



Ministry
of Defence

Air Commodore Nigel Bradshaw MSc BEng RAF

Defence Services Secretary – Head of Ceremonial and Honours

Level 6, Zone C
Main Building
Whitehall
London SW1A 2HB

Mr John Donaldson
45 Pendreich Grove
Bonnyrigg
Midlothian
EH19 2EH

24th February 2020

Dear Mr Donaldson,

Thank you for your letter of 23rd December 2019 requesting an internal review into the handling of your complaints concerning medallic recognition for members of 131 Parachute Engineer Regiment (TA). The internal review has been conducted in accordance with the MOD's maladministration process, which considers complaints from members of the public about the services provided by the MOD, whether the correct procedures were followed, and whether a suitable reply was provided. I have reviewed 19 items of correspondence from you, or those representing you (such as MPs), and the responses that you have received from the Department.

I have established that all except three of your letters and emails were responded to in a timely fashion, but there were three occasions when we fell short of the high standards that we set ourselves on timeliness. I apologise for these delays. I have been unable to establish the cause for two of these delays as they date back more than two years and there has been a turnover of staff in this time. The third occasion was a delay to your letter of complaint dated 31st August 2019. The reply sent on 16th September 2019 was posted to you as that was how your letter had been received. Unfortunately, it appears that letter went missing in the postal system, but I am aware that you subsequently received a copy. Once again, I apologise for any delay that there has been in responding to your complaints.

On reviewing that correspondence, it is clear that there were significant inconsistencies in what you were told about the posthumous award of the General Service Medal 1962(GSM62) to Squadron Sergeant Major John Lonergan and to the two men who were injured in the attack on the night of 11th/12th April 1965, Captain MacLachlainn and Sergeant Earl.

It is MOD policy that those deploying to Aden in 1965 needed to serve a minimum period of 30 days to qualify for the GSM62. However, if Service personnel in a medal-earning theatre are killed or repatriated due to injuries sustained before they have met the qualifying period, they are automatically awarded a medal in view of

the circumstances. I am afraid that I cannot explain, over 50 years later, why this did not occur at the time for those members of your Regiment who were killed or injured.

As a result of your correspondence this situation was rectified in November 2018. Despite the award of the medal to those individuals, the situation remains as previously stated that the remaining members of 131 Parachute Engineer Regiment (TA) who deployed to Aden for 15 days did not qualify for the GSM 62, having not been there for the minimum required period of 30 days. This policy applies to all Regulars and Reserves, and is applied to all medal earning theatres, including recent operations such as Afghanistan and Iraq. I appreciate that you may not agree with this, but it is a long-standing policy for the MOD.

Having explained the policy and in reviewing our correspondence with you, there are clearly inconsistencies in what you were told about the eligibility of your three colleagues for medals. I can only apologise for this, but I am satisfied that there was no intent to mislead you. Your correspondence was dealt with by a number of different officials both within the Head Office of the MOD and the MOD Medal Office, which led to different interpretations of the policy. This resulted in you receiving incorrect information in some instances. One of those occasions was in a letter from Minister (Lords) but the Minister would have been acting on advice provided to him by officials and I apologise that this happened.

It was most unfortunate that, having been informed in advance that he would qualify, when Capt Maclachlainn applied for his medal he was informed that he was not entitled as his status in Aden was at a training camp and not on the attached or posted strength of a unit. While technically correct, this response did not take account of the background to his case and I again apologise for that.

As you know, the review by the Minister resulted in the award of the GSM62 with South Arabia clasp to the three individuals from your unit who were entitled to it. It is, of course, most regrettable that Sergeant Earl passed away without personally receiving the medal to which he was entitled. However, I think you can be proud of the fact that your perseverance ensured that your three colleagues were awarded their medals, as well as the Elizabeth Cross that was presented to Mrs Lonergan in recognition of the tragic loss of her husband.

All of the shortcomings I have highlighted are disappointing and I apologise to you for these. To ensure that this type of issue does not happen again, we have engaged with our colleagues in the Medal Office, with whom we now have daily contact, to ensure better liaison in the future on issues where both we as the MOD policy lead for medals and the Medal Office are in correspondence with an applicant. This should ensure a more consistent and joined-up approach. We have also instituted a monthly catch-up between our offices when we are able to update each other on the cases that we are involved with.

I also appreciate that it has taken some time to respond to your request for an internal review, but this was a complex case and we wanted to ensure that the review was as thorough as it could possibly be.

None of this should detract from your service with 131 Parachute Engineer Regiment (TA), which remains greatly appreciated, and your efforts to ensure that your colleagues have been appropriately recognised for their service.

If you are dissatisfied with the response you have received, you have the right to contact the Parliamentary and Health Service Ombudsman through your Member of Parliament. It is important that you make the complaint as soon as you receive our final response as there are time limits for the Ombudsman to look into complaints. You should also be aware that the Ombudsman is usually unable to consider complaints about someone's employment. In these specific instances, it may therefore be helpful to look at their website www.ombudsman.org.uk or contact their Customer Helpline team (0345 015 4033) to discuss your complaint before seeking a referral. They can also be contacted at the following address:

Parliamentary and Health Service Ombudsman
Citygate
Mosley Street
Manchester
M2 3HQ

*Yours sincerely,
Nigel Brad*