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7 April, 2022

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Submission to Inquiry - Mister Michael James Connolly

Part 1 – Name of Inquiry

Name of Inquiry *

Medallic Recognition for Service with Rifle Company Butterworth

Part 2 – About the Submitter

Title or Rank *

Mister

Surname *

Connolly

Given Names *

Michael James

Postal Address *

[REDACTED]

Email Address: *

[REDACTED]

Primary Contact Number *

[REDACTED]

Secondary Contact Number

Is the Submission on behalf of an organisation? If yes, please provide details:

Yes as a member of the Rifle Company Butterworth Support Group

Part 3 – Desired outcome

Provide a summary of your submission:

Please see attached files

Part 4 - Your submission and Supporting Documentation

Award-inquiry-1.pdf

Standing-patrol-RCB-1975.pdf

Standing-patrol-1975-pg-2.pdf

Part 5 – Consent and declaration

☒ I consent to the Defence Honours and Awards Appeals Tribunal making my submission publicly available.

☒ I also consent to the Defence Honours and Awards Appeals Tribunal:

- using information contained in my submission to conduct research;

- providing a copy of my submission to a person or organisation considered by the Tribunal to be appropriate; and
- providing a copy of my submission to a person or organisation the subject of adverse comment in the submission;
- using content in my submission in its report to Government.

The Tribunal will decide which person or organisation is appropriate, and this may include:

1. persons or organisations required to assist with the inquiry; and
2. persons or organisations with an interest in the inquiry.

✓ I declare that the information I have provided is correct.

Name

Michael James Connolly.

Date

07/04/2022 /

*Mister Michael James
Connolly*

Signed by Mister Michael James Connolly

Signed on: 7 April, 2022

Signature Certificate

Document name: Submission to Inquiry - Mister Michael James Connolly



My name is Michael James Connolly, I am an ex-Serviceman who served with Rifle Company Butterworth (RCB). I conducted two tours with RCB the first tour was with C Company 1st Battalion, Royal Australian Regiment (1 RAR) 4 June to 4 September 1974 and the 2nd tour was with A Company 1 RAR 3 June to 3 September 1975.

On both tours prior to departing Townsville for Butterworth we received briefings on the Communist Terrorists (CTs) in Malaysia and in particular the threat the CTs imposed on the security of the RAAF Butterworth Air Base (BAB). We were also informed of our rules of engagement (ROE) if we had to use deadly force in any encounter with the CTs and or Belligerents that threatened BABs security/assets and personnel. At no time were we informed that this was a normal training exercise, we were informed our sole role was the security of BAB, assets and RAAF personnel and families of RAAF personnel!

We were further informed that we would be mounting a Section size (10 men) Quick Reaction Force (QRF) 24/7 for the 3-month tour, to deal with any threat to the security of BAB. I was a member of numerous QRF Section duties during both my tours at BAB. All QRF duties commenced with an orders group which included the issue of live ammunition (individual weapons were issued at the commencement of duty at 0800hrs, these were the 7.62mm SLR, 5.56mm M16 and the GMPG 7.62 Section machine gun) and covered the ROE. The QRF was mounted at 0800hrs each day with normal duties carried out till 1600hrs when the QRF Section would then be stood to in the Guard room. On weekends the QRF commenced at 0800hrs for a 24hr period till relieved by the next QRF Section, one additional member on each QRF was picqueted in the Armscote which housed the Company weapons and ready 1st line ammunition was available.

On numerous occasions (a minimum of two times at night/early morning during a QRF tour of duty) the QRF would be called out by the Duty Officer to a Key Point (KP) an example of the KPs were the hospital, power station, armouries and ammo dumps etc. At no time during a call out of the QRF were you aware if it was a practice run or an actual threat from the CTs. This would give each of us a heightened awareness and on many occasions the thought of this being a real call out was on your mind and the adrenaline would surge through you. It was not until you arrived at the KP where you would conduct dry fire and movement through the KP to secure the area from the threat; that the duty Officer would inform you it was a practice run and whether or not your performance based on Section tactics or time taken was adequate.

During my 2nd tour with A Company 1 RAR, on 5 August till 8 August 1975 the entire Rifle Company was stood to, as a result of a heightened CT presence/activity in the Province of Wellesley approximately 33 kms from BAB; along with the discovery of a large hole that had been cut in the perimeter fence of BAB.

The BAB RAAF Commanding Officer ordered the entire Rifle Company to be stood to for the period of 5 to 8 August 1975; and to mount in addition to the 10-man QRF Section 5 x 5 man Standing Patrols and a 10 man Section to mount a roving picquet on the RAAF Mirage flight line. This amounted to 45 members (not including the SNCOs and Officers) on duty each full day during that period. The remainder of the Rifle Company was on standby in the Company lines to be used as additional QRF and relief for the members on duty. Further on each Standing Patrol a Malay Soldier was attached as an interpreter and extra rifle. Each member of the Standing Patrols was armed with individual weapons including GPMG and live ammunition, once again adherence was given to the ROE. The Standing Patrols I was

involved in were conducted at the old Chinese cemetery on the Eastern side of BAB airstrip. (I have attached the documentary evidence supporting those Standing Patrols).

To date Defence has stated that RCB was solely a training exercise, this I believe was brought about by the stance taken by former Labor Government of Gough Whitlam who advised the Australian public that no Australian soldiers will remain in Sth East Asia. To cover the RAAF security issue being in Malaysia with a 2nd Insurgency (which the Govs past and present deny to this day, regardless of all evidence to the contrary) and requirement of security which the Malays could not guarantee as their military was stretched dealing with the CTs in the North of Butterworth. The RCB was implemented, and the Australian public was sold that it was training only.

Given the example, supported by documentary evidence I have supplied; I would disagree that RCB service was peace time training as handed down by the last Honours and Awards finding in 2010 and only merited the award of Australian Service Medal. My duty on those Standing Patrols along with everyone from that RCB tour, amounted in my opinion to Active Service, we had an identified threat (the CTs) we were exposed to any and all threats that may have occurred during that period 5/8 August 1975 in addition to the QRF throughout both of my tours. We were based in a country that had an identified insurgency (their 2nd Emergency and named as such by the Malaysian Government and it is now recorded as such) a threat that extended to the RCB based on our role and presence in that country. We had Rules of Engagement, we were briefed on our enemy the CTs and we acted in one part of Active Service which is the Defensive role. It is my view that we achieved our role in RCB, due to the fact BAB was never breached by the CTs or that BAB was never assaulted or attacked by the CTs. Our role was a major deterrent to the CTs inflicting any damage to the Malaysian aircraft and RAAF aircraft/assets or personnel based at the Malays largest/biggest air base.

It is my conjecture that RCB was in fact on Operations and as such was Active Service, the below is an excerpt from the Mohr report on Incurred and objective danger

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

On the assumption that we are dealing with rational people in a disciplined armed service (i.e. both the person perceiving danger and those in authority at the time), then if a Serviceman is told there is an enemy and he will be in danger, then that member will not only perceive danger, but to him or her it will be an objective danger on rational or 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.

All of the foregoing highlights the inherent difficulty with this concept of perceived and objective danger. It seems to me that proving that danger has been incurred is a matter to be undertaken irrespective of whether or not 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 the warnings given by those in authority when the task was assigned to the persons involved.

The above interpretation is exactly what every member on my RCB tours faced, we had a identified enemy the CTs, we were placed on QRF duty, we were issued with live ammunition and had an ROE and at no time on any QRF call out were we informed it was only training until the end of any QRF callout. At no time was I or any member of my 1975 RCB tour of duty informed that the Standing Patrols/Roving Picquets and QRF was training. We had an armed (as we were) Malay Soldier attached to us and we had a clear and defined enemy threat based on our orders prior to going out on Patrol. Supported by the attached SECRET documentary evidence supplied. We had an objective danger and incurred danger imposed on us by the virtue of our role in BAB as part of our RCB duties.

In closing I would like to point out that to date RCB has been denied Natural Justice on our seeking an upgrading from an award of peace time service to one of Active Service. Essentially, natural justice requires that a person receive a fair and unbiased hearing before a decision is made that will negatively affect them. The three main requirements of natural justice that must be met in every case are: **adequate notice, fair hearing and no bias**. When Defence has refused to support our claim to Active Service, we have never been given the opportunity to have our rebuttals to their claims heard or met. All supporting documentary evidence which rebuts Defences claims that our role was training have been refused to be met by Defence and further request to examine our new evidence has been met with a standard reply of no further case to answer.

Precedent, why hasn't our claim been met with the same natural justice law one would expect and warrants in a claim of this nature.

Precedent means that **judges are bound to follow interpretations of the law made by judges in higher courts, in cases with similar facts or involving similar legal principles**. Based on the Honours and Awards decisions in granting Active Service to the zones of Ubon and Diego Garcia, why? hasn't RCB been afforded the same precedent.

In closing I can only hope that my example of my duty in RCB at least between 5 and 8 August 1975 meets the criteria of Active Service and in so doing be carried across the entire RCB tours of duty from 1970 to 1989, irrespective of what did or did not occur during that period.

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TO DEFAIR CANBERRA
65 GL SECTION
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DEFARM CANBERRA
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S E C R E T FARLEY

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DEFAIR FOR DAFI.

SITREP BUTTERWORTH AND NORTH PENINSULAR MALAYSIA.

SUSPECTED ATTEMPTED ENTRY TO AIR BASE BUTTERWORTH. AT APPROX
2230 HOURS LOCAL 4 AUGUST 75 RAR PATROL REPORTED SUSPECTED
ACTIVITY OUTSIDE SOUTHERN PERIMETER FENCE. SUBSEQUENT INVESTIGATION
FOUND APPROX 4 FEET BY 3 FEET HOLE IN FENCE. REACTION PATROL
COMBED AREA TO ENSURE NO ENTRY HAD BEEN MADE. DAYLIGHT
INVESTIGATION REVEALED HOLE HAD BEEN CUT FOR SOME CONSIDERABLE
TIME AND CUT PORTION PROBABLY SET BACK IN TO AVOID DETECTION.
IT IS PROBABLE THAT ENTRY POINT MAY HAVE BEEN USED FOR UNAUTHORISED
ENTRY DURING PREVIOUS PERIOD BY PEOPLE STEALING ITEMS OF EQUIPMENT
FROM THE BASE. THERE HAS NOT RPT NOT BEEN ANY REPORTED THEFTS
TO INDICATE THAT ENTRY POINT HAS BEEN USED IN RECENT MONTHS. ON
MORNING 5 AUGUST 75 ADDITIONAL HOLE, BIG ENOUGH FOR A PERSON TO

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2/-

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CIPHER MESSAGE

2/-

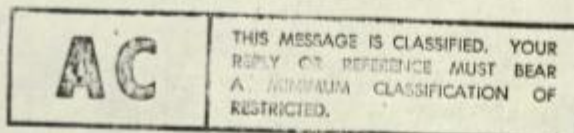
USE, WAS FOUND IN EASTERN PERIMETER FENCE. THIS OPENING ALSO
VERY OLD AND CONCEALED BY SHRUB. THERE IS NO RPT NO INDICATION
OF BEING USED RECENTLY. ON MORNING 5 AUGUST 75 A LARGE BANNER
CELEBRATING CPM (ML) ANNIVERSARY AND 2 COMMUNIST FLAGS FOUND ON
LARGE BILLBOARD ON ALOR STAR ROAD 2 AND ONE HALF MILES 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 75. BELATED REPORT STATES 2 UNIFORMED AND ARMED CT
SIGHTED ON 27 JUNE 75 NEAR BUKIT CHEMPEDAK APPROX 3 MILES
NORTHEAST SUNGAI BAKAP PROVINCE WELLESLEY.

K L Robinson
K L ROBINSON

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DUTY SIGNALS OFFICER

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