



**Australian Government**

**Department of the Prime Minister and Cabinet**

ONE NATIONAL CIRCUIT  
BARTON

FOI

FOI/2020/171

***FREEDOM OF INFORMATION ACT 1982***

**REQUEST BY: Trav S**

**DECISION BY: Peter Rush  
Assistant Secretary  
Parliamentary and Government Branch**

By email: [foi+request-6524-23b6641b@righttoknow.org.au](mailto:foi+request-6524-23b6641b@righttoknow.org.au)

Dear Trav S

I refer to your request of 24 July 2020, made to the Department of the Prime Minister and Cabinet (the **Department**) under the *Freedom of Information Act 1982* (the **FOI Act**), in the following terms:

*In 1999, the Sovereign instituted an Australian medal for the purpose of according recognition to persons who have given humanitarian service in hazardous circumstances outside Australia.*

*However the Minister responsible for honours policy claims that this medal was instituted to recognise members of "not-for-profit" organisations. The Letters Patent and regulations governing the medal do not prescribe the term 'not-for-profit'.*

*The Minister also states he is unwilling to recommend changes to extend the medal to commercial contractors who are providing essential support services to humanitarian operations.*

*Contrary to the Ministers claims, the public record shows that the medal was awarded to commercial contractors to humanitarian operations in:*

- 1) Iraq 2003 to 2005*
- 2) Indian Ocean 2004 to 2005*
- 3). West Africa 2014 to 2016*

*From 2017 to 2018, Aspen Medical Pty Ltd provided services at field hospitals in Iraq during the offensive against ISIS. This was on behalf of the World Health Organization and the United Nations Population Fund. This was the first time either organisation had contracted with a commercial company to deliver humanitarian healthcare assistance.*

*We're informed the medal may also have been awarded to the Aspen Medical personnel contracted to support the afore mentioned humanitarian operation in Iraq from 2017 to 2018.*

*If this is the case, we would like a copy of the briefing documents justifying the award of the medal to these commercial contractors.*

### **Authorised decision-maker**

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the Act.

### **Searches for documents**

My branch of the Department of the Prime Minister and Cabinet is responsible for the administration of the *Humanitarian Overseas Service Medal*. The medal can only be awarded to members of specified organisations for declared operations (or clasps).

Information about specified organisations for declared operations (or clasps), for the purposes of the medal, is published in the [Humanitarian Overseas Service Medal - Guide to Eligible Groups](#) on the department's website at [www.pmc.gov.au](http://www.pmc.gov.au).

Neither Aspen Medical Pty Ltd, the World Health Organization nor the United Nations Population Fund are specified organisations under the declaration for the *Humanitarian Overseas Service Medal* 'Iraq' clasp.

Further, no awards have been made to members of the "Australian contingent to the United Nations organisations serving in the specified hazardous area in relation to the declared operation" since 2009.

On that basis, I am satisfied that no documents relevant to the scope of your request exist.

### **Decision**

Section 24A(1) of the FOI Act provides that:

*An agency or Minister may refuse a request for access to a document if:*

*(a) all reasonable steps have been taken to find the document;*

*and*

*(b) the agency or Minister is satisfied that the document:*

*(i) is in the agency's or Minister's possession but cannot be found; or*

*(ii) does not exist.*

I am satisfied that all reasonable steps have been taken to find a document within the scope of your request, and that no such document exists.

I have therefore decided to refuse your request under section 24A(1) of the Act.

### **Processing and access charges**

I have decided not to impose processing charges in respect of your request.

### **Review rights**

Information about your rights of review under the FOI Act is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

### **Complaint rights**

You may make a complaint to the Information Commissioner about the Department's actions in relation to a request. Making a complaint about the way the Department has handled an FOI request is a separate process to seeking review of the Department's decision. Further information about how to make a complaint is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

Yours sincerely



Peter Rush  
Assistant Secretary  
Parliamentary and Government Branch

24 August 2020