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15 August, 2022

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Submission to Inquiry - Mr 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

Surname *

ARTHUR

Given Names *

Sean William

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[REDACTED]

Primary Contact Number *

[REDACTED]

Secondary Contact Number

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

No

Part 3 – Desired outcome

Provide a summary of your submission:

This is a supplementary submission. I desire that it be considered along with my first for the same outcome.

Part 4 - Your submission and Supporting Documentation

File Attached: RCB-Supplementary-Submission-1.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 Arthur

Date

15/08/2022 /

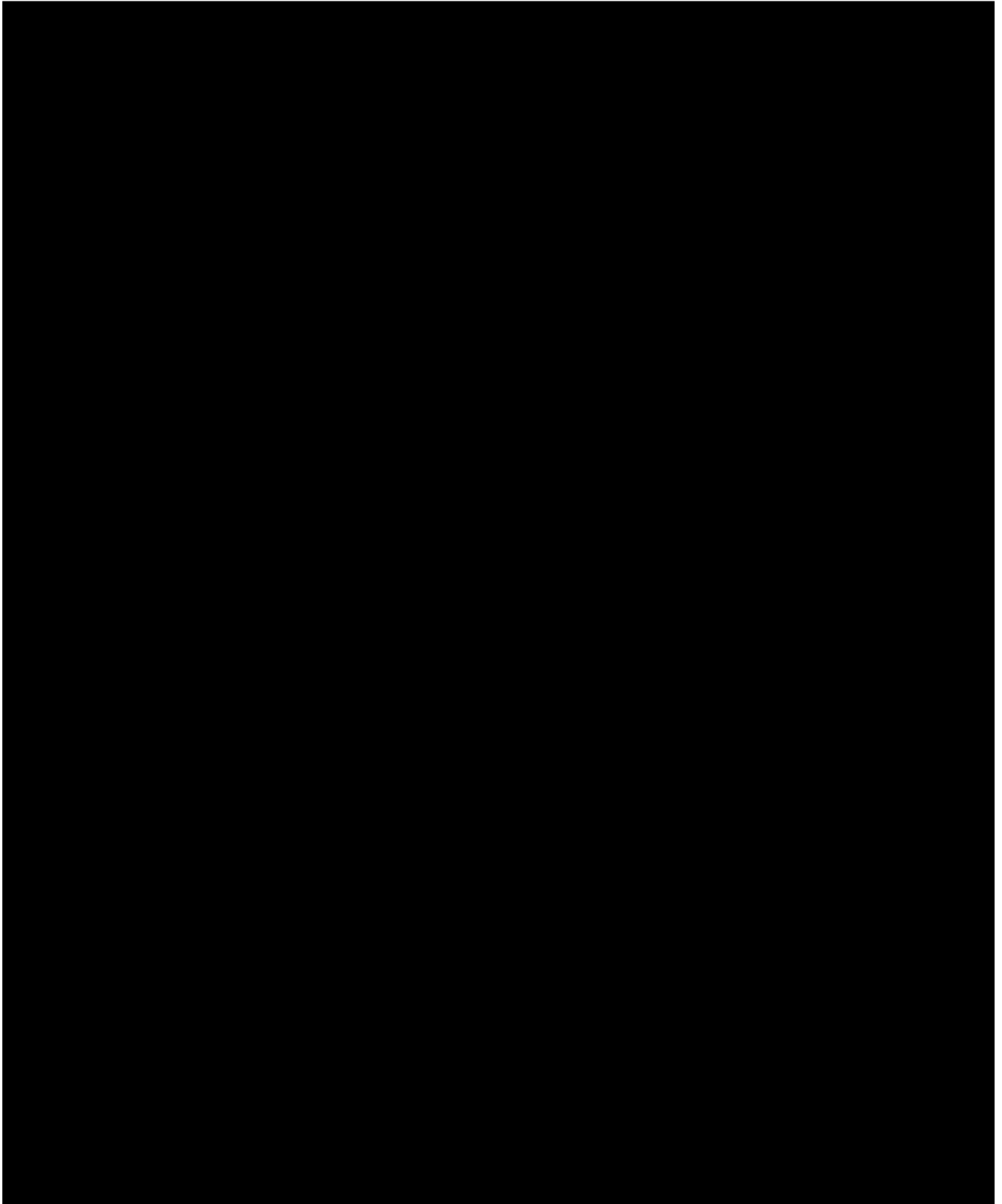
Mr Sean William ARTHUR

Signed by Mr Sean William ARTHUR

Signed on: 15 August, 2022

Signature Certificate

Document name: Submission to Inquiry - Mr Sean William AR...



Supplementary Submission – Rifle Company Butterworth (RCB) – Sean ARTHUR

Ex Bravo Company, 1 RAR - Australian Army Rifle Company Butterworth, Malaysia 1977

1. Thank you for allowing a supplementary submission for this inquiry. In doing so the tribunal is demonstrating a measure of natural justice that the veteran community has not always experienced historically. Given the number and nature of the many submissions I will try and restrain myself to a few points. In the course of preparing this second submission I have - like you - read over a hundred submissions, and read some of them several times.
2. Firstly I would like to briefly address the inquiry's terms of reference. I would refer your attention to Minister Gees' media release, dated 7 April 2022. The minister obviously had a more open inquiry in mind as attested by the paragraph:

*“The New Zealand Government recently broadened eligibility for the New Zealand Operational Service Medal for veterans who served in Malaysia and Singapore between 1959 and 1974. Given this, **and the concerns raised directly with me by the veteran community**, it is timely that this issue is re-examined.”¹*

3. As a layperson it appears that most of the weight for this enquiry rests upon the New Zealand decision, which important as it is, introduces certain restrictions and limitations to the veteran point of view. Our general argument, and one that has been made repeatedly, is that our service, **independently**, constitutes warlike operations. That other governments now support our view is the icing on the cake. The veteran community's petitions to the minister (and other inquiries) were always more detailed, comprehensive and evidence-based than just pointing a finger across the Tasman. These terms of reference (according to my unlearned eyes) appears to focus primarily upon the NZ decision which is not our (the veteran's) sole focus. This can be attested by only one submission - that of the Defence Department – in giving it so much attention. The other hundred submissions either don't mention it at all, or if they do, refer to it only in passing. What we fear is that if in the tribunal's view only the Defence Department technically addressed the terms of reference that everyone else's submission is minimised. If this is not the case, I apologise for suggesting otherwise.
4. I would like to comment on the Defence Department's submission, but only briefly. In a nutshell, the Department seems to have 'forgotten nothing, and learnt nothing'. They have been letting down ex-service men for over a hundred years. Their submission appears to be a lawyers picnic of dates, legal definitions and outright insults. Their repeated comments that NZ service in Malaysia was of a 'soft' Medallion effort, at best, and therefore RCB service was likewise unworthy of serious consideration. They do not address any of our

1 <https://www.minister.defence.gov.au/minister/andrew-gee/media-releases/independent-tribunal-reconsider-medallic-recognition-rifle>

points of evidence, which incidentally, principally relates to their own Secret and Top Secret documentation. It does not address statements such as the politicians/Defence at the time openly admitting that the general public be told a lie about the real nature of the threat and how RCB was really a defensive warlike operation (security uppermost). In fact, they studiously ignore our entire narrative, because they are well aware that their arguments don't make sense in light of their own documentation. Instead, they focus entirely on increasingly ephemeral or irrelevant definitions, or denying their own intelligence reporting that the actual intelligence assessments over the entire period was often very worrying and of a great concern to Aust HQ as well as at Butterworth. It is this kind of casual mistreatment of its service people that has led to so many suicides over the years. Whatever else, the Department can certainly conduct legal manoeuvrings at an exceptional standard.

The Australian Defence Department deny that there was a military threat to Butterworth, but the Malaysians don't. The peace accords were not signed until 1989, yet our servicemen and service women conducting military operations in a war zone were supposedly *not under threat*? Yet, sometimes they do admit that we were there for security. Let's break that down. What does that mean? What was the Quick Reaction Force reacting against? Not a security threat? That is a contradiction in terms. The RCB was there for training, yet we did virtually no training at all. We were also there for security, yet there was no security threat? Their own intelligence had CT operations to the immediate North and to the immediate West of BAB, yet Butterworth, the closest military instillation to the CT borderlands, was, apparently, not a target? It is no wonder that the Defence Department is slavishly avoiding their own contradictions. It is better for them to stick to legal technicalities.

5. After reading so many submissions I was struck by the sameness of the RCB soldier experience. Some of the submissions were long and detailed, but most of them were short and to the point. Some were not very articulate others were, and some provided a great deal of documentary evidence. These were not just ambit claims, they provided proof. Most of all I was struck but a sense of confusion in even the shortest submissions. You see, lived experience from 30 and 40 years ago is now being confronted by present day legal, administrative and academic "research". To the ex-digger, now in his mid-fifties to late sixties, the whole question of warlike service is a nonsense. You can see it in their writing, such as "**we was told**". That little line pops up repeatedly. We were told – because we were - all the time. We did pre-deployment training, intelligence briefs, company parades, situation briefings, warnings. We were told every day as we began our patrols or mounting QRF duty. The entire time we knew what we were doing. "We was told", because our very life might depend upon knowing the truth of our deployment. Now we hear from Department officials, some not even born at the time of our RCB operations, that we are completely wrong. We weren't told, apparently, our entire worldview is incorrect due to this or that definition or this or that random date. If you read the submissions you can see the confusion, the frustration and the hurt. There was no mass collusion from a hundred independent RCB submissions. But there are a hundred submitters trying to square the circle from what they experienced in defending a foreign airbase from what has since been fed to us with a spoon. Which is mainly training, no actual threat, no enemy - and best of all – no apparent war. I don't advise the Defence Department try running that line past the Malaysians.

6. The Defence Department reliance on certain definitions is weak and unreliable given the circumstances of this particular conflict. First of all the whole thing was a forgotten episode until halfway into the 2000s. In Australia, nobody gave the war a single concern at all and any natural justice for the soldiers involved wasn't even a thing. Then the peculiar nature of the conflict threw a wrench into neat legal definitions. No declaration of hostilities, no actual attack, no KIA and our presence in BAB was under a deliberate pretence. This didn't fit under the agreed 1993 nor the updated 2018 definitions of warlike service. The RCB veterans were automatically out in the cold because we didn't fit. But Australia abounded in secret cold war missions where servicemen neither fought, died nor openly had a presence. The details of many of these military missions remain classified to this day. **In many ways, RCB operations do have a natural home within Australia's military history**, but the authorities are bent on sitting on the lid. Our RCB service was actually clandestine as the now released declassified records show. It is indeed unfortunate that our particular conflict ended four years before even the first definition of warlike service was framed in 1993. We could be eliminated from the running at the start because the framers knew just what kind of service to include and what type of service could be waived.
7. In the Defence Department submission, on page 12, they make several points that are in strong conflict with the RCB veteran's position (3.5 to 3.8) – they relate specifically to the first confrontation which ended in 1966 and in doing so attempt to stretch a point not argued by anybody. Are they suggesting that there was no war at the time of the second conflict where Butterworth was not inextricably involved? Did Chin Peng not exist?
8. It was also of great interest to me that many of the submissions came from RCB veterans who were officers. Previous inquiries tend to write off the claims from diggers suggesting that we were over-excited, or something along those lines. This time you see a united front from both the officers and men saying exactly the same thing in unconscious defiance to the Defence Department archivists. When you see former RCB platoon commanders, former Company 2ICs and even former Company Commanders attesting to warlike military operations at Butterworth saying the exact same thing as the baggy-arsed diggers, then the "training" narrative is destroyed. Many of these men were also Vietnam veterans and knew a thing or two about hostile environments. Hearing the same evidence across the board and across all command elements is devastating to the Defence Department's claims. At this stage, it is easy to see why the department is sticking to a very narrow corridor in its arguments. It is facing some respected and knowledgeable first hand testimony, quite apart from any documented evidence. I will say again, declassified intelligence reports agreeing with our claims, and negating department claims.
9. Now, I will address the elephant in the room. This particular pachyderm is doing a lot of heavy lifting for the Defence Department's arguments overall. The Butterworth airbase was never attacked by CT forces, even once. This argument is as annoying as it is irrelevant because it predisposes that it is always in the best interest of an enemy to take on a superior force in a firefight. This notion is bizarre and unbecoming, particularly so, as Australia has one of the finest staff colleges in the world. Nui Dat, Vietnam was never directly assaulted either for much the same reasons - it would be a stupid thing to do. The prime reason BAB was never attacked by insurgent forces was because they knew that an aggressive armed response would befall them and it would prove fatal to their men and also to their cause.

The infantry Quick Reaction Force was designed to quickly eliminate any armed incursion. That was the very design, and it was extremely successful in that. And it wasn't just a deterrent. If it came to pass that a CT force decided to take on the airbase, Australian forces had the capability, the training and the will to defeat it. If you were to remove the rifle company from Butterworth, can you say with any confidence that the insurgents would not have come through the wire? All those Malaysian F5 aircraft and Mirage fighters sitting on the tarmac virtually defenceless in an active war? The risk doesn't bear thinking about.

10. Let me briefly take the reader back to Butterworth in the late 70s. One day I was on leave with a mate in Penang, towards the end of my tour. A trishaw driver asked me if I knew who our replacements were. Us diggers hadn't been informed who they were yet, probably for security reasons, but I still don't know why. The driver wanted us to put in the good word to the new guys for his transport services. We told him that we had no idea who was coming, but we would leave a reference note for him when the time came. Then he surprised us – he nominated not only the incoming battalion, but also the company relieving us! My mate and I talked about it later. How could a skinny old guy driving a trishaw know the relieving company when we didn't? We forgot all about it until about a fortnight later we were briefed on our relief. It was the very same battalion and company that the trishaw driver nominated. Why am I telling this story? I am suggesting that with approximately 1500 civilian employees, Malay, Indian and Chinese, the CT insurgent forces had eyes and ears inside the Butterworth airbase with us at all times. They cut the grass, they serviced the buildings and the vehicles, they cooked and served the food, they looked after the air force children, they cleaned the offices and they did administrative work. They were everywhere and many had access at high levels. If a civilian trishaw driver could obtain confidential information about an Australian infantry deployment, be assured that CT intelligence could as well. And what could a human asset reporting to the enemy say about the Australian rifle company at Butterworth? Anybody on the base could see our active armed patrols and our aggressive QRF. They could see that swinging 7.62 live ammo belt hanging out of the M60. We were highly visible, very noisy and extremely aggressive. *How could they could not not see it.* Day and night, racing through the airbase conducting infantry operations and armed patrols against possible enemy incursions. There are good reasons why we were not attacked, even once, but remove RCB from the equation and the question takes a different direction?
11. **Lastly our particular experience in Butterworth was utterly conventional. Defence is one of the four basic infantry operations of war. Any military textbook will inform the reader of this. RCB was engaged in active defence and no real evidence has been put before us that hasn't been proven to be wartime subterfuge.**

Thank you for taking the time to undergo all these submissions. I trust that our collective point of view will have at least equal consideration to the one in opposition.

Sincere Regards, Sean Arthur, ex-Private, 5 Platoon, Bravo Company, 1st Battalion, the Royal Australian Regiment, and Rifle Company Butterworth.