also provided academic transcripts in support of the statement. The Tribunal noted that Mr Jones asserted that he was on approved leave during this period to enable his study and that the leave forms may have been misplaced or, if he was in fact absent without leave, he should have been administratively discharged. The Tribunal did not consider the approval or otherwise of leave to be relevant as eligibility relies on qualifying service being remunerated. Mr Jones was also unable to provide additional evidence in support of his assertion that he would have been parading. The Tribunal therefore found that Mr Jones did not complete 14 days of remunerated service in the enlistment year 21 May 1998 – 20 May 1999 and was therefore correctly deemed to be non-efficient in this period.
- d. **21 May 1999 – 20 May 2000.** Mr Jones was required to complete 14 days of training until 20 April 2000 and 20 days in total by the anniversary of his enlistment (20 May 2000). The DEFPAC assessment in 2006 concluded that he had not completed any training days. The RPAC assessment in 2014 concluded that he had not completed any training days. The Tribunal noted that Mr Jones included bank statements for the period May 1999 to April 2000 which included irregular deposits annotated as 'cash deposits'. The Tribunal did not give weight to these statements as it was considered unlikely that the Commonwealth would make cash deposits for remuneration. The Tribunal's experience was that Reserve salaries are recorded on recipient bank statements as 'ADF Reserves' with PM Keys numbers included. It was also normal for these payments to be made on regular pay dates, not randomly; and in exact amounts, not rounded dollar values. The Tribunal was unable to locate any other supporting evidence of remuneration in this period and noted

¹⁹ 2/17 RNSWR Programme of Training, January – December 1993 - Jones Submission.

²⁰ Army Record of service – PMKeys dated 30 June 2002 - Defence Submission dated 13 November 2014, Attachment B3.

that Mr Jones' contention for this period was the same as for the previous period of 1998 – 1999 as stated above. The Tribunal therefore found that Mr Jones did not complete 14 days of remunerated service in the enlistment year 21 May 1999 – 20 May 2000 and was therefore correctly deemed to be non-efficient in this period.

- e. **21 May 2000 – 20 May 2001.** Mr Jones was required to complete 20 days of training. The DEFPAC assessment in 2006 concluded that he had completed 35 training days and he was therefore deemed efficient for this period. The RPAC assessment in 2014 concluded that he had not completed any training days. The Tribunal was unable to locate any supporting evidence of remuneration in this period. The Tribunal noted that Mr Jones made application to transfer to the Special Conditions sub-unit of his Battalion in June 2000 and stated on his application:

*'unable to meet ARES conditions due to work hours/shift work, as for the past two years'*²¹.

His Commander also commented

'...he had not paraded for some time and was considered non-efficient...'.

During the oral hearing, the Tribunal discussed the ramifications of these statements with Mr Jones who was unable to provide any insight into why this would not cause the Tribunal to conclude that his service in the period was likely to be non-efficient. Drawing on this document, the Tribunal considered that it was more likely than not that the DEFPAC assessment from 2006 was in error for this period as there was no supporting evidence of remuneration or entries on Mr Jones' service record in the period and the document incorrectly noted that Mr Jones was still serving in 2006. The Tribunal gave significant weight to the comments on Mr Jones' application for transfer and, in the absence of any other evidence, the Tribunal found that Mr Jones did not complete 20 days of remunerated service in the enlistment year 21 May 2000 – 20 May 2001 and should have been deemed to be non-efficient in this period.

- f. **21 May 2002 – 23 May 2003.** Mr Jones was required to complete 20 days of training. The DEFPAC assessment in 2006 concluded that he completed a total of one day. The RPAC assessment in 2014 concluded that he had completed a total of one day. The Tribunal was able to locate supporting evidence that Mr Jones was remunerated for this day²². The Tribunal noted that there were no entries of activity on Mr Jones' Service record in the period and could find no further evidence of additional remunerated training. The Tribunal noted that in his second submission Mr Jones stated that he had been paid \$1249.88 for 19.7 days service in

²¹ Application for Special Conditions Year 2000 dated 24 July 2000 – Defence Submission dated 13 November 2014, Attachment B5.

²² Defence Submission Excel Spreadsheet - Defence Submission dated 13 November 2014, Attachment B8.

May 2002 and \$187.46 between June 2002 and March 2003. He did not provide the relevant statements to support his assertion that the transactions had been made by the Commonwealth, therefore the Tribunal was unable to accept this proposition. The Tribunal noted that Mr Jones asserted that administrative errors and inaccurate record keeping could explain why there were no records of his attendance in this period. However, in the absence of specific evidence, the Tribunal found that it was more likely than not that Mr Jones did not complete 20 days of remunerated service in the enlistment year 21 May 2002 – 23 May 2003 and was therefore correctly deemed to be non-efficient in this period.

31. The Tribunal found after analysis of the evidence of remunerated service in the years above, that Mr Jones completed 9 years of efficient service and that in the original assessment of eligibility for the DLSM, he had been incorrectly deemed efficient for enlistment year 21 May 2000 – 20 May 2001 when he had not in fact completed the mandatory minimum requirement of 20 days. The Tribunal gave significant weight to the statement made by Mr Jones in June 2000 that he had been ‘unable to meet ARES conditions due to work hours/shift work, as for the past two years’²³. Noting that Mr Jones served for 15 years and to be eligible for the DLSM he must have been declared efficient for each of those years; the Tribunal found that whilst there may have been doubt regarding the accuracy of records in some years, there was no doubt that Mr Jones had not met his minimum training obligations in every year of his service until his discharge in May 2003.

Finding

32. For the reasons set out above, the Tribunal finds that Mr Jones is not eligible for the DLSM as he did not complete a minimum of 15 years of efficient service as a member of the Reserve Forces. Accordingly the Tribunal finds that the decision of the Directorate is correct and is therefore affirmed.

DECISION

33. The Tribunal decided to affirm the decision of the Directorate of Honours and Awards of the Department of Defence that Mr Michael Jones is not eligible for the award of the Defence Long Service Medal.

²³ Application for Special Conditions Year 2000 dated 24 July 2000 – Defence Submission dated 13 November 2014, Attachment B5.