



RCB Review Group  
4/15 Gardiner St  
Alderley Qld 4051  
24<sup>th</sup> February 2014

The Hon. Darren Chester MP  
Parliamentary Secretary to the Minister for Defence

**Re: Recognition of Rifle Company Butterworth (RCB) Malaysia 1970-1989  
Military Service as Warlike Service**

Dear Parliamentary Secretary,

Thank you for your reply letter to me dated 4 Dec 2013, regarding our claim for reclassification of RCB service at Royal Australian Air Force Base Butterworth Malaysia 1970-1989. We note that you consider the matter to be closed unless we can provide significant new evidence to support our claims for warlike service recognition.

The purpose of this letter is to provide new and irrefutable evidence supporting our case which will achieve the rightful entitlements of RCB veterans to recognition of their service as “active service in the period 1970 to 1989”.

Before we provide that evidence we need to reiterate the basis of our claim and recognise the strategic environment existing in South East Asia in the early 1970s which led to the Government’s decision to deploy the RCB from Australia in 1973.

It was the then new Labor Government’s geo-political strategic decision to deploy the RCB **“to protect the Australian assets at the Butterworth Air Base”**, which included the Australian Government’s commitment under its Five Power Defence Arrangement (FPDA) to protect/defend the FPDA’s HQ of the Integrated Air Defence System (IADS) newly created for South East Asia. This occurred at a time when the Domino Theory of communist expansion was real and in Malaysia the Second Emergency was being fought against the Communist Terrorists where the Butterworth Air Base (BAB) was a major operational base for the Malay Armed Forces (MAF).

In military terms the RCB deployment was for a defence and deterrence purpose with the expectation of combat. Operationally, the deployment met all the criteria for warlike service which allowed certain service entitlements to the troops.

The ongoing RCB deployment was contrary to the newly elected Labor Government's defence strategy of Fortress Australia to bring home to Australia all deployed military forces and discard the then existing Coalition's Forward Defence strategy.

**Therefore, the RCB deployment was promoted deceptively to the Australian people as a training activity and as a result certain military service entitlements were denied. Yet, the evidence is overwhelming that the ongoing deployment was operational as it had been for the entire period in question.**

We believe our new evidence summarised below has not been previously assessed by any RCB Service review panel nor previously presented in support of our claim;

- A. Strategic. The formal **statement** by the former Defence Minister the Hon. Stephen Smith MP on the 10 November 2011 at the meeting of the Council for Security Cooperation in the Asia Pacific that the RCB deployment was for security reasons.
- B. Operational. The following points constitute further evidence at the operational level:
  1. The 1975 documents to the Dept of Foreign Affairs and Dept of Air marked Secret, detailing the mortar and rocket attacks on five Malaysian bases.
  2. The "perception of danger" criteria as detailed by Major General Mohr in the ***Review of Service Entitlement Anomalies in Respect of SE Asian Service 1955-75.***
  3. The unpublished document by Mr. Ken Marsh titled "***Butterworth – not Normal Peacetime Service***", (attached) is a compact and comprehensive analysis of RCB service including data from numerous un-presented files marked **SECRET** which clearly show the danger posed to the RCB defenders of Butterworth Air Base (BAB).
  4. Recognition of service at Ubon Air Base 1965-68 as a precedent, in regards to the "perception of danger".
  5. Register of RCB deaths and injuries.

Details of each are provided in the attachment to this letter.

We believe this additional evidence will provide sufficient justification for you to re-open the case to upgrade the RCB's military service during the period 1970 to 1989, as defined by the Malaysian Government as the Second Malaysian Emergency, to be warlike service for correct recognition of medallic and DVA entitlements.

There has been numerous correspondence from the Government stating that members of the RCB were never **"allotted for special duty"** in the **"special area"** as required under the appropriate Act. We contend that this was an element of the Government's "deception" to not have the area prescribed for its rightful task and hence access to service entitlements by falsely claiming RCB service to be for peaceful garrison duties and a training activity with the MAF. The Service Chiefs of the Naval, Military and Air Boards at that time met the Government's requirements. RCB should have been correctly **"allotted for special duty"**(strategic defence) in its **"special area"** (Butterworth Air Base).

We further believe the aggregate evidence provided by us in **ALL** our submissions should be the subject of a Parliamentary Enquiry.

We would be pleased to meet with you and your officers to discuss our claim.

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Attachments:

1. New Evidence & A Rebuttal
2. Unpublished document **"Butterworth – not Normal Peacetime Service"** - Ken Marsh

Attachment to  
RCB Group Letter to Defence Parliamentary Secretary

**NEW EVIDENCE & A REBUTTAL**

**A. STRATEGIC**

We finally have it admitted by the former Labor [Defence Minister, the Hon Stephen Smith MP, on the 10 Nov 2011](#) when addressing the Council for Security Cooperation in the Asia Pacific at Curtin University that the true role of the RCB was for security duties to protect the RAAF assets and personnel at BAB . He stated *“In 1973 an Australian infantry company was established as Rifle Company Butterworth in Malaysia. This provided a protective and quick-reaction force to assist our regional partners during a resurgence of the Communist Insurgency”*.

His concise statement justifies our claim of the real purpose of the RCB deployment and **not training** as presented originally by the Whitlam Labor Government and continued on by successive Governments to the Australian people.

The supposed “training role” with the MAF never occurred and was a deception from the outset. The MAF were totally involved in combat operations and were unable to support training with the RCB. Realistically, the RCB was the only trained combat force inside BAB capable of combat operations to counter any enemy attack into the airbase, whether by indirect attack (mortar or rocket) from outside the base perimeter fence or a direct attack by enemy ground forces.

**B. OPERATIONAL**

1. The 1975 documents to the Dept of Foreign Affairs and Dept of Air marked **SECRET** detailing the mortar and rocket attacks on five Malaysian bases. These documents have never been presented to a review panel and that includes the DH&AAT, although Defence knew of these documents they were never released by them.

These documents reveal that a dangerous warlike situation existed, because of the mortar and rocket attacks and other direct enemy threats to bases across Malaysia and the distinct possibility that BAB, because of its use by the MAF as an operational base for air and ground offensive operations, could be the next prime target.

There was definitely an “objective danger”. In fact in 1974, two unexploded mortar rounds were found inside BAB in the longer grass beside the runway by civilian grass cutters and an RCB patrol had located and captured a mortar baseplate outside the perimeter fence during a clearing patrol. There are numerous other examples of duties actually performed by the RCB within their BAB’s operational boundaries that constitute clear response to real enemy threats.

The RCB was also used on various occasions as armed protection parties on the military buses for RAAF personnel when travelling to and from daily work party's duties from the island of Penang to BAB because of the ambush threat.

Additionally, on 4 April 1975 due to a worsening security situation at BAB, nine RAAF Service Police (SP) were deployed from Australia to supplement the RCB for security duties including "off-base" family security patrols at Penang and to assist in any evacuation of RAAF families if warranted under the RAAF Families Protection Plan (8 May 1972) as enemy rocket attacks had occurred at RMAF Base Sempang (Kuala Lumpur) and a military installation at Penang on two occasions 31 March and 1 April 1975.

2. The "perception of danger" criteria as detailed by Major General Mohr in ***Review of Service Entitlement Anomalies in Respect of SE Asian Service 1955-75*** and reinforced by Justice Clarke in his ***2003 Review of Veterans' Entitlements***.

General Mohr states;

*"To establish whether or not an "objective danger" existed at any given time, it is necessary to examine the facts as they existed at the time the danger was faced. Sometimes this will be a relatively simple question of fact. For example, where an armed enemy will be clearly proved to have been present. However, the matter cannot rest there.".....*

*"On the assumption that we are dealing with rational people in a disciplined armed service (i.e. both the person perceiving danger and those in authority at the time), then if a Serviceman is told there is an enemy and that he will be in danger then that member will not only perceive danger, but to him or her I will be an objective danger on rational and reasonable grounds. If called upon the member will face objective danger. The member's experience of the objective danger at the time will not be removed by "hindsight" showing that no actual enemy operations eventuated." ...*

*"I believe that in making retrospective examinations on the nature of service many years after the event, as is now the case, the concepts and principles involved should be applied with an open mind to the interests of fairness and equity, especially if written historical material is unavailable for examination or is not clear on the facts. This is the approach that I have taken in addressing the anomalies put forward and to me, it accords with general Defence classification principles and the benevolent nature of the Veterans' Entitlements Acts, and the general principles promoted therein."*

The "perception of danger" and an "objective danger" are proven on the facts provided.

- There was an enemy: they were the Communist Terrorists of the Communist Party of Malaya (CPM) and they were attacking Malaysian Government Forces in bases across the nation, killing 155 and wounding 854. Their mortar and rocket and small arms attacks could not discriminate between the various nationalities at BAB and as such the RCB “incurred danger”. So there is no question that there was an “objective danger” from enemy forces to the defenders of BAB.
  - RCB troops formed the only internal combat force capable of and authorised to use lethal force in defence of the Australian assets, the IADS and personnel and realistically also the Malaysian assets and personnel there as being part of the shared defence of the airbase. This is a warlike situation in defence of the airbase as the RCB were on permanent 24 hr notice, fully armed and ready for immediate action, with defined rules of engagement to counter any enemy attack, whether by armed incursion or mortar and rocket attack. Such an attack, being a likely scenario, as detailed in the intelligence briefings was prepared for by RCB’s counter penetration and counter attack contingency plans.
3. The unpublished document by Mr. Ken Marsh titled “***Butterworth – not Normal Peacetime Service***”, (attached) is a compact and comprehensive analysis of RCB service including data from numerous un-presented files marked **SECRET** which clearly showed the danger posed to the RCB defenders of Butterworth Air Base (BAB).

Ken Marsh has factually woven together the numerous secret documents (approx 250 pages) to pointedly show the true threat assessment to BAB during the Communist insurgency years with the likelihood of attack to it and the increased concerns of Australian Service Chiefs about it.

He produces data to show how the RCB service 1970-89 (Second Malayan Emergency) is at least comparable with the earlier First Malayan Emergency service and rightly makes the warlike service claim for the RCB troops as logical and reasonable.

4. The Ubon Air Base 1965-68 is a precedent in regards to the “perception of danger”. Here we see how precedence has been set in regards to RAAF service at Ubon airbase 1965-68. That military service was upgraded to warlike service status after several reviews based on the fact that they “incurred danger” by the escalation of the Vietnam War and hence a “perceived danger” became an “objective danger” which was enough for Major General Mohr in his **Review of Service Entitlement Anomalies in Respect of SE Asian Service 1955-75** to grant them warlike service recognition, “*even though no danger eventuated in the sense that there were no*

*actual combat engagements, they were armed for combat and had been told by those who knew more of the situation that danger did exist and they must hold themselves in readiness to meet it, not at some indeterminable time in the future, but at five minutes notice”.*

If those forces at Ubon faced an “objective danger” from enemy forces then similarly the RCB troops at BAB also faced an “objective danger” as the enemy forces were attacking military bases across Malaysia and the BAB being an MAF operational and administrative support base for both air and ground combat operations was a most likely target.

This was a warlike situation in defence of the airbase as the RCB were on a permanent roster, fully armed, with rules of engagement and ready for immediate action when BAB came under attack, whether by armed incursion or mortar and rocket attack by any enemy force. Such an attack was a likely scenario as detailed in numerous reports between Defence and the Minister.

5. Register of RCB deaths and injuries. From our records there were nine infantry soldiers of the Royal Australian Regiment (RAR) who died whilst on duty at BAB. We are unsure of other deaths from other Army Corps. Irrespective, their deaths occurred while deployed for a specific reason at RCB, and this fact as for those injured as well cannot be ignored.

They died overseas in a foreign country doing their duty. We have been unable to substantiate the number of wounded/injured personnel from this service also but as a general rule of 10 casualties /1 death, this would equate to approx 90 injured ex-soldiers eligible for VEA benefits.

### **C. REBUTTAL**

The Government states that as the Air Base Butterworth Ground Defence Operations Centre (GDOC) was never activated during the 19 years of the shared defence at BAB, it must therefore have been peacetime service.

We have evidence that reveals this statement to be false and therefore not a valid defence against our claim.

The contention that the GDOC was never activated does not mean that the RCB were never activated by GDOC authorities in response to likely enemy actions: there are documented occurrences where the RCB was placed on higher degrees of warning notice whether the GDOC was fully manned or not. We have statutory declarations from RCB soldiers and officers to substantiate such actions in a number of years. These occasions were activated upon advice from the RAAF Ground Liaison Officer (GLO) who obviously had knowledge of potential hostile enemy intentions in areas around the

airbase. Such direction ultimately came from the RAAF senior officer responsible for RCB's operational control.

RCB was the only effective combat trained force inside the BAB perimeter fence ready at all times to repel an enemy inspired incursion/attack and that is why they were solely deployed to the airbase during this 19 year deployment. The fact that the BAB was not attacked in that time is a measure of the RCB's deterrence success not the grounds for the Government to claim there was no "warlike situation".

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**"The supreme art of war is to subdue the enemy without fighting" – Sun Tzu**

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