

## Butterworth – Not Normal Peacetime Service



**Australian Infantry Company at Butterworth**

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The 1994 Committee of Inquiry into Defence Awards established 10 principles to ensure that Australian values of equity, fairness, compassion and egalitarianism are maintained within the system that recognises Australian military service. Principle 3 states, 'To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded.

This principle has been ignored in the treatment of Australian military veterans who served in Malaysia during the Malaysian Insurgency War of 1968-1989. Evidence gathered from Australia, Malaysia and elsewhere clearly demonstrates these veterans incurred danger from the Malayan Communist Party, its terrorist organisation and other organisations sympathetic to its cause. Regarding Butterworth Air Base in particular, communists were active in the immediate area and Australian Defence Chiefs held real concern for the safety of Australian personnel, including families of RAAF members at the Base.

By 1975 it seems the presence of RAAF families had added a level of complexity to decision making that commanders could have done without. Clearly, they and Australian assets on the Base were considered at risk. Evidence of increased preparations for defence was thought likely to result in an unknown number of families seeking repatriation. Any attack would likely result in agitation in Australia for the withdrawal of the RAAF presence, or at least RAAF families, something that would advantage the communists psychologically.

From early 1972 at the latest an ANZUK or, following the withdrawal of ANZUK ground forces, and Australian Infantry Company was held at Butterworth permanently throughout the war as a Quick Reaction Force to support a shared security plan for the Base.

The Nature of Service (NOS) Branch of the Department of Defence has continually argued that the Infantry Company's prime role at Butterworth was for training. It supports this claim by relying on low-level documents that describe the role as such. However, two high level documents classified SECRET at the time, one signed by the Secretary of the Department of Defence in March 1972 and the other minutes of a meeting of the Defence Committee in January 1973, both demonstrate clearly that the Company was at Butterworth to contribute to security. These two documents show the training role was a ruse to hide the Company's real purpose in a politically sensitive environment (see pages 13 - 15). This is verified by references to other documents created at the time.

NOS argues its case retrospectively, using evidence selectively and pointing to other matters, such as the presence of families, as evidence of peacetime service. The criteria used to determine service classification precludes retrospective assessment and establishes narrow criteria to warlike service – the authorisation of force to pursue military objective and the expectation of casualties. These conditions clearly existed at Butterworth.

Further, history shows that the level of risk to which veterans were exposed at Butterworth is comparable with that at Ubon, Thailand in the late 1960s and higher than that faced by many veterans of the earlier 1948-1960 Malayan Emergency. In order to 'maintain the inherent fairness and integrity of the Australian system of honours and awards' the service of veterans during the Malaysian Insurgency War of 1968-1989 must be properly recognised as warlike service.

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## **Butterworth – not Normal Peacetime Service**

### **Introduction**

Australian service personnel, both Army and Air Force, served at Butterworth Air Base (BAB) throughout the 1968-1989 Malaysian Communist Insurgency War. BAB was shared with Malaysian forces who conducted operations against the enemy from the Base. Despite clear evidence of Communist activity around BAB and security assessments concluding the Base could come under attack at any time without warning, the service of these veterans remains classified as 'peacetime'.

Service at BAB during the Insurgency War is clearly comparable with that rendered in Ubon, Thailand in the late 1960s and at BAB during most of the 1948-1960 Malayan Emergency. Veterans from both of these locations have been granted warlike, or active service, status. Peacetime service classification denies BAB veterans medallic and repatriation benefits that have been granted to others with comparable service and is at odds with established precedents for recognising Australian military service. BAB veterans are being treated unjustly by the Government and any delay in rectifying this situation only exacerbates that injustice. It is a betrayal of men and women who pledged their lives to the defence of Australia.

This article presents evidence supporting an outstanding claim by members of an Australian Rifle Company to have their service at BAB recognised for what it was – active service. It provides evidence of Communist activity in the area around Butterworth, Australian service chiefs' concerns over BAB security, and compares service at BAB during the war with that at Ubon and Butterworth during the earlier Emergency. It also demonstrates the selective use of evidence by the Government and Defence as well as immaterial data to deny the claim.

### **Aim**

To demonstrate that warlike service conditions existed at Butterworth Air Base during the 1968-1989 Communist Insurgency War.

### **Butterworth Air Base**

BAB is located in Seberang Perai, previously called Province Wellesley, which is part of Penang State. Seberang Perai has an area of approximately 750 square kilometres on the mainland of North West Malaysia. It shares its northern and eastern borders with Kedah state and its southern border part with Kedah and the remainder with Perak state. A ferry service to Georgetown, Penang's capital, operates from the nearby town of Butterworth. On 17 June 1968 communist forces killed 17 members of the Malaysian Security forces in the Kroh-Betong area on the Thai border, approximately 80 kilometres from the Base. This incident marks the beginning of the Insurgency War (Nazar Bin Talib, Major, 2005).

### **Communist Activity In and Around Butterworth**

Evidence listed below relating to communist activity in and around Butterworth during the war is sourced from Singapore's Straits Times.

- March 1971 – communist terrorists (CTs) dynamited the railway bridge spanning Sungei Jarak, two miles from the northern Province Wellesley village of Tasek Glugot (9 March 1971).

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- April 1971 – two bombs exploded in Penang. Communist banners were found on the island and in Province Wellesley and arrests were made (24 April 1971).
- May 1971 - four CTs were killed and another four wounded by Malaysian security forces near Kulim ‘just 12 miles from Butterworth’ (16 May 1971).
- June 1971 – Malaysia Prime Minister Tun Abdul Razak named Penang as one of five states where the communist threat was ‘very real’ (29 June 1971).
- October 1974 – communist flags and banners were found in five Penang villages (29 October 1971).
- May 1975 – Penang and the other northern states Perak, Kedah and Perlis arrange a meeting of the ‘recently formed ... joint co-ordinating security committee ... to jointly discuss and ... co-ordinate ... security forces actions’ (10 May 1975).
- May 1975 – CTs bombed two railway bridges at Berapit and Permatang Tinggi near Bukit Mertajam, Province Wellesley (11 May 1975).
- September 1975 - three districts of Butterworth were placed on a five hour curfew from midnight till 5 a.m. as a ‘direct consequence of the establishment of the Inter-state Security Committee’ (14 September 1975).
- September 1975 – suspected communist agents were held during a house-to-house search during curfew hours in Butterworth (16 September 1975).
- January 1976 – the Malaysian Inspector-General of Police identified the Sungei Bakar area of Province Wellesley as a place where CTs were active (10 January 1976).

### Communist 8<sup>th</sup> Assault Unit

The communist’s 8<sup>th</sup> Assault Unit began moving into the South Kedah region including the area around Kulim in early 1969 and remained active there until it was forced out by security forces in 1978 (Mohamed Ghazemy Mahmud, Translator, p.41). In May 1971 four members of this unit were killed by Malaysian Forces close to BAB (p.p. 150 - 153) (see The Straits Times, 16 May 1971, above). This unit, operating in close proximity to BAB, is one of three assault units described by the Malaysian Army as ‘active guerrilla forces of substantial strength and capability’. The others were the 5<sup>th</sup>, which operated in Perak, and the 6<sup>th</sup> sixth located in Pahang state (p.p. 156 – 158).

### 1971 Security Assessment

The ‘SECRET’ document, *The Threat to Air Base Butterworth to the End of 1972*, (ANZUK Intelligence Group, 1971) assessed ‘the threat to Air Base Butterworth up to the end of 1972’ (p.3). At the time it was estimated that the Communist Terrorist Organisation (CTO) had a force of between 1,800 to 2,000 armed terrorists, mainly operating in Southern Thailand. There were also ‘up to 300 CTs operating in West Malaysia’ (para 18). The assessment also identified other subversive groups operating in West Malaysia some of whom had ‘direct links’ with either the armed branch or underground elements of the Communist organisation, including groups operating ‘in the Penang/Butterworth’ area’ (para. 20).

Sub-section C (1) (d) of the assessment reports on ‘Activities in [the] Butterworth Area’. It is clear that ‘areas close to Butterworth Air Base’ are those ‘within a radius of approximately 50 miles’ [80 kilometres]. Communist activities reported for ‘the period mid-1968 to November, 1971’ included:

- September 1969, two CTs sighted 12 miles north-east of Kulim or about 20 miles east of the base;

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- April 1970, booby-trapped flags planted throughout Malaysia and Singapore, including Georgetown, the Penang Capital, and Butterworth. Booby-traps planted in Penang and Butterworth were placed by 'the Malayan Patriotic Front, a subversive political organisation some 200 strong in Penang'.
- June, 1970 Malaysian Special Branch reported 'that a group of CTs was operating ... on the Kedah/Province Wellesley border, and that CT supporters in the Kulim area were supplying food on a regular basis to the CTO 8<sup>th</sup> Assault Unit ... located nearby'.
- January 1971, 'groups of between four and seven CTs were sighted about two miles north-east of Bukit Mertajam in Province Wellesley about eight miles south-east of the Base.
- September 1971, 'a Malaysian military source stated that it was thought that the Kulim area would come to life again because "survivors of the 8<sup>th</sup> Assault Unit" were still living in the Gunong Inas Forest area approximately 25 miles east of the Base. The number of these survivors was estimated in November 1971 by the Malaysian Special Branch to be between 20 and 30. The Malaysian military intelligence estimate of November, 1971, was that there were some 60 CTs in the wider Mahang/Gunong Inaas/Bintang Hijah Forest Reserves area.'

Further, evidence indicated that Kulim was a 'centre of movement for terrorists between the Betong Salient [Thai Border region] and village areas east and south-east of Kulim in the southern part of Province Wellesley, south Kedah and the Selama district of Perak'.

After considering the available evidence the ANZUK Intelligence Group presented their threat assessment in Section D. They concluded that an isolated attack on BAB by CTs or members of other subversive groups was 'definitely a risk.'

### [D. (1)] Likelihood of Attack

[para 54] On the basis of the factors affecting the threat discussed earlier in this paper, we make the following assessments for the period up to the end of 1972:

[para 54. (a)] It is unlikely that any threat to Air Base Butterworth will arise from external overt military attack on Malaysia;

[para 54. (b)] There is a potential threat to the base from the Communist Party of Malaya (CPM), the Communist Terrorist Organisation (CTO), and related communist subversive organisations, whose aim is the establishment of a communist state in Malaysia Singapore, ultimately by "armed struggle"- widespread guerrilla/military action- and who have an estimated 1,800 to 2,000 terrorists in the Thai Malaysia border area. Of these some 300 are estimated to be within West Malaysia, with some 60, assumed to be armed with rifles, machine guns and explosives, in the Kulim and nearby forest areas approximately 15 to 25 miles from the base;

[para 54 (c)] On the basis of present evidence, CPM/CTO policy will be directed towards the consolidation of its strength, influence, infrastructure and bases within West Malaysia. Development along these lines, while likely to be substantial in view of likely deficiencies in Malaysian counter- measures, will not be taken to launch armed struggle. It is unlikely, therefore, that the CPM/CTO will, as a deliberate act of policy, attempt an attack on Air Base Butterworth;

[para 54 (d)] It is possible, but we consider still unlikely, that the CPM/CTO could take a decision to attack the base in certain circumstances, namely:

[ (d) (i)] If the communist infrastructure in the northern states of West Malaysia were rapidly and progressively expanded during 1972 to the point at which the CTO judged the time ripe

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for attacks on substantial military targets in those states (although the risk of an isolated attack on the base would be enhanced by such expansion);

[ (d) (ii)] If there were large scale-scale civil disturbances or major industrial unrest, perhaps involving the diversion of Security Forces;

[ (d) (iii)] If the CPM/CTO were to see significant psychological or propaganda advantage in an attack either in terms of Australian or Malaysian government or public attitudes to the base in the context of the Five-Power defence arrangements or as a morale-boosting demonstration, possibly related to a communist anniversary; and

[ (d) (iv)] In retaliation for the increased use of the base by the RMAF in anti-terrorist operations; and

[ para 54 (e)] there is definitely a risk that one or more CTs or members of subversive groups known to be operating in the vicinity, could, regardless of CPM/CTO policy and/or acting on their own initiative, attempt an isolated attack on or within the base at any time.

### [D (2)] Timing, Advanced Warning, Method and Strength of any Likely Attack

[para 56] We assess that advanced warning of any form of attempted attack (other than by a large group of CTs which we assess as unlikely) would most probably not be received whether the attack be by CTs or members of subversive groups.

The type of attack considered most likely within the assessment period was ‘sabotage by the planting of delayed-action explosives, booby-traps and other similar devices designed to damage Vital Points and injure personnel, by one or more CTs, members of subversive groups, or sympathetic or suborned LEC [locally employed civilians]/contractor personnel.’ Mortar ‘or other indirect weapon attack’ by up to 10 men ‘located in the surrounding ricefield/kampong areas’ was considered ‘likely if the CTs acquired a mortar capability’ (para 57). On 31 March 1974 CTs damaged a Caribou aircraft at Sungai Besi military air base outside Kuala Lumpur with a mortar attack (Mohamed Ghazemy Mahmud, p.49), clearly demonstrating that they had acquired this capability.

The assessment also concluded that ‘covert penetration, probably at night, by one or more individual CTs, or small groups, totalling up to 20, with the view to surprise attack on Vital Points, especially the aircraft, by small arms fire and explosives’ could not ‘be discounted especially in view of the relative ease of a covert approach to Vital Points through the current defences’ ((ANZUK Intelligence Group, para 58). It was considered, as stated above, that if any of these attacks came as a result of CPM/CTO policy they ‘would be more likely towards the end of the period under review’. It was also considered that an isolated attack by ‘one or more CTs or members of subversive groups known to be operating in the vicinity ... regardless of CPM/CTO policy and/or acting on their own initiative ... could take place at any time.’ This type of attack, as stated above, was considered ‘definitely a risk’.

Relevant to the above assessment is that fact that by October 1974 the MCP leadership had split into three different factions following internal conflicts going back to early 1970 (Nazar Bin Talib, p.18). Cheah Boon Keng (2009, p. 149) says that consequently ‘each faction tried to outdo the other in militancy and violence’. The CPO no longer had control over all elements of the insurgency. Communist activities continued to escalate after this time. The Malaysian Army describe the 1975 – 1980 period as one of intensified CT activities (Mohamed Ghazemy Mahmud, p.158).

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### The Implication of the Threat Assessment

The 1971 threat assessment concluded that an attack by a large group of CTs was unlikely. If an attack of this nature did eventuate there was likely to be advanced warning.

However, the assessment considered that there was 'definitely a risk' of a small scale attack by CTs or members of other subversive groups. It was likely that this form of attack could take place at any time without warning.

Given this expectation there was an obligation placed on those in command to protect Australian assets and personnel. The only way this could be achieved was by providing security personnel ready to respond at a moment's notice. This is not the case in normal peace time situations.

### Increased Concern of Australian Service Chiefs in 1975

'SECRET' documents dated 1975 demonstrate an increased concern for security at BAB. On 3 April 1975 the Chief of Air Staff, Air Marshall J.A. Rowland advised the Minister: 'OC Butterworth had advised that rocket attacks have taken place at RMAF Base Sempang (Kuala Lumpur) and a military installation at Penang on 31 March and 1 April 1975. The RMAF has advised of possible threats to Butterworth' (Rowland, J.A, 3 April 1975). On 7 October 1975 the CAS again advised the Minister regarding security at BAB (Rowland, J.A, 7 October 1975).

[Para 2] The recent intelligence information concerning possible CTO intentions to launch rocket attacks on bases in Malaysia increases our concern regarding the security of areas around the base. Intelligence sources consider there is a possibility that CTs have or are able to obtain 81/82mm mortars to supplement their known supplies of 3.5 inch rockets. Mortars are crew served weapons which are accurate area weapons of considerable destructive force against targets at maximum ranges of 4,700 metres. The attached map shows that at a range of 3000 metres from the Butterworth Base, a perimeter of 16,000 metres is formed. To compound the problem of defence, the area within the perimeter includes a large number of Malaysian houses, a network of roads and several hectares of padi-fields, all of which offer CTO assembly and firing bases.

In paragraph 3 the CAS expressed concern at the lack of protective and security arrangements in the area immediately surrounding the Base.

[para 3] ... To provide an effective deterrent defence in the area surrounding Butterworth and to the limits of mortar and 3.5 inch rocket range would require at least two infantry battalions. Even at this level, infiltration between sub-unit lines would still be possible and security of the area at night must remain doubtful. However, at present no off-base security posts are manned, no units are allotted for the defence of the area surrounding the base, no known plan exists for the reinforcement of the base. In the face of 6MIB's security commitments, the diversion of units to the Butterworth area on a continuing basis cannot be assessed.

Difficulties relating to defence arrangements resulting from the restrictions placed on Australian military personnel operating off the Base and options for resolving these were canvassed, including obtaining Malaysian approval for reinforcing 'Butterworth with RAAF ground defence and ARA personnel to assist in the defence and security of RAAF assets' in 'a worsening security situation'. In paragraph 6 the CAS made three recommendations to the Minister:

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[para 6] In view of the heightened possibility of CTO attacks on RAAF assets, I recommend discussion on the following issues with the Prime Minister of Malaysia:

- (a) a request to allocate at least one battalion to the area immediately surrounding Butterworth for area defence;
- (b) arrangements for ARA and RAAF forces to operate outside the base to defend their assets in conjunction with Malaysian forces; and
- (c) approval to reinforce Butterworth at short notice with RAAF ground defence forces (including ARA) to assist in the defence of operational assets, personnel and equipment.

The request for one battalion was half of what was considered the necessary minimum but no doubt recognised the capability of the Malaysian forces at the time.

In paragraph 7 the CAS advised the Minister that an updated document 'The Threat to Air Base Butterworth' was currently being printed. He had, however, included as an annex the assessment of threat and likely methods of attack along with Air Office comments. The threat assessment and likely methods of attack were, in essence, similar to those determined in 1971. It is the Air Office Comment that provides evidence of an increased security concern (JIO, 2 October 1975).

[para 3] Figures released by the Thai/Malaysian Border Committee in Jun 75 indicated that there were 2,054 CTs operating near or in areas adjacent to the border. This figure increases the previous estimate by 400 and indicates increasing success in recruiting by the Communist Terrorist organization (CTO). Malaysian Intelligence has also reported an upgrading in training and militant status of the underground organizations.

[para 4] The split in Oct 74 of the CPM into three factions ... has resulted in some inter-factional conflict, but it seems also to encourage the groups to compete with each other for success against security forces. This is an important factor to be considered in assessing the likelihood of terrorist activity against military establishments such as Butterworth. Defence Adviser Kuala Lumpur reports that recent developments – including the upgrading in training and military status of the CTO – represents a significant diversification of, and increase in, the forces available with a capability of launching an attack against Air Base Butterworth. In the Kulim area, 20-30 kms from the Base, there are believed to be 62 members of the Assault Unit, with 15-20 of these considered to be 'hard-core' terrorists.

[para 7] There has been a marked increase in recent months in the use of modern weapons by the CTO including M16 rifles, 7.62 SLR, 9 mm sub-machine guns, and M79 grenade launchers. There is also evidence of 81/82 mm mortars.

[para 8] The CTO also appears to have a quantity of 3.5 inch rockets which they have used during the past six months in attacks against military installations: there have been four definite occurrences of rocket attacks since the end of March ...

### The Threat to Air Base Butterworth

[para 10] Defence Adviser Kuala Lumpur suggests that Air Base Butterworth is of little consequence to the CTO and that the Base is unlikely to be singled out for attack in preference to any others ... This would be a fair assessment ... At the same time however, putting together all available evidence ... the Defence Adviser suggests that an attack from outside the Air Base Butterworth perimeter fence must be considered a possibility and we would agree with this view. There is no reason to suppose that

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Butterworth would be left out of any future decision to mount rocket attacks against military installations within Malaysia.

### The Likely Methods of Attack by CTO Against Air Base Butterworth.

[para 11] The most likely form of attack by CTO against Air Base Butterworth is assessed as the use of 3.5 inch rocket from outside the perimeter fence ...

[para 13] A sneak attack by the CTO with satchel charges has always been a possibility. The discovery of holes in the fence at the Base shows that people have been in and out of the Base without the knowledge of security forces and on this evidence an attack of this nature cannot be discounted. The CTO has been growing bolder this last year and has been increasing the size and scope of his activity. Nevertheless, this is perhaps the least likely of possible forms of attack as discussed herein.

### Summary

[para 14] The security situation in Malaysia has deteriorated in the past year, particularly during the last six months. The CTO has become bolder in its actions and has been willing to attack military installations with 3.5 inch rockets for the first time ...

[para 15] There is no evidence to suggest that Air Base Butterworth will be singled out as a target for attack in preference to another military installation in future operation but, equally, there is no reason to suppose that the Base will be excluded from attack in preference to others.

[para 16] The CTO has demonstrated his capacity to mount operations against security forces during the past year. Based on these incidents, there is an increased likelihood of attack on Air Base Butterworth – probably by use of 3.5 inch rockets. There is a lesser probability of an attack using mortars.

These facts demonstrate the seriousness of the matter at the time. The growth in CT numbers, increased use of modern weapons – including rockets and possibly mortars - improved training and growing boldness added to the threat. The requests for a battalion of Malaysian troops for security operations around the Base, approval to use Australian forces to operate outside the fence, and for reinforcement of ground defence forces from Australia represents a significant response to the communist threat. This threat is further demonstrated by the construction of revetments in 1976 to protect the Mirages (see page 11). Clearly, this was not normal peacetime service.

## **Australia Clearly Involved in the Insurgency**

The facts are irrefutable.

- Malaysia was fighting an internal war against communist insurgents.
- CTs attacked military bases, police stations and other security force targets in Peninsular Malaysia.
- The Communists were active in and around Province Wellesley.
- Senior military officers had a clear expectation that Butterworth could come under attack from insurgents. There were no grounds to indicate that BAB would be spared from attack.
- The types of attack clearly brought with them the expectation of casualties.
- Australian forces were clearly involved in the insurgency.

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### Nature of Service to be Determined against Objective Criteria

The type of service a veteran has rendered should be determined against objective criteria and not the whims of the relevant minister or Government Departments. As demonstrated below, these criteria have been ignored in the case of Butterworth veterans.

### Types of Australian Military Service

According to the Department of Veterans' Affairs fact sheet DVA DP 07 Australia has three types of defence service. The type of service given determines the veteran's eligibility for compensation under the *Veterans' Entitlements Act 1986* and a service pension. The definitions are as follows:

- *Warlike service* – is determined when the application of force is authorised to pursue specific military objectives and there is an expectation of casualties. This includes a state of declared war and conventional combat operations against an armed adversary. It also includes peace enforcement activities, that is peacemaking and not peacekeeping operations, when armed forces are authorised to restore peace and security.
- *Non-warlike service* – is determined where military activities are operations with a limited objective and casualties could occur but are not expected. The only force allowed is in self-defence.
- *Peacetime service* – is routine operations, including training and military exercises, that are not warlike or non-warlike.

Interestingly, the above definition of 'warlike' service provided by the Department of Veteran Affairs omit the five key words 'but are not limited to' referred to by Justice Clarke in his 2003 Review of Veteran's Entitlements at 10.9, Volume 2. Commenting on warlike service Clarke said:

In 1993, Cabinet agreed that warlike service refers to those military activities where the application of force is authorised to pursue specific military objectives and there is an expectation of casualties. These operations encompass but are not limited to:

- a state of declared war;
- conventional combat operations against an armed adversary; and
- peace enforcement operations in support of diplomatic efforts to restore peace against belligerents who may not be consenting to intervention and may be engaged in combat activities (normally, peace enforcement operations will be conducted under Chapter VII of the United Nations Charter, and in these cases the application of all necessary force is authorised to restore peace and security.)

The defence of Australian assets and personnel at BAB and the maintenance of the base as part of Australia's treaty obligations with Malaysia were clearly military objectives. Malaysian forces were conducting 'conventional combat operations against an armed adversary' from Butterworth and the base was a potential target. Australian military personnel engaged on protective duties were armed and authorised to use force. This, by definition, was 'warlike service'.

These definitions have been used to determine repatriation and medallic entitlements since 1975. In 1994 the Committee of Inquiry into Defence Awards (CIDA), at Principle 8, considered their use appropriate when reviewing service entitlements between 1945 and 1975. As will be shown, arguments used to deny BAB veterans warlike service rely on the selective use of documents, a

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retrospective assessment of the risk in violation of established precedents, and inadmissible evidence.

### **Retrospective Assessment Precluded**

The above service type descriptors are quite specific. Warlike service is rendered when ‘... force is authorised ... [and] there is an expectation of casualties ...’ The 1971 Threat Assessment cited above (ANZUK Intelligence Group) is also clear – ‘There is definitely a risk ...’ of attack. Any attack of the type identified brought with it the risk of casualties. It could not be argued after such an attack that casualties were ‘not expected’, ruling out non-warlike service. Evidence presented below demonstrates that the RCB were authorised to use force in the defence of BAB. They were clearly armed with live ammunition to repel anticipated attacks by communist forces. The warlike classification is the only one of the three available that fits with the facts.

The words ‘there is an expectation of casualties’ mean that it is the expectation at the time that must be considered, not the events as they unfolded. This was the position taken by Justice Mohr, in his February 2000 ‘Review of Service Entitlement Anomalies in Respect of South-East Asian Service 1955-75’ (see below).

### **CIDA Principles**

The 1994 Committee of Inquiry into Defence Awards (CIDA) established 10 principles to ensure Defence Awards maintained the Australian values of fairness, equity, compassion and egalitarianism (p.19). The following discusses the application of these to BAB service during the Insurgency War.

#### **Principle 3**

CIDA principle 3 states, ‘To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded’.

### **Comparison with Service at Ubon, Thailand**

Within this context it is appropriate to compare Butterworth with conditions existing at Ubon, Thailand between July 1965 and August 1968. In May 1962 number 79 Squadron, equipped with Sabres, was deployed to Ubon to assist Thai security. From the beginning of 1965 America began a build-up of air power at Ubon to launch air attacks against North Vietnam and targets on the Ho Chi Minh Trail. This meant Ubon faced the likelihood of attack, both from the air and communist insurgents operating in Thailand (Mohr, p.p. 68-70).

Justice Mohr accepted that Ubon veterans ‘incurred danger’ from hostile forces and were therefore entitled to repatriation benefits under Section 7A of the Veterans Entitlements Act 1986. He ruled that, in order to incur danger, the veteran must face ‘objective danger’, something he addressed at length at pages 8-10.

Mohr concluded that an ‘objective danger’ was established by the presence of an armed enemy. He stated at page 9:

On the assumption 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 it will be an objective danger on rational and reasonable grounds. If called upon, the member will face that 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.

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... It seems to me that proving that the danger has been incurred is a matter to be undertaken irrespective of whether or not the danger is perceived at the time of the incident under consideration. The question must always be, did an objective danger exist? That question must be determined as an objective fact, existing at the relevant time, bearing in mind both the real state of affairs on the ground, and in warnings given by those in authority when the task was assigned to the persons involved.

This point was reinforced by Justice Clarke in his 2003 Review of Veteran's Entitlements when he said:

11.59 Because the term 'danger' connotes risk, or possibility, of harm or injury, there is necessarily an element of subjective belief involved. In a declared war, no one would doubt that to carry out operations against the enemy at a place under risk of attack exposes those in the operations to danger. Yet who at the time would actually know, rather than perceive, that the place is at risk? The enemy might have no intention of attacking there, but assessments have to be made, or beliefs formed, by military authorities as to whether the place is at risk and needs defence by armed forces.

11.60 If then, the military authorities consider that a particular area is vulnerable to attack and dispatch armed forces there, they are sending forces into harm's way, or danger. This was the second point made by Mohr - that veterans ordered to proceed to an area where they are endangered by the enemy will not only perceive danger, but to them the danger will be an objective one based on rational and reasonable grounds. In these circumstances, what the historian says he or she has learned since the war about the actual intention of the enemy is hardly relevant.

Regarding Ubon specifically, Mohr at page 73 said:

The question then remains as to whether or not this was 'warlike' or 'non warlike'. Did the Squadron face an objective danger? Did they 'incur' danger? Even though no danger eventuated in the sense that there were no actual combat engagements, they [aircrew] 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...

Second, the ADGs [Airfield Defense Guards] patrolled both day and night outside the perimeter of the base and in so doing saw evidence of terrorist activity. So far as is known they were never engaged in an exchange of fire, but the danger of terrorist activity in the general area was known and precautions taken. These patrols were armed and authorized to fire if the situation called for fire.

It is significant that the decision was made for warlike service despite the fact that at the time 'the Defence Committee considered "the probability of enemy air attacks [on Thailand] would be slight"' (p.70).

Correspondence between RCB veteran Mr C. J Duffield and Dr Allan Hawke of the Department of Defense, dated 4th September 2000 (Hawke, 2000), confirms that the RCB carried out armed patrolling, were given rules of engagement and that there were confirmed incidents involving the CTs and members of the RCB.

The parallels with BAB are clear.

- Neither Ubon or BAB came under attack.

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- In both places ‘the danger of terrorist activity in the general area was known and precautions taken. ... patrols were armed and authorized to fire if the situation called for fire’.
- The ‘objective danger’ posed by the presence of an armed enemy existed in both places.

Service at BAB during the Insurgency is clearly comparable with that at Ubon in the late 1960s.

### Comparison with Service at Butterworth 1948-1960

Province Wellesley and adjoining areas of South Kedah, including 12 mukims (sub-districts) of the Kuala Muda district and three in the Kulim district were declared ‘white areas’ in August 1954 during the earlier 1948-1960 Malayan Emergency. Speaking at the time the Resident High Commissioner for the Penang Province Wellesley area, Mr R.P. Bingham, congratulated the people on this achievement and asked them to keep it so – by continuing to resist Communist ideas and co-operating with the Government’. At the same time the Sultan of Kedah also congratulated his people ‘for proving themselves loyal citizens who had refused to help the Communists’ (Straits Times, 15 August 1954).

The introduction of ‘white areas’ to Malaya in 1953 was part of a strategy to isolate CTs from the civilian population. It proved successful in cutting the communists off from their food supplies and resulted in them being forced further and further into the jungle. A ‘white area’ was considered free of communists and effectively out of the war. All Emergency restrictions were lifted on the understanding that they would be reintroduced if the civil population were found to be aiding the enemy (Barber, 1971, 2004, p.p. 28, 29, 234-236).

Evidence presented above demonstrates an active Communist presence in Province Wellesley and its surrounds during the 1970s. Curfews similar to those imposed during the earlier Emergency were enforced (Straits Times, 16 September 1975, ANZUK Intelligence Group, para. 33) and the author recalls roadblocks in the town of Butterworth between July 1977 and January 1980. One obvious change the author noted on his return to BAB in July 1977 was the presence of open roofed revetments on the Mirage flight lines. He understands from communication with other RAAF Butterworth veterans that these were erected during 1976. This option was considered in the 1975 draft document *Brief for DCAS Concerning Security of Butterworth* (Department of Air, undated).

[Para 24] The threat of mortars and rockets presents a problem of providing adequate passive defence arrangements to prevent or mitigate the effects of attack by these weapons. In April 1975 following the rocket attack on Minden Barracks, Mirage aircraft were dispersed, but as this practise exacerbated the problems of patrolling and security lighting the aircraft lines, the practice ceased within a month.

[para 25] The only real protection for aircraft against mortars and rockets is to provide hardened roofed over revetments at costs of about \$100,000 each. Open roofed revetments or dividing blast walls are reasonably effective against rockets, but less effective against the more accurate mortar. However the combination of dispersal and provision of blast walls can reduce the area effect of mortars and reduce the chain reaction effect which can be expected to result if one aircraft in a line of sixteen is hit by a mortar bomb and explodes. Blast walls need not be elaborate and can be constructed with basic materials. Fuel installations should be similarly protected. The requirement should be further evaluated by ground defence and works officers.

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On 14 October, the DCAS, AM N.P. McNamara in the 'SECRET' document *Butterworth Security* advised:

[para 4] ... The requirement for blast protection of aircraft against ground burst weapons and small arms fire together with aircraft dispersal is currently under review.

The RAAF purchased 100 single seat Mirage fighters plus 10 duals. The two squadrons at Butterworth represented approximately half the Mirage fleet. While the author is not aware of the number of Mirages in service at BAB in 1975 the number 16 used above most probably refers to the strength of one squadron, meaning the number of revetments ideally required was 32. The ideal number of revetments represented a considerable cost to the Australian tax payer.

The provision of open roofed revetments in 1976, less than 12 months after the draft was prepared, were considered 'reasonably effective against rockets ...', the form of attack considered most likely in the Threat Assessment, paragraphs 5 and 11, included with the CAS's advice to the Minister on 7 October 1975 (Rowland, 7 October 1975; JIO 2 October 1975).

### Recognition of Service during the 1948-1960 Emergency

Service on the Malay Peninsular throughout the 1948-60 Malayan Emergency, including the service of those whose service was confined to BAB, is recognised as active, or warlike. This recognition extends to service on the surrounding waters to a distance of 18.5 kilometres (Veterans Entitlements Act 1982, Schedule 2), in a war that from 1953 onwards saw the enemy forced 'deeper and deeper' into the jungle (Military History Encyclopedia on the Web), (Ipoh World).

Regarding its involvement in the conflict, the Royal Australian Navy says:

The naval component's secondary role in combating the communist terrorists (CTs) during the Emergency was largely symbolic. However, it should be noted that the effective naval blockade against the supply of arms and ammunition to the CTs from sources outside the country denied them any effective use of the sea throughout the Emergency.

Returning to Mohr's discussion of 'objective danger', the risk to which service personnel at BAB were exposed was higher during the 1970s owing to communist activities in the near vicinity of the base than it would have been following the declaration of the area as 'white' in August 1954. It must also be considered higher than that faced by members of the RAN serving some distance off shore in a war that was fought in the jungles against an enemy equipped with small arms.

### Comparable Service Overlooked

CIDA Principle 3 states: 'To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded'. On the basis of the above evidence the 'comparable service' of Australian veterans at BAB during the insurgency war is being 'overlooked or degraded'.

### Senator David Feeney Overturns Previous Decision – a Case Study in Departmental Spin

In May 2012 the then Parliamentary Secretary for Defence, Senator David Feeney, wrote to Mr Robert Cross of the RCB Review Group. The Secretary informed Mr Cross that owing to an

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administrative error 'Instruments of Determination of Hazardous Service from 6 December 1972 to 31 December 1989 and non-warlike service from 15 November 1970 to 6 December 1972' (both meeting the current criteria accepted as non-warlike service) signed in September 2007 by the then Minister for Veterans' Affairs, the Hon. Bruce Billson, MP in relation to BAB had not been registered. Subsequently the Departments of Defence and Veterans Affairs were able to thwart Billson's action and, on the basis of 'new evidence' the decision was overturned by Feeney, as advised in a letter to Mr Robert Cross of the RCB Review Group, dated 19 May 2012.

Feeney states that following the discovery of the error Defence 'conducted a "first principles" review' of ADF service at Butterworth during the period under question in mid-2011.

This review examined official Government and Defence Force correspondence available within Defence and from the Australian War Memorial and National Archives of Australia, as well as the various submissions which had been made by various claimants over the years.

... It assessed that the previous 2007 review relied heavily on selective information and that little objective research was undertaken to either corroborate or disprove the statements that had been made by the claimants. Although the advice provided to Minister Bilson was the best available at the time, it has subsequently been shown to be inadequate and misleading. ...

Reasons for this decision are contained in two documents prepared by the Nature of Service Branch dated 14 October 2011: *2011 Nature or Service Branch Review ADF Service at RAAF Butterworth – 1970-1989* (referred to below as Review) and *Background Information Paper Nature of Service Classification – ADF Service at RAAF Butterworth* (referred to below as Background Information), both enclosed with the letter.

The Review document relies on eight documents to 'disprove the statements that had been made by the claimants'. Some of the data provided by Defence is selective and seeks to prove the case retrospectively, which is clearly at odds with the 'warlike service' definition and precedent established by Mohr (above) and agreed to by Clarke. Other 'evidence' is by nature inadmissible. However, when the facts surrounding Defence's claims are examined they support, rather than disprove, the RCB claim for active service recognition. Because these facts were discovered by Butterworth Veterans from the same sources as that used by Defence questions must be asked regarding either Defence's competence, motives, or both.

At paragraph 37 the Background Information Paper cites the 2003 *Review of Veterans' Entitlements (Clarke Report)*. Clarke acknowledged that security forces at BAB were issued with Rules of Engagement (ROE) that were protective only. He then stated 'that although there is no doubt that the RCB was engaged in armed patrolling to protect Australian assets, it was clear that training and the protection of Australian assets were normal peacetime garrison duties.' As can be testified by any military veteran, neither armed patrolling nor ROE have ever been 'normal peacetime' practice in the Australian services. The Clarke statement is at the best misleading, which raises the question: was Clarke misled by Defence regarding the RCB role? Armed patrolling with ROE, defensive or otherwise, only makes sense in the presence of an armed threat.

Six of the eight documents cited in the Review are dated 1969, one of which was an extract from Hansard, dated 25 Feb 1969 in which the Prime Minister advised the House that following the British withdrawal an Australian Army battalion would 'be based in Singapore, although one company will be detached on rotation to Butterworth except on occasions when the whole force is training at

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either the Jungle Warfare School [in Johore] or elsewhere in Malaysia.’ It was considered this would involve ‘considerable financial savings’. Other documents show that the Butterworth detachment was ‘additional to normal training activities carried out in the State of Johore’. The Company remained under Army control but ‘would be placed at the disposal of AOC [Air Officer Commanding] Butterworth’ if required for defense with part of its training role at Butterworth being to prepare for such an eventuality. In 1969 the Insurgency War was in its infancy and the possibility of the Australian Army Battalion based at Singapore being withdrawn was not considered.

The next document is an extract from the 22 August 1973 Chiefs of Staff Committee. This must be seen in context, including the 1971 Threat Assessment referred to above, which concluded that BAB could come under small scale attack at any time without advanced warning (ANZUK Intelligence Group).

Following its election at the end of 1972 the Whitlam Government moved quickly to withdraw all combat troops from Vietnam and Singapore. It was Labor policy that any deployment of combat troops overseas must include a training role. The referenced document refers to arrangements effective September 1st when the RCB would be rotated from Australia on a ‘three-monthly’ rotation. This was said to be consistent with Australian policy of ‘deploying troops overseas for training purposes. If required, the company was to be available to assist with Base security. While press statements were to be issued no publicity was sought.

Significantly, training away from the Base was ‘Subject to agreement by OC [Officer Commanding] Butterworth ...’ effectively placing training under the control of the OC, not the Army.

Two high level, at the time SECRET documents are relevant to and predate the August 1973 Chiefs of Staff meeting. The Chiefs of Staff were subordinate to the originators of both of these.

The first of these was written by Sir Arthur Tange, CBE, Secretary, Department of Defence, to The Secretary, Department of Air, on 2 March 1972. The letter, *Security at Butterworth*, was written in preparation for a meeting ‘to brief the Minister for Defence on the outcome of the various examinations that have been made of the security problem at Butterworth ...’ Sir Arthur requested the recipient to ‘confirm (or where inaccurate, correct) the understandings we have, as follows ...’ Acknowledging Sir Arthur’s caveat, these included the following.

[Para (b)] The ANZUK Intelligence Group assesses that there is a “definite risk” that one or more communist terrorists or agents, acting on his own initiative rather than in accordance with current policy of the Malaysian Communist Party or its military arm, might attempt an isolated attack on the Base, most probably from within it. Sabotage is assessed as far the most likely form that any such attack would take.

The ANZUK Intelligence assessment is covered in more detail above, starting at page 4.

[Para (c)] There is a joint Malaysian-Australian plan for internal security which would be put into operation under the Australian Commander of the base in an emergency. In addition, responsibility for day-to-day physical security is shared along agreed lines. But the performance of the Malaysian personnel involved is poor.

This paragraph is significant. It acknowledges both the shared responsibilities for base security in the presence of an objective danger (see *Comparison with Service at Ubon, Thailand*, page 8 and

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following), and the fact that OC RAAF Butterworth would take command of internal security operations during an emergency. Australian forces had a defined role in the security and defence of a Malaysian military base at a time Malaysian forces were combatting an armed insurgency. Reference to the competency of the Malaysians reflects the sensitivity of the situation, a matter Sir Arthur expanded on further.

[Para (d)] Given the division of responsibilities agreed with the Malaysians, the fact that the Base is their property and occupied by them, and the sensitivity of the matter – especially the performance of their personnel – it is recognised that security standards at the base will continue to fall short of those we should like to obtain. We must accept, in remaining at Butterworth, a higher degree of risk than we would if the Base were under the exclusive control of the RAAF. The additional risk is difficult to quantify but it is assessed to be acceptable for the time being.

[Para (e)] The shortcomings of the Malaysians have been pointed out to them and will continue to be pointed out to them, but there is a limit to what the traffic will bear in this connection, without significant bad feeling being created. Some training is also being provided. Other measures that are open to us without unobtrusively getting into the Malaysians' areas of responsibility have been or are being introduced, including where possible, discreet RAAF "spot checks" on Malaysian surveillance of vital points. The Mirage lines, of course, are under constant and direct RAAF surveillance. In addition, Malaysian reluctance having been overcome, the ANZUK force will now provide an infantry company on rotation through Butterworth on a full-time basis, ostensibly for training, flag-showing and a change of scene. The presence of this company will provide the Commander with a ready-reaction force which he can use inter alia to supplement the elements available to him under the joint Malaysia-RAAF Plan, but short of an actual overt breach of security the Commander cannot use these troops for guard or other security duties.

These paragraphs are also significant. The letter acknowledges shortcomings in Malaysian abilities increased the threat to Australian interests. Secondly, and more importantly, it notes an important change from the situation reported in 1969 when the army presence at Butterworth was 'additional to normal training activities' and that there were times it would be absent from the Base for training purposes (see p. 12).

Further, it acknowledges the presence of an Australian Infantry Company at Butterworth as a 'ready-reaction force' to be available to the OC RAAF Butterworth when and if required as part of the joint security arrangements, and for no other purpose. Claims of training, flag-flying and change of scenery were simply a ruse to disguise this purpose in the face of Malaysian sensitivities.

The second document is the minutes of the 11 January 1973 Defence Committee. Paragraph 1 records:

The Defence Committee had for consideration papers which examined several possibilities hinging on the withdrawal of the Australian battalion and battery from Singapore.

While the committee did consider options for training and exercising after the battalion's withdrawal Butterworth was not considered in this context. However, it is clear the committee gave consideration to the security of Butterworth. At para 22 they made a telling point:

No early decision or action in regard to the RAAF at Butterworth seems desirable. However, it has been the practice to rotate one company at a time from the Australian, UK and NZ battalions in the

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ANZUK Force to Butterworth for security duties. We should inform the UK and NZ governments that, when the Australian battalion is withdrawn, this task will be carried out by an Australian Company with the rotation being mounted directly from Australia.

Paragraph 28 lists a number of recommendations, the last being at sub-para. (e):

when the Australian battalion is withdrawn, the requirement for a company for security duties at Butterworth will be met by providing the unit on rotation from Australia. This could be presented publicly as being for training purposes.

Members of the Defence Committee included service chiefs, and the secretaries of the Departments of Defence (Sir Arthur Tange, above), Prime Minister and Cabinet, Foreign Affairs and Treasury. It is quite clear that Australia's peak defense committee understood the purpose of the Army presence at Butterworth was 'for security duties'. Training was only mentioned in relation to Butterworth as a ruse to hide the real purpose for the company's presence, as acknowledged by Tange above).

Minutes of a subsequent meeting of the subordinate Chiefs of Staff Committee, dated 17<sup>th</sup> October 1973 and marked 'CONFIDENTIAL', record that the Chief of Air Staff 'supported the CNS's [Chief of Naval Staff] comment that in moving away from Butterworth for the training, the Committee was losing sight of the primary task of the Company. Clearly, in the minds of the Chiefs of Staff, training was a secondary task.

Because the real reason for the RCB's deployment, 'security duties at Butterworth' is contained in a Defence Committee document classified 'SECRET' at the time and that the 'training purposes' was used as a ruse any communication about the role would be strictly on a 'need to know' basis. Clearly, the August 1973 document referred to by the NOS Branch, emanating from the subordinate committee, which 'advised of the new RCB rotation arrangements' with its clear reference to overseas training in harmony with Government policy was part of the deception.

Also relevant to the case is a Memorandum from the Australian High Commission in Kuala Lumpur to the Secretary of the Department of Defence and others dated 18 September 1973. It is clear from this that there were no guarantees that training with Malaysia forces could be guaranteed at the time.

[Para 2] ... There has been absolutely no willingness on MINDEF's [Malaysian Ministry of Defence] to exercise Malaysian ground forces with ANZUK forces. However, the willingness to have our Company carrying out training with Malaysian ground forces on bi-lateral basis was most encouraging.

[Para 3] The only problem which emerged is the one which we have suspected for quite some time and have reported separately to another area in the Department of Defence. At present there is no regular program for battalion or parts thereof to engage in formal training exercises in the sense that we understand them in Australia. MINDEF officers lamented that notwithstanding their efforts to have at least one battalion continuously under training they as yet have been unable to achieve this objective. Furthermore, they were unable to foresee when such an objective was likely to be realised...

[Para 4] They thought it more likely that any combined activity would be on an ad-hoc basis ...

Which raises the question: 'What training on a regular basis could be carried out in Malaysia by the RCB that could not be realistically done in Australia at less cost to the Australian tax payer?'

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It must be noted that:

- In 1969 the army did not have a permanent presence in Butterworth. It was subject to battalion training requirements in other parts of Malaysia.
- The decision to rotate the RCB on a three monthly basis from Australia was made in light of the decision to withdraw the Australian Battalion from Singapore.
- This decision was a significant increased commitment to BAB, especially given the additional cost of rotating troops from Australia.
- In 1969 the company detached to BAB remained under Army control. The 1973 directive that training away from BAB required the approval of the AOC Butterworth effectively placed control of the RCB with the RAAF.
- The Defence Committee minutes of January 1973 clearly identify the purpose of the RCB deployment as 'security duties'. Training was used as a cover.
- Any training with Malaysia forces could not be guaranteed.

Evidence presented above also demonstrates the increased concerns of Australian Service Chiefs for BAB security expressed in October 1975. This clearly demonstrates a security threat requiring an armed response.

The final document, dated 29 Nov 82, is a directive from the Chief of Air Staff to the AOC Operational Command. It again refers to a training role, states that the Company was available if needed for the protection of Australian assets and property, and that it was not to be 'employed operationally outside the Air Base Butterworth perimeter'.

### **Why does Defence Ignore the Action of the Defence Committee and Secretary of Defence?**

Defense claim that their 'review examined official Government and Defence Force correspondence available within Defence and from the Australian War Memorial and National Archives of Australia.' They present as part of their evidence a minute of the Chiefs of Staff Committee to show that the primary role of the RCB as training. Yet they ignore two 'SECRET' higher level documents clearly showing the deployment of the army company was for to contribute to Base security. They have also ignored a subsequent Chiefs of Staff meeting recording that the CAS 'supported the CNS's comment that in moving away from Butterworth for the training, the Committee was losing sight of the primary task of the Company'.

Why has Defence failed to address this evidence?

### **The Training Argument is Illogical**

The training argument is illogical.

- When the decision to rotate the RCB from Australia was made it was recognised there was little opportunity for training with indigenous forces for the foreseeable future.
- Historically the Australian Army has conducted jungle warfare training at Canungra in Queensland. Canungra was used throughout the Vietnam era. Any number of air bases in Australia were available to train army personnel in air base defence. Overseas deployment for training purposes in the absence of opportunity to train with host nation forces incurred an unnecessary cost to the Australian taxpayer.

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- That the RCB was involved in armed patrolling and Quick Reaction Force duties that were in effect 24 hours a day is not disputed. Weaponry included. 7.62 mm General Purpose Machine Guns M60, 7.62 mm Self-Loading Rifles L1A1, 5.56 mm Automatic Rifles M16A1, 66mm Rocket Launchers M72 (and its replacement the L1A2), 84 mm Medium Range Anti-Armour Weapon L14A1, 40mm Grenade Launcher M79, 40 mm Grenade Launcher M203 (mounted on the M16A1, Claymore Mines M18A1 and Hand Grenades Fragmentation M26. These are the standard weapons that armed a rifle company over the period in question, and live ammunition for all of them was both available at all times for the QRF, and, depending on the degree of risk at the time and command decisions by the RCB Officer Commanding (and cleared by the BAB RAAF commander) carried in accordance with guidance from Army's Mounting Authority, HQ Field Force Command and able to be used in accordance with specified Rules of Engagement (Rifle Company Butterworth Supporters Group; Linwood, R, 2014).
- The use of live weapons, especially of the type used, in a training role would add an unnecessary level of risk to all personnel on the Base, the majority of whom were not involved in training, as well as civilians near the base. These included Australian service families living close by, workers in the adjoining rice paddies, and travellers on the heavily congested highway between Penang and Thailand running along the Western side of the base. An accidental weapon discharge in these circumstance had the potential to cause real embarrassment to the Australian Government both in Malaysia and Australia. Armed patrolling only makes sense in the presence of an armed threat.
- The April 1974 mortar attack on Sungei Besi air base near Kuala Lumpur was of the type foreseen in the 1971 Butterworth security assessment.

### Other Objections

Other evidence presented by Defence is, as stated above, either reliant on a retrospective assessment or a consideration of matters unrelated to the relevant legal parameters. Yet when the facts underpinning the claims made by Defense are examined they only strengthen the claim for 'warlike service' classification. This evidence reveals that both air force families and military members were considered at risk by senior officers.

### Shared Defence Emergency Plan not Activated

The Review document, at paragraph 24 and following, discusses the shared defence arrangements in place at BAB. At para 26 it states: 'There is no evidence that this Op Order was located or considered within Defence as part of RCB matters before May 2011. Specific arrangements for Base defence are given in paragraph 29:

The shared defence responsibilities of these forces were:

- a. Malaysian personnel were responsible for external defensive operations and access to the Base.
- b. RAAF personnel were responsible for internal defence activities. Inside the Base perimeter, the RAAF Police and Airfield Defence Guards, with guard dogs, provided the broad Base security functions. The remaining RAAF members comprised Defence Flights, formed from the six RAAF squadrons on the Base, when the GDOC [Ground Defence Operations Centre] was activated. Each Defence Flight was responsible for the close protection of its squadron aircraft and/or operational assets and other service assets in the same locality.

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- c. RCB was shown in the GDOC organisation chart as one of 12 ground defence force elements ... when deployed to Air Base Butterworth ...

Then, at paragraph 30 it says:

It must be stated that the foregoing defence activities and responsibilities were only in place during a shared defence emergency at Butterworth. In that the Office of Air Force History have advised that, following the issue of the Op Order, the GDOC was never activated due to a shared emergency, then the nature of service must have remained peace time subsequent to 8 Sep 71.

The first point to note is that this document is dated 8 September 1971 when, as seen above, there were no plans to withdraw the Australian Battalion from Singapore.

Also of interest is the fact that in the documents sighted by the author, which date to the end of 1975, there is no reference to Airfield Defence Guards (ADGs) in any security role at BAB as is claimed to have been the case by Defense. In 1975 the CAS advised the Minister that ADGs may find greater acceptance with Malaysia in an off-base defensive arrangement (Rowland, 7 October 1975, para 4):

... No RAAF ground defence flights are established at Butterworth, but four flights are established at Australian bases. Their employment off base in their primary ground defence role may be more acceptable as they can be readily identified as protecting RAAF assets as part of a joint defensive arrangement.

### Changes Post September 1971

In a 'CONFIDENTIAL' handwritten minute, 'ARA INFANTRY CO AT BUT', dated 11 Oct 74, Wing Commander J.I Brough noted:

[Para 1] On 10 Sep 74 I spoke with Maj Roy Le Roy, SO2, DMO&P (Army) re the ARA rifle coy at BUT. He said that prior to Jul 74 the Army interpretation of ASSP 1/73 "Plan Asbestos" was that the coy was primarily in the area for training, incl training with the Malaysian Army. However, since that time the coy has had the security of AUST assets, property and persons at BUT as its primary task. But for political reasons it was not possible to state this in low security classification documents.

[Para 2] Since Jul 74 a minimum of two pls [platoons] plus and elm [elements] of coy HQ always at Air Base BUT. One pl may be away on exercises at any one time, incl exercises in Johore. This pl has rear link comms with BUT.

[Para 3] Each pl currently has one exercise away from the base during the coy's period at BUT. This may increase in the future, but will not change the arrangements for a minimum of two pls at BUT.

In a later handwritten 'SECRET' minute Wing Commander Brough dated 3 December 1974, 'Butterworth Brief for Ministerial visit Dec 74' advised at paragraph 2.b:

Emergency security measures for the protection of Australian assets and property is in the hands of the Australian Infantry Company, with at least two platoons on call. They are assisted in the first stage by a flight (platoon) made up of BSQN personnel, and in the second stage by flights from 3 Sqn, 75 Sqn and 478 Sqn. The RMAF has a similar two stage system.

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### Evidence Reveals Significant Changes Post 1971

Evidence cited above reveals a significant change in security arrangements since those outlined in the 1971 document referred to by Defense.

- In 1971 the ARA Company was not at BAB all year round because of training commitments with the Battalion in Johore. By September 1974 at least two platoons were stationed permanently at BAB with security their main role.
- The December 1974 minute states that the RCB had prime responsibility for the protection of Australian assets and property. They were assisted by a Base Squadron flight and, in the second stage, by flights from other units. In 1971 RAAF units had the responsibility for security as would be expected when the ARA Company was not always at BAB.
- That flights from numbers 3, 75 and 478 squadrons may not have been utilised in a shared defence emergency does not negate the fact of defence arrangements consistent with those applied against an armed threat in other active service settings. These other flights only had a role in a situation requiring a second stage response.

### A Coordinated Defense Plan Appropriate to the Threat Assessment

A further 'SECRET' document, *Malaysia: The Threat to Air Base Butterworth*, (JIO Draft August 1975) under the headings *Security Measures to Protect Base* and *Present Base Security Arrangements*, provides informative commentary on arrangements existing at the time. The RCB provided specialist ground defence skills that were not possessed by RAAF personnel. It provided a quick-reaction force on a daily basis.

[Para 7] To support the operational function of Air Base Butterworth in addition to aircraft and personnel there are considerable installations and equipment located in areas that have been designated Vital Points (VP) for defence in an ANZUK/Malaysia shared Defence Plan for the protection of the Base in an emergency. Broadly speaking the Officer Commanding RMAF has overall responsibility for the protection of the Base throughout each 24-hour period, and the Officer Commanding RAAF is responsible for the point defence of RAAF aircraft and operational facilities and the protection of RAAF families.

[Para 8] To assist OC RAAF an ARA Infantry Company is permanently available at Butterworth as a quick-reaction force ... but it may be engaged in local training from time to time ... Other support is provided by RAAF defence flights made up of RAAF non-specialist ground-defence personnel ...

[Para 10] The RAAF Mirage flight lines are not guarded during working hours when they are under surveillance by RAAF personnel; outside these hours they are floodlit and guarded by pairs of armed RAAF Security Guards with two dogs. RAAF Service Police carry out patrols in radio-equipped vehicles at irregular intervals every night, and during the patrol they check the security of Vital Points. They make reports to the Duty Security Controller located in the RAAF guardroom.

[Para 11] The ARA Company assists with the protection of RAAF personnel, property and shared facilities within the Base. It provides a section (normally 10 men) as a quick-reaction force from 1800 to 0600 hours daily.

The comment in paragraph 8 above regarding RCB training must be seen in context. Two other documents cited above state quite clearly that at least two platoons remained on call at BAB.

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Paragraph 8 also states that the RCB was ‘permanently available’ and paragraph 11 confirms that a section provided ‘a quick-reaction force ... daily.’

This document confirms:

- The RAAF security guards were armed. Armed guarding is clear evidence that this was not peacetime service.
- RAAF Service Police patrolled at irregular intervals throughout the night, checked the security of Vital Points, and were in radio contact with the Duty Security Controller.
- The RCB provided a permanent quick-reaction force throughout the night to provide a specialist ground defence response to security incidents.

This was clearly a coordinated security plan to respond to the small scale isolated threats identified in threat assessments such as that completed in 1971 and subsequently.

### Increased Security Measures in Light of Increased Security Concerns

On 3 April 1975 the CAS (Rowland) advised the Minister regarding the security situation in Butterworth.

[Para 1] OC Butterworth has advised that rocket attacks have taken place at RMAF Base Sempang (Kuala Lumpur) and a military installation at Penang on 31 March and 1 April 1975. The RMAF has also advised of possible threats to Butterworth.

[Para 2] Increased security arrangements have been implemented at Butterworth including controlled access to the base and vehicle search, dispersal of aircraft and patrols of aircraft lines. The RMAF has also planned dispersal of their aircraft to other bases.

[Para 4] The period of tension is expected to last until at least 22 April and probably for a further month.

[Para 5] There is some feeling among the Malaysian authorities that this activity is being spurred on by successes in Vietnam. However 6MIB (Malaysian Infantry Brigade responsible for area security) has reported that they do not consider the activity to be connected with operations in Vietnam.

On 7 April 1975 the CAS (Rowland) advised the minister in a ‘SECRET’ document *Butterworth Base Security and Security of C130 Aircraft in South Vietnam* at para 1 ‘increased security arrangements have been implemented at Butterworth, including:

- a. increased patrolling and guard post manning by Malaysian Military Police;
- b. tightened control of access to the base, and vehicle search of all civilian vehicles entering and leaving the base;
- c. an extension of RAAF police dog patrols;
- d. the use of Australian Infantry Company personnel on picket duty; and
- e. limited dispersal of RAAF Mirage and C47 aircraft.

Annex A to HQBUT 5/1/AIR (72) dated 11 July 1975 ‘SECRET’, responds ‘to specific questions relating to the security of Air Base Butterworth ...’ These questions are not repeated in the document. The answers following confirm communist activity in areas adjacent to the Base and confirm the implementation of a local defence contingency plan by the OC RMAF Butterworth.

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Question 1. 6MIB [Malaysian Infantry Regiment] is responsible for the conduct of operations and the preservation of public order in the States of Perlis, Kedah, Province Wellesley and Penang. Preservation of public order would only be implemented if this task was beyond the capability of the Malaysian Police.

Question 2. d. Isolated CT incidents and consequent Security Forces follow-up operations adjacent to Air Base Butterworth have been reported in HQ Butterworth Intelligence Reports to DAFI.

Question 4. Local authoritative sources have stated that no known Malaysian Security Force contingency plan exists for the reinforcement of Air Base Butterworth. It is not known if such a plan exists at Ministry of Defence. The locally [sic] plan which has been implemented once in 1975 is for troops to be deployed to the Air Base from either Penang or Sungei Patani on request from OC RMAF Butterworth to HQ 6MIB. The size of this force is very much dependant upon required reaction time and availability of Security Forces in the area, as 6MIB is normally committed to CT operations in sensitive areas, particularly on the Thai/Malaysian border.

On 2 August 1975 a 'SECRET' Cipher message from HQBUT to DEFAIR Canberra 65 GL Section, and as information to other recipients (Farley) reports on increased security measures at the Base following evidence of 'suspected attempted entry to Air Base Butterworth' and the displaying of 'a large banner celebrating CPM (ML) anniversary and 2 communist flags ... on large billboard on Alor Star road 2 and one half miles from Air Base Butterworth':

Increased security consisting of 5 standing patrols of half section strength deployed during hours of darkness, one section picket of aircraft lines and AIRMOV area and normal ready reaction section will continue until at least 8 August. Belated report states 2 uniformed and armed CT sighted on 27 June near Bukit Chempedak approx. 3 miles northeast Sungei Bakap Province Wellesley.

Again, on 7 October 1975, in a 'SECRET' document *Security of Butterworth*, the CAS, J. A. Rowland informed the Minister of security arrangements at the Base.

[Para 1] Since my Minute of 7APR75, the security arrangements at Butterworth have been maintained, but due to the difficulty of maintaining the additional level of security on dispersed Mirage and C47 lines, dispersal arrangements have been modified.

[Para 2] The recent intelligence information concerning possible CTO intentions to launch rocket attacks on bases in Malaysia increases concern regarding the security of areas around the base ...

[Para 4] On-base security arrangements to protect against sabotage or to react quickly to any attempted incursions by CT groups are satisfactory. An ARA Company on three monthly rotation provides a quick reaction force against attacks on the base, but are currently prevented from operations off the base ...

### Key Points

Security arrangements at BAB were ramped up in response to an increased threat of CT attacks. These included:

- standing patrols, increased picketing and the extension of RAAF Security Guard patrols; and
- limited dispersal of aircraft.

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**Note:** According to Mr Robert Cross of the RCB Review Group, ‘standing patrols are basically a small group of soldiers about 4-8 persons, positioned forward of a defensive area to give early warning of enemy approaches, armed and ready for action if operating in a warlike situation’. This explanation harmonises with on line references such as Wikipedia, UNTERM and the The Free Dictionary.

In addition:

- the RMAF had plans to disperse aircraft to other bases; and
- the OC RMAF had initiated a local contingency plan for the defense of BAB.

### Defence’s Assertions Demonstrated to be False

Defence state that as the joint operational plan for the defence of BAB ‘was never activated due to a shared defence emergency, then the nature of service at Butterworth must have remained peacetime service subsequent to 8 Sep 71’ (Review, para 30). This assertion is demonstrated to be false by the facts as revealed in documents classified as ‘SECRET’ at the time:

- There was a clearly expressed expectation that an attack could take place at any time without warning. Real concern was expressed over the acquisition of rockets by the CTs and of their intentions to launch rocket attacks on military bases.
- While Military Commanders at the time had no reason for believing BAB would be singled out for attack, neither did they have any reason for expecting that no attack would occur.
- In response to these concerns standing patrols and increased picketing were implemented. RAAF Security Guards were armed, the RCB provided a QRF from 1800 hrs to 0600 hrs daily and aircraft were dispersed as a protective measure.
- Clearly, arrangements to respond to an armed threat were in place and the level of security increased as commanders considered appropriate to the intelligence received.

As Clarke says at paragraphs 11.59 and 11.60, military commanders make decisions regarding the likelihood of attack and the need to protect an area without knowing the intentions of the enemy. ‘If then, the military authorities consider that a particular area is vulnerable to attack and dispatch armed forces there, they are sending forces into harm’s way, or danger. This was the second point made by Mohr - that veterans ordered to proceed to an area where they are endangered by the enemy will not only perceive danger, but to them the danger will be an objective one based on rational and reasonable grounds. In these circumstances, what the historian says he or she has learned since the war about the actual intention of the enemy is hardly relevant.’

Defence’s argument that the plan for a shared defence emergency was never implemented is, as Clarke says, ‘hardly relevant.’

### Civilian and Domestic Environment – Butterworth Region

From paragraph 32 on the Review document outlines the civilian and domestic environment in the Butterworth region. It includes as evidence to support the peacetime service claim the location of the Officers mess, married quarters, hospital and recreational areas outside the base fence.

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33. The RAAF Officers Mess, RAAF Hospital and Boat Club, located directly opposite the Base and across the separating main road (the western boundary of the Base), at all times had fully open access with no protective arrangements in place.

34. Similarly, married quarters for RAAF families were located across the same road (nearest about 30 m from the Base fence) with no active protection and no restrictions on car, taxi or bus travel in the Butterworth region, and travel via ferry to Penang Island.

Again, 'SECRET' documents reveal a different picture.

### RAAF Families at Risk

- The ANZUK Intelligence Group at paragraph 13 states: 'The main static defence of the Base east of the north-south road is a perimeter fence, due to be completed at the end November, 1971.' BAB was in use throughout the earlier Emergency. At the time the RAAF received ownership of BAB in 1957 the Australian government decided to base three operational units there, which meant providing accommodation for the families of RAAF members. This despite Malaya being 'an 'operational' zone, albeit a fairly benign one ... (RAD School Magazine, Vol. 38). While Defense's objection regarding the presence of families is largely irrelevant, it appears more likely than not that married quarters had never been fenced.
- Fencing of the areas under question was advised against by Wing Commander J. I. Brough (undated, security classification not identified):

I could not support the request for a perimeter fence, particularly surrounding the area of the Officers and SNCOs messes, and the hospital. A fence which is not, and will not be, under constant surveillance is of no use as a ground defence measure. Indeed, it may have the opposite effect to that intended, giving a false sense of security.

- A 'CONFIDENTIAL' RAAF Families Protection Plan, dated 8 May 1972, states at paragraph 1 (1): 'There is a threat of racial communal disturbances to families resident in Base Married Quarters, housing estates and hirings in Butterworth and Penang'. This document alone should be sufficient to demonstrate that Butterworth was not normal peacetime service.
- A 'SECRET' JIO draft *The Threat to Air Base Butterworth*, dated Aug 75 (p.p. 5 & 6), describes the operation of the Families Protection Plan at the time:

The OC RAAF Butterworth has delegated to the CO Base Squadron the responsibility of the Families Protection Plan. The Assistant Provost Marshal (APM) has been delegated the responsibility for implementing the operational aspects of the plan. To facilitate the function of the Plan the APM maintains two control centres that direct a network of wardens within zoned areas of Butterworth and Penang. All zones and the control centres maintain continuous radio contact. In an emergency families would be directed to guarded safe areas.

On 7 April 1975 the CAS, AM J.A. Rowland, informed the Minister of 'increased security arrangements' that had 'been implemented at Butterworth, including arrangements for the protection of families.

To supplement the Australian forces available for security duty, including off-base family security patrols, nine RAAF Service Police (SP) departed Australia on 4 Apr 75.

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- By 1975 it appears the presence of families may have added a level of complexity to decision making that senior military officers could have done without. This is shown in the 'SECRET' draft Department of Air document *Brief for DCAS Concerning Security of Butterworth*, 564/8/28 (undated but internal evidence verifies October 1975). Under the general heading 'Effect of Attacks on RAAF Butterworth' it states at paragraph 12 that the 'obvious and immediate effects from rocket mortar and other forms of attack' would be 'the death and injury to personnel including families ...' This was considered likely to result in political agitation in Australia 'for the withdrawal of RAAF units ... or at least dependent families ... Such a 'withdrawal' would be politically advantageous to the CTs and potentially damaging to Australia's prestige in SEA.' It was also considered that 'An increase in the level of defence preparedness including signs of defensive works against rocket attacks' could result in 'an unestimated number of families' demanding 'repatriation to Australia' (para 13. 12(b)).

Evidence cited above clearly shows that the types of attack listed in the draft brief were considered a definite possibility at the time. Paragraph 26 of the draft brief considered that adequate protection could 'be provided by simple shelters. However, the number and disposition of shelters required to provide protection throughout the base and adjacent married quarters may not be justified by the present threat.' It concluded at paragraph 27 that the 'most important requirement is to ensure the base has adequate emergency response arrangements to deal with casualties and to recover from the effects of an attack.'

RAAF families had become inadvertent pawns in Australia's international relationships, exposed to risks normally reserved for Defense personnel in other than normal peacetime service.

### Curfews in the Butterworth Region

The Straits Times of 14<sup>th</sup> September 1975 reports a curfew was imposed 'In certain areas in the three districts of Butterworth' from the following day. Announcing the curfew, Penang's Chief Minister Dr. Lim Chong Eu said that the curfew did not apply to through traffic north or south bound but that 'under no circumstances would they be allowed to stop at any point on the route'. 'SECRET' FARLEY document A107 of 25<sup>th</sup> September 1975 confirms 'curfews remain in place in three districts of Province Wellesley'.

According to the 1971 Threat Assessment at paragraph 33, Malaysian Security Forces had 'restricted road travel around the Gunong Bongsu Forest Reserve east of Kulim, and about 15 miles from the Base, an indication of official concern for the safety of military and civilian road traffic in an area of continuous CT presence'. Contrary to claims made by Defence, travel restrictions existed.

### Schooling for Commonwealth Forces Children during the Emergency and Confrontation

Throughout the 1948 – 1960 Emergency families accompanied Commonwealth service personnel to Malaya and schooling for their children was provided at Butterworth, Penang, the Cameron Highlands and in Singapore (RAAF School Penang). At the time the RAAF received ownership of BAB in 1957 the Australian government decided to base three operational units there, which meant providing accommodation for the families of RAAF members. This despite Malaya being 'an 'operational' zone, albeit a fairly benign one ... (RAD School Magazine, Vol. 38). RAAF School Penang operated continuously from its opening until it was closed in 1988 (RAAF School Penang). This period

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included the final years of the Malayan Emergency and the Indonesian Confrontation, during which service at Butterworth is recognised as warlike.

### Penang, a Popular Rest and Recreation Destination during the Emergency

Defence also point to the fact that 'Penang was a formal Rest and Recuperation leave centre' during the Vietnam Conflict (ending 1972) and that there were no travel restrictions in Penang and Province Wellesley. Penang was likewise a popular 'rest and relaxation centre' for many Commonwealth troops and support personnel', many of whom drove from Kuala Lumpur while others caught the overnight train, especially after 1955 'when it was evident that the communists were on the run and the government had gained the upper hand' (MM2H Malaysia My Second Home Forum). Obviously there were no restrictions on these personnel during the Emergency. Province Wellesley, as reported above, was declared 'white' in August 1954, meaning that all travel restrictions in the area were lifted.

Again, the evidence claimed by Defence is not supported by the facts. More importantly, they are hardly relevant and not matters that require consideration according to the criteria governing defense awards and service recognition.

### Key Points

- A 'Families Protection Plan' was maintained at Butterworth because of perceived risks to RAAF families. In 1975 this was boosted by nine additional RAAF Service Police who were to be involved in off-base patrolling.
- The likelihood of attacks on BAB exposed families to the risk of death or injury but it was decided to retain families in Malaysia because of the political fallout that would follow their repatriation to Australia.
- Curfews, and therefore travel restrictions, existed within the Butterworth region.

### Post 1975

Most evidence uncovered to date by Butterworth veterans covers the period 1971 to the end of 1975. One other informative document is the 'RESTRICTED' *END OF TOUR REPORT BY B COY 1 RAR, 9 DEC 81 – 17 FEB 82*, dated 16 February 1982, authored by Major R.J. Linwood, Officer Commanding (Linwood, 1982). This clearly shows the continuation of warlike service at BAB.

Under the heading 'Quick Reaction Force (QRF) the Major reported:

[para 8] The requirements of Reference A were met. No real incidents occurred, however twice daily and twice nightly the QRF was reacted on drill callouts. No operational tasks were issued by OC RAAF Base Butterworth.

[para 9] Security levels were increased over the Christmas/New Year period, the Chinese New Year and Thaipussam (Indian Religious Period) as a routine precaution.

[para 10] The same system of continuously maintaining three full QRF sections was adopted. However, extensive training programs were continued and the problems of boredom and weariness were not experienced due to correct training management by the platoon commanders during the time their platoon was assigned QRF responsibilities.

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[para 11] Substantial liaison was effected with the RMAF Commando Force (Handau) which is also stationed at BUTTERWORTH with similar duties to minimize the possibility of patrol clashes.

A document was prepared and submitted to FF Comd listing key phrases in Bahasa Malay, English and phonetic Australian, to be included in future preparatory programs. No incidents occurred, but the very real probability exists for a clash, as Handau troops now man the armed sentry posts on the perimeter, some of which are uncomfortably close to Key Points (KP). As they are without communications, usually with weapons in the action or instant condition and practise different rules of engagement is not hard to imagine the possibility of a clash between one of these posts and an Australian QRF drill reaction to nearby KP.

[para 12] GDOC and other necessary agencies here are aware of this problem and currently close liaison has been sufficient to prevent any clashes. The same situation cannot be guaranteed in a period of threat.

The above demonstrates the continued QRF role provided by RCB. The para. 8 comment 'No real incidents occurred ...' would only have been included if there had been an expectation that there could have been. As has been demonstrated earlier, increased security measures were implemented when considered necessary. Major Linwood also confirms that the Malaysian Commando force on security duty at BAB were armed ready for immediate response to any threat and that this posed a real threat to Australian soldiers on QRF duties.

At paragraph 15 the Major recommended a sniper team be included as part of future companies because of 'their capacity for discriminatory and highly selective long range shooting in the event of hostilities ...' This recommendation only makes sense if it were considered there was a real threat of hostilities.

Comment on the opportunity for off base training are included at paragraph 38. Again they confirm the presence of an armed threat highlighted by increasing communist activities and the need to carry live rounds off the base.

The opportunities for training both on and off the base are almost unlimited ... However, an important factor to note in view of increasing CT incidents in the country is the desirability of taking adequate protective measures when training off base. In accordance with Reference A, Annex D, it was decided to issue ball ammunition to selected personnel during most outside training. Approval was obtained from OC RAAF Base to do so.

Annex C to the report provides a summary of offences committed by the Company members whilst at BAB. Each offence listed starts with the abbreviation WOWS, short for 'While on War Service', again showing the warlike nature of service at BAB.

As the RCB rotations were three monthly, mandatory post-deployment reports such as the above were required to be submitted to the Mounting Authority, HQ Field Force Command. These reports, evidenced by the sample above, were required by RCB Mounting Instructions such as HQ Field Force Command Staff Instruction 2/79 and others like it before and after B Coy 1 RAR's. These reports form both a continuous official record over the period in question of what the RCB actually did to meet their mission, and are supported by a sizeable photographic record which further lends

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evidence to the conduct of “warlike service” including the carriage of live ammunition and other fighting capability both on and off BAB (Linwood, 2014).

### Conclusion

In a ‘SECRET’ document, *Butterworth Security*, 564/8/28, dated 14<sup>th</sup> October 1975, the DCAS (Deputy Chief of Air Staff) AVM N.P. McNamara, outlines some of the difficulties encountered by military commanders facing a threat of the type posed by the Malaysian Communists. The CT had mobility, freedom of movement, a selection of targets and weapons with which to attack those targets. While the risk of attack on Butterworth itself may have been reasonably low, the consequences of such an attack was ‘extremely high’. To ignore the threat was to court disaster.

[Para 3] CT operations are particularly insidious from a defensive viewpoint. The terrorist has freedom of movement in the civil community, a reasonably wide choice in the selection of targets and types of weapons or nefarious explosive devices which can be used to attack or sabotage personnel, assets and facilities. The defensive penalty in the face of these kinds of threats is the diversion of large numbers of security force personnel to counter possibility of CT attacks. To ignore the threat of attack is to risk an extremely high loss in terms of assets with attendant military ignominy, and in terms of political, psychological gains for the CTO. The extent to which both Malaysian and Australian forces are prepared to engage in protracted defensive operations in a compromise situation is the question to be determined.

The evidence discovered by RCB veterans and presented in this paper shows that the threat was not ignored. From as early as 1971 there was a clear expectation that the Base could come under attack at any time without warning. As part of the response to that threat an army rifle company was deployed to BAB to provide a specialist ground defence presence. It was involved in armed patrolling and employed as a Quick Reaction Force.

The threat escalated throughout the early 1970s resulting in the implementation of increased security measures including increased patrolling, the construction of aircraft revetments and additional RAAF Service Police being sent to Butterworth to protect RAAF families who were also considered to be at risk.

Service at Butterworth during the Communist Insurgency War is at least equivalent to that rendered at Ubon, Thailand in the 1960s. The evidence also indicates that there was a higher risk to personnel at BAB during this period than at any time after Province Wellesley was declared a ‘white area’ in 1954 during the 1948-60 Emergency.

When all the facts are considered the evidence clearly supports the claim for recognition of service at BAB throughout the 1968-1989 Insurgency War as warlike. Anything less leaves Butterworth veterans ‘overlooked or degraded’ when compared to those who have rendered ‘comparable service.’ Justice has been denied this group for too long and any further unnecessary delay can only compound the injustice already suffered.

Former Defense Minister, the Honourable Stephen Smith, in what appears to be the only honest statement emanating from the Department of Defense, spoke of the RCB role in an address given at Curtin University on 10 November 2011. Addressing the 35<sup>th</sup> meeting of the *Australia Member*

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*Committee of the Council for Security Cooperation in the Asia Pacific* Smith made no mention of training, a strange omission if this was the prime role of the RCB.

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

### Recommendations

1. That all Australian military personnel serving at BAB during the 1968-1989 Communist Insurgency War be granted warlike service classification accompanied by all medallic and repatriation benefits accruing from such service.
2. Similarly that warlike service classification accompanied by all medallic and repatriation benefits accruing from such service be granted to all Australian military personnel who served in other places in Peninsular Malaysia during the Insurgency War, such as those RAAF personnel at Alor Star in the 1970s and Australian Army Advisors who may have served in different locations in the country.
3. That the Australian Government communicate with the Malaysian Government to extend the qualifying period for the Pingat Jasa Malaysia (PJM) to the end of the Communist Insurgency War as originally offered by Malaysia.

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