



Australian Government

Defence Honours and Awards Appeals Tribunal

Greatrex and the Department of Defence [2023] DHAAT 12 (26 June 2023)

File Number(s)	2022/014
Re	Lieutenant Commander Christopher Greatrex Applicant
And	The Department of Defence Respondent
Tribunal	Rear Admiral Allan du Toit AM RAN (Retd) (Presiding Member) Ms Anne Trengove
Hearing Date	27 March 2023
Attendances	Lieutenant Commander Christopher Greatrex Applicant Mrs Catherine Morris, Assistant Director Directorate of Honours and Awards, Department of Defence For the Respondent Mrs Kathleen O'Callaghan, Manager, Directorate of Honours and Awards, Department of Defence For the Respondent

DECISION

On 26 June 2023, the Tribunal decided to affirm the decision that Lieutenant Commander Christopher Greatrex not be recommended for the Australian Operational Service Medal - Border Protection.

CATCHWORDS

DEFENCE AWARD – Australian Operational Service Medal - Border Protection – eligibility criteria – Australian border protection activities - deployed or force assigned - declared operation – Operation RELEX - Operation CRANBERRY - not less than aggregate of 30 days.

LEGISLATION

Defence Act 1903 – Part VIIIC – Sections 110T, 110V(1), 110VB(2), 110VB(6)

Defence Regulation 2016, Regulation 36

Australian Operational Service Medal Regulation 2012, Commonwealth of Australia Gazette S67, Letter Patent and Regulations, dated 6 June 2012

Australian Operational Service Medal Regulations 2012 Border Protection Declaration of 18 July 2012, Commonwealth of Australia Gazette S126, dated 1 August 2012

Australian Operational Service Medal Regulation 2012, Amendment 2015, Commonwealth of Australia Gazette G00827, dated 1 June 2015

Australian Operational Service Medal Regulation 2012, Amendment 2019, Commonwealth of Australia Gazette G00489, dated 7 June 2019

Australian Operational Service Medal Regulations 2012 Amendment to Letters Patent 2020, Commonwealth of Australia Gazette G00629, dated 5 August 2020

Introduction

1. The Applicant, Lieutenant Commander Christopher Foxtton Greatrex, seeks review of a decision dated 14 April 2022, of the Current Recognition Manager, Mrs Kathleen O’Callaghan, of the Directorate of Honours and Awards in the Department of Defence (the Directorate), to refuse to recommend him for the Australian Operational Service Medal – Border Protection (AOSM-BP).¹

Decision under review

2. On 7 September 2020, Lieutenant Commander Greatrex applied to the Directorate for an assessment of his eligibility for the AOSM-BP.

3. On 14 April 2022, in response to the application, Mrs O’Callaghan wrote to Lieutenant Commander Greatrex stating that as a result of an assessment it had been determined that he had not completed 30 days on a declared Border Protection Operation, and as such he could not be recommended for the award. Specifically, Mrs O’Callaghan’s letter stated that:

“HQ MBC² was able to determine that you were posted on HMAS Gawler and deployed on OP RELEX and OP CRANBERRY from 28 December 2001 – 18 January 2002, which is a total of 22 days towards the required 30 days. HQ MBC were also able to confirm that you were posted to a Watchkeeping (WK) billet at Headquarters Northern Command (HQNORCOM) from September 2001.

Following consultation with HQ MBC, HQ MBC were unable to identify that whilst posted to the WK Billet you were Force Assigned (FA) to a Border Protection Operation and that you deployed forward to support the operation via the HQNORCOM billet.”³

4. On 30 July 2022, Lieutenant Commander Greatrex made application to the Tribunal seeking review of the decision.⁴

Tribunal jurisdiction

5. Pursuant to s110VB(2) of the *Defence Act 1903* 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 a defence award in response to an application.

6. Regulation 36 of the *Defence Regulation 2016* lists the defence awards that may be the subject of a reviewable decision. Included in the defence awards listed in Regulation 36 is the AOSM. Therefore, the Tribunal has jurisdiction to review decisions in relation to this award.

¹ Application for review from Lieutenant Commander Greatrex, dated 30 July 2022

² Headquarters, Maritime Border Command.

³ Letter, Mrs O’Callaghan to Lieutenant Commander Greatrex, 14 April 2022

⁴ Ibid

Lieutenant Commander Greatrex's service

7. Lieutenant Commander Greatrex enlisted in the Royal Australian Navy in the Permanent Naval Force on 16 January 1987. He transferred to the Standby Reserve on 13 March 2001.

8. According to the Defence report, Lieutenant Commander Greatrex has been issued with the Australian Defence Medal and the Defence Long Service Medal for this service.⁵

Relevant documentation concerning Lieutenant Commander Greatrex's service

9. Lieutenant Commander Greatrex's personnel files provided the following information that is relevant to this application:

- a) A signal message from the Directorate of Naval Officers' Postings to HMAS *Kuttabul* and Headquarters Northern Command (HQNORCOM) dated 10 September 2001 advising that then Lieutenant Greatrex was to be posted from Shore to Headquarters Northern Command for watch keeping duties from 1 to 17 September 2001.⁶ This short-term posting was formally promulgated in the List of Officers' Postings (LOP) dated 11 September 2001.⁷
- b) Correspondence from the Assistant Director Naval Officers' Postings, Commander J.A. Vandyke RAN, dated 19 December 2001, advising that Lieutenant Greatrex would be posted to a Permanent Naval Forces billet as a member of the Royal Australian Naval Reserve on Continuous Full Time Service (CFTS) commencing 23 December 2001 to the expiration of 9 January 2002. The posting was to the Fremantle Class Patrol Boat HMAS *Gawler*.⁸
- c) A signal message from the Directorate of Naval Officers' Postings to HMAS *Gawler* posting Lieutenant Greatrex from Shore to HMAS *Gawler* Position Number 143077 (Navigation Officer) from 23 December 2001 to the expiration of 9 January 2002.⁹ This short-term posting was subsequently amended to 28 December 2001 to 18 January 2002.¹⁰

10. Following Lieutenant Commander Greatrex's posting to HMAS *Gawler*, his service records¹¹ do not provide evidence of further postings or deployments until 2005, where he was posted to the Sea Change Implementation Team from 5 September 2005.

⁵ Defence report titled Review of Recognition, LCDR Christopher Greatrex, dated 23 September 2022

⁶ Signal message from DNOP to HMAS *Kuttabul* and HQNORCOM dated 10 September 2001, Lieutenant Commander Greatrex service records, File two

⁷ LOP 11 September 2001

⁸ Correspondence from Commander Vandyke to Lieutenant Greatrex dated 19 December 2001, Lieutenant Commander Greatrex service records, pp 65-68

⁹ Signal message from DNOP to HMAS *Gawler* dated 20 December 2001, Lieutenant Commander Greatrex service records,

¹⁰ LOP, dated 10 January 2002

¹¹ 'Reservist Details and Attendance Totals', advises that Lieutenant Commander Greatrex provided 38 days' service for the 2001-02 training year; 3.5 days' service for 2002-03 and 1.33 days service for 2003-04

The Australian Operational Service Medal

11. The *Australian Operational Service Medal* was created by Letters Patent, dated 22 May 2012, and published in the *Commonwealth of Australia Gazette S67* of 6 June 2012.¹²

12. Regulations were originally established with the Letters Patent on 6 June 2012. These Regulations were updated in 2015 as per *Commonwealth of Australia Gazette G00827*¹³ and were then further updated in 2019 as per *Commonwealth of Australia Gazette G00629* dated 05 August 2020.¹⁴

13. The updated Regulations state:

3 Declared operation

(1) *The Governor-General may declare, in writing, on the recommendation of the Minister, that an operation is a declared operation.*

(2) *In making a recommendation to the Governor-General, the Minister must have regard to the recommendation of the Chief of the Defence Force.*

(3) *The Governor-General must not make a declaration about an operation unless:*

(a) *The operation is, or was, carried out in conditions that are, or were, hazardous; and*

(b) *The operation is not an operation for which recognition for an award (other than an award under this regulation) already exists; and*

(c) *The operation meets the conditions (if any) determined, in writing, by the Governor-General.*

(3A) *Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint Operations, that a special operation is a declared operation.*

(3B) *The Chief of the Defence Force must not make a declaration about a special operation unless:*

(a) *The operation is, or was, carried out in conditions that are, or were, hazardous; and*

(b) *The operation is not an operation for which recognition for an award (other than an award under this regulation) already exists; and*

(c) *The operation meets the conditions (if any) determined, in writing, by the Chief of the Defence Force.*

(3C) *Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint*

¹² *Australian Operational Service Medal Regulation 2012, Commonwealth of Australia Gazette S67, Letters Patent and Regulations*, dated 6 June 2012

¹³ *Australian Operation Service Medal Regulation 2012, Amendment 2015, Commonwealth of Australia Gazette G00827*, dated 1 June 2015

¹⁴ *Australian Operational Service Medal Regulations 2012 Amendment to Letters Patent 2020, Commonwealth of Australia Gazette G00629*, dated 5 August 2020

Operations or the Special Operations Commander Australia, that a counter terrorism activity or a special recovery activity is a declared operation.

(3D) The Chief of the Defence Force must not make a declaration about a counter terrorism activity or a special recovery activity unless all of the following apply.

- (a) The activity is, or was, carried out in hazardous conditions.*
- (b) The activity is not an activity for which recognition for an award (other than an award under this regulation) already exists.*
- (c) The activity meets the conditions (if any) determined, in writing, by the Chief of the Defence Force.*

(4) A declaration under this section must include the following matters:

- (a) the name by which the operation is known or a description of the operation; and*
- (b) the area in which the operation occurs or occurred; and*
- (c) either:*
 - (i) the dates or period during which the operation occurred or*
 - (ii) if the operation is continuing – the date on which the operation commenced.*

4 Eligible service

(1) The Governor-General may declare, in writing, on the recommendation of the Minister, that service is:

- (a) Eligible service; or*
- (b) Eligible service that is an additional period of qualifying service for the purposes of paragraph 6(2) (c).*

(2) In making a recommendation to the Governor-General, the Minister must have regard to the recommendation of the Chief of the Defence Force.

(3) The Governor-General must not make a declaration about service under subsection (1) unless the eligible service is given as par of, and with the period of, a declared operation.

(3A) Eligible service declared under subsection (1) must meet the conditions (if any) determined, in writing, by the Governor-General.

(4) Without limiting subsection (1), the Chief of the Defence Force may declare, in writing, on the recommendation of the Commander Joint Operations, that service is:

- (a) Eligible service; or*
- (b) Eligible service that is an additional period of qualifying service for the purposes of paragraph 6(2)(c).*

(5) The Chief of the Defence Force must not make a declaration about service unless:

(a) The service is given in the operational area, and within the period, of a special operation, counter terrorism activity or special recovery activity that is a declared operation; and

(b) The service meets the conditions (if any) determined, in writing, by the Chief of the Defence Force

14. The eligibility criteria for awarding the AOSM-BP is contained in the Governor-General's Declaration dated 18 July 2012, under the *Australian Operational Service Medal Regulations 2012*, published in the *Commonwealth of Australia Gazette S126 dated 1 August 2012*.¹⁵ The criteria was updated in 2019 as per *Commonwealth of Australia Gazette G00489 dated 07 June 2019*.¹⁶

15. The criteria in the Declaration relevant to Lieutenant Commander Greatrex's application is as follows:

(a) declare under regulation 3 (1) of the Regulations, the following operations in which members of the Australian Defence Force, or allied foreign Defence Force members, are or were engaged in connection with Australian border protection activities, to be a declared operation for the purposes of the Regulations:

(i) Operation CRANBERRY – that commenced on 1 August 1997 and ended on 16 July 2006;

...

(ix) Operation RELEX – that commenced on 3 September 2001 and ended on 13 March 2002;

in the area defined by the seas and Australian land areas, superjacent airspaces, but not foreign areas encompassed within the coordinates:

15°00' North Latitude, 60°00' East Longitude

15°00' North Latitude, 180°00' East Longitude

60°00' South Latitude, 60°00' East Longitude

60°00' South Latitude, 180°00' East Longitude

And the areas of Nauru and Manus Island;

(b) declare, under regulation 4 (1) of the Regulations, that the conditions for award of the Australian Operational Service Medal - Border Protection ("the Medal") for that declared operation are that:

(i) the Medal may be awarded to a member of the Australian Defence

¹⁵ *Commonwealth of Australia Gazette S126 dated 1 August 2012, Australian Operational Service Medal Regulations 2012 Declaration, dated 18 July 2012*

¹⁶ *Australian Operation Service Medal Regulation 2012, Amendment 2019, Commonwealth of Australia Gazette G00489, dated 7 June 2019*

Force, or allied foreign Defence Force members, who was deployed or force assigned for duty as such a member of the declared operation for a period of not less than an aggregate of 30 days;

- (ii) *the Medal may be awarded to a member of the Australian Defence Force, or allied foreign Defence Force members, who was deployed or force assigned for duty as such a member of the declared operation and who completed 30 sorties from a unit assigned to the declared operation, provided that those sorties were conducted over a period on not less than an aggregate of 30 days at a rate of one sortie per day with the duration of the declared operation;*

PROVIDED THAT the member is a person:

- (A) *deployed at sea providing direct support to a declared operation;*
- (B) *deployed on land or in the air, dedicated to cuing support to a declared operation; or*
- (C) *deployed forward to exclusively support a declared operation;*

AND PROVIDED THAT where a member does not complete the prescribed period or prescribed number of sorties for the award of the Medal required by subparagraphs b(i) or b(ii) owing to his or her death, evacuation due to illness, injury or other disability due to service, the member will be deemed to have completed that prescribed period or prescribed number of sorties;

(c) ...

- (d) **declare**, for the purposes of this declaration that a member is not eligible for an award of the Medal where the member was part of:

- (i) *Headquarters staff at Joint Operations Command;*
- (ii) *Headquarters staff at Northern Command;*
- (iii) *Headquarters staff at Military Strategic Commitments;*
- (iv) *Headquarters staff at Regional Force Surveillance Unit;*
- (v) *Australian Defence Force staff at Border Protection Command;*
or
- (vi) *Base maintainers and support personnel other than those described at paragraph (b).*

Lieutenant Commander Greatrex's application to the Tribunal

16. In his application to the Tribunal, Lieutenant Commander Greatrex stated that he had been denied eligibility for the AOSM-BP as Defence had deemed he did not meet the requirements of criterion (b) and (c) set out at Clause (b) (ii) (B) and (b) (ii) (C) of the above¹⁷ updated Declaration of the eligibility criteria as he had received a permanent posting to Headquarters Northern Command in Darwin, Northern Territory.

¹⁷ Lieutenant Commander Greatrex's claim as to clauses b) ii) B) and C) of the Declaration, that he was deployed on land or in the air dedicated to cuing support to a declared operation and deployed forward to exclusively support a declared operation.

17. Lieutenant Commander Greatrex stated:

'When no such posting could take place in any practical way, regardless of any administrative expedience that may have occurred at the time by the bureaucracy. And certainly, in no way cancelling out points b) and/ or c) above.

'With the support of my employer, I was forward deployed exclusively for the declared operation from my home in Sydney (3 Eve Street Arncliffe NSW) and supported by my full time and permanent employer in support of Reserve Service (SMS Management and Technology Pty LTD – now part of ASG), to Darwin NT for the qualifying 8 days.

'As a result of this forward deployment for the declared operation, DHA has been able to confirm that I was then consequently posted on HMAS Gawler and deployed in continuation on OP RELEX and OP CRANBERRY from 28 December 2001 – 18 January 2002, for a further 22 days completing the required 30 days. This period of being forward deployed for the same operation is not being questioned.

'It's absurd to claim, for the purposes of withholding the award, that I was posted to a Permanent Billet at HQNORCOM for a period of 8 days – somehow wiping out the fact that I actually lived in Sydney, had a full time permanent job with SMS Management and Technology Pty Ltd, and so was forward deployed for this operation only, and with the support of my employer.

'I absolutely was in no way part of: "b) Headquarters staff at Northern Command" as claimed.

'Consequently, I received no benefits due for someone actually posted to HQNORCOM into a permanent billet, and none were expected, as I was forward deployed temporarily for this operation.'

18. Lieutenant Commander Greatrex also provided a copy of an email discussion between him and Captain Vaughn Rixon CSC RAN, who as a Commander, served as the 'J3' at Headquarters Northern Command at the time that Lieutenant Commander Greatrex was posted to the watchkeeping position.¹⁸ In his email to Captain Rixon, Lieutenant Commander Greatrex stated that *'You may recall I was there for 2 weeks as a watchkeeper/trainee watchkeeper'*, remarking *'I'm not sure if HQNORCOM counts.'*¹⁹

The Defence Report

19. As set out in the Defence Report, following Lieutenant Commander Greatrex's application to the Directorate, Defence conducted an assessment of his eligibility for the AOSM-BP and subsequently on 30 July 2022, wrote to him via letter stating:

'Accordingly, your application was sent to HQ Maritime Border Command (MBC) for research into your Border Protection operational service. They reviewed the following information sources:

- *PMKeyS Operational Log, including dates, duration and location of deployments*
- *PMKeyS Posting and job position information at time of deployments*

¹⁸ Application for review from Lieutenant Commander Greatrex, dated 30 July 2022

¹⁹ Ibid

'As a result of the review HQ MBC was able to determine that you were posted on HMAS Gawler and deployed on OP RELEX and OP CRANBERRY from 28 December 2001 – 18 January 2002, which is a total of 22 days towards the required 30 days. HQ MBC were also able to confirm that you were posted to a Watchkeeping (WK) billet at Headquarters Northern Command (HQNORCOM) from September 2001.

*'Following consultation with HQ MBC, HQ MBC were unable to identify that whilst posted to the WK Billet you were Force Assigned (FA) to a Border Protection Operation and that you deployed forward to support the operation via the HQNORCOM billet.'*²⁰

20. In its report to the Tribunal, Defence largely reiterated the above reasons and recommended that the decision to not recommend Lieutenant Commander Greatrex for the AOSM – BP be affirmed. Of peripheral relevance to this application, in its report, Defence also restated its position that his posting to HQNORCOM from 1 September 2011 was effectively open ended, *'with no end date recorded'*.²¹

Lieutenant Commander Greatrex's comments on the Defence report

21. On 28 September 2022, Lieutenant Commander Greatrex was provided with a copy of the Defence Report and asked to provide his comments on that report. His response dated 12 October 2022, provided the same details as listed in his application to the Tribunal but also included the following comments:

"In summary Defence is denying the 8 remaining days by;

- 1. Relying on one entry in pre-PMKeys List of Officers Postings that is irregular in the nature of the entry, with an illogical administrative Posting, with no end date, to base its entire deliberations.*
- 2. Ignoring the unlikely nature of a posting to a permanent billet in Darwin for a Reservist with a home, living in Sydney, with a fiancé in Sydney, and with a full time employer in Sydney.*
- 3. Ignoring that no other entitled benefits were provided that would otherwise have been provided with a posting that would have made me ineligible.*
- 4. Ignoring the logical, sequential, and ongoing service all in support of the border protection assignments.*
- 5. Ignoring the documented support of the Senior Officer as to my eligibility for the award based on his witness of events.*

Tribunal hearing

22. At the hearing for the review, held on 27 March 2023, Lieutenant Commander Greatrex's submissions largely centred around his contention that his posting to Darwin was not permanent in nature, but a short-term forward deployment to support the declared Border Protection Operation.

²⁰ Department of Defence report, Review of Recognition, LCDR Christopher Greatrex, 23 September 2022

²¹ Ibid

23. In response, Defence submitted that Lieutenant Commander Greatrex's posting was to a watchkeeping billet at HQNORCOM, and that there was no evidence to suggest he was force assigned to a declared border protection operation. Having regard to the conditions of the relevant Determination, as such, this service could not count as service towards eligibility for the AOSM-BP. Defence however conceded, in light of the posting signal and the List of Officers Postings, that Lieutenant Commander Greatrex's posting was not open ended and that it was in fact from 1 to 17 September 2001.

24. When asked at hearing what duties he carried out during his posting if he was not part of HQNORCOM staff, Lieutenant Commander Greatrex was unable to provide a particularly detailed answer, but argued that he wasn't there *'just to be a watchkeeper'* but *'absolutely was in no way part of Headquarters staff at Northern Command'*, asserting that he was 'deployed forward' in support of the declared operations. He stated he must have been force assigned as he was sent to supplement staff in support of border protection operations and that he liaised with members at sea on border operations.

Tribunal consideration

25. There was no dispute that Lieutenant Commander Greatrex had rendered a total of 22 days' service from 28 December 2001 to 18 January 2002 in HMAS *Gawler* on Operations CRANBERRY and RELEX, which is considered eligible service towards the award of the AOSM-BP.

26. The issue was whether the earlier period that he spent from 1 to 17 September 2001 at Headquarters Northern Command (HQNORCOM) qualified him for the remaining time to receive the AOSM-BP. If this period was able to be counted, this would put Lieutenant Commander Greatrex over the 30 days required for the award.

27. Defence argued that during the relevant period Lieutenant Commander Greatrex was posted to HQNORCOM for watchkeeping duties and that there was no evidence that he had been forward deployed from HQNORCOM and force assigned in support of border protection operations. Defence stated that in the relevant Declaration, section (d) (ii) specifically stated that service where the member was part of Headquarters Staff at Northern Command was not considered as eligible service towards the award.

28. The evidence showed that Lieutenant Commander Greatrex was posted to HQNORCOM for short-term watchkeeping duties from 1 to 17 September 2001. This was neither a permanent nor an open-ended posting as incorrectly stated by the Directorate.

29. The evidence was supported by Lieutenant Commander Greatrex's email to Captain Rixon seeking support for his appeal, in which Lieutenant Commander Greatrex acknowledged that he spent two weeks as a watch keeper/trainee at HQNORCOM. Lieutenant Commander Greatrex even questioned whether his time at HQNORCOM counted towards the award of the AOSM-BP. Captain Rixon, in his response, remembered Lieutenant Commander Greatrex's time at HQNORCOM, suggesting that posting records, or a retrospective amendment of the operations log, may be necessary to verify his claim.

30. The Directorate opined that one option open to Lieutenant Commander Greatrex, as suggested by Captain Rixon, was for him to apply to Navy to retrospectively consider whether his name ought to appear in the relevant operations logs for Operations CRANBERRY and RELEX for the period.

31. At hearing, Lieutenant Commander Greatrex indicated that he would do so and asked the Tribunal not to finalise his application. The Tribunal advised him that it would not consent to such an adjournment, given the available evidence pointed to a retrospective application being unsuccessful. The Directorate advised Lieutenant Commander Greatrex that he could reapply to it for the award of the AOSM-BP if he was successful in being retrospectively added to the logs. If this occurs, and Lieutenant Commander Greatrex's application again fails, he may be eligible to seek fresh review in the Tribunal.

Tribunal findings

32. The Tribunal found there is no evidence to support Lieutenant Commander Greatrex's contention that he was forward deployed or that he was force assigned. At hearing, Directorate staff stated that if Lieutenant Commander Greatrex was force assigned his name would appear in Navy Operations Logs for the individual operation. His name does not.

33. Based on the material before the Tribunal, it found that Lieutenant Commander Greatrex was posted to HQNORCOM for short-term watch keeping duties from 1 to 17 September 2001. Moreover, the Tribunal found no evidence that he was forward deployed from HQNORCOM or force assigned in support of a declared Border Protection Operation. Clause (d)(ii) of the *Australian Operational Service Medal Regulations 2012 Border Protection Declaration*²² specifically states that service where the member is part of Headquarters Staff at Northern Command is not eligible service for the purposes of the award. The Tribunal is obliged to apply the legislation and has no discretion in doing so.

34. The Tribunal therefore found that Lieutenant Commander Greatrex did not fulfil the qualifying requirement of 30 days' service on a declared Border Protection Operation for the award of the AOSM-BP.

35. Further, there was no evidence before the Tribunal or contention that Lieutenant Commander Greatrex satisfied the criteria as detailed at Section (b) of the *Australian Operational Service Medal Regulations 2012 Border Protection Declaration* in that he did not complete the prescribed period or prescribed number of sorties for the award of the Medal required by subparagraphs b(i) or b(ii) owing to death, evacuation due to illness, injury or other disability due to service.²³

²² *Australian Operational Service Medal Regulations 2012 Border Protection Declaration of 18 July 2012, Commonwealth of Australia Gazette S126, dated 1 August 2012*

²³ *Ibid.*

Tribunal Decision

36. The Tribunal decided to affirm the decision that Lieutenant Commander Greatrex not be recommended for the Australian Operational Service Medal - Border Protection.