

From: Kim Humberstone, BA, ACA, FCIPD, Head of Corporate Services



Service Personnel and Veterans Agency

Innsworth House
Imjin Barracks
Innsworth Gloucester
GL3 1HW
Tel: 01452 712612

Mr Gavin Bamford

Our Reference:

SPVA/Sec/6/7/63
FOI /47/10

Dear Mr Bamford,

20 October 2010

Thank you for your e-mail of 3 September which asks for details concerning applications for the Elizabeth Cross and in particular those linked to the Ulster Defence Regiment (UDR) or the Royal Irish Regiment (RIR). Your email has been considered as a request under the Freedom of Information Act 2000 (FOIA 2000). You asked:

- 1) How many applications for the Elizabeth Cross have failed?
- 2) For what reasons have the applications failed?
- 3) For a breakdown of failed applications according to the reasons why they were rejected.
- 4) Have any of the failed applications been linked to former officers and soldiers of either the Ulster Defence Regiment (UDR) or Royal Irish Regiments (RIR)?
- 5) For what reasons have applications relating to former members of the UDR and RIR failed?
- 6) For a breakdown of failed applications according to the reasons why they were rejected for former members of the UDR and RIR.

The Ministry of Defence Medal Office has rejected 475 applications for the Elizabeth Cross since the introduction of this award on 1 July 2009. Of these, 37 rejections related to former members of the UDR and RIR.

Eligible personnel to be remembered by the award of the Elizabeth Cross are those who were serving with, or former members of, the Regular and Reserve Armed

Forces or the Royal Fleet Auxiliary when deployed in direct support of a designated operation.

The Next of Kin of eligible personnel whose deaths fall into the following categories are to be recognised:

- Those who died from whatever cause whilst serving on a medal earning operation. Medal earning operations are those in which deployed personnel received a Campaign Medal, General Service Medal or Operational Service Medal which demonstrated the risk and rigour involved. Operations where a UN, NATO or other international body or other nations' campaign medal was accepted for wear, in the absence of a UK medal also qualify.
- Those who died as a result of an act of terrorism where the available evidence suggests that the Service person, whether on or off duty, was targeted because of his or her membership of the UK Armed Forces.
- Those who died on a non-medal earning operational task where death has been caused by the inherent high risk of the task.
- Those who died a subsequent and premature death as a result of an injury or illness attributed to the circumstances outlined above.

In addition to recognising future operational deaths in this way, deaths in the circumstances outlined above that occurred after 1 January 1948, or as a result of service in Palestine since 27 September 1945 will be recognised retrospectively. These dates reflect the fact that the Commonwealth War Graves Commission attributed deaths up to 1 January 1948 to World War II service (with the exception of Palestine).

The 475 cases mentioned previously were rejected because they did not meet one or more of the criteria outlined above. To provide a detailed breakdown of failed applications according to the reasons why they were rejected would entail going through the case file for each individual application. The consideration of 475 files could not be undertaken without breaching the £600 cost limit stipulated under the FOI and Data Protection (Appropriate Limit and Fees) Regulations 2004.

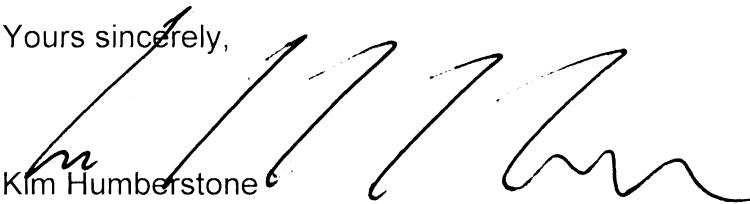
The 37 rejections relating to former members of the UDR and RIR, were unsuccessful because the deceased's death did not fall into one of the categories outlined above.

If you are unhappy with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible, and you are still dissatisfied, then you may apply for an independent internal review by contacting the Head of Corporate Information, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you are still unhappy following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

I hope this reply is helpful and explains the position.

Yours sincerely,

A handwritten signature in black ink, consisting of several large, sweeping loops and a final flourish.

Kim Humberstone
Head of Corporate Services