



**Australian Government**

**Defence Honours and Awards Appeals Tribunal**

## **Annual Report**

**Financial Year 2023-24**



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The Hon Matt Keogh MP  
Minister for Defence Personnel  
Minister for Veterans' Affairs  
Parliament House  
CANBERRA ACT 2600

Dear Minister

I am pleased to present an Annual Report for the Defence Honours and Awards Appeals Tribunal for the year 2023-24. While there is no legal requirement for such a report, I have considered it appropriate to account to you and to the Australian community for the activities of the Tribunal as though there was such a requirement. This report shall be published on the Tribunal's website 20 working days following the date of this letter.

Yours sincerely

Stephen Skehill  
Chair  
Defence Honours and Awards Appeals Tribunal

11 November 2024

## Summary

### About the Tribunal

A Defence Honours and Awards Tribunal was first established as an administrative body in 2008, and the present Defence Honours and Awards Appeals Tribunal was later established as an independent statutory body on 5 January 2011 under Part VIIIIC of the Defence Act 1903 (the Act).

The Tribunal has two functions.

Under the Tribunal's **review** function (set out in section 110V of the Act), at the request of an applicant the Tribunal can review certain decisions of Defence relating to eligibility for defence honours and awards, and foreign awards. Through this review function, the Tribunal allows Australian Defence Force members, veterans, their families and others to obtain timely, independent and thorough review of those decisions. The Tribunal considers all the relevant evidence and then arrives at what it believes to be, on the merits, the correct or preferable decision.

A power exists for the Tribunal to make recommendations to the Minister following review of eligibility for a defence honour, a defence award or foreign award. Such a recommendation might be, for example, for the Minister to reconsider an element of the eligibility criteria in light of an identified issue, or to recommend other corrective action concerning the administration of a particular defence award or foreign award.

The Act states that in undertaking a review, regardless of the honour or award concerned, the Tribunal must apply the eligibility criteria that governed the making of the reviewable decision.

The Act allows an application to be lodged at any time by any individual (not necessarily a veteran or a family member of a veteran) concerning service as far back in time as the commencement of the Second World War.

Under the Tribunal's **inquiry** function (set out in section 110W of the Act), at the direction of the Minister the Tribunal can inquire into matters relating to defence honours and awards and provide a report and recommendations to Government.

The inquiry function gives the Tribunal a broad power to investigate an issue relates to honours and awards for Australian Defence Force service referred to it by the Minister, and to make recommendations arising out of or relating to the inquiry. In preparing inquiry reports, unless stated otherwise in the inquiry terms of reference, the Tribunal consults widely with potentially affected parties, actively seeks submissions, and holds public hearings.

The Tribunal is not a court and it seeks to conduct its proceedings with as little formality as possible. It is separate from the Australian Defence Force and the Department of Defence and is accountable to Government through the Minister for Veterans' Affairs and Defence Personnel. The members of the Tribunal are not subject to direction by anyone in the performance of their duties as members.

## This year

### Reviews

During the 2023-24 financial year, the Tribunal completed 13 reviews under section 110V. In doing so, as required by the Act, the Tribunal reviewed the member's or veteran's eligibility for medallic recognition against extant eligibility criteria.

In seven of these cases, the Tribunal affirmed the decision of Defence. In the remaining six cases, the Tribunal disagreed with Defence's decision and recommended that it be substituted with a new decision to recommend the member or veteran for a defence honour or award.

In an additional 12 cases, following lodgement of the application for review, Defence decided to revisit its original decision and make its own recommendation that the member or veteran be recognised for their service. This is an especially pleasing statistic and the Tribunal is grateful for Defence's resolution of these matters without unnecessary dispute.

In one further case, the applicant chose to withdraw their application for review during the review process.

During the period, the Tribunal received 24 properly-made applications for review, and there were 18 reviews still in progress at the end of the financial year.

### Inquiries

While no inquiries were initiated in the reporting period, the report of the *Inquiry into medallic recognition for service with Rifle Company Butterworth* was completed and provided to Government on 22 August 2023.

### Tribunal initiatives

Mindful of the desire to assist applicants through what can, despite best efforts, sometimes be a challenging or difficult process, the Tribunal developed further written guidance to provide applicants with detailed information on how they might best navigate the review process. The Tribunal actively seeks feedback from applicants on the usefulness and comprehensibility of the text to ensure it is fit for purpose. The Tribunal is also exploring the possible production of an explanatory video to cater for those who might better absorb relevant information through such a format.

Consistent with the interim findings of the Royal Commission into Defence and Veteran Suicide, new members receive Trauma Informed Care training from Phoenix Australia, a research organisation specialising in post-traumatic health and which has considerable experience in the military field.

The Tribunal also revised its member Code of Conduct, and developed a policy for dealing with any suspected breaches of the Code.

Additionally, the Tribunal was consulted on and provided some advice on Defence's proposed amendments to Part VIIIIC of the *Defence Act 1903*. Draft amending legislation is yet to be introduced to the Parliament.

## New and retiring members

During the year the Tribunal welcomed Ms Louise Hunt and Mr Jonathan Hyde who were each appointed for three-year terms from August 2023.

The Tribunal thanks former members, Ms Jo Lumb and Ms Anne Trengove, who both retired from the Tribunal in August 2023 and were ineligible for reappointment. Their significant contributions to the Tribunal and their diligence over their six-year periods of service were greatly appreciated.

## Acknowledgements

The Tribunal would also like to thank the Defence organisation, in particular the staff of the Directorate of Honours and Awards who assist the Tribunal with submissions and reports and provide assistance at the hearings the Tribunal holds for reviewable decisions and inquiries. Their efforts, often under difficult circumstances, are truly appreciated. In particular, the Tribunal thanks Mr Ian Heldon who served as the Director until February 2024. His own diligence and personal experience in the field of complex case management, together with his marshalling of professional expertise to assist the Tribunal in its review and inquiry work, was greatly appreciated.

# Overview of the Defence Honours and Awards Appeals Tribunal

## Work of the Tribunal to date

The Tribunal has completed 30 inquiries since its establishment in 2008, with 24 of these completed between 2008 and 2015. The inquiry into medallic recognition for service with Rifle Company Butterworth was completed in August 2023. A list of completed inquiries is at [Appendix A](#).

Since 2008, 479 properly-made applications for review have been received in the Tribunal. However not all of these have resulted in a decision. On being informed of an application for review or during the review process, Defence may reassess its position and decide to grant the honour or award being sought, which is consistent with Defence's obligation as a model litigant under the *Legal Services Directions 2017*. A comparatively smaller number of matters have been withdrawn by applicants during the review process.

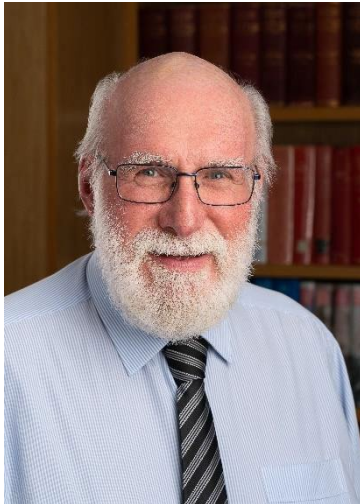
## Structure

### Members

Section 110Y of the Act provides that the Tribunal consists of the Chair of the Tribunal, and a minimum of six and a maximum of ten other Tribunal members.

The Chair and Members of the Tribunal are appointed by the Minister on a part-time basis, in accordance with the provisions of sections 110YA and 110YB of the Act. Appointments to the Tribunal are for a maximum period of three years. A person may be reappointed to the Tribunal, provided their total period of service is not more than six consecutive years.

As at 30 June 2024, there were 11 members appointed to the Defence Honours and Awards Appeals Tribunal, including the Chair.



### **MR STEPHEN SKEHILL** **CHAIR**

Mr Skehill was appointed as the Chair of the Tribunal in 2020. He was reappointed in December 2023. His career spans 28 years in the Australian Public Service and 26 years in private legal practice and consultancy. His public service positions have included Principal Member of the Veterans' Review Board, the Australian Government Solicitor, and Secretary of the Attorney-General's Department. Mr Skehill has also conducted numerous inquiries into public service structures, procedures and performance. As Special Counsel with the major law firm now known as King & Wood Mallesons, he specialised in administrative law, air and space law, and telecommunications law.

Mr Skehill has held a wide variety of statutory positions under Commonwealth legislation and, since 2008, has been the Ethics and Integrity Advisor to the Members of the Legislative Assembly of the Australian Capital Territory.



### **REAR ADMIRAL ALLAN DU TOIT AM RAN (Retd)**

Rear Admiral du Toit was appointed to the Tribunal in May 2021. He retired from the Royal Australian Navy in 2016 after 40 years naval service. He was born in South Africa and entered the South African Navy in 1975. He joined the Royal Australian Navy in 1987. He commanded at all ranks including HMAS *Tobruk* during peacekeeping operations in Bougainville, the Australian Amphibious Task Group, the maritime interception force enforcing UN sanctions against Iraq, Combined Task Force 158 in the Persian Gulf, and Border Protection Command. He also served in a wide range of single-service and joint appointments ashore including Deputy Chief of Joint Operations and Head of Navy People. His final appointment was as Australia's Military Representative to NATO in Brussels.

Rear Admiral du Toit is currently chair of two defence industry companies. He is also a member of the Northern Territory Government's National Security Advisory Group. He has written and lectured on historical and contemporary defence and naval affairs both in Australia and abroad and has a doctorate from the UNSW Canberra where he is a Visiting Fellow and Adjunct Senior Lecturer. He served as President of the Australian Naval Institute from 2011 to 2013.



### **MS KAREN FRYAR AM**

Ms Fryar was appointed to the Tribunal in July 2021. She [recently] retired in 2019 after 26 years as a magistrate and coroner in the Australian Capital Territory. She had also previously been a presidential member of a number of ACT tribunals including the Mental Health Tribunal and the Guardianship and Management of Property Tribunal. Prior to her appointment to the bench of the ACT Magistrates Court (as the first female judicial officer in the ACT), Ms Fryar's early legal career covered time in private practice, the Australian Government Solicitor and the ACT Legal Aid Office.

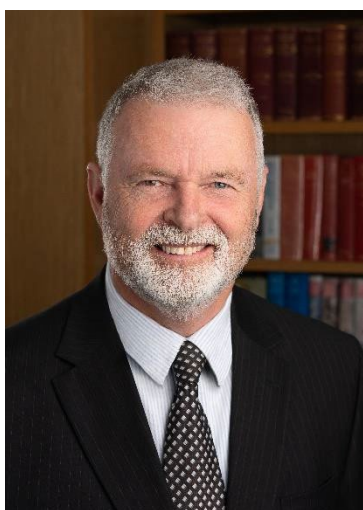
In January 2020, Ms Fryar was appointed as the President of the Legal Aid Commission (ACT), and she currently convenes mediations in civil litigation.



### **BRIGADIER DIANNE GALLASCH AM CSC (RETD)**

Brigadier Gallasch was appointed to the Tribunal in January 2023. She retired from full time Australian Army service in 2016 after 33 years as a logistics officer. Brigadier Gallasch has commanded at all rank levels and has extensive joint and multi-national experience in personnel, training and logistics. Brigadier Gallasch's operational postings included Deputy Commander of the Force Logistics Support Group in East Timor from 1999 to 2000, the logistics plans officer with the Multi-National Force Iraq in 2008, and as the foundational Australian Director General Transition and Redeployment in the Middle East in 2012. Her last full-time position was as the Commandant of the Royal Military College of Australia.

Since transitioning from full time service, Brigadier Gallasch's primary role has been as an Inquiry Officer for the Australian Defence Force.



### **AIR COMMODORE ANTHONY GRADY AM (RETD)**

Air Commodore Grady was appointed to the Tribunal in July 2021. He separated from the Royal Australian Air Force in 2015 after 35 years of service as a pilot, with experience in rotary wing and strike aircraft. He has extensive command experience, principally within Air Combat Group, and has filled a range of staff positions within Air Force, Air Command and the joint force as well as completing a number of operational tours in the Middle East.

Air Commodore Grady has worked in Defence Industry, and holds two Masters degrees.



### **MS LOUISE HUNT**

Ms Hunt was appointed to the Tribunal in August 2023. She is a lawyer and holds a statutory appointment as a part-time Member of the Veterans' Review Board. She is a member of the Law Council of Australia's Military Justice Committee.

Prior to her appointment to the Veterans' Review Board Ms Hunt's legal career in private practice encompassed professional liability and discipline matters.

Ms Hunt is a serving Reserve Legal Officer in the Royal Australian Air Force. She has served for over 35 years and holds the rank of Group Captain. She performs work on behalf of the Inspector General of the

Australian Defence Force.

Ms Hunt holds Bachelor Degrees in Law and a Master of International Law.



### **MR JONATHAN HYDE**

Mr Hyde is a barrister with over 30 years' experience currently practicing at the NSW Bar from New Chambers. He specialises in public and administrative law and is retained by a range of commonwealth and state government agencies and statutory authorities, including ASIC and the AFP. He has considerable expertise in royal commissions, commissions of inquiry, coronial inquests, and administrative inquiries for both government and non-government bodies. He represented Cricket Australia, Queensland Cricket, and Tennis Australia at the Royal Commission held into Institutional Responses to Child Sexual Abuse and more recently appeared in the Royal Commission into Defence and Veteran Suicide. Jonathan was counsel assisting the Australian Commissioner for Law Enforcement Integrity for a period of two years

and is co-author of "Anti-Money Laundering and Financial Crime in Australia" (Lexis Nexis). He is a former Judge Advocate and Defence Force magistrate and past president of the NSW RSL Discipline and Conduct Tribunal. Jonathan has operational service in Iraq. He is a part-time Deputy President on the NSW Mental Health Review Tribunal a body that reviews persons charged with criminal acts but found not criminally responsible due to mental illness and conducts reviews to determine fitness to stand trial.



### **MAJOR GENERAL MARK KELLY AO DSC (RETD)**

Major General Kelly was appointed to the Tribunal in July 2021. He retired from the Australian Army in June 2010 after 36 years as an Infantry officer. He held a number of senior command appointments including Commanding Officer of the 1st Battalion, The Royal Australian Regiment, Commander of the 3rd Brigade, Commander of the 1st Division, Land Commander Australia, and Commander of the Joint Task Force 633.

His operational service included Zimbabwe/Rhodesia in 1979 and 1980, East Timor with INTERFET in 1999 and 2000, the Middle East Area of Operations including Iraq, the Horn of Africa and Afghanistan in 2003 and 2004 and 2009 and 2010. He also served as the Repatriation Commissioner at the Department of Veteran Affairs from 2010 to 2019.



### **COMMODORE VICKI McCONACHIE CSC RAN (RETD)**

Commodore McConachie was appointed to the Tribunal in January 2023. She served in the permanent Navy from 1984 to 2012 undertaking senior roles in both legal and non-legal capacities, including operational service in Iraq, being Head of Navy People and Reputation, Director General Navy People, and Director General ADF Legal Services. From 2012 until 2020, Commodore McConachie was Chief General Counsel to a Commonwealth government entity and, while undertaking that role, she was a non-executive director for Defence Housing Australia from 2013 to 2019.

Commodore McConachie holds Bachelor degrees in Arts (History) and Law and a Masters degree in Law.





### **MAJOR GARY MYCHAELOAM CSM (RETD)**

Major Mychael was appointed to the Tribunal in January 2023. Major Mychael enlisted in the Australian Regular Army in April 1979. After several Senior Leadership Group Regimental Sergeant Major appointments, he commissioned to the rank of Major in January 2016 before transferring to the Active Reserve in September 2020. Major Mychael has served in the 3rd Battalion of The Royal Australian Regiment, the Parachute Training School, the Soldier Career Management Agency, the Headquarters of the 5th Brigade and the 2nd Division, Headquarters Forces Command, Headquarters Career Management Army, and the Australian Defence Force Parachuting School.

His operational and representational deployments include Malaysia, New Zealand, United Kingdom, the United States of America, Jordan, Afghanistan, and the Middle East Area of Operations as Regimental Sergeant Major Joint Task Force 633, and on operations Slipper, Accordion and Manitou.



### **AIR VICE-MARSHAL TRACY SMART AO (RETD)**

Air Vice-Marshal Smart was appointed to the Tribunal in 2021. She is a medical doctor, health leader, aerospace medicine specialist and retired Royal Australian Air Force senior officer. Her 35-year Air Force career included many overseas deployments and culminated in the role of Surgeon General of the Australian Defence Force.

Air Vice-Marshal Smart is currently Professor, Military and Aerospace Medicine at the Australian National University, a Mission Specialist in Space Medicine at the University's Institute for Space and was the University's COVID-19 Public Health Lead from August 2020 to March 2022.

In addition to her ANU and DHAAT roles, she is a non-Executive Director on the Boards of Goodwin Aged Care Services and the Australasian College of Aerospace Medicine, and a consultant advisor to JFJ Aviation and Defence GmbH. She is also a member of various advisory and steering groups including the Australian Football League's Mental Health Steering Group, the Divisional Advisory Panel of Health Security Systems Australia, the Australian War Memorial Development Project Veterans' Advisory Group (as co-Chair), and the Australian Institute of Health and Welfare Veteran's Advisory Group. She is a regular keynote speaker in the areas of leadership, mental health, public health, cultural change, and diversity.

Air Vice-Marshal Smart holds a Bachelor of Medicine and Bachelor of Surgery, a Masters of Public Health, a Master of Arts (Strategic Studies), and a Diploma of Aviation Medicine. She is a Fellow of the Royal Australian College of Medical Administrators, the Australasian College of Aerospace Medicine, the Aerospace Medicine Association (US), and the Centre for Defence and Strategic Studies; and an Honorary Fellow of the Australasian College of Health Service Management.

## Terms of appointment

Name	First Appointment	Second Appointment	Appointment Expires	State
<b>Chair</b>				
Mr Stephen Skehill	23/11/2020	8/12/2023	22/11/2026	QLD
<b>Members</b>				
Rear Admiral Allan du Toit AM RAN (Retd)	20/05/2021	N/A	19/05/2024*	TAS
Ms Karen Fryar AM	08/07/2021	N/A	07/07/2024	NSW
Air Commodore Anthony Grady AM (Retd)	08/07/2021	N/A	07/07/2024	NSW
Brigadier Dianne Gallasch AM CSC (Retd)	10/01/2023	N/A	09/01/2026	ACT
Major General Mark Kelly AO DSC (Retd)	08/07/2021	N/A	07/07/2024	ACT
Ms Louise Hunt	30/08/2023	N/A	29/08/2026	WA
Mr Jonathan Hyde	30/08/2023	N/A	29/08/2026	NSW
Commodore Vicki McConachie CSC RAN (Retd)	10/01/2023	N/A	09/01/2026	ACT
Major Gary Mychael OAM CSM (Retd)	10/01/2023	N/A	09/01/2026	NSW
Air Vice-Marshal Tracy Smart AO (Retd)	24/11/2021	N/A	24/11/2024	ACT

*\* Rear Admiral du Toit was appointed on an acting basis from 20 May to 7 July 2024 under section 110YC of the Defence Act 1903 while his substantive reappointment was finalised.*

## Secretariat staff

The Tribunal is supported by a small Secretariat unit that is co-located with the Registry of the Australian Military Court at its premises in Fyshwick in the Australian Capital Territory. The Tribunal Secretariat performs a number of important functions to support the Tribunal, including:

- liaison with applicants to the Tribunal, submitters to inquiries, witnesses called by the Tribunal to appear at hearings, and other interested parties;
- scheduling and arranging hearings and meetings;
- administrative support, including facilitating pay and travel;
- conducting research into matters that are the subject of inquiries and reviews before the Tribunal, including preparing initial draft decision reports (prior to hearing and substantive consideration by the constituted Tribunal);
- editing and publication of Tribunal reports;
- managing content of the Tribunal's website; and
- acting as a conduit between the Tribunal and the Minister's office, including preparing briefs

for the Minister, draft responses to Ministerial correspondence, and other materials as directed by the Minister's office.

The Tribunal Secretariat staff are Australian Public Service employees employed by the Department of Defence under the terms of the *Defence Enterprise Collective Agreement 2024*. The Secretariat consists of four full-time employees.

## Our services

### The Tribunal's functions and powers in detail

The Tribunal has two discrete functions under the Act:

- to **review** decisions of the Department of Defence concerning eligibility for defence honours, defence awards and foreign awards; and
- to **inquire** into honours and awards issues as directed by the Minister.

### Our Review Process

The Tribunal can review a decision of Defence to refuse to recommend a person, or a group of persons, for a defence honour (such as a gallantry or conspicuous service award), a defence award (such as a campaign or long service award) or a foreign award.

The service that is the subject of the reviewable decision needs to have been with, or at the direction of, the Australian Defence Force and rendered after 3 September 1939 (the beginning of the Second World War).

It is important to note that the Tribunal can only review Defence decisions. This means that an initial application for an honour or award needs to be made to Defence, and refused, before seeking review in the Tribunal. A person seeking review in the Tribunal must be either:

- the person who made the original application to Defence; or
- one of a group of people who made that application to Defence.

The Tribunal cannot review:

- applications to amend the eligibility criteria for defence honours, defence awards, or foreign awards;
- applications for Australian awards that are not defined as defence awards or foreign awards under the Defence Regulation 2016 (such as unit citations or badges); or
- decisions concerning eligibility for repatriation benefits.

Where the applicant seeks review of a decision relating to a defence award, the Tribunal has the power to affirm Defence's decision, or to set it aside and replace it with a new decision. If the Tribunal's decision is to recommend issue of the award sought by the applicant, Defence is then responsible for implementing that decision.

Where the applicant seeks a defence honour, the Tribunal will make a recommendation to the Minister for Defence or the Minister for Defence Personnel regarding the review. This could be to affirm Defence's decision, or to set it aside and replace it with a new decision, which might include recommending issue of a defence honour. It is then up to the Minister to decide whether to accept

the Tribunal's decision.

On receipt of a correctly made application for review, the Chair of the Tribunal will appoint a panel of members to constitute the Tribunal for that review. The constituted Tribunal will generally comprise between two and four members. Prior to substantive consideration of any matter, members of the constituted Tribunal are required to consider whether they have any real or reasonably perceived conflict of interest in consideration of it, and to notify the Chair of any such real or reasonably perceived conflict.

Once the constituted Tribunal is satisfied that it has jurisdiction to consider the matter, the Tribunal provides a copy of the application to Defence and seeks a report from Defence addressing the reasons for its decision. Where the application concerns a defence award, Defence will have 30 business days to provide its report. Where the application concerns a Defence honour, it will have 60 business days to provide the report.

Once the Defence report is received, the applicant is provided with a copy and invited to provide any comments. Prior to being given the Defence Report, the applicant will receive further written information on the review process, guidance about how the Tribunal will continue to deal with the application, and some broad general suggestions about what more they might do to give their application the best chance of success.

During and after the exchange of information between the applicant and Defence, the Tribunal may conduct its own research into the application. The nature of this research will be dependent on the circumstances of each application and the honour or award sought. It may include a review of the applicant's service record, a search of any relevant material in the Defence archives or the National Archives of Australia, or a search of the collections of the Australian War Memorial for any relevant information.

The Tribunal will then consider all of this material before setting down a date for the hearing. Prior to the hearing, the applicant and Defence are provided with a comprehensive package of all of the documentation that the Tribunal intends to rely upon during the course of the review.

The hearing is an important part of the review process, where the applicant is given an opportunity to discuss their application with the Tribunal, and the Tribunal is able to ask the applicant and Defence any questions it may have after having examined the application and any other documents. The Tribunal's hearing environment is not an adversarial one in which each party 'argues' against the claims of the other. Rather, the Tribunal is an inquisitorial body that uses the hearing as an opportunity to gather as much information as it can from each of the parties, and any witnesses, to assist in coming to an informed and correct decision. Hearings are generally held in public, and may be conducted in person, via telephone, or via audio-visual link.

The Act requires that decisions of the Tribunal must be given in writing. This means the Tribunal will not communicate its decision to the applicant or to Defence on the day of the hearing. Once it has taken into account all of the relevant evidence and submissions, the Tribunal will provide the applicant, Defence and, if applicable, the Minister with a full and comprehensive report setting out its decision and the reasons for it.

The Tribunal's report is published on its website 20 business days after it is provided to the parties to the review and, if applicable, the Minister.

## **Our Inquiry Process**

From time to time, the Minister refers issues relating to Defence honours and awards to the Tribunal for inquiry and recommendation. When this occurs, the terms of reference will be established by the Minister and released to the public.

Inquiries commence with a nationwide call for submissions to address the terms of reference. On receipt of submissions, the Tribunal will generally conduct further research of its own, before setting down dates for public hearings. The location of the hearings will depend on a variety of factors, including the nature of the subject matter and the location of particular submitters or witnesses.

Public hearings may also be held in person or via audio-visual link, and may be livestreamed to allow as many affected veterans, family members, or interested members of the public to view the proceedings.

Public hearings are an important opportunity to engage with submitters and anyone else called by the Tribunal to provide oral evidence or submissions. While the hearings are held in public, not everyone in attendance, nor everyone who lodges a written submission, will be invited to provide an oral submission. However, those attending the hearing or who observe the hearings remotely may choose to lodge a further written submission in response to the evidence and submissions provided.

Once the hearings are complete, the Tribunal may choose to undertake further research and deliberation before preparing its report and recommendations to Government. The Tribunal's report is published on its website 20 business days after it is provided to the relevant Minister.

## **Our workload and performance**

### **Statistics on reviews**

Since establishment as an administrative body in 2008, and continuing since establishment as a statutory body, 479 properly-made applications for review have been received in the Tribunal up to 30 June 2024, and 465 have been finalised.

In 284 (61 per cent) of these finalised applications the decision under review has been affirmed.

In 66 cases (14 per cent), the Tribunal has set aside the decision, or recommended the decision be set aside and replaced with a new decision.

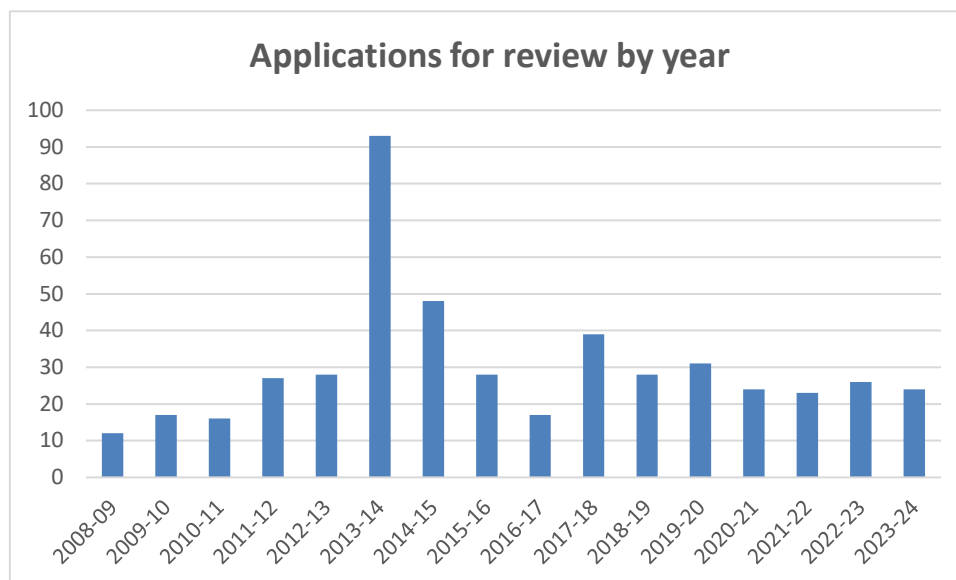
In 73 cases (16 per cent) Defence has revisited its position in light of the application to the Tribunal and has made a decision to recommend the person for an honour or award.

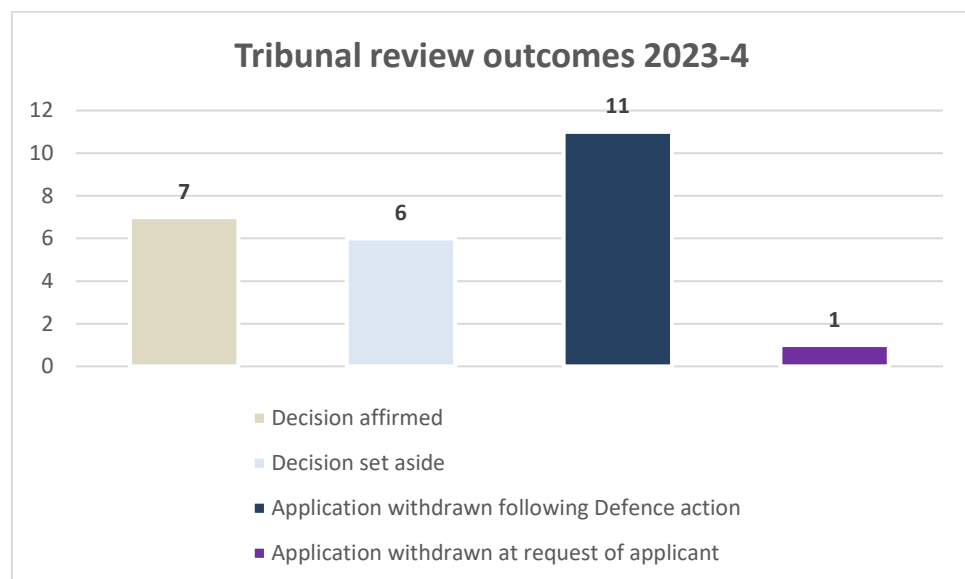
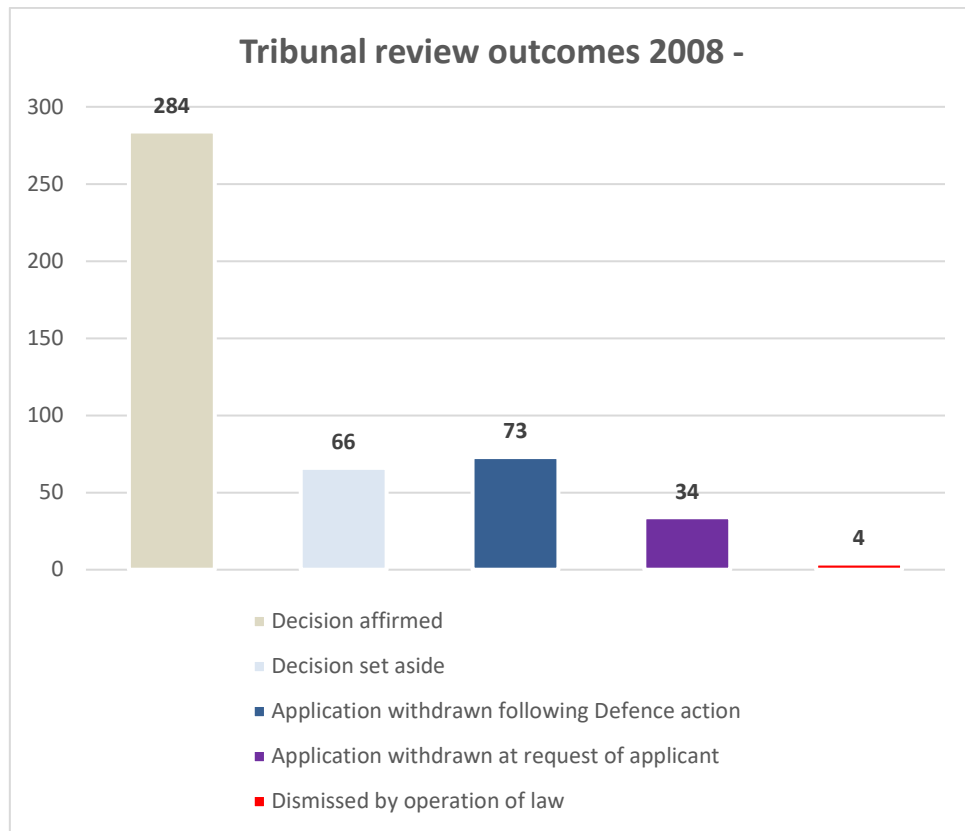
In 36 cases (8 per cent), the applicant has chosen to withdraw their application for review.

In four cases (one per cent), the Chair of the Tribunal has exercised the power under section 110VC(1) of the Act to dismiss the application under review. On each occasion this has been because, in the Chair's opinion, the subject of the application for review has already been adequately reviewed (by the Tribunal or otherwise).

**Number of applications (lodged, finalised and on hand) in FY 2023-24**

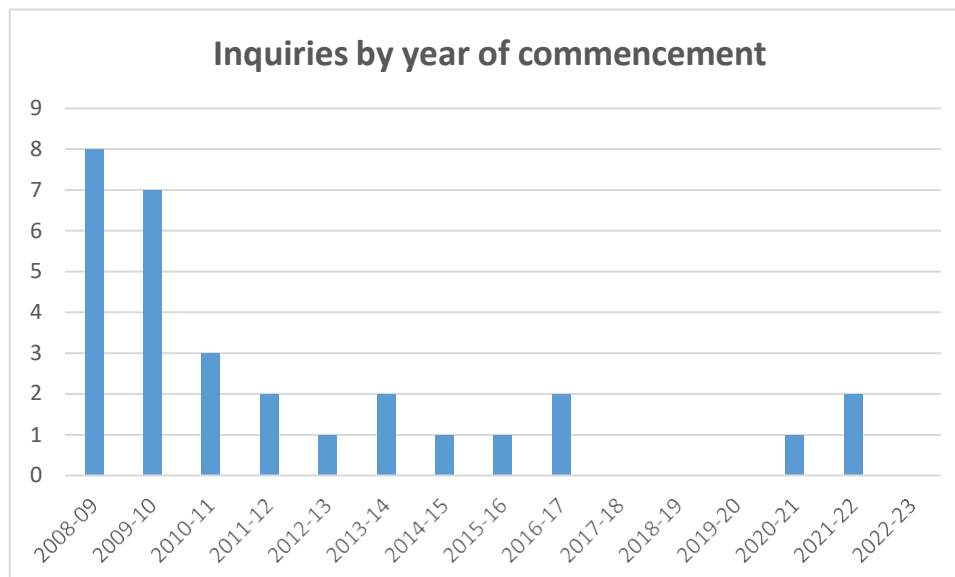
Period	Since 2008		FY 2022 - 23		FY 2023 - 24	
	No.	%	No.	% of FY	No.	% of FY
<b>Applications Lodged</b>	<b>479</b>	<b>-</b>	<b>29</b>	<b>-</b>	<b>24</b>	<b>-</b>
<b>Applications Finalised</b>	<b>465</b>	<b>-</b>	<b>28</b>	<b>-</b>	<b>26</b>	<b>-</b>
<i>Withdrawn by applicant</i>	36	8%	3	11%	1	4%
<i>Withdrawn following Defence action</i>	73	16%	4	14%	11	42%
<i>Dismissed by operation of law</i>	4	1%	1	4%	0	0%
<i>Decision affirmed by Tribunal</i>	284	61%	12	43%	7	27%
<i>Decision set aside by Tribunal</i>	66	14%	8	29%	6	23%
<i>Recommendation under S110VB(3)</i>	15		3		0	
<b>On hand at end of reporting period</b>	<b>N/A</b>		<b>18</b>		<b>14</b>	





## Inquiries

While no inquiries were initiated in the reporting period, the *Inquiry into medallic recognition for service with Rifle Company Butterworth* was completed and provided to Government on 22 August 2023.



## Significant reviews completed over the reporting period

### ***Dunn and the Department of Defence RE: Stevens [2023] DHAAT 16 (28 August 2023)***

The applicant, Mr Jason Dunn, sought review of the Defence decision that Chief Petty Officer Gavin Stevens not be recommended for the Medal for Gallantry for his service during Operation FALCONER in the Second Gulf War in Iraq in 2003. Mr Dunn submitted that Chief Petty Officer Stevens had been nominated for a Medal for Gallantry for his service but that it had been downgraded to a Commendation for Distinguished Service.

Chief Petty Officer Stevens' nomination for the Medal for Gallantry centered on his actions on 18 April 2003 leading a tactical explosive ordnance device patrol team, where he disarmed a DST (Destructor) mine armed with an acoustic, magnetic and seismic trigger, which was situated in the middle of a mine field in the Khawr Abd Allah flood plain.

While other patrol team members were safely positioned several hundred metres away, Chief Petty Officer Stevens removed all clothing that may potentially set off the DST and inched slowly towards it before placing two packs of explosive charge alongside and slowly unrolling the detonating cord out to a safe distance. While Defence considered that Chief Petty Officer Stevens was simply doing what he was trained for in accordance with standard operating procedures, the Tribunal noted that he was in fact the first ADF member to disarm this particular ordnance. Further, had it not been disarmed, the DST posed a considerable risk to both the local population and coalition forces, including low flying aircraft as the Al Faw peninsula was part of the transit route for coalition helicopters.

In reaching its decision, the Tribunal agreed that Chief Petty Officer Stevens' actions were an *act of gallantry in hazardous circumstances*, and recommended to the Minister that he be awarded the

Medal for Gallantry. The Minister subsequently accepted the Tribunal's recommendation and Chief Petty Officer Stevens received the Medal for Gallantry in January 2024.

***Ryder and the Department of Defence [2023] DHAAT 17 (14 September 2023)***

The Applicant, Mr Brodrick James Ryder, sought review of a Defence decision to refuse to recommend him for the Australian Operational Service Medal (AOSM) (Civilian) with Clasp 'SOLOMON IS II'. Mr Ryder had been employed as a civilian helicopter pilot with Hevilift (PNG), which was under a contractual arrangement with the Department of Foreign Affairs and Trade, and flew ADF and other Commonwealth personnel in the Solomon Islands between 2004 and 2006. These services were rendered in support of the Australian Federal Police Operation known as the Regional Assistance Mission to the Solomon Islands (RAMSI). The Australian Defence Force contribution to RAMSI was known as Operation ANODE.

Defence had advised Mr Ryder that he did not meet the criteria for the award as in its view he had provided support to RAMSI rather than Operation ANODE.

Further, it stated that Mr Ryder had not met the Regulations governing the award because it could find no record that he had been contracted by the Commonwealth to support, in a civilian capacity, the operations of a Defence Force deployed force, nor that he had signed an agreement to be subject to the Defence Force Discipline Act.

Defence also stated that the Operational Service Medal Regulations 2012 – Determination by the Chief of the Defence Force did not apply to Mr Ryder as it did not apply to contractors. The Determination required that a person be employed by the Commonwealth to support the operations of the Australian Defence Force deployed force in a civilian capacity, and deployed under the Department of Defence or the Department of Foreign Affairs and Trade portfolios and were not subject to the *Defence Force Discipline Act 1982* (the DFDA)

Having met all other eligibility criteria for the award, the Tribunal considered that the sole question before it was whether or not Mr Ryder was a civilian as that term was defined in the Regulations.

The Tribunal disagreed with Defence that the 2015 CDF Determination only applied to APS staff and not to contractors, noting that it very clearly provided for the AOSM-Civilian Award to be awarded to individuals employed by the Commonwealth to support the operations of the ADF in a civilian capacity who were not subject to the DFDA.

The Tribunal therefore concluded that Mr Ryder was deployed under the Defence portfolio and, because he was not subject to the DFDA, was within the class of persons determined by the CDF and was thereby a civilian within the meaning of the AOSM Regulations and thus eligible for award of the AOSM.

***Hartley and the Department of Defence re Swanton [2023] DHAAT 21 (20 December 2023) and***

The applicant, Mr Chris Hartley LVO, submitted an application for review for Warrant Officer Class Two Ronald Swanton who had served and died in Vietnam during an engagement with the enemy while on patrol in Quang Nui Province on 13 November 1965.

Mr Hartley sought review of the Defence decision that Warrant Officer Swanton not be recommended for the Medal for Gallantry for his actions in which he was fatally wounded while carrying a wounded

soldier to safety during the engagement on 13 November 1965.

The Tribunal believed that the Defence position of historical decisions on medallic recognition not being varied unless an applicant adduces evidence of maladministration or compelling new evidence could not be sustained. Further, it believed that there was enough contemporaneous evidence to dispute Defence's position that Warrant Officer Swanton's actions were those that all service personnel were expected to perform in similar circumstances.

Having regard to the contemporaneous evidence and the analysis of the risk that Warrant Officer Swanton undertook in adopting the most dangerous option to attempt to save a wounded comrade, the Tribunal concluded that he had exceeded the expectations reasonably imposed on him and had performed an act of gallantry.

The Tribunal recommended to the Minister that Warrant Officer Swanton should be recommended for the Medal for Gallantry.

### ***Hartley and the Department of Defence re Wheatley [2023] DHAAT 20 (20 December 2023)***

The applicant, Mr Chris Hartley LVO, submitted an application for review for Warrant Officer Class Two Kevin Wheatley VC, who had both served and died in Vietnam during an engagement with the enemy while on patrol in Quang Nui Province on 13 November 1965, an action for which he was posthumously awarded the Victoria Cross in 1966.

Mr Hartley sought review of the Defence decision that Warrant Officer Wheatley not be recommended for an Australian gallantry decoration for his unrelated actions on 28 May and 18 August 1965.

The Tribunal rejected the Defence view that Warrant Officer Wheatley should not be recommended for further recognition just because the original Victoria Cross nomination had included the events of 28 May and 18 August, as well as the event of 13 November 1965. Despite the May and August events being removed from the final citation, Defence believed that Warrant Officer Wheatley was nominated for the Victoria Cross for three separate actions cumulatively and that he was awarded the Victoria Cross for *acts* of heroism, determination and unflinching loyalty in the face of the enemy.

The Tribunal considered the facts of the events of 28 May and 18 August 1965 and the contemporaneous views of others regarding Warrant Officer Wheatley's actions at those events, and concluded that on each date he had performed an act of gallantry. It was apparent that the situations were so dangerous for Warrant Officer Wheatley, and the risk to his own life was so great, that he undertook his actions on each date in hazardous circumstances. This meant that the Tribunal considered that the eligibility criteria for the Commendation for Gallantry were exceeded and that those for the Medal for Gallantry were at least met.

The Tribunal concluded that Warrant Officer Wheatley's actions on 28 May and 18 August 1965, taken together, met the eligibility criteria for the Medal for Gallantry, and decided to recommend to the Minister that he should reject the Defence decision and instead recommend that Warrant Officer Wheatley receive the Medal for Gallantry for his actions on 28 May and 18 August 1965.

### ***Laughlin-Young and the Department of Defence [2023] DHAAT 14 (17 July 2023)***

The applicant, Mr Chad Laughlin-Young, sought review of a decision by the Department of Defence to refuse to recommend him for the Defence Long Service Medal for his Army Reserve service. Defence



had advised Mr Laughlin-Young that he had not rendered the necessary amount of qualifying service in one of his enlistment years, which would have otherwise made him eligible for the award.

In reviewing the application and evidence provided to it by Defence and the applicant, the Tribunal accepted that, as per Mr Laughlin Young's personnel records, he had met the requirement for the award of 15 years' service. Defence accepted that he met the requirement of 20 days qualifying service in 14 of those years, but believed that in his fifteenth year he had only provided service for 13.5 days.

Following an initial hearing on the matter, the Tribunal sought information from Defence in relation to how 'days of service' were to be identified and calculated under the applicable 2021 CDF Determination.

The Tribunal noted that in the year in question, Mr Laughlin-Young had been paid for service rendered on 23 days. Some of these days were paid at the full daily rate; some were paid at half the daily rate. Under the Defence methodology, these full-day and half-day figures had been aggregated to arrive at the figure of 13.5 full-day equivalents. The question before the Tribunal was whether the Defence methodology was correct.

The Tribunal then considered the definitions of 'year' and 'day' as per the Defence Long Service Medal Regulations and the CDF determinations of 2000 and 2021. An analysis of the terminology used in these instruments led the Tribunal to conclude that the Defence methodology was flawed as the criteria did not mandate aggregation, and they clearly referenced multiple rates of Defence salary that were payable in respect of separate periods of 24 hours.

In these circumstances, the Tribunal concluded that that during the fifteenth enlistment year, Mr Laughlin-Young served for 23 days that were remunerated at a Defence rate of salary. As such, Mr Laughlin-Young had completed a fifteenth year of qualifying service, thus meeting the eligibility criteria for the Defence Long Service Medal.

The Tribunal therefore decided to set aside the decision that Mr Laughlin-Young not be recommended for the Defence Long Service Medal and to substitute therefor a decision that Mr Laughlin-Young be recommended for the Defence Long Service Medal.

### ***Conlon and the Department of Defence [2024] DHAAT 1 (11 April 2024)***

The applicant, Mr Rohan Conlon, sought review of a decision by Defence to refuse to recommend him for the Commendation for Distinguished Service in recognition of his service as a combat first aider on 9 August 2009 during Operation CRAM GHAR in Afghanistan.

Following an application to Defence in 2023, Mr Conlon was recognised with a Commendation for Distinguished Service for his actions on 7 July 2009 during Operation TUFANI BABAR, but had been advised by Defence that his actions on 9 August 2009 did not meet the criteria for the same award.

In conducting its review, the Tribunal identified that the original review conducted by Defence, which had resulted in the reviewable decision, had been flawed in its process and, therefore, in its conclusions and decision. It also identified that the Defence report provided to the Tribunal as part of its review had not included a merits based review of the original review and decision. The Tribunal agreed that it would be unsafe to attribute any material weight or persuasive value to the reviewable decision reached by Defence. Accordingly, it decided to assess Mr Conlon's eligibility for the recognition he sought entirely from first principles.

In considering the matter, the Tribunal agreed that at the heart of its assessment was the meaning to be attributed to the term 'distinguished'. The Tribunal noted that the Regulations contain no definition of the term, and that Defence had relied on the position adopted by the Tribunal in that regard over time. The Tribunal therefore considered it appropriate to examine in some detail the position that has been previously adopted by the Tribunal in ascertaining the meaning of 'distinguished' in the eligibility criteria for the various Distinguished Service Decorations.

In reviewing the actions of Mr Conlon on 9 August 2009 as a stand-alone incident and in isolation, the Tribunal was not satisfied that Mr Conlon's actions viewed in that limited context met the eligibility criteria for a Commendation for Distinguished Service as applied in accordance with the guidelines adopted by the Tribunal.

However in viewing Mr Conlon's performance across his tour in Afghanistan generally and particularly in combination with his actions on 7 July, which had been recognised by award of a Commendation for Distinguished Service, the Tribunal agreed it warranted the description 'distinguished'. It was also apparent to the Tribunal, and conceded by Defence at the hearing, that this broader examination had never been undertaken by Defence in reaching its decision.

The Tribunal considered that the circumstances in which Mr Conlon rendered first aid on each of 7 July and 9 August 2009 were exceptional for a number of reasons and that, to be able to deploy his skills at the very top of what could reasonably have been expected and to do so consistently on each occasion in an exemplary manner in such demanding and exceptional circumstances, was evidence of 'superior' performance warranting recognition in the Commendation for Distinguished Service.

The Tribunal thus concluded that the correct and preferable decision should have been to recommend to the Minister that he recommend to the Governor General that Mr Conlon be awarded the Commendation for Distinguished Service accompanied by a citation that expressly recognised his actions on both 7 July and 9 August 2009.

## Recommendations to Government

During the reporting period, a number of recommendations that had been provided to the Minister for decision were finalised. These include:

### ***Agreed***

- Lieutenant Colonel Conrad Walsh – recommendation for the Commendation for Distinguished Service
- Mr Dennis Townsend – recommendation that Defence consider his eligibility for the Commendation for Distinguished Service
- Mr Christian Evans – recommendation for the award of the Joint Operations Command Commendation
- Private Richard Murray (dec.) – recommendation for the Commendation for Gallantry
- Mr Murray Walker – recommendation for the Medal for Gallantry
- Colonel Max Ball (Retd) on behalf of the Vietnam Veterans Association - recommendation for the Republic of Vietnam Cross of Gallantry with Palm Unit Citation for a number of Australian units that served in Vietnam
- Chief Petty Officer Gavin Stevens - recommendation for the Medal for Gallantry

### ***Not agreed***

- Mr Adam Jackson – recommendation regarding possible amendment to Defence Long Service Medal Regulations
- Ms Fiona Corry, Mrs Kelly Webster, Mr Michael Hughes, Mr Andrew Birchley – recommendation for further Defence review of decisions made regarding recognition for service in HMAS *Manoora* in 2000

*At the end of the year under review, the following recommendations to the Minister remained under consideration:*

- Private Richard Norden (dec.) – recommendation for the award of the Victoria Cross for Australia
- Warrant Officer Class 2 Kevin Wheatley VC (dec.) – recommendation for the award of the Medal for Gallantry
- Warrant Officer Class 2 Ronald Swanton (dec.) – recommendation for the award of the Medal for Gallantry
- Mr Rohan Conlon – recommendation for the Commendation for Distinguished Service
- Mr Michael Dunn – recommendation for the Conspicuous Service Medal

## **Inquiries**

### ***Inquiry into medallic recognition for service by members of the Australian Defence Force with Rifle Company Butterworth during the period from 1970 to 1989***

The Tribunal completed its report on the *Inquiry into medallic recognition for service with Rifle Company Butterworth* and provided its report to Government on 22 August 2023.

The inquiry was conducted in accordance with the Terms of Reference as approved by Government on 31 March 2022, and included consideration of whether there should be further medallic recognition for service by members of the Australian Defence Force with Rifle Company Butterworth during the period from 1970 to 1989.

During the 16 month inquiry period the Tribunal received 269 submissions from 151 RCB and RAAF veterans and their representative organisations. It held public hearings over 3 days and these were livestreamed to allow as many RCB veterans as possible to hear what was being said about their service and to make additional submissions if they wished, which many did. The conclusions eventually reached in the report were canvassed and rigorously debated at those hearings and in the submissions.

Where the submitter provided consent, the Tribunal published the submission on its website, including the Defence submission, to allow full consideration of the issues at hand and arguments presented by submitters, and to allow transparent and open consideration of those matters.

The Tribunal concluded that RCB service was not peacetime service as contended by Defence and that, rather, it was properly classified as non-warlike service. The Tribunal report contains very comprehensive and detailed analysis of all the evidence and of the submissions made to the inquiry. It sets out the historic facts by reference to the contemporaneous documentation, and the detailed assessment leading to each of

the conclusions reached.

Along with a recommendation that no further should be taken with respect to medallic recognition for RCB veterans, the report also includes a recommendation that those veterans should now receive the more favourable 'mid-tier' repatriation entitlements to reflect the non-warlike nature of their service (as previously decided by the then Minister but never implemented), and further recommendations for systemic improvement in the future determination of medallic recognition and entitlements arising from nature of service.

As at the end of the reporting period, the Government was still considering the recommendations.

***Inquiry into recognition for members and families of members of the ADF who are injured wounded or killed in service was provided to the then Minister for Defence Personnel on 19 December 2021.***

Although not conducted in the reporting period, the recommendation of the Inquiry, which was provided to Government on 19 December 2021, was still under Government consideration.

## External scrutiny

If one of the parties to the review is not satisfied with the decision of the Tribunal, they may make application to the Federal Court of Australia to have the Tribunal's decision set aside. The Federal Court cannot decide on the merits of the case, and has no power to recommend or award a medal. However, if the Federal Court were to find that the Tribunal had made an error of law in reaching its decision, it could remit the matter back to the Tribunal for fresh consideration. During the reporting period, there were no applications made to the Federal Court of Australia by an applicant to have the Tribunal's decision set aside.

## Financial information

### Defence Honours and Awards Appeals Tribunal Expenditure

	FY 2023-24
<b>Salaries (includes superannuation)</b>	
Members	\$431,134
Staff	\$434,655
<b>TOTAL</b>	<b>\$865,789</b>

<b>Travel (includes fares, accommodation and allowances)</b>	<b>\$61,655</b>
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<b>Supplies and Services</b>	
ICT costs	\$4705
Hearing costs e.g. venue hire, transcription, video support	\$12,845
WHS assessments	\$808
Consultancy	\$252
Working meals	\$445
Recruitment*	\$27,531

Training	\$3025
Printing, postage, stationery and other general office expenses	\$1.956
<b>TOTAL</b>	<b>\$51,568</b>
<b>GRAND TOTAL</b>	<b>\$979,013</b>

*\* The \$27,531 listed for 'recruitment' has been incorrectly recorded in the Department of Defence financial statements and should be listed as 'advertising'.*

## Remuneration and conditions of employment

The Chair's and members' remuneration and conditions of employment are set by the Commonwealth Remuneration Tribunal. The two relevant determinations for the reporting period were:

- *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2024*
- *Remuneration Tribunal (Official Travel) Determination 2024*

## Appendix A – List of inquiries completed to date

- **Inquiry into recognition for service for Australian military personnel who served with 4th Battalion, Royal Australian Regiment in Malaysia in 1966 to 1967** (completed 5 February 2009)
- **Inquiry into eligibility criteria for the Australian Defence Medal** (completed 11 February 2009)
- **Inquiry into recognition for service with the United States Army Small Ships Section** (completed 26 August 2009)
- **Inquiry into unresolved recognition Issues for the Battle of Long Tan** (completed 2 September 2009)
- **Inquiry into the eligibility of Royal Australian Air Force Personnel, serving in Vietnam between 29 March and 29 April 1975, for the Vietnam Medal** (completed 11 November 2009)
- **Inquiry into recognition for Special Air Service Regiment duties** (completed 22 December 2009)
- **Inquiry into recognition of unattached Australian entertainers in the Vietnam war** (completed 11 March 2010)
- **Inquiry into recognition for Far East Prisoners of War who were killed while escaping** (completed 9 April 2010)
- **Inquiry into recognition of Australian Defence Force Service in Somalia between 1992 and 1995** (completed 5 July 2010)
- **Inquiry into recognition for members of the Australian Defence Force for service in Papua New Guinea after 1975** (completed 14 July 2010)
- **Inquiry into recognition for Defence Force personnel who served as peacekeepers from 1947 onwards** (completed 1 November 2010)
- **Inquiry into recognition of service with the Commonwealth Monitoring Force – Rhodesia 1979-80** (completed 8 November 2010)
- **Inquiry into unresolved recognition Issues for Royal Australian Air Force personnel who served at Ubon between 1965 and 1968** (completed 18 February 2011)
- **Inquiry into recognition for members of Rifle Company Butterworth for service in Malaysia between 1970 and 1989** (completed 19 February 2011)
- **Inquiry into the recognition of contributions made by officers and instructors in the Australian Cadet Forces** (completed 15 June 2011)
- **Inquiry into recognition of service with Task Group Medical Support Element One in 1990-91** (completed 19 June 2012)
- **Inquiry into recognition of service with Operation LAGOON 1994** (completed 9 November 2012)
- **Inquiry into recognition of service with Operation GATEWAY** (completed 1 February 2013)
- **Inquiry into unresolved recognition for past acts of naval and military gallantry and valour** (completed 21 March 2013)

- **Inquiry into eligibility for the Republic of Vietnam Campaign Medal** (completed 24 March 2014)
- **Inquiry into unresolved recognition for service with the United States Army Small Ships Section** (completed 24 March 2014)
- **Inquiry into recognition for service with 547 Signal Troop in Vietnam from 1966 To 1971** (completed 7 May 2015)
- **Inquiry into the feasibility of amending the eligibility criteria for the Republic of Vietnam Campaign Medal** (completed 25 June 2015)
- **Inquiry into the refusal to issue entitlements to, withholding and forfeiture of Defence honours and awards** (completed 7 September 2015)
- **Inquiry into recognition for Far East Prisoners of War who were killed while escaping or following recapture** (completed 17 August 2017)
- **Inquiry into unit recognition for service at the Battles of Fire Support Bases Coral and Balmoral** (completed 3 April 2018)
- **Inquiry into unit recognition for the Royal Australian Navy Helicopter Flight Vietnam** (completed 3 April 2018)
- **Inquiry into recognition for members and families of members of the Australian Defence Force who are injured, wounded or killed in or as a result of service** (completed 17 December 2021, recommendation remains before Government for consideration)
- **Inquiry into unit recognition for Australian Defence Force service in Somalia** (completed 31 October 2022)
- **Inquiry into medallic recognition for service with Rifle Company Butterworth** (completed 22 August 2023, recommendation remains before Government for consideration)



## Appendix B

### Summary of 2023-2024 review outcomes and Tribunal recommendations

Matter title	Award sought	Completed on	Tribunal decision	Subsequent action
<i>O'Brien and the Department of Defence [2023] DHAAT 13</i>	Australian Defence Medal	14 July 2023	Affirm the decision that Mr Grant O'Brien not be recommended for the Australian Defence Medal.	Not required
<i>Laughlin-Young and the Department of Defence [2023] DHAAT 14</i>	Defence Long Service Medal	17 July 2023	Set aside the decision that Mr Laughlin-Young not be recommended for the Defence Long Service Medal and substitute therefor a decision that Mr Laughlin-Young be recommended for the Defence Long Service Medal.	Medal awarded 24 July 2024
<i>McElvaney and the Department of Defence [2023] DHAAT 15</i>	Australian Defence Medal	7 August 2023	Affirm the decision of the Department of Defence that Mr Ross Cameron McElvaney not be recommended for the Australian Defence Medal.	Not required
<i>Dunn and the Department of Defence RE: Stevens [2023] DHAAT 16</i>	Medal for Gallantry	28 August 2023	Recommend to the Minister that he not accept the decision that Chief Petty Officer Gavin Stevens not be recommended for the Medal for Gallantry and that he decide instead that Chief Petty Officer Stevens be recommended for the Medal for Gallantry.	Medal awarded 31 January 2024
<i>Ryder and the Department of Defence [2023] DHAAT 17</i>	Australian Operational Service Medal (Civilian) with Clasp 'SOLOMON IS II'	14 September 2023	Set aside the decision that Mr Brodrick Ryder not be recommended for the Australian Operational Service Medal (Civilian) with Clasp 'SOLOMON IS II' and substitute for it a new decision that he be recommended for the Australian Operational Service Medal (Civilian) with Clasp 'SOLOMON IS II'.	Medal awarded 28 November 2023

**DEFENCE HONOURS & AWARDS  
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<i>Newlove and the Department of Defence [2023] DHAAT 18</i>	Australian Defence Medal	20 September 2023	Affirm the decision that Mr Christopher Newlove not be recommended for the Australian Defence Medal	Not required
<i>McPherson and the Department of Defence [2023] DHAAT 19</i>	Australian Defence Medal	3 November 2023	Affirm the decision that Mr Daniel McPherson not be recommended for the Australian Defence Medal	Not required
<i>Hartley and the Department of Defence re Wheatley [2023] DHAAT 20</i>	Medal for Gallantry	20 December 2023	Recommend to the Minister that the decision to not recommend Warrant Officer Wheatley for an Australian Gallantry Decoration be rejected and that Warrant Officer Wheatley should be recommended for the Medal for Gallantry for his actions on 28 May and 18 August 1965	Recommendation remains before Government
<i>Hartley and the Department of Defence re Swanton [2023] DHAAT 21</i>	Australian Gallantry Decoration	20 December 2023	Recommend to the Minister that the decision that Warrant Officer Ronald Swanton not be recommended for an Australian gallantry decoration should be rejected and that Warrant Officer Swanton should be recommended for the Medal for Gallantry	Recommendation remains before Government
<i>Conlon and the Department of Defence [2024] DHAAT 1</i>	Commendation for Distinguished Service	11 April 2024	Recommend to the Minister that he not accept the decision that Mr Rohan Conlon not be recommended for the Commendation for Distinguished Service for his actions on 9 August 2009 and that he should instead recommend to the Governor-General that the citation for the Commendation for Distinguished Service already awarded to Mr Conlon should be amended (and republished in the Gazette if necessary) to expressly recognise those actions	Recommendation remains before Government
<i>Turner and the Department of Defence re: Turner [2024] DHAAT 02</i>	Defence Long Service Medal	16 April 2024	Affirm the decision that Mrs Karen Turner not be recommended for the Defence Long Service Medal	Not required
<i>Walker and the Department of Defence [2023] DHAAT 3</i>	Defence Long Service Medal	3 June 2024	Affirm the decision of the Department of Defence that Mr Jason Karl Walker not be recommended for the Defence Long Service Medal.	Not required



<i>Condon and the Department of Defence [2024] DHAAT 4</i>	Defence Long Service Medal	3 June 2024	Affirm the decision of the Department of Defence that Mr Richard Condon not be recommended for the Defence Long Service Medal.	Not required
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## Publication information

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