



Australian Government

Defence Honours and Awards Appeals Tribunal

Seccombe and the Department of Defence re: Rowell [2026] DHAAT 11 (22 June 2026)

File Number(s) 2025/040

Re **Mr Leon Scott Seccombe on behalf of Mr Gordon Rowell**
Applicant

And **The Department of Defence**
Respondent

Tribunal Ms Karen Fryar AM (Presiding Member)
Brigadier Dianne Gallasch AM CSC (Retd)

Hearing Date 21 May 2026

Attendances

For the Applicant Mr Leon Scott Seccombe

For the Respondent Ms Jo Callaghan, Assistant Director, Service and Campaign
Awards, Directorate of Honours and Awards, Defence

Ms Andrea Patel, Manager, Veterans and Families;
Directorate of Honours and Awards, Defence

DECISION

On 22 June 2026, the Tribunal decided to affirm the decision that Mr Gordon Rowell not be recommended for the Australian Defence Medal.

CATCHWORDS

DEFENCE AWARD – Australian Defence Medal – Australian Regular Army - eligibility criteria – initial enlistment conditions not met – no discretion – discharged to commence with the NSW Police Force the next day.

LEGISLATION

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

Defence Regulation 2016, Regulation 36

Australian Defence Medal Regulations Letters Patent, Commonwealth of Australia Gazette S48, dated 30 March 2006

Australian Defence Medal, Chief of the Defence Force Determination, dated 6 February 2013

Australian Defence Medal Regulations Amendments of Letters Patent Commonwealth of Australia Gazette G00629, dated 5 August 2020

Australian Defence Medal Regulations Determination 2021, dated 16 March 2021

Introduction

1. The Applicant, Mr Leon Scott Seccombe, as representative for Mr Gordon Rowell, seeks review of a decision of the Department of Defence dated 25 June 2024 to refuse to recommend Mr Rowell for the Australian Defence Medal in recognition of his service in the Australian Regular Army.

Decision under review

2. On 15 June 2024, Mr Seccombe wrote to the Minister for Veterans' Affairs and Defence Personnel, the Hon Matt Keogh MP, concerning Mr Rowell's eligibility for the Australian Defence Medal. On 25 June 2024, Defence wrote to Mr Rowell and advised him that it had decided not to recommend him for the award of the Australian Defence Medal. This decision was made on the basis that he had only served three years, nine months and 22 days of qualifying service and that there was no evidence that he had completed his initial enlistment period of six years, or served for periods that totalled not less than four years. Additionally, there was no evidence to show that the reason for his discharge was due to any of the exceptions at paragraph 4(1)(d) of the *Australian Defence Medal Regulations 2006*. On 10 July 2024, Defence responded to Mr Seccombe advising that a response was sent directly to Mr Rowell.¹

3. On 16 December 2025, Mr Seccombe made application to the Tribunal seeking review of the above decision.²

Tribunal jurisdiction

4. 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. 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 Australian Defence Medal. Accordingly, the Tribunal has jurisdiction to review the decision in question here in relation to this award.

Mr Rowell's service

5. Mr Rowell enlisted in the Australian Regular Army on 3 December 1974 for an enlistment period of six years. He applied for 'Discharge at own request' on 24 September 1978 to join the New South Wales Police Force the following day.³ In an email to Mr Seccombe dated 15 June 2024, Mr Rowell stated that he was advised by Defence that he could seek early discharge from the Australian Regular Army to attend the New South Wales Police Academy from 25 September 1978.⁴

¹ Letter, Defence to Mr Rowell dated 9 February 2026.

² Application for review to Tribunal, Mr Seccombe, dated 16 December 2025.

³ Defence report extracts of service record, Gordon Rowell.

⁴ Email, Mr Rowell to Mr Seccombe dated 15 June 2024.

6. Mr Rowell has not received any Defence awards for his service in the Australian Regular Army.⁵ He has however been awarded the National Medal in recognition of his service with the Australian Regular Army and the New South Wales Police Force.⁶

The Australian Defence Medal

7. In accordance with the *Australian Defence Medal Regulations 2006*, as amended, in order to be eligible for the Australian Defence Medal, a member or former member of the Defence Force who served after 3 September 1945, must have rendered the minimum annual qualifying service that is efficient service by completing an initial enlistment or appointment period, or a period of or totalling not less than four years' service.

8. The eligibility criteria for awarding the Australian Defence Medal is contained in paragraph 4(1) of the *Australian Defence Medal Regulations 2006*⁷ as amended in 2020,⁸ which states:

4 Award of the Medal

- (1) *The Medal may be awarded to a member, or former member, of the Australian Defence Force who after 3 September 1945 has given qualifying service that is efficient service:*
 - a) *by completing an initial enlistment or appointment period; or*
 - b) *for a period of not less than 4 years service; or*
 - c) *for periods that total not less than 4 years; or*
 - d) *for a period or periods that total less than 4 years, being service that the member was unable to continue for one or more of the following reasons:*
 - (i) *the death of the member during service;*
 - (ii) *the discharge or termination of the member as medically unfit;*
 - (iii) *the discharge or termination of the member due to a prevailing discriminatory Defence policy, as determined by the Chief of the Defence Force;*
 - (iv) *the member ceased service in the Permanent Force or Reserves of the Defence Force and*

⁵ Refusal letter from Defence dated 16 February 2024, as submitted with application for review.

⁶ Letter, Defence to the Tribunal, 4 May 2026.

⁷ *Australian Defence Medal Regulations 2006*, *Commonwealth of Australia Gazette*, S48, dated 30 March 2006.

⁸ *Australian Defence Medal Regulations*, *Commonwealth of Australia Gazette*, G00629, dated 4 August 2020.

mistreatment by a member of the Defence Force or an employee in the Department of Defence was a significant factor.[...]

9. On 13 July 2020, the Regulations were amended to provide a definition of year, being:

*Year means the 12 month period ending on the anniversary of the member's enlistment or appointment.*⁹

10. The *Australian Defence Medal Determination 2021* dated 16 March 2021, provides specific details of prevailing discriminatory policy for the purpose of subparagraph 4(1)(d)(iii) of the Regulations as follows:

- *A member who for a period or periods that total less than four years, being service that the member was unable to continue for one or more of the following reasons:*
 - i) *the death of the member during service;*
 - ii) *the discharge or termination of the member as medically unfit;*
 - iii) *the discharge of the member due to a prevailing discriminatory Defence policy, as determined by the Chief of the Defence Force; or*
 - iv) *the member ceased service in the Permanent Force or the Reserves of the Defence Force and mistreatment by a member of the Defence Force or an employee of the Department of Defence was a significant contributing factor.*

Mr Seccombe's application to the Tribunal

11. In his application to the Tribunal, Mr Seccombe provided an email from Mr Rowell detailing his recollections of his service with the Australian Regular Army and his subsequent discharge to join the New South Wales Police Force. Mr Rowell submitted that he had enlisted in the Australian Regular Army in Sydney, New South Wales on 3 December 1974, for an enlistment period of six years. Mr Rowell stated that he had been given the choice of a three-year or six-year enlistment period, and that upon being advised that there was no difference in conditions or entitlements, he chose the six-year period.

12. Following various training courses and transfers to various units in New South Wales, Queensland and Victoria, he returned to Sydney. Mr Rowell stated that:

after a change in personal circumstances, I enquired about entry into the NSW Police force and was informed that I would qualify for an early discharge from the Army if I was accepted by the NSW Police. This was subsequently approved. At midnight on 24 September 1978, I was discharged from the Army and entered the NSW Police Academy, Redfern, at 8am 25 September 1978. I served with the NSW Police until 5 September 2003 for 24 years 11 months and 1 week, retired classed as 'Hurt on Duty'.

⁹ Ibid.

13. Mr Rowell further stated:

those who signed up for three years and completed three years qualified for the medal. Those who signed for six years and completed more than four years also qualified for the medal. Unfortunately as I did not complete four years, I do not qualify. The minimum time for enlistment at the time was three years, I believe that the qualifying time should be that time. My son and daughter are serving members of the Australian Defence Force and have served overseas. I would like to participate in an Anzac Day March with them, but have not done so, as not having the Australian Defence Medal leads to constant questions as to why I don't have it and "was I really in the Army as everyone gets that medal."¹⁰

The Defence Report

14. As set out in the Defence report, following Mr Seccombe's application to the Tribunal, Defence conducted a reassessment of Mr Rowell's eligibility for the Australian Defence Medal, which affirmed its decision not to recommend him for the medal.

15. Defence maintained that Mr Rowell had not completed sufficient qualifying service towards medallic recognition.

16. Defence stated that the records confirm that Mr Rowell rendered three years, nine months and 22 days service with the Australian Regular Army and was discharged under AMR 176(1)(a) – "Discharged at Own Request". Defence contended that as such Mr Rowell did not complete the minimum of four years qualifying service in order to be eligible for the Australian Defence Medal.

17. Defence further stated that Mr Rowell did not discharge under provisions contained in subparagraphs 4(1)(d)(i)(11) of the Australian Defence Medal Regulations, as amended. Further, Defence submitted that there was no evidence or information that mistreatment by a member of the Defence Force or an employee of the Department of Defence was a significant contributing factor to Mr Rowell's ceasing service.¹¹

18. Defence recommended that the decision to not recommend Mr Rowell for the Australian Defence Medal be affirmed, but submitted that he may apply to the Department of Veterans' Affairs for the Defence Veterans' Covenant, which may entitle him to a Lapel Pin and Oath.¹²

Mr Seccombe's comments on the Defence report

19. Mr Seccombe was provided a copy of the Defence report on 9 February 2026. On 4 March 2026, Mr Seccombe stated in an email to the Tribunal that he had no comment to make on the Defence report.

¹⁰ Application to Tribunal.

¹¹ Defence report.

¹² Ibid.

Additional Information provided by Defence after the Defence Report

20. On 20 April 2026, the Tribunal requested additional information from Defence in relation to Mr Rowell's service. Defence's response to the Tribunal on 4 May 2026 confirmed that Mr Rowell's Australian Defence Force service between 3 December 1974 and 24 September 1978 was included in the assessment of his eligibility for the National Medal.

21. In addition, Defence advised that Army confirmed that it was unable to locate any policy documents related to enlistment periods at the relevant time. Defence did however advise *as a matter of general practice at the relevant time, Reserve Force members commonly enlisted for three year periods while Permanent Force members typically enlisted for six year periods*. This additional information was provided to Mr Seccombe on 5 May 2026.

Tribunal Hearing

22. The hearing was held on 21 May 2026 via audio-visual link. Mr Rowell was not available, but ably represented by Mr Seccombe. Mr Seccombe reiterated the circumstances of Mr Rowell's enlistment and subsequent voluntary discharge. He submitted that although he and Mr Rowell agreed with Defence in relation to the period of Mr Rowell's service, they were aware of other people who were awarded the Australian Defence Medal having served for less than four years. Consequently, the submission was that there seemed to be a lack of fairness in denying Mr Rowell the award. Mr Seccombe was not able to say whether those people were enlisted in the Permanent or Reserve Forces, nor for what period they were in fact enlisted.

23. The Tribunal advised Mr Seccombe that it was bound by the legislation and regulations and had no discretion in relation to fairness comparisons with other cases. Further, it could not comment on those other cases as the full details were not available, although it did seem that perhaps those cases fitted within some of the exceptions set out in paragraph 4(1) of the *Australian Defence Medal Regulations 2006*. It had already been agreed that Mr Rowell's case did not fit within any of those exceptions.

24. The Tribunal also noted, after examining Mr Rowell's service records, the considerable effort Defence made to assist Mr Rowell in accelerating his discharge at his own request.

Tribunal Consideration

25. The Tribunal agreed that Mr Rowell served in the Australian Regular Army, after enlisting for six years, for a period of three years nine months and 22 days before being voluntarily discharged to join the New South Wales Police Force. It is noted that he served in the police force for just under 25 years.

26. The Tribunal also noted that Mr Rowell was subsequently awarded the National Medal, in recognition of not only his police service but also his period of service with the Australian Regular Army.

27. At the conclusion of the hearing, the Tribunal thanked Mr Seccombe and Mr Rowell for their service to Australia, and Mr Rowell was encouraged, through Mr Seccombe, to make enquiries about receiving the Defence Veterans Covenant.

Tribunal Decision

28. The Tribunal affirms the decision of 25 June 2024 of the Directorate of Honours and Awards of the Department of Defence that Mr Gordon Rowell is not eligible for the award of the Australian Defence Medal for his service in the Australian Army.