

Document ID: c47dd4db5540824aaa6127ff3bdaa964a62ef8d5

23 April, 2022

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Submission to Inquiry - Mr Phillip John Wolfenden

Part 1 – Name of Inquiry

Name of Inquiry *

Recognition for service with Rifle Company Butterworth

Part 2 – About the Submitter

Title or Rank *

Mr

Surname *

Wolfenden

Given Names *

Phillip John

Postal Address *

[REDACTED]

Email Address: *

[REDACTED]

Primary Contact Number *

[REDACTED]

Secondary Contact Number

[REDACTED]

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

Part 3 – Desired outcome

Provide a summary of your submission:

Rifle Company Butterworth (RCB) was an operational deployment required to provide a fully armed Quick Reaction Force (QRF) to respond to possible Communist Terrorist (CT) incursions with the ability to damage or destroy Australian strategic assets and injure or kill Australian personnel at Air Base Butterworth (ABB) with authorised Rules of Engagement (ROE) allowing use of ,up to and including lethal force. The RCB was well trained, well briefed and performed duties to the highest degree as a counter penetration and counter attack force as is evident by the limited number of incursions onto an airbase that was the most forward base in the Communist Insurgency 1968 to 1989 also known as the Second Malaysian Emergency. RCB Service deserves to be reclassified as warlike and all personnel involved allotted for duty as that service meets the requirements.

Part 4 - Your submission and Supporting Documentation

File Attached: Wolfenden-PJ-Statement-RCB.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

Phill Wolfenden

Date

23/04/2022 /

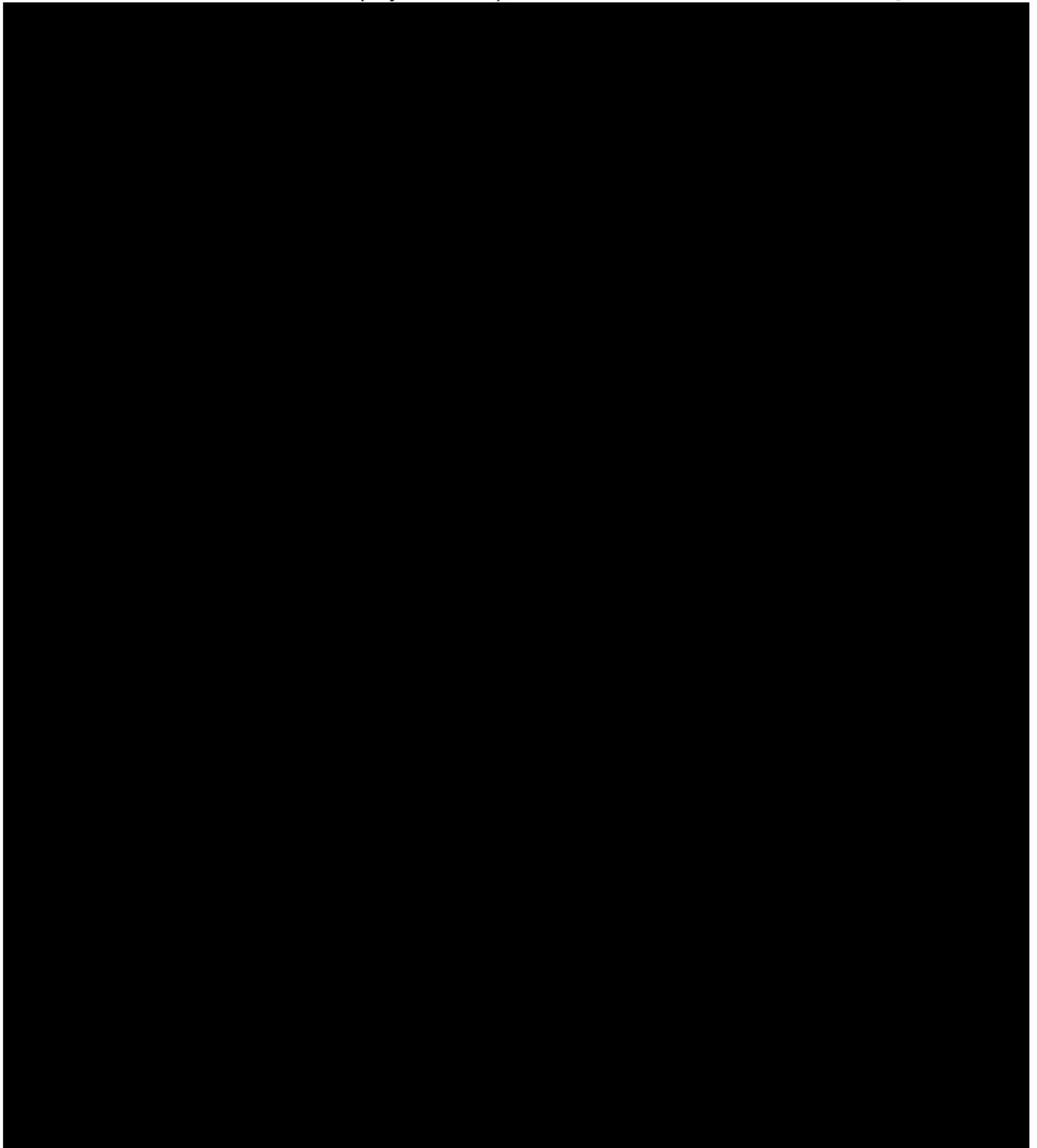
Mr Phillip John Wolfenden

Signed by Mr Phillip John Wolfenden

Signed on: 23 April, 2022

Signature Certificate

Document name: Submission to Inquiry - Mr Phillip John Wolf...



My Personal Statement of Experience of My Tours of Duty with Rifle Company Butterworth during the Communist Insurgency in Malaysia 1968 to 1989.

1203493 Warrant Officer Class One (Retired)

My first tour of Duty was at the age of 19 with A Coy 8 RAR as Company Group Butterworth 28 August 1973 to 28 November 1973. I was a Lance Corporal in an infantry section carrying an SLR as my normal weapon.

My second tour of Duty was at age 26 as a Platoon Sergeant with C Coy 8/9 RAR as Australian Rifle Company Butterworth.

During both of those service periods it is recorded in my service record as separate Postings/Attachments.

And prior to both deployments we were warned for Operational Duty

Role

RCB was an operational deployment of an Australian infantry combat Rifle Company in Malaysia (1970-1989) to protect (defend) the RAAF assets (personnel, families, aircraft, facilities including the Integrated Air Defence System (IADS)) at the Malaysian Armed Forces Air Base Butterworth (ABB) (under a shared Defence Plan) against a real communist insurgent threat during the Malaysian Communist Insurgency (1968-1989). The company role was to provide a Quick Reaction Force (QRF).

The deployment of a complete reinforced rifle company was a conventional defence combat operation to protect the RAAF assets in a Shared Defence Plan with the Malaysian Armed Forces (MAF) within the air base. Specifically, RCB's primary role, was a QRF to defend against an enemy attack. Its size was to be a deterrent to the enemy's action.

Training

Firstly, the leadup training in Australia was exactly that of the leadup training for deployment to Vietnam, the seriousness of briefings on the Base, the enemy, and expectations as all troops were required to meet DP1 status (Deployment preparedness level 1) which included lodgement of Wills with CARO, (Central Army Records Office) before deployment: the same requirement as for Vietnam service. Other briefing took place prior to my second deployment which I cannot recall happening on the first deployment was a Legal Briefing regarding the Rules Of Engagement (ROE) to ensure everyone in the company was clear on their obligations under those rules. Upon arrival in Butterworth further briefings and familiarisation took place including current Intelligence Reports on the enemy. RCB troops were fully briefed on their combat role, the enemy threat, and the expectation of combat casualties.

The Enemy

It is now well documented in detail of the enemy in existence at the time, Communist Terrorists (CT) In these deployments it was enforced through training that we were to defend the airbase against the CT insurgent's possible attack on the airbase, we were continually given update briefings on intelligence summaries and during deployments these intelligence reports dictated how many personnel were allowed off base for training or rest and recreation at any one time.

The Malaysians were fighting the communist insurgents throughout that entire period and Butterworth was their forward deployment base with combat jet aircraft and helicopters always flying missions' day and night with helicopters being used to return their KIA and WIA.

QRF

QRF was exactly that, an immediate response callout in protection of vital assets on the base and every time the QRF was reacted the expectation was that the enemy (CT) had infiltrated the base, so it was an adrenalin rush infused with anxiety and fear at the same time. QRF was fully armed with operational front-line ammunition and authorisation to use up to and including lethal force having a set of ROE, our duty, was to protect the assets, facilities, and Australian personnel on Air Base Butterworth (ABB) and we were completely trained to do exactly that no matter the cost. At all times we had a fully armed Rifle Section ready to react immediately to any Air Base incursion and the remainder of the Platoon on standby as a full Ready Reaction Force24 hours a day.

At one time during the first deployment the entire company was recalled as there was a hijacked aircraft that was expected to land at ABB and we were deployed around the northern end of the airstrip in reaction to this report, from memory it was some hours prior to being stood down.

Expectation of Casualties

The deployment was a serious undertaking to protect the Australian Assets and personnel carrying live ammunition with ROE (which is never done in peacetime) This was the Malaysian front line base in operations against the CT in which they were very active and this made ABB a prime target for which we had a role to perform the protection of vital assets which were shared assets, radar and communications towers, flight lines, fuel and ammunition storage areas and Integrated Air Defenced Systems (IADS) . So, in protecting all of that on a prime target base involved in active operations against the CT there was definitely an expectation of casualties.

The mere act of putting personnel into 'harm's way' creates the expectation of casualties, that is clear even in more recent definitions of 'warlike'.

The threat from communist insurgents' actions were as reported in various intelligence reports from various sources such as:

- Secret: The Australian JIO Secret Report No 13/75 dated 1 October 1975 – The Security of Air Base Butterworth, and
- Secret: Butterworth Security Report to the Minister from AVM N.P. McNamara Deputy Chief of Air Staff dated 14 October 1975.

There are numerous references to the insurgents regarding who, how many, where, their capacity, tactics, indirect weapons, confirmed attacks and other activities that constituted a warlike threat to ABB. Attacks did occur on other MAF Air Force bases in Sungai Besi on 31 Mar 74 and at Kuala Lumpur in 1975.

Training with the Malaysian Armed Forces (MAF)

In 1973 the only time we were permitted to leave the base for any training purpose was to conduct a live fire range shoot in Kedah to the north with only one platoon permitted at any time and from memory this was only permitted under very strict conditions and could be cancelled due to CT activity at any time.

We did not train with the Malaysians in 1973.

In 1980 a platoon at a time was allowed to be off base at Pulada, Johor in southern Malaysia for live fire training for which there were strict instructions and movement requirements, the only training that occurred with Malaysians was during this period in Pulada a few selected personnel were sent on the Malaysian Survival course. Otherwise, there were no joint training exercises as the Malaysians were too actively deployed in fighting the Communist insurgency in Malaysia, also known as the Second Malayan Emergency.

Confusion and Lack of Respect

Defence have consistently tried to pull the wool over government's eyes by applying the current definition of warlike service, even though we are able to, and have, shown how we meet those criteria as well. It does however allow Defence to confuse the issue with word play rather than getting to the core of the issue – incurred danger.

The criteria to be met for the period of RCB service is contained in Cabinet Directive 1048 of 1965 and simply requires that ADF personnel were exposed to the possible risk of harm from the ongoing actions of hostile forces or dissident elements. This in a nutshell is the "incurred danger" test which was the test applied to assessing warlike service.

To regard our service as Peacetime service when the service was determined "Hazardous" in 2007 is a severe lack of respect and a lack of integrity regarding the real deployment and briefs and orders given to RCB as shown in numerous documents provided to the Tribunal from the RCBRG.

Current Definition: A warlike operation is an Australian Government authorised military operation where ADF personnel are exposed to the risk of harm from hostile forces that have been assessed by Defence as having the capability and an identified intent to directly target ADF personnel. ADF personnel are authorised to use force to pursue specific military objectives and there is an expectation of ADF casualties as a result.

Summary

Justice Clarke in his 2002 Report to Government Chapter 14 said: *"In determining the nature of service for an approved operation, the Department of Defence uses three primary factors: the mission, the rules of engagement and the threat to ADF personnel."*

Rifle Company Butterworth was established in 1970 to provide a protective and quick-reaction force for RAAF Base Butterworth during a resurgence of the Communist insurgency in Malaysia. The Communist insurgency in Malaysia, also known as the Second Malayan Emergency, was an armed conflict which occurred in Malaysia from 1968 to 1989, between the Malayan Communist Party (MCP) and Malaysian federal security forces.

Defence is a conventional phase of war where a military force is deployed for a specific defensive/protective/security mission to a specific defended area. Elements of that defence force deploy into 'front-line' positions while others are designated as a reserve force for a counter penetration role (to stop the enemy's penetration through the front-line defences into the defended

area) and counterattack role (to repel, kill and/or capture the enemy). At ABB the RCB QRF was that equivalent.

At ABB the Shared Defence Plan had the MAF providing the 'front-line' perimeter defence with sentries and both the MAF and the RAAF providing patrols inside their own dedicated areas within the Base.

The QRF was the reserve force to be deployed to action in its designated role (counter penetration and counter attack) as ordered by the Ground Defence Operations Centre as necessary to stop penetration into the Base area and to counter attack to repel, kill and/or capture the enemy. **At that point the QRF's ROE became lethal.**

The service of RCB and other Australian Defence personnel involved in the security and defence of ABB should be rightfully classified as Warlike, be allotted for duty, and therefore deemed as qualifying service.



Phillip John Wolfenden

JP Qual

23 April 2022.