

## The Campaign for Permission to Wear the Pingat Jasa Malaysia



### LATEST NEWS!

#### Government Departments Unable to Rebutt Our Arguments!

Several months ago we invited the Cabinet Office and the Foreign Office to provide us with their evidence to confirm their case that The Queen has ruled that the PJM could not be worn.

Today (22/03/2011), we have been formally notified they have failed to do so. Indeed, in front of the Information Commissioner, they have said that they will not do so.

And so, after several years of fighting, we at last have the comfort of knowing that the London Gazette Notice has not been rescinded by The Queen and eligible PJMers can indeed wear their PJM with The Queen's consent.

That is not just our view, it is the view of our legal advisers whose position, like ours, is at last vindicated by dint of the civil servants' inability to produce any evidence whatsoever to support their flawed and illegal contentions.

Read on and enjoy!

#### Our Legal Eagle's View is that You Can Wear it with Honour!

After the HD Committee fanned its nose at our MPs and said it would not amend the PJM recommendation as demanded by MPs in Parliament, we decided that we should question the whole legal and practical basis of what has been going on. Something was not right. This is not how democracy should work. The one thing that these civil servants *must* do is to keep an open mind, be ready to amend decisions, and to listen to the people and to Parliament. Nothing must ever be forever – that is the *long-established rule* in a country like ours without a written constitution.

In the case of the PJM, however, the civil servants have decided that they are above Parliament scrutiny. We thought we should test that by way of an independent legal opinion. And so we have sought, and have obtained, a legal opinion by a leading lawyer who specialises in Military Law and related matters.


We asked a question which can be summarised as follows. What is the position regarding the apparent attempt by civil servants to restrict the rights of British citizens (to wear the Pingat Jasa Malaysia which they have been granted permission to receive by the Queen) by their 'proposal' that was put to the Honours and Decorations Committee and eventually appeared in a Ministerial Statement in January 2006 to the effect that the PJM could be received but formal permission to wear it would be withheld?

***That recommendation is a clear stigma on the medal and on British civilians entitled to receive it – as well as on Malaysia. As MPs have said in Parliament, the recommendation has brought shame on our country. That stigma, that shame, must be removed.***

This legal opinion was our first formal step in that direction.


### **Summary of Key Points from the Opinion**

We have always wanted to know if eligible holders of the PJM could wear their medal irrespective of what the civil servants are trying to tell the world. The opinion says:

 [It is important to note that this part of the advice is unequivocal] Holders of the PJM are entitled to wear it by virtue of the 3 May 1968 notice. Most significantly it the Ministerial Statement ignores the London Gazette Notice of 3 May 1968 which states that the Queen has, in exercise of the Prerogative, approved that Orders, Decorations and Medals conferred with her permission on UK citizens who are not Crown servants by Commonwealth or foreign states may in all cases be worn by the recipients without restriction. *Consent having been granted to applications for the PJM on 31 Jan 06, any holder who is not a military or civil servant, is thus entitled to wear it. No formal consent for civilians to wear was necessary since that consent was granted in 1968.*


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We have always wanted to know if the civil servants are misleading our MPs by suggesting that because the PJM decision is subject to the Royal Prerogative our directly elected representatives in the Commons, i.e. our MPs, cannot be involved and can have no influence. The opinion says:

 Parliament has the right to influence the Prerogative - Honours in the UK are still a matter for the Royal Prerogative with the sovereign in UK being advised by the Parliamentary Honours & Decorations Committee. It is, however, only advice and no one is answerable in law to matters within the Prerogative. [Despite the protestations of the civil servants – our words] *Parliament may encroach on the Prerogative.*

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We have always wanted to know if the civil servants have any right to dictate what a British civilian can or cannot do in respect of wearing medals to which they are entitled. The opinion says:

 Neither the FCO nor the MOD may prevent a civilian from wearing anything

he wants save with intent to deceive. It is probably implicit in the 31 Jan 06 Statement that the Trade Minister knew this and hence his declining to grant 'formal' permission to wear but shrinking from stating that it could not be worn.

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We have always wanted to know if the civil servants are within the law when refusing to answer our legitimate questions about matters that affect our rights. The author of the opinion said:

❗ As you say there may be a legal issue if you are denied FOI access. It will probably be claimed that the Freedom of Information Act 2000 does not apply to matters within the Prerogative but you are in fact seeking information as to whether a Prerogative decision was tampered with. Your assessment of tampering is in my view absolutely correct but it is quaint that nobody seems to have been aware of the 1968 Prerogative decision to permit all non-Crown servants to wear all decorations they had been authorised to accept.

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We have always wanted to know if the civil servants are legally entitled to deny us the right to wear the PJM and, if not, the extent to which our civil liberties have been affected and where we could have our case heard. The opinion says:

❗ The FCO is not entitled to prescribe a so called rule which restricts the liberty of a UK civilian without legislation. Even if parliament legislated, it could be subject to review as an unlawful restriction on liberty under EEC Act 1972 in the case of EU member states and of the Human Rights Act 1998.

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In summary, it is our view that **unless the HD Committee and those who provide them with their 'proposals' can successfully rebut the above opinion** (to date they have refused to have their case reviewed independently or by Parliamentary scrutiny), then it is clear that *eligible holders of the PJM are fully entitled to wear the PJM on formal occasions and have the Queen's approval to do so by virtue of her 1968 Notice.*

### THE LONDON GAZETTE, 3rd MAY 1968

When the HD Committee placed their recommendations for approval before the Queen, we are told that they asked Her to approve **only** acceptance of the PJM...they did **not** ask Her to approve the right for wear. As a result, in Her role as a constitutional monarch, Her Majesty approved the recommended acceptance of the PJM. **Critically, in this PJM approval She did not rescind any of Her previous decisions.** In that context, an earlier, and extant, London Gazette Notice becomes very relevant indeed!

After more than a year's work including much researching of files, some of which became inexplicably withheld from us for nearly a year (they had been 'borrowed' from the National Archives by the FCO), we uncovered this London Gazette notice.

FOREIGN OFFICE  
COMMONWEALTH OFFICE

ORDERS, DECORATIONS AND MEDALS CONFERRED BY MEMBERS OF THE COMMONWEALTH OF WHICH THE QUEEN IS NOT HEAD OF STATE, AND BY FOREIGN COUNTRIES.

The QUEEN has been graciously pleased to approve that Orders, Decorations and Medals conferred with Her Majesty's permission upon United Kingdom citizens not being servants of the Crown by the Heads or Governments of Commonwealth countries as defined above, or of foreign States, may in all cases be worn by the recipients without restriction.

The purpose of this 1968 Notice was to cut down on administration and bureaucracy within an overloaded and confused Honours system. Civil servants today wish to put the clock back to before that Notice so that they can continue their stranglehold on the System. To achieve that they claim this Notice does not apply to PJMers ... only their own discredited decree must apply. We do not agree with them because the 1968 papers are clear - ***if you are a private citizen when a medal is conferred on you*** with The Queen's permission, then you have Her permission to wear it.

The text of this notice is clear, concise and incontrovertible - I urge you to read it carefully and ask yourself...***Am I eligible under this notice?*** If the answer to that question is 'Yes' then you **can** wear your PJM with honour on formal occasions.

If you have any lingering doubts about your eligibility under the London Gazette Notice as a private citizen when the PJM was conferred, they will be eliminated by the information posted on the [official web site of the Malaysian High Commission](#). It confirms that the PJM was conferred in 2006 and if you were not in Crown Service at that time and therefore eligible, then the London Gazette Notice of May 1968 gives you The Queen's permission to wear the Pingat Jasas Malaysia.

**Furthermore, in July 2008 a Government Minister told a PJMer that he was delighted to see the PJM being worn on an official occasion, saying "The Queen's Warrant [i.e. the London Gazette Notice] gives permission, and it had not been rescinded."**

Now, where does that leave "the faceless wonders who state that we cannot wear the medal" (a quote attributed to the same Government Minister)?

Those of us in the Fight4the PJM Team who previously felt unable to wear their PJM, will now do so in the light of the Gazette Notice. We remain loyal to The Queen and will abide by her known decrees. Until the Gazette Notice is rescinded or amended by Her we shall wear our PJMs with honour.

And so our job is done.

Or is it? ...

**The Future**

... as for the future, we intend to continue the fight until **all** recipients can wear their PJM - not just those now eligible under the London Gazette notice.

Furthermore, we shall continue to campaign until permission to wear the PJM is publicly proclaimed and the stigma placed on our medal has been removed forever.

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## **Welcome to the Fight 4 the PJM Web Site.**



The pages in this web site tell the story of a medal, the Pingat Jasa Malaysia (Malaysian Service Medal). It is a medal graciously offered to Commonwealth forces who served Malaysia in its fight to preserve its newly won independence against terror and aggression between 1957 and 1966. The medal has been awarded to both servicemen and women, and to civilians.

The Queen has accepted the medal for wear by all her other Commonwealth veterans, including her own Representative in Australia, but she has been instructed by the Honours and Decorations Committee (quoting the Imperial Honours System) to deny British citizens the right to wear their medal. That anomaly is clearly unjust and inappropriate in the modern world.

'Lobbying' is not our natural habitat. We are ex-servicemen who have an intrinsic and instinctive sense of discipline and loyalty. As we set out our case, we do so with humility, and with an enduring loyalty to our country and our Queen, but this shameful recommendation has brought us together again for one last battle against a very unpleasant form of discrimination and aggression. And we shall not fail. We didn't then, and we shall not now. We shall not let down Malaysia, the Commonwealth, or our supporters - or ourselves.

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We feel a deep sense of humility when we see the support that is coming in from across society and from across the world. Here, three special people have given us their personal support. Two are winners of the Victoria Cross, Britain's highest award for gallantry, one from the Army and one from the Navy. Bill Speakman is entitled to the PJM.



"The PJM Medal is an honourable award, awarded to honourable men. They will be rightly honoured to display it."

**Lt Cmdr Ian Fraser VC DSC RD and Bar**

***It is with deep regret that we have to announce the death of Ian Fraser VC on the 1st September 2008. He has been a staunch supporter of our campaign from the very outset and we shall miss him.***



"The award of the PJM Medal by the Malaysian government is a timely honour to those who served. We are privileged to receive it with good grace and respect and should wear it with the dignity it warrants."

**Bill Speakman-Pitt VC**

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We are honoured that Dame Vera Lynn has given her wholehearted support to the PJM. She supported us last year when we were seeking acceptance of the medal, and she's supporting us now in our campaign for the right to wear it. Dame Vera, who will always be the "Forces' Sweetheart", has many interests in organisations that support ex-servicemen and women, including in her role as Patron of The National Ex-Prisoner of War Association.



"I was very pleased to learn that the Queen had given her consent to the PJM and I think that those who earned it should be able to wear it. You have my wholehearted support in your efforts to be given permission to wear your medal".

**Dame Vera Lynn DBE LLD MMUS**

We are also honoured that Leslie Thomas, author of "The Virgin Soldiers" set in Singapore/Malaya in 1950, ex-serviceman, historian and author, has added his support. His entry in "Who's Who" does it for us! He sums up his view of his National Service days as: "1949-51. Rose to Lance-Corporal".



"I wholeheartedly support the award of the PJM Medal and the right to wear it".

**Mr Leslie Thomas OBE**

We also have support from many other very special individuals - people whose loyalty and integrity is never in question. People like 'Spike' Drummond Window. He served in every arm of the services, and the police, and was for many years one of "The Queen's Body Guard of the Yeoman of the Guard". In 1994 Spike was awarded the Silver Medal of the Royal Victorian Order - an Order that is the personal gift of the Monarch.



When sending his unreserved support for PJM and our campaign, Spike said "You have my full permission - but any offers from 'Hammer Films' will be copyright".

**Drummond Window MBE RVM**

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## THE CASE FOR THE WEARING OF THE PINGAT JASA MALAYSIA

### The Fight4thePJM campaign has proved its case.


It is incongruous that two spurious 'rules' should be first waived so that British veterans could receive the PJM and then immediately invoked to stop them wearing it - despite a London Gazette Notice stating private civilians can.

**Irrespective of the inexplicable obduracy of the small number of British civil servants involved in the medal recommendation fiasco, we have received a legal opinion that the PJM can be worn on formal occasions.**


Prior to receiving this advice, we had only ever requested a fair and even-handed hearing from the British Government regarding our case that British veterans should have the same right to wear their medal that The Queen has approved for their Commonwealth former comrades in arms.

 *We have been rewarded only with obfuscation. We have been branded as "disaffected Veterans" by the Ministry of Defence Veterans Agency. The Cabinet Office say British veterans should be grateful for what the civil servants have done for them! The Foreign Office says nothing - we have been told that our requests for information under the Freedom of Information Act will not be answered. What are they hiding?*


We have support for our case from around the world – in 30 countries where the British PJM decision has been met with utter disbelief.

 *The vast majority of MP's across the parties support us including Lord Denis Healey who was the Defence Minister at the time of Confrontation. The Conservative Party is committed to a review of the inconsistent and incongruous Foreign Decorations Rules.*

The ex-Veteran's Minister now supports us. The Rt Hon Don Touhig MP, Veterans Ministers at the time of the discredited PJM decision, now supports our case and is seeking a debate in the Commons.

 *Crucially, the Rt Hon Ian Pearson MP, the Foreign Office Minister who filed the original PJM statement in January 2006 now admits that his Statement was flawed and incongruous (he calls the civil service case a "nonsense") and has pledged his active support for our campaign.*


We have considerable support in the Scottish Parliament, and amongst the general public. Right-minded people simply cannot understand why civil servants should take such a discriminatory stance against British veterans - their antics have been likened to Brian Rix's farces (staged, ironically, at the Whitehall theatre!).

 *Resolutions calling for the PJM decision to be reversed and for their associations to actively campaign for the PJM to be worn were passed unanimously this year by the Royal British Legion, the Royal Naval Association and the Royal British Legion ( Scotland).*


A lot of talk has been made recently of the nation's debt to its Veterans. If the charge of further spin and hyperbole is to be avoided, action must be seen to be forthcoming. And a good way to show to the nation that it is deeds and not words that count would be to grant unrestricted permission for the PJM to be worn.

### **What we at Fight4thePJM are For ... and what we are Against**


**FOR** the Government's acknowledgement that ex-servicemen and women, British private citizens, can wear their PJM along with the rest of the Commonwealth.

 *Civil servants are trying to impose antiquated and conflicting 'rules', which they confirm have no legal standing, to try and prevent British veterans from formally displaying their medal.*


**FOR** Foreign Decorations rules to be reviewed so that never again will 'rules' such as the 5-year rule be applied so inconsistently and incongruously just to deny ordinary men and women the right to display a medal that The Queen has already approved.

 *The 5-year rule cannot logically apply to prevent the PJM being worn. The PJM is not a British campaign medal to which the 5-year rule primarily applies. It is a Foreign service medal like the Malta and Russian medals that The Queen approved for formal wear 50 years after the events.*

**FOR** the end of the retrospective application of new and inappropriate 'rules', rules such as the double medal restriction which, having been re-written in secret, appeared in Foreign Decorations rules for the first time in November 2005 and then applied to deny the 2004 PJM.

 *The PJM is not a double medal. It falls under Foreign medal rules (not British campaign medal rules to which the double medal rule primarily applies) and, in its scope and its eligibility terms and its service and its timescales, is quite different to any British medal and clearly cannot double any British medal (which, in any event, most PJMers do not have).*

**FOR** the even-handed application of Foreign Decorations and British Medals policy when the application of such policy protects the integrity of a British Medal bar.

 *Unrestrained proliferation of medals should be challenged. But rules should be applied consistently – not just to deny ordinary men and women while the number of medals awarded to the privileged increases.*

**AGAINST** gratuitous medal chasing. We did not seek any acknowledgement. We did not ask for any medal. But it has been conferred on us by Malaysia with The Queen's approval, and we are honoured to receive it. We should therefore be able to display the PJM.



*We are campaigning solely for the right to display the medal – a right already given by The Queen to the rest of the Commonwealth.*

**AGAINST** 'Bling' (the wearing of unofficial medals). The Pingat Jasa Malaysia is not 'Bling'. The Malaysian medal has been formally approved for acceptance by The Queen.



*Having been approved for acceptance by The Queen, the PJM is an official medal and there are no 'bling' implications – even when worn.*

**FOR** a cause that will not cost hard-pressed British taxpayers any money.



*Malaysia has graciously agreed to meet the full cost of this medal.*

### **The Fight4thePJM Association and Campaign**

Fight4thePJM is an organisation run by veterans for veterans. It was established to promote the campaign fighting to reverse the decision that, alone in the Commonwealth, British citizens have been forbidden to wear the Pingat Jasa Malaysia.

We are non-political and have no connections with any other organisation.

Membership of the association is free - we do not seek or raise funds.

Ours is a single issue campaign. Lobbying is not our natural habitat. When we are successful we'll pack our kitbags and go home.

Our support is growing at an amazing pace. Men and women from across the world have 'signed up' to support the Pingat Jasa Malaysia:

- We have supporters in 31 countries, from many thousands of ordinary men and women, including widows and next of kin of men and women who died in the service of Malaysia. We're fighting for them all, and for Malaysia's right to offer a medal without it being denigrated by the British Government hiding behind the 'Imperial' Honours System - and doing so erroneously.
- We have support from all ranks of the armed forces from the humblest private soldier up to and including Field Marshal. The medal is worn on formal occasions, and in the presence of Royalty, by four star officers who lead the way in demonstrating that *it is etiquette to wear the PJM*.
- Parliament supports our case and has stated that the civil servants' actions have brought shame on our country.
- Over 1,000 people visit this web site each day.

We hope you will join them and us.

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**"A Thank You**

Your 'Fight4' team wishes to thank and congratulate all members for their continuing support and determined lobbying in the pursuit of our collective rights....The 'Fight4' team are, to a man, proud to have been permitted to stand shoulder to shoulder with you in this honourable campaign."

[**Jock' Fenton**, 1936-2008, who was Chairman of the Fight4thePJM Association]

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And finally ...



... meet **Koyah** (born October 2006) and her mum **Ibu** (about 20 years old) ... click on a thumbnail to enlarge an image.

Like Koyah, PJMers are an endangered species! Did you know that we numbered then about the same as the number of currently surviving Orang-Utans?

Both species are fast disappearing and so we have decided to do something about it and contribute on an ongoing basis to the World Wildlife Fund's efforts in Borneo.

Our contribution has been dedicated to all Malaya-Borneo veterans and is symbolised through the adoption (in the name of PJMers worldwide) of Koyah - a young "Orang-Utan" ... a "person of the jungle", something we can all relate to having been during those days in the Far East!

We'll post more piccies and information as soon as we receive them from the WWF.

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Before you leave ...

Whatever your views, please visit our Discussion Forum, register (it is private) and leave a message for us.

Thank you for your time and for your interest in our struggle. We hope you will return and visit these pages again. You will always be welcome.

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