



**First-tier Tribunal
(General Regulatory Chamber)
Information Rights**

Appeal Reference: EA/2018/0098

**Decided without a hearing
On 19 November 2018**

Before

JUDGE BUCKLEY

MELANIE HOWARD

MARION SAUNDERS

Between

THE CABINET OFFICE

Appellant

and

THE INFORMATION COMMISSIONER

First Respondent

DR MARTIN HALLIGAN

Second Respondent

REDACTED CLOSED ANNEX

1. This annex sets out the parts of the minutes which should be disclosed in accordance with the tribunal's decision. A redacted version of the annex will be released after the expiry of the period for any appeal or after the conclusion of any appeal.

2. The Tribunal accepts that the sections of the minutes in bold type and square brackets contain the frank expression of views, candid discussions or confidential information and we find that disclosure of these would adversely affect the particular interests of protecting candour and confidences in the medals process under s 37. Further the Tribunal concludes that, in the context of policy making within the medals process, there is a risk of a chilling effect on future policy making in this area if these sections of the minutes were disclosed, which would adversely impact the interests protected by s 35. In relation to these sections of the minutes there is a significant public interest in maintaining the exemption which outweighs the public interest in disclosure identified in the open decision.
3. [REDACTED].

**COMMITTEE ON THE GRANT OF HONOURS, DECORATIONS AND
MEDALS
RECORD OF MEETING HELD ON 29 JANUARY 2014
AT THE HOME OFFICE**

Present: Mr Mark Sedwill (Home Office, Acting Chair)
Sir Christopher Geidt (PPS/HMQ)
Alexander Matheson (Central Chancery)
Ms Lucy Smith (PPS/DPM)
Mr Matthew Rycroft (FCO)
Rear Admiral Simon Williams (Defence Services Secretary)
Sir John Holmes
Mr Richard Tilbrook (Secretary)

Observing Brigadier Brian Parritt

1. Apologies were received from Sir Bob Kerslake (Chair), Mr Chris Martin (PPS/PM), Mr Jon Thompson (MOD) and Sir Simon Fraser (FCO).

Military Medals Review

2. The Committee considered the seven papers produced by Sir John Holmes and Brigadier Brian Parritt which had been circulated [REDACTED], and the accompanying advice from the military advisory sub-committee. The authors were complemented on the high quality of both the research and the argumentation contained in each. The Committee's conclusions were as follows:
 - a. Suez: no change. There should be no retrospective issue of a General Service Medal for service in Egypt before 16 October 1951 or between 19 October 1954 and 16 June 1956. There was insufficient evidence to

justify overturning the decisions made at the time, as amended following recommendations from Sir Charles Guthrie in 2002.

- b. Korea: no change. There would be no retrospective issue of a British Korea Medal or clasp for service after the ceasefire on 27 July 1953. There has been a certain amount of rigour endured at the time, but insufficient risk to warrant the award of a medal.
 - c. Aden: no change. There should be no retrospective issue of a General Service Medal for service in Aden between July 1960 and April 1964. There was insufficient evidence to justify overturning the decisions made at the time.
 - d. South Atlantic: limited change. The qualifying period for the award of the South Atlantic Medal without the Rosette should be extended from 12 July to 21 October 1982. The Committee agreed unanimously that the original decision to end the qualifying period on 12 July 1982 had been taken too hastily: those who served beyond that date experienced both risk and rigour until the airfield at Mount Pleasant was completed on 21 October.
 - e. Falkland Islands: [REDACTED] There should be no retrospective recognition for the group of Falkland Islanders known as the "North Campers": it would be divisive to single out some islanders and not others. [REDACTED]
 - f. Cyprus 1963-64: new clasp. Those servicemen who served in Cyprus during the period 21 December 1963 to 26 March 1964 should be awarded the General Service Medal with clasp "CYPRUS 1963-64". Their case had not been properly considered, if at all, at the time and this was an injustice that needed to be righted.
 - g. Cyprus 1974: no change. The proposal that those who served in Cyprus between 15 July and 16 August 1974 should be awarded the Campaign Service Medal 1962 with a new clasp "CYPRUS 1974" should not be supported. Neither of the requirements for risk and rigour had been met.
3. The Committee noted that there were about twenty other claims outstanding for medallic recognition. Of these it was agreed that only the claims relating to the defence of Malta, the extension of the criteria for the Bomber Command Clasp, and the Berlin Airlift should be subject to further detailed review. These papers would come to the Committee shortly, but the Committee agreed that the remaining claims did not need to be analysed further.

[REDACTED]

4. [REDACTED]

National Defence Medal

5. The Committee considered the papers circulated under cover of HD7969. In discussion the following points were made:

[REDACTED]

6. Summing up, the Chair concluded that ultimately the decision on whether or not to introduce a National Defence Medal would be a political one: [REDACTED] But as matters stood, the professional advice of the Committee was that, while a defensible case for an NDM could be made, the Committee could not see a strong reason for introducing such a medal now, noting the issue might usefully be reconsidered for example on the occasion of a Jubilee or in a new reign. In such circumstances, the criteria for the award of a medal would need careful consideration, including length of service, good conduct and the possibility of retrospection. In the meantime, the eligibility requirements for the Long Service and Good Conduct Medal should be harmonised for the future.

Next Steps

7. The Committee agreed that its conclusions should be submitted to Her Majesty the Queen for her approval. Work would continue on the claims relating to the defence of Malta, the extension of the criteria for the Bomber Command Clasp, and the Berlin Airlift and would be submitted to the Committee in due course. Sir John Holmes would also consolidate the guidance for the future consideration of military medals. When this was complete, both the guidance and the conclusions of the Committee on each medallic campaign would be published on the appropriate Government websites and perhaps also by means of a Written Ministerial Statement.

RICHARD TILBROOK
HEAD OF HONOURS AND APPOINTMENTS SECRETARIAT
6 FEBRUARY 2014

COMMITTEE ON THE GRANT OF HONOURS, DECORATIONS AND MEDALS
RECORD OF MEETING HELD ON 9 JUNE 2014
AT THE CABINET OFFICE

Present: Sir Bob Kerslake (Chair)
Sir Christopher Geidt (PPS/HMQ)
Alexander Matheson (Central Chancery)
Ms Laura Wyld (Number 10)

Mr Matthew Rycroft (FCO)
Mr Kevin White (Home Office)
Rear Admiral Simon Williams (Defence Services Secretary)
Sir John Holmes
Mr Richard Tilbrook (Secretary)

Observing Brigadier Brian Parritt

1. Apologies were received from Mr Chris Martin (PPS/PM), Ms Lucy Smith (PPS/DPM), Mr Jon Thompson (MOD), Mr Mark Sedwill (Home Office) and Sir Simon Fraser (FCO). Warm thanks were given to Sir John Holmes and Brigadier Brian Parritt for their work on the military medal review.

[REDACTED]

Military Medals Review

4. The Committee considered the four papers produced by Sir John Holmes and Brigadier Brian Parritt, which had been circulated [REDACTED] and the subsequent advice from the military advisory sub-committee. The Committee's conclusions were as follows:
 - a. Berlin Airlift: new clasp. The General Service Medal 1918-62 with clasp BERLIN AIRLIFT should be awarded for at least one day's service to all aircrew, RAF and civilian, who took part in the Berlin Airlift operation from 25 June 1948 to 6 October 1949 inclusive, or to their next of kin.
 - b. Malta: no award. Brigadier Parritt's paper had recommended that those who had served on the island, including merchant seamen who reached Malta, for at least one day between 1 June 1940 and 12 May 1943 should be awarded the small Malta Cross emblem, to be attached to the Africa Star. [REDACTED] The Committee recognised the case for an award, but concluded that the difficulty of drawing eligibility criteria that were both precise and fair made it preferable to award none.
 - c. Bombers in Europe: no change. [REDACTED] The Committee therefore concluded that those aircrew who took part in bombing raids over Europe but who were not part of Bomber Command should not be awarded the Bomber Command clasp.
 - d. Cyprus: reduced qualifying period. Those who participated in the suppression of acts of terrorism in Cyprus between 1 April 1955 and 24 December 1959 should qualify for the General Service Medal 1981-62 with clasp CYPRUS if they served for 90 days or more (reduced from 120 days). This would correct a specific injustice and bring the award into parity with the Kenya Medal and clasp. [REDACTED]
5. The Committee considered the text of a draft Written Ministerial Statement, which would announce the results of all the military medal reviews once they had been approved by The Queen. It agreed that more should be made of Sir

John's work: this has been a once-in-a-generation project and it as an opportunity to demonstrate openness, in contrast to the opaque nature of decision-making in the past. [REDACTED] A revised text would be circulated for comment.

6. The Committee paid particular attention to the draft text dealing with a National Defence Medal. It could not accept the amendments [REDACTED] It preferred to revert to the language agreed at its previous meeting, namely that there was no strong reason for introducing a medal now. The Committee agreed that the Cabinet Office paper of 23 August 2013 setting out possible future options should be published, [REDACTED].

Guidance for Future Awards

7. The Committee agreed that guidance to aid future consideration of new awards should be published on (at least) the Cabinet Office website. It was broadly content with the text circulated under cover of HD 7972, though it wished to add the conclusion raised under the previous item that awards should not be made unless there were clear eligibility criteria which produced a fair outcome; and it wanted to check the proposal that foreign awards given as "keepsakes" to current servicemen might be worn on the right breast following retirement from Crown service. A revised text would be circulated for comment.

[REDACTED]

RICHARD HOLBROOK
HEAD OF HONOURS AND APPOINTMENTS SECRETARIAT
9 JUNE 2014.

Judge of the First-tier Tribunal
Date: 20 February 2019

Prolmagtion Date 28th Febuary 2019