

Document ID: 450a7202a86dee61baebc34645945018b5e650ce

17 April, 2022

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Submission to Inquiry - Mr (ex-Private) Sean William ARTHUR

Part 1 – Name of Inquiry

Name of Inquiry *

Medallic recognition for service with Rifle Company Butterworth.

Part 2 – About the Submitter

Title or Rank *

Mr (ex-Private)

Surname *

ARTHUR

Given Names *

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Primary Contact Number *

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Secondary Contact Number

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

On behalf of myself.

Part 3 – Desired outcome

Provide a summary of your submission:

I contend that service at Rifle Company Butterworth (RCB) Malaysia between the years 1970 and 1989 constitute conditions for warlike service. I have provided details of my personal experiences and argue that these elements, when taken together, constitute unmistakable evidence for the Tribunal to consider a change for RCB service to be recognized as warlike conditions.

Part 4 - Your submission and Supporting Documentation

RCB-Submission.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

Sean William ARTHUR

Date

17/04/2022 /

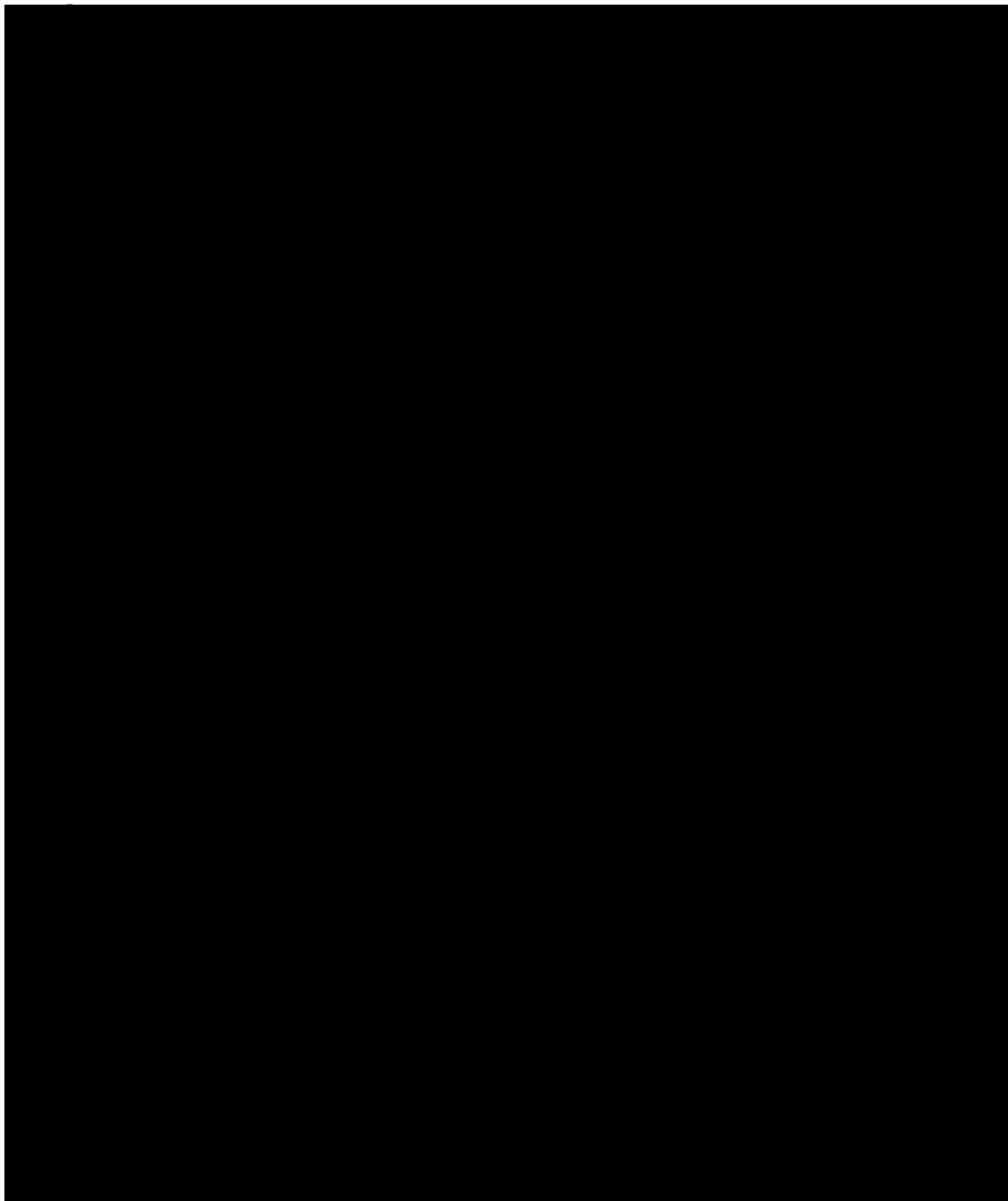
*Mr (ex-Private) Sean
William ARTHUR*

Signed by Mr (ex-Private) Sean William ARTHUR

Signed on: 17 April, 2022

Signature Certificate

Document name: Submission to Inquiry - Mr (ex-Private) Sean William ARTHUR



My Personal Experience of the Communist Insurgency in Malaysia 1968-1989 – Rifle Company Butterworth (RCB)



B Coy 1 RAR - Australian Army Rifle Company Butterworth, Malaysia 1977

Introduction

1. **It's kind of strange to think that an important and significant part of your own personal military history is based upon an official deception.** This deception encompasses 50 years and involves every single government that Australia has had in that time. Even more astounding is the fact that the distortion was openly discussed in government and military circles at the very beginning and that the real information is pretty much available for anyone to read today. The deception is part of Australia's strategic and political history and the only ones directly affected by it today are the nine thousand Australian army servicemen who participated in the conflict against communist insurgents from 1972 to 1989. It also encompasses all RAAF service personnel serving there for the same period.
2. Ours was not an actual shooting war, but it easily could have been. Our involvement was essential to keeping the insurgency "manageable level" by way of deterrence in our local strategic environment. If we had not been there protecting essential military aircraft, personal and other military assets the chances were almost certain that the Butterworth Airbase in Northern Malaysia would have been an irresistible target for the insurgents. If the airbase had been attacked, even once, and lives or materiel destroyed it would have had an

incalculable effect to the security of Australia. It would also have given new life to the defunct geopolitical “domino theory” of the 1960s. The domino theory was the deep-rooted concept that every country in Southeast Asia would topple towards communism unless the West involved themselves more significantly in that hemisphere militarily.

3. The Malaysian Communist Party (MCP) lost their first confrontation — the *Malaysian Emergency* — in 1960. But the communists were not down and out. Instead they retreated to the jungles surrounding the Malay-Thai border to lick their wounds. For the next 8 years the armed wing of the Communist Party — predominantly ethnic Chinese — regrouped and retrained for yet another offensive. The nineteen-sixties were years of revolution and armed struggle and Malaysia was no different. The continuing success by the red armies in the Vietnam war was an object lesson to the communists. They believed that Revolutionary War could be achieved *anywhere* provided determined resistance and a careless attitude to casualties were maintained.
4. China offered moral but limited material assistance to the Malaysian Communist Party under leader Chin Peng. By April 1976, the CIA estimated that there were about 2400 insurgents operating throughout Malaysia committing hundreds of small-scale attacks. The vast majority of the communist insurgency were based in the Thai-Malay border region only 120 kilometres North of the Butterworth Air Base (BAB) where we were stationed. You might suppose that given that the rifle company was 120 km from the Communist base of operations they were too far away to be much of a threat? The distance was largely immaterial. The Communist Terrorists (CT), as they were known at the time, committed attacks even in the Malaysian capital, Kuala Lumpur, which was another 500 km further south.
5. For this account, I don’t want to get too bogged down into the war itself, my intention is to give the background for Australia’s involvement in it. However, I will make the following points that really makes the Australian government’s current position very awkward.
 - *It is an uncontested fact that Malaysia was involved in a long and bloody second insurgency from 1968 to 1989.*
 - *As part of the response, Butterworth Air Base was actively involved in combat and medivac operations by the Malaysian Armed Forces (MAF). This is also an uncontested and unremarkable fact.*
 - *From 1970 until 1989, Australia established a Rifle Company at the Butterworth Air Base to provide a protective and quick-reaction infantry force for RAAF/MAF Base Butterworth during a resurgence of the Communist insurgency in Malaysia.*
 - *The Rifle Company Butterworth (RCB) were company sub-units of approximately 100 plus officers and men deployed from their parent rifle battalions residing in Australia. Most rifle companies were reinforced, containing numbers in excess of their usual establishment figures.*
 - *RCB had Rules of Engagement (ROE) with the authority to engage lethal force should the airbase be threatened by the enemy. Every Australian soldier was made familiar with the ROE which included warnings in the Malay language which most ex-servicemen can recite to this day.*

- *At the time under discussion, the fact that RCB was defending the air base from attack from MCP CT forces was open knowledge in the Australian Defence Forces (ADF) and the only reason that we were there. The infantry company not only had repeated briefings about deploying counter infantry strategies should we come under attack, we also mounted a Quick Reaction Force (QRF) and conducted assault drills in defence of BAB.*
 - *Approximately, 9000 Australian servicemen rotated through BAB over almost 20 years which translates to roughly 80 different Rifle Companies defending Australian and Malaysian personal and material during the conflict.*
 - *The Australian Government developed and operated a pretext for our secret involvement in BAB which satisfied multiple strategic problems. The public pretext was that we were an ordinary garrison force (like any other in Australia) and that we were rotated through Northern Malaysia for “training” purposes. Ask any RCB veteran — there was nothing comparable between our training in Australia and our service in Malaysia.*
 - *The RCB Company was heavily armed and the QRF had a full combat allotment of ball ammunition at all times. Every QRF counter-attack drill on the air base was conducted with live ammunition, including belt fed 7.62 mm for the M60 GPMG during dry practice assaults through Vital Points (VPs) (more about this later). In Australia live rounds were collected from us within minutes after a range shoot. In Malaysia we were fully armed and battle ready every second of duty.*
 - *The QRF acting in response to a VP call-out had no way of knowing if it was a drill or the base was under actual attack until they arrived at the location. This was deliberate because in a war situation any emergency call might be the real thing. Any time the QRF dismounted from the truck during a call-out they could have been involved in an active enemy contact.*
 - *Unlike the folks at home being fed a pretext about training, the command at the RCB could not afford their soldiers believing such invented stories. Soldiers on the ground were instructed about the truth and the real extent of the threat because their lives, and those of their comrades, depended upon knowing that truth. So, a schizophrenic policy was in play where the soldiers were instructed on our real purpose and Australians at home were told that their servicemen were in Malaysia for training purposes. This odd policy has continued to this day.*
6. There have been several reviews over the years concerning RCB, in part brought about by outraged ex-servicemen, where the public statements about the pretext for being at Butterworth Air Base (BAB) has become the real reason for our being there. The public deception has now not only overtaken the real truth, but it has become a house of cards upon which the real truth rests. Several governments now have relied upon reviews, which in the end revolve around public statements made at the time. Each review rests on the same lies, and with every review the truth is buried deeper and becomes that much more difficult to reveal. For the most part questions in Parliament about RCB during the time of the war is simply answered with the findings of previous reviews including:

I. The 1993 Committee of Inquiry into Defence Awards,

II. The 2000 Review of Service Entitlement Anomalies in Respect to South-East Asian Service 1955–1975

III. The 2003 Review of Veterans' Entitlements,

IV. The 2011 Defence Honours and Awards Tribunal Inquiry into Recognition for Members of Rifle Company Butterworth Service in Malaysia between 1970 and 1989,

V. The Medallic Recognition Joint Working Group on Service in South-East Asia 1950–2011 published in 2013; and

VI. Mr Raymond Fulcher's 2020 appeal for recognition (DHAAT File #2019/014).

7. Each of those reviews has consistently found that Rifle Company Butterworth's service does not qualify as "warlike service" under the applicable legislation. But, each of those reviews also commences with the premise of what was publicly promoted by the government of the day — only training, etc.
8. The problem for the Australian government is that - and thanks to the tireless work by ex-veterans in the RCB Review Group – RCB veterans have been slowly getting access to incriminating documents from the archives, both military and political, outlining the real story. One intelligence report stated that a single rifle company was inadequate to the real threat and suggested two battalions for the job. That is at least eight times the infantry deployment at the time.

My Personal Experience as a Rifleman at RCB

9. At this point I would like to outlay the ordinary story about a typical RCB deployment during the Second Insurgency in North Malaysia at Air Base Butterworth.
10. *Before I do, I would like to explain that there was **really** no "typical" or "standard" experience at RCB. The Australian army's total deployment lasted 19 years, so you would expect that procedures would have evolved from year-to-year, or from company-to-company. This is particularly true in that Butterworth had four deployments a year, every year. The main sequence of duty lumbered on, such as the QRF call-outs, etc, but the general routines and daily activity would vary according to the whims of the CHQ and/or the local enemy situation on any given deployment. Suffice to say that some veterans would not recognise parts of my account, and I would probably not recognise parts of theirs. I can only recount my own time as an infantryman at Butterworth with the knowledge that other soldiers had different experiences.*



My Section Commander, Cpl Larry North, Vietnam and RCB Vet.

11. I landed at Butterworth Air Base in Malaysia just before Christmas in 1977, as part of 5 Platoon, Bravo Company 1st Battalion, the Royal Australian Regiment (RAR). It was a chartered QANTAS flight via Singapore and it was my first international trip. Like everyone else, I had a single big jungle green transport bag with my name stencilled in massive letters on one side. Everything I owned from civilian clothes and personal items to army uniforms was squished into that bag. My military webbing was stowed somewhere in the hold. Our infantry weapons were supplied in-country at Butterworth Air Base (BAB). We wore civvies because Singapore was still enforcing the rule of no uniforms in the airport terminal which I believe was a hangover of not being seen to support any of the combatants during the Vietnam war.

12. It was hot night when we touched down at Butterworth, but we were pretty much already acclimatised to the heat as our parent battalion 1RAR, was based in Townsville. A bus took us to our new lines which were a few cosy (but incredibly beat-up) wooden buildings adjacent to the base golf course. Our little barracks included no creature comforts at all. We had a basic steel frame bed and a wooden locker that was much abused from four infantry company rotations each year.
13. The first week was learning about our role in detail. It was either the first day, or perhaps the day after, that every one of us was taken on a tour of the Air Base Butterworth by Iroquois chopper. It was an inspired idea because we got to see the entire base in one hit, including the areas that were to be considered Vital Points (VPs) and where the rifle company was situated according to the grand scale of the base. As it turned out we were tucked out into the extreme edge of one corner bounded by golf course on one side and a Malay Kampung located just on the other side of the wire boundary. A Kampung describes an indigenous Malaysian village. The village directly on the other side of our boundary line was clean and neat and I liked to listen to the beautiful Muslim call of prayer at dusk and dawn.



In the treeline directly ahead was a Malay village bordering the Air Base. Photo taken by my barracks.

14. It did trouble me that a village abutted directly against company lines and I didn't understand why we would allow ourselves to be situated in what was an obvious security threat. Our lines were also very close to the main gate, which I guess was deliberately planned.

15. Our briefings told us that in the event of an attack RCB would be responsible for the defence of the airbase and that the local Malaysians security force would be under Company orders and direction. This is what makes RCB veteran's teeth grind every time we hear that our role was only for *training*. We were told repeatedly to our face that we were the tripwire for enemy engagement and we acted accordingly. No action we undertook is in any way inconsistent with this ordinary fact.



RCB from the direction that the QRF truck would tear down the road towards the viewer when responding to a QRF call-out.

16. The other thing of note concerning our company area is that we were located towards one end of the main runway (the Southern end). This meant that both us and our village neighbours were forced to get used to jet aircraft coming and going at all hours of the day and night.
17. Prior to our deployment to Malaysia, preparations included training one of our rifle section to become a truck driver. Every section of every platoon had their own a truck driver. Likewise, at least one from every platoon qualified in the basic Malay language course.
18. Our section truck driver had particular driving skills. He was after all — first and foremost — just another grunt like any one of us. In a skill that involved very fast driving in a very old and beat-up truck our driver was the best in the company. Seconds late was considered unacceptable.



The ancient QRF. Truck. This beast, and perhaps a couple like it, carried 9000 Australian soldiers at dangerous speeds to a possible encounter with CT forces for almost 20 years. (Photo Credit: Trooper Paul Whiteman, ex 2 Cav who served with C Coy 5/7 RAR at RCB in 1984)

19. Every day a section was allotted Quick Reaction Force (QRF) duty. This was posted well in advance so you knew when your duty was on the rotation at any given time. If it was a weekday, you would start the day at 6:00 AM and jump on the truck for breakfast soon afterwards and begin the work-parties by 8:00am.
20. If you were detailed for QRF that day you performed normal duties until 4:00 pm with the exception that *if something were to go down* you had to drop what you were doing and be the first to go deal with it.
21. At the allotted time that afternoon the duty QRF rifle section would pick up their webbing and weapon and wander over to the guard room and stack the gear next to a vacant bed that was bare of covers apart from a grubby pillow. They would sleep on that bed fully clothed with your webbing and rifle at the foot of the bed.

22. Sleeping fully clothed on a bed wearing boots took some getting used to. There was a table and chairs for those who wish to play board games, which I never did.
23. However, I would try not to sleep until the after first VP call-out and that usually happened before midnight. In a little office adjacent to the guard room was a telephone piquet. For our company the telephone was usually manned by the section 2IC. Every time the telephone went off the entire QRF's collective heart stopped and the room went very, very quiet. Everybody tried to listen to the soft conversation on the other side of the little internal window. If we didn't hear a VP number immediately upon his answering the phone we could relax.
24. **However, when we were on an actual VP call-out, the phone would ring in and the 2IC would scream out a VP number, say, "VP 14" and all eight of us would conduct a mad scramble for the truck parked outside the door, collecting weapon and webbing with one hand on the way out in a mad, but controlled pace.**
25. On a VP call-out, many times, all eight of us would try and get out the door at once tangling ourselves in a huge mess. Our driver would have the truck revving before the last of us was even hauled onto the tray of the truck and had the wheels starting to burn. That first five seconds where everybody was trying to collect themselves in a heap and clipping themselves into their webbing and trying to find their rifle on the floor of the truck as we bounced along gaining speed was quite exhilarating and I will never forget it.
26. About eight seconds ago we may have been in a deep sleep, and eight seconds later we were hurtling along the empty night, each of us trying to remember which one was VP 14. We all had live ammunition in our magazines, and the M60 was loaded with a live 100 round belt. It is a small miracle that nobody was ever shot during the mad dash boarding the truck.
27. VP, stood for "Vital Point", although I believe some companies called them KPs for "Key Point". It doesn't matter, they were shorthand for locations scattered all around the airbase designed to get semiconscious and dazed troops to the required location with the quickest explanation and in the shortest amount of time. All troops were supposed to memorise all the VP locations, but in truth only the section commander and the truck driver really bothered. The rest of us were simply passengers until we got to the pointy end.
28. Shortly after getting to Butterworth I had a role change in the section from forward scout to number two on the gun. I took my job quite seriously and although I wasn't the primary gunner on the M60, my job was to carry all the extra belts of ammunition, feed ammunition into the gun, and make sure the rounds were on target.
29. The crazed drive through the night empty base is one of strongest memories. Soldiers would try and maintain balance on the bench seating with one hand gripping the side of the truck and the other grasping your personal weapon. One would bounce along seriously in danger of going over the side. Many of us gave up the challenge of trying to sit on the impossibly small bench seating, and we just lay in a heap in the centre of the floor as we rolled along. We were collectively so tangled that if one fell out of the truck, everyone would fall out.
30. The arrival at the VP would be announced by the screeching of the truck to a halt and all the humanity and equipment in the back of the truck sliding violently towards the front of the vehicle. We would bound out of the truck a second later and would shake ourselves out into

assault formation. The shouted directions by the section commander would begin, but we were all well-versed on our role and we would quickly take position.

31. Listening for the orders of the section commander, most often the gun group deployed to the right and the scout and rifleman to the left. We would then conduct dry fire movement (no actual shooting) throughout the VP until the duty officer who was lurking in the shadows would call off the dry assault. The duty officer would disappear and then the QRF would clamber back into the back of the truck and we would amble back to the guard room. Although quite exciting, it was also emotionally draining no matter how many times we performed this drill. Any any time we got on that truck we considered the possibility that it would end in a firefight. Even 40 years later I can feel the relief that this time, at least, it did not end in tears.
32. When we got back to the guard room the phone would ring and the duty officer would give feedback on our VP call-out. If we got there in the acquired time and the assault was conducted professionally, we would receive a happy thumbs-up. Occasionally the section commander would undergo a very uncomfortable one-way conversation from the duty officer. In those rare instances where we didn't react fast enough, the section commander would return to the guard room to tell his section a bit about themselves that they would rather not know.
33. One unacceptable VP timing meant that we would probably have a rough night of doing more of the same, and less time lying in our bunks in the tropical heat. Even on a good night you didn't really have a very good night. My section commander at the time was Corporal Larry North, a Vietnam veteran and somebody you went out of your way not to provoke. He was a lovely chap but very much disliked his troops casting doubt on his professionalism.
34. This was serious business because at any time the call-out might have been in response to a real enemy attack on the airbase. Until 1989, the CT forces under Chin Peng were acting under their own agency and would attack, ambush or kill according to their capability and strategic interests at any given moment. Attacking government troops was their thing, but BAB was not an ordinary target and was not being protected by MAF conscripts.
35. That was on a weeknight. On a 24-hour weekend QRF duty all these VPs alarms would happen the length of the 8:00 am to 8:00 am duty the next day. This usually consisted of at least half a dozen VPs, day and night. We were young, fit and almost as perpetually tired as parents of triplets.

Armscote Duty

36. Not all of the section on QRF duty expended their time running VP alarms. One Digger in the rifle section was physically locked up in the armoury. The infantryman locked up inside with the company arms and ammunition had nothing to do at all. He was as helpless as a prisoner and depended upon his mates in the nearby QRF guardroom for sustenance. They would bring him a cold tray of supposedly hot food on their return from the mess.

37. The armoury duty didn't enjoy a good night's rest either on account of having a roaring VP truck screaming past his head every couple of hours, and then have them return only a little less hasty 30 minutes later. At least he didn't have to do the actual VP run which could be stressful. Being locked up in a small wooden building containing so much explosives was never ideal either. It does beg the question as to its purpose. The obvious reason for doing so meant that the man locked inside might be able to defend the armoury when the QRF was busy elsewhere. It was generally considered to be a terrible place to be located in a shooting war. One round of tracer into the ancient wooden building and it would be the end of that soldier.

Other Patrols

38. Quite apart from QRF call-outs there was another hated night-time duty. Every night a section was detailed to patrol the company perimeter in two hour, two-man shifts.
39. Our local patrol beats were odd in that we had to range quite far from the company lines, including deep into the golf course and up to the Mirage Fighter flight line. We often wondered how ranging all over the golf fairways would aid security. Recently I saw old declassified intelligence report suggesting that an anticipated CT attack would probably come from the exact direction of our roving patrols. That made sense because why look for trouble in the infantry lines when instead you could blow up a Mirage or two?



The famous 25 meter pistol range situated right in the middle of the golf course. An area that we had to patrol in the middle of the night, for some reason?

Armed Even on Exercise

40. During our tour of RBC we did experience an odd turn of events. All three platoons had a short advance-to-contact exercise in the jungle at Langkawi Island immediately off the Malaysian coast. Nowadays Langkawi is studded with luxury tourist resorts, but in 1977 it was raw triple canopy, pest-infested primary jungle. So, while the QRF was always manned back at Butterworth we had one platoon at a time that was permitted to leave the company area for a day or two.
41. **This is the thing: even on exercise, everyone was issued with three magazines with ball ammunition to be gaffer-taped inside the right-hand side basic pouch.** The left pouch contained blank ammo (for the brief infantry exercise), the right basic pouch had the real ammo. The reason for this, is that in the event of accidentally encountering a real enemy while we were on exercise in the bush, we would be able to defend ourselves. I don't think that whoever came up with this idea had thought it through all that well because after a few days in the rainforest and the associated downpours, the gaffer-tape was useless and peeled off. The risk of mixing up blank and ball ammunition was the result of us always having to be able to defend ourselves in the event of a real contact with enemy forces. Those three days of solo training was the only infantry training we conducted during our entire tour, and ironically, we could have had real casualties due to CT's potentially being encountered in the bush.
42. **Even on exercise on an island just off the Malaysian peninsula it was not considered impossible that we might not somehow end up in a real firefight with enemy forces. This is how "Non-Warlike," is defined according to the Department of Defence.**

Official Deception and Justification

43. How did Australian soldiers come to be involved in a foreign civil war that *apparently* was not even a war in any sense?
44. For the rifle company at Butterworth, it was a Schrödinger's War — quite the little paradox. But to give the politicians credit, they pulled it off. The political scene at home was the primary cause of all this dark craft and deception. The Vietnam war had finally come to an end in what was a very ugly social upheaval for the country. People were sick and tired of war and every short haircut was distasteful to civilian sensibilities.
45. In 1972, Gough Whitlam was elected as Prime Minister and he had promised to bring the troops home from South East Asia. And so, he did, in the main, however, that left the country with a little strategic problem. Malaysia had more than 2500 active communist fighters blowing-up this and that and ambushing government troops. The CTs were hell-bent on replicating the Viet successes in the jungle. If you imagine that that's not very many troops, then they were doing pretty good job with those few numbers because government casualties were mounting and the second civil war was to last two decades. Plus, the Malaysians wanted — actually needed — help, but the issue was politically sensitive. They couldn't be seen to be that weak, after all they kept saying that they were on top of the enemy but the war never seemed to reach a conclusion.

46. RCB was the Malaysian's insurance policy sold to them by the Australian Government as part of the Five Powers Agreement. Whatever else were to happen out in the bush, their air assets were being properly defended by Australian Diggers. The fall of the Saigon government was a salutatory lesson for London, Canberra and Kuala Lumpur.
47. Lastly, their biggest and most expensive military base was also the closest base to the main CT hideouts in the Malaysian-Thai Borderlands. Butterworth had two Australian Mirage Squadrons (75 and 3 Squadrons) and a host of Malaysian fighters and transport aircraft. Not to mention Malaysian and Australian military personal and civilians attached to BAB. Lastly, let's not forget about all the RAAF military and civilian families in country.



Butterworth Airbase. Note the old Sabre Jet in the foreground and the Malaysian Northrop F-5s to the top left. At this point (in the immediate foreground) MAF ambulances would often meet medivac flights collecting Malaysian battlefield casualties. When RCB soldiers report seeing MAF casualties they were usually seen here.

48. All of the Australian governments during these long 20 years were busy straddling a particularly nasty barbed wire fence. On one side of the wire you had the Five Power Defence Arrangements (FPDA) treaty obligations. Concerning the FPDA, if you remove all the legalese from the arrangements, Australia was committed to some sort of action in the event of a military threat concerning Malaysia. *That's why a rifle company was in Butterworth in the first place.*

49. Our principal role was to defend the air base in event of an enemy attack, which is why we had live ammunition, a ROE and a QRF on duty every day for 19 years. After all, the country was a shooting war and Malay troops were being killed. However, Australia's other leg rested upon real estate on the other side of the rusty barbed wire fence. The politicians in Australia, starting with PM Gorton but happily continuing with all conservative and Labor governments thereafter, insisted that all combat troops were withdrawn from South East Asia. So, armed Australian infantryman operating in a war zone and performing one of the basic roles of active defence against known and recognised enemy combatants were also, somehow, to be classed as "non-warlike".
50. That was the tightrope that the Australian government was walking. We had "Fortress Australia" at home and an isolated little Australian armed detachment of 100 men sitting 6,000 km away. It must be said that the Australian gamble paid off.
51. In 19 years, Butterworth Air Base was never attacked (to my knowledge). The Australian Army mounted a QRF for approximately 7000 days preparing for an attack that never ultimately arrived. That was lucky for the Australian government, given that for all those long years Malaysia was involved in a particularly nasty and active war and the CT enemy were never shy about attacking government forces.
52. The Malaysian government forces during the long war suffered 1000 casualties of which 155 troops were killed. Most of these were from small-scale attacks or ambushes of the type most favoured by jungle insurgents. Twenty-five to thirty armed raiders can do a lot of damage to an unsuspecting unit. This type of attack was their particular speciality. The Malaysian army were mostly inexperienced conscripts, although there were a few SAS trained rangers. I myself saw ambulances picking up the poor maimed MAF members on a couple of occasions (see above). It was not an uncommon sight. It brought home to us that the QRF was not in any way a military training exercise.
53. BAB was physically isolated from an infantry attack by a double apron wire cyclone perimeter fence. Although the base also had watchtowers, the fenceline could be easily breached with a pair of wire cutters provided that the insurgents took care. For insurgent raiders nothing could have been simpler. Inside the wire lay expensive and almost irreplaceable jet aircraft and fitters/crew.
54. A *successful* attack would have propaganda value beyond any lives lost in the attempt (*if you were an insurgent fighting force, at any rate*). Yet, that fat and juicy military target was never attempted even once? *Not once in 20 years?*
55. The simplest reason for the absence of an attack is that the strategic plan worked. It was no secret that as long as a fresh and aggressive Australian regular infantry company was able to instantly react with deadly force to *any* inclusion to the airbase, the exercise would be pointless. Not only that, it would be an embarrassment. The Australian government's long-term gamble seems to have paid off after all. **That said — it might be a political gamble, but the chips on the table were Australian soldier's lives.**

Conclusion

56. To a RCB veteran the policy of recognition denial has always been difficult to reconcile. **At the time we were not security guards manning a sentry post.** It was the Malaysian Armed Forces manning the gates, not us. RAAF Defence personal patrolled the airbase perimeter with dogs. Why have an infantry rifle company, fully armed with M60 machine guns, no less, conducting infantry manoeuvres against possible enemy attack? At the time we knew what we were doing, we were aware of our role, and we were armed and conducted ourselves accordingly. We were continually briefed as to the enemy situation and potential enemy threats. It was a stressful and tense time and I was aware that a few Diggers began to use drugs by the tour's end and many more were abusing alcohol. This was in a country that would hang people for drug possession. The infantry presence was very much and continually "warlike" throughout the tour. I have since read that some senior officers disagree that the situation was warlike. I wouldn't know about that because I never saw any senior officers in RCB conducting infantry operations with us. The officers who were on our tour were on the same page with us is all I can say with any confidence. If people have opinions about our service who weren't there during hostilities, I suggest that those opinions be weighed as such.
57. I'm not a lawyer, so I'll not talk too much about the legalities, the definitions and the loopholes in the Defence Department's arguments. They tend to argue technicalities and skip over some pretty enormous truths. What is proscribed and what isn't proscribed surely is a moving feast. As new information comes to light so too do new facts become apparent. As an example, in Raymond Fulcher's 2020, appeal, the very significant matter of the rifle company operating under Rules of Engagement (ROE) was seriously minimised by an assertion that "restraint was encouraged". What if it was? That is hardly a debatable point anyway. **The major point was that Australian soldiers had the authority to engage non-compliant foreign nationals using lethal force. We had the legal right to shoot to kill, providing certain circumstances were triggered.** That is the main point, not that we did not have to resort to extreme action if the trespasser was compliant. This authority to kill is significant and natural only in a warlike setting. A setting that our government was complicit in our being there, but under the cover of deniability. They knew that a possibility always existed whereby a QRF might engage CT forces, and that Australian soldiers would have to do what infantry forces are designed to do – engage and kill. Which brings us, naturally, to an expectation of Australian forces themselves probably becoming casualties. Does it need to be said that the enemy is also armed and had a long history of warlike behaviour? I cannot recall a single time in peacetime service where I operated under ROE. In an Australian context at home, ROE never even existed, and encouragement for restraint is not even an argument. The possibility that Australian soldiers might have to shoot to kill in order to defend ourselves, or in the defence of other people or for the protection of significant assets, in the context of our security role, places us at the forefront of warlike operations, It is about as far from "training" as it is possible to get. The possibility of shooting somebody to death as existing in the same realm as "training opportunities" is farcical.

58. There are other peculiarities, as previously mentioned. Physically locking a Digger in the armscote would now be considered a major violation of every health and safety regulation in the book. The armoury was an ancient wooden building filled with arms and ammunition and was most certainly a fire trap. The Digger inside had no way of escaping enemy fire and was even reliant of the QRF even for food and, if bad came to worst, escape. I hated the armscote duty, but did it in my turn because when the QRF was elsewhere how else did one defend the company weapons? Having those arms get into the hands of the CT forces did not bear thinking about. Still RCB service is non-warlike according to the Defence Department?
59. During the tour my company spent a couple of days on “Aid to the Civil Power” training. Essentially, this was Riot Act training on how we would respond in the event of putting down a civilian insurrection on the MAB. The concern was that enemy agitators potentially raising a civilian riot against the air base and using that disturbance as cover for military operations. I have no need to explain that riot training is a progressive slide towards shooting rioters should they fail to respond to lawful commands. Why Australians soldiers were training to lethally engage foreign nationals, ostensibly, outside a war threat is peculiar in the least. Particularly given that we were conducting these exercises openly on Malaysian soil. It is the only time I have ever conducted riot training in my entire service and once again this activity was unique to RCB operations.
60. Over the years I have heard the authorities insist that the rifle company was primarily at Butterworth for training opportunities. Then RCB Veteran Review Group discovered classified documents proving that the RCB detachment’s primary role was really security in a war zone. The argument then became one of, yes, the rifle company *was* there for security but **also** for training. As if this lesser reason somehow outweighed the more significant purpose. Actually, apart from the aforementioned riot training, and a couple of day’s field exercises in Langkawi, we never conducted any training whatsoever. I never spent even a day’s training with the Malaysian Armed Forces, which is one of the supposed reasons we were in the country in the first place. In fact, I can’t remember ever even seeing any of my Malaysian counterparts apart from the gate sentries. If we were in-country for training opportunities it is news to me.
61. On balance, the Defence Department’s reliance on strict definitions and legal technicalities in describing our experience appears mean and tricky. Firstly, they outright denied our military operations for decades. Then, when confronted with the evidence, they sought to minimise it with obscure reasoning, such as the encouragement for restraint when applying ROE. In reality, the application of lethal ROE *is the proof* of warlike conditions, not the hope that they are not necessary. In this regard alone East Timor and RCB operated under near identical conditions. That is, the hope that lethal engagement was not necessary, but legally authorised if it was. Then it was the initial denial that Australians were in any particular danger from CT forces. Then evidence from declassified intelligence was discovered raising serious security concerns for the airbase, particularly post 1976 and after the fall of Saigon. Then our training role was artificially promoted as a *cause belle* for our presence, yet most veterans experienced only the most limited training in-country because our security role prohibited time away. RCB vets keep hearing a version of our own lived experience that we don’t recognise. The Defence arguments always shift in emphasis when

confronted with discovered evidence and often *successfully* proffer general statements about our service that really need to be better supported if not to be discounted as simply speculative.

62. As an example, in Mr Fulcher's 2019/2020 appeal, the Tribunal responded in part:

“However, despite whatever ‘indirect’ support that the Australian government may have been willing to provide⁶¹ – even up to the level of covert air reconnaissance,⁶² unlike the original Malaysian Emergency there was no question of the direct involvement of Australian ground forces”

63. This statement is typical and requires challenging. In the event of an attack on the Butterworth Air Base is there a serious suggestion that the rifle company would not make an aggressive armed response? That the rifle company would not follow well-established ROE? That they would not undertake its primary security function? I can understand that Australian forces may not be committed outside the wire, but inside the air base, once attacked, our standing orders would come into immediate effect in the protection of personal and significant assets. In fact, direct Australian involvement by Australian ground forces was inevitable under certain circumstances. **Under the tripwire provisions of a QRF call-out in our operational orders, an infantry counter assault becomes absolutely inevitable.** That is exactly how Quick Reaction Force is defined. Saying otherwise is disingenuous.

64. *I would say that there will probably never be a magic document that will be discovered in the archives that will simply prove either case on its own.* History is messy in that regard and often has no eye to the future. All we have is the *weight of evidence*, and it is fortunate for RCB veterans that the RCB Review Group has unearthed a ton of material that argues our case for us. I'm not a lawyer, but much of the Defence Departments strategy appears to be conceding an argument only when forced to by the material, but then immediately minimising critical facts. Deny, then minimise, *ad infinitum*.

65. Our service at Butterworth was not Gallipoli, nor Kokoda, nor Long Tan and nor Tarin Kowt. In all those conflicts men and women paid a blood price, even if they survived. Nobody is arguing that RCB service was the equivalent of their experience, least of all me. However, our service was the same in one critical respect. Australia sent servicemen into an active war zone, lied about it at the time and is still not being truthful about it today. All we want — all we deserve — is simple recognition of the fact. **It happened, let them say so.** And that is why not giving Rifle Company Butterworth proper active service recognition is not only unjust but also despicable. It is long past the time that the historical record be corrected.

66. Deception during conflict is legitimate and is as timeworn as war itself. Sometimes the deception is directed homewards for political purposes. In the recent Ukrainian conflict the Russians tried to cover their build-up preparations with stories of exercises and training. After actual invasion it became a “special military operation” to use a disarming and softer phrase to cover what was actually going on. Australia's posture was defensive rather than aggressive, but it had similar political difficulties to negotiate.

67. I used to work in National Security as a defence intelligence analyst. I am aware that the truth cannot always be admitted contemporaneously, and in some instances, must remain hidden for considerable lengths of time. Chin Peng surrendered his forces in 1989. Now after more than 30 years cannot we at last admit that Australian Forces played an active part in a long and bloody civil war? **This simple fact has not only been recognised by the Malaysian Government itself, but also by the New Zealand Government whose servicemen performed an identical role.** Must our government continue to seek refuge in legal technicalities to deny recognition to obvious military actions at a time of war performed by Australian forces? Minimising our achievements, according to the weight of evidence at our disposal, has begun to enter a new crueller phase because those once young men are inevitably disappearing. It is also injurious to common sense to pretend that soldiers in a war zone who are actively protecting an obviously sensitive military installation somehow exist in a dimension external to a threat that was palpable and feared by the rest of the Malaysian Peninsula.
68. If we take the Australian Defence Department's position to its very logical conclusion it requires very magical thinking. If the RCB force was largely training orientated, why the daily QRF drills with live ammunition with all the unnecessary risks and danger that entails? What was our purpose in even having live ordinance – *at all times*? The entire base had double apron fencing, security guard positions, watch towers and RAAF ground patrols with dogs. Given all that, what exactly was the RCB's odd and unique role? And, why did that active role cease after 1989? Why did we operate under a ROE that included a lethal response in the event of non-compliance. I can't imagine Australia permitting such a harsh allowance to a foreign force if the situation was reversed. The only exception would be if that force was inside assisting Australia under a state of war. If the RCB was not expected to immediately repel an attack by an armed insurgency, day or night, why conduct the never-ending drills for that very purpose? *And, if you consider that it was what it looks like - that we actually were operationally engaged - why is that warlike activity somehow immune to the likelihood of casualties?* If an armed insurgency did manage to penetrate the airbase why would there not be an expectation of casualties? Why does the classified intelligence record tend to support the RCB's version and not the Defence Department's? Lastly, why was Butterworth Air Base such an island of security in the first place - the only military installation on the entire Malaysian Peninsula whereby the civil war did not exist? That the ugly conflict somehow ended at the wire perimeter fence and Australian soldiers were not taking active military operations in its defence, and therefore our service was not "warlike"? To accept, all those exceptional and peculiar facts and forming the opposite view requires a high degree of intellectual flexibility. In the end, it is difficult to deny that Australian soldiers were engaged in warlike activity in what was an active war zone. All that is left is an attempt to minimise our engagement.

69. I would like to end this submission by thanking the Tribunal for it's work. Going through so much material, making sense of it and then making recommendations would be, well, extremely challenging. This thing has been going on for so long now that all parties feel the struggle in their bones. I would beg that you try (as much as humanly possible) to review all the material once more with fresh eyes because that's what the task really requires.
70. Sincere Regards, Sean Arthur, ex-Private, 5 Platoon, Bravo Company, 1st Battalion, the Royal Australian Regiment, and Rifle Company Butterworth.

The author, Sean Arthur, aged 19, Christmas 1977, RCB Malaysia

