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16 May, 2022

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Submission to Inquiry - Mr. (retired WO2) Neil George Page

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. (retired WO2).

Surname *

Page

Given Names *

Neil George

Postal Address *

Email Address: *

Primary Contact Number *

Secondary Contact Number

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

Part 3 – Desired outcome

Provide a summary of your submission:

I conducted two tours of RCB in 1977 and again in 1980. Our aim was to provide protection for RAAF personnel and protect vital assets. During the 1977 tour there were four breaches in the perimeter fence and a couple of flares set-off in the vicinity of the airfield. Airframes turned up during the night on three occasions with body bags of dead Malaysian soldiers that had been involved in fire fights with CTs. During these periods patrols were stepped up to maintain protection of personnel and vital assets. Due to all of the above and my supporting evidence is the reason we are fighting for recognition.

Part 4 - Your submission and Supporting Documentation

File Attached: Neil-Page.docx

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

Neil Page

Date

16/05/2022 /

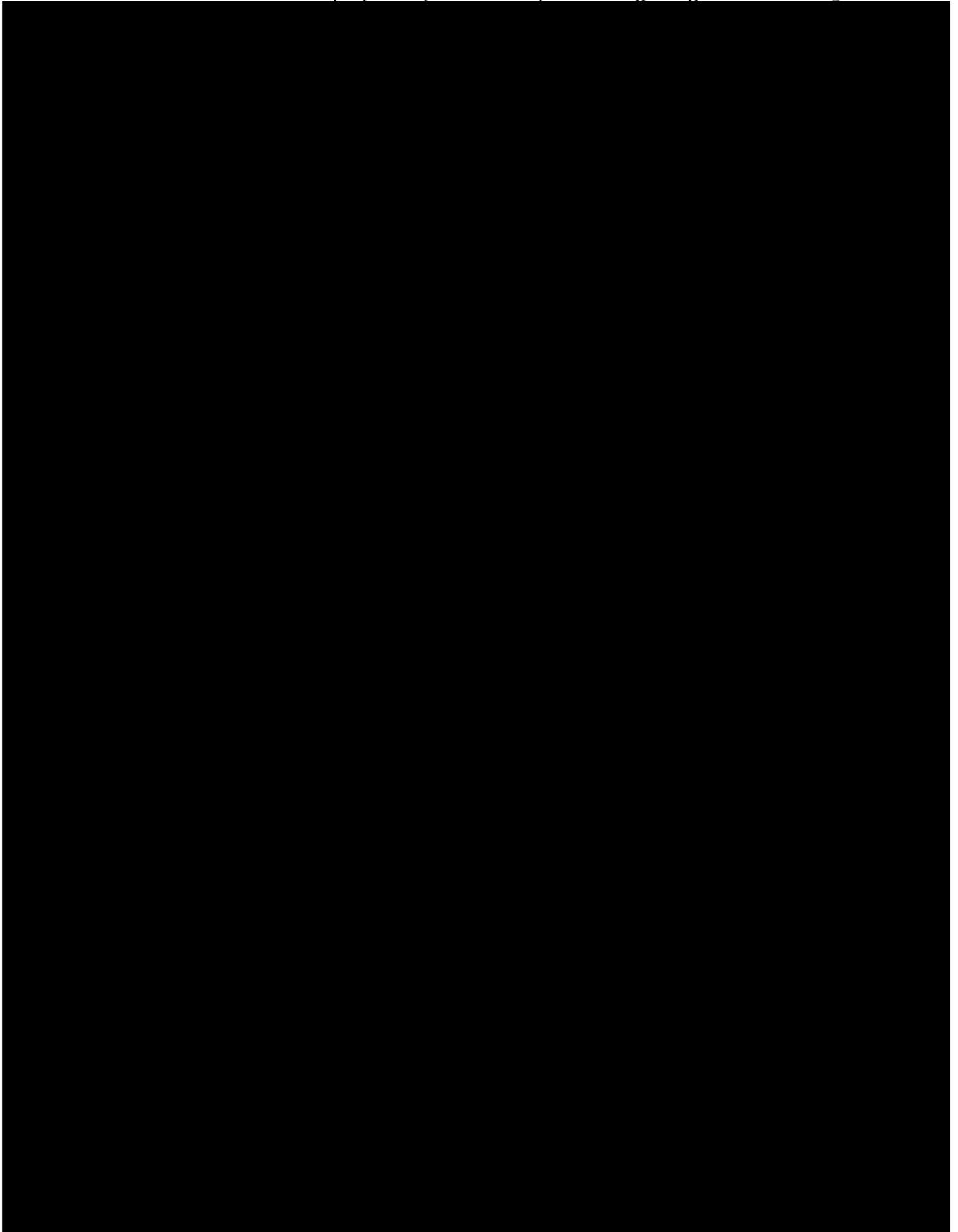


Signed by Mr. (retired WO2) Neil George Page

Signed on: 16 May, 2022

Signature Certificate

Document name: Submission to Inquiry - Mr. (retired WO2) Neil George Page



My name is Neil George Page I am an ex-Serviceman who served with Rifle Company Butterworth (RCB). I conducted two tours of RCB. First tour was in 1977 with C Coy 3 RAR June- Aug. Second tour was in 1980 with C Coy 3RAR 12 Jun –10 Sept.

On my tours prior to departing from Woodside, ADELAIDE SA 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 we were 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! I have attached the ROE as it related to RCB:

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 your performance based on Section tactics or time taken was adequate.

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. Butterworth Air Base was never attacked or infiltrated 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 an 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 Tours etc informed that our QRF was training. We had a clear and defined enemy threat based on our orders prior to mounting our QRF. 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.