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19 May, 2022

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Submission to Inquiry - Mr Iain Andrew CRUICKSHANK

Part 1 – Name of Inquiry

Name of Inquiry *

SUBMISSION TO RCB DHAAT INQUIRY

Part 2 – About the Submitter

Title or Rank *

Mr

Surname *

CRUICKSHANK

Given Names *

Iain Andrew

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 seek recognition that RCB's operational deployment in Malaysia (1970-89) qualifies as 'Warlike Service', not as 'training'. I contend that the RCB operational deployment has continuously and erroneously been classified as peacetime service from 1970 to 1989, during the '1968 – 1989 Communist Insurgency in Malaysia'. In support of this contention, it is my understanding that 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. In his 'Review of Veteran's Entitlements, 2002', Justice Clarke, in determining the nature of service for an approved operation, stated that the Department of Defence uses three primary factors: the mission, the rules of engagement and the threat to ADF personnel. RCB had: • a defined operational mission, • operational ROE and OFOE, and • a defined threat to ADF personnel and strategic assets at ABB over that period As part of the RCB Inquiry reconsidering RCB's service status, I request the Tribunal put aside previous decisions and determinations made by various Ministers relating to RCB operational deployment to 1989, and in making its determination, I entreat that all evidence and documentation provided is procedurally taken into consideration.

Part 4 - Your submission and Supporting Documentation

File Attached: SUBMISSION-TO-RCB-DHAAT-INQUIRY_I-Cruickshank.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

Iain Andrew CRUICKSHANK

Date

19/05/2022 /

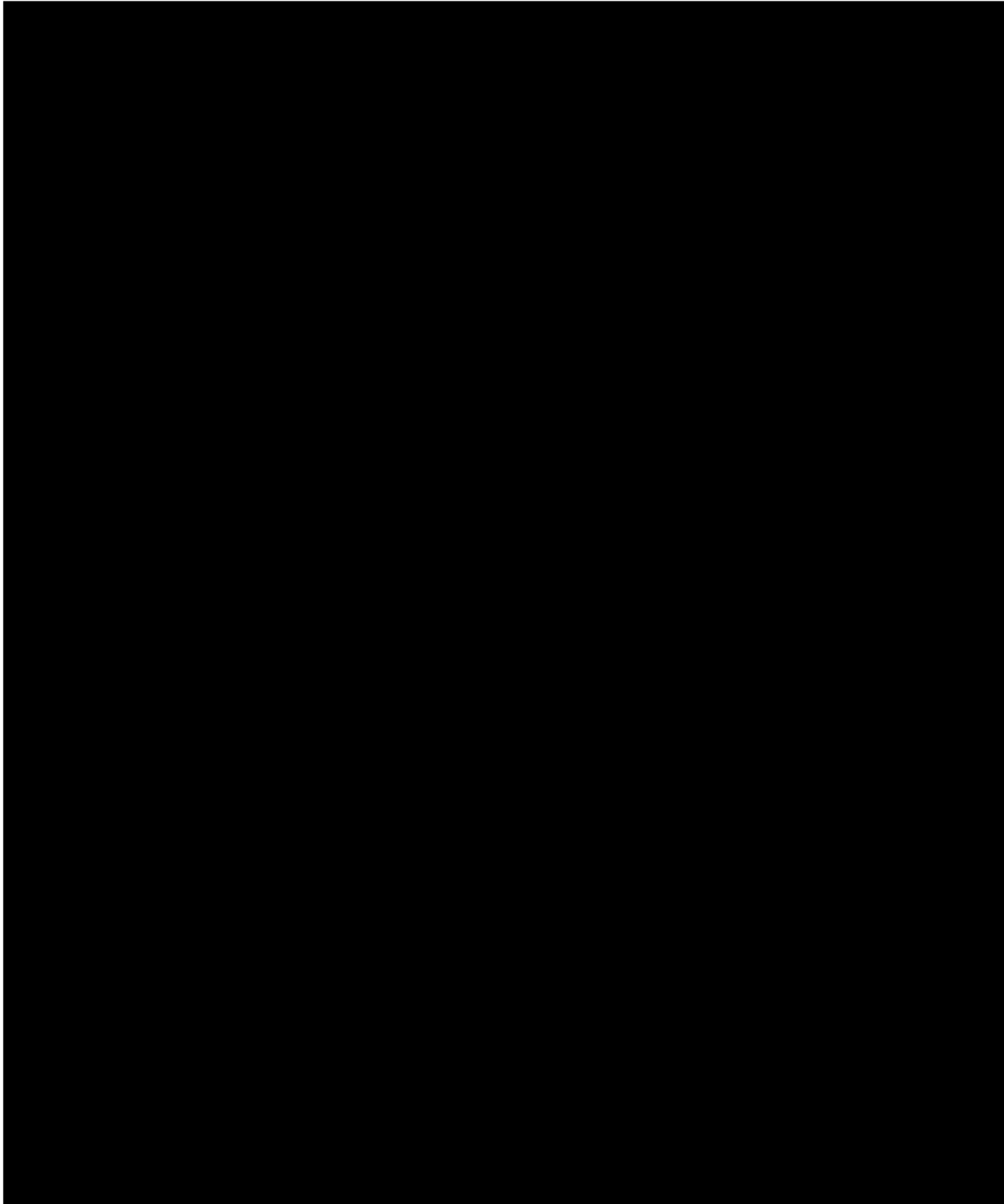
Mr Iain Andrew CRUICKSHANK

Signed by Mr Iain Andrew CRUICKSHANK

Signed on: 19 May, 2022

Signature Certificate

Document name: Submission to Inquiry - Mr Iain Andrew CRU...



SUBMISSION TO RCB DHAAT INQUIRY

Introduction

I am ex – Second Lieutenant (2LT) Iain Andrew Cruickshank, the Officer Commanding 7 Platoon Charlie Company Eighth/Ninth Battalion, the Royal Australian Regiment, deployed to Air Base Butterworth (ABB) from the 10th of September to the 2nd of December 1980. I commanded a 33-man infantry platoon, supplemented by six Royal Australian Artillery gunners and Royal Australian Engineers.

Pre-deployment Training

This training was conducted in and around Brisbane prior to deployment and included; incorporating the six new members into 1, 2 and 3 section and training them to Infantry Category 'proficient' status, relentless close country Infantry Minor Tactics, weapons training, live firing range practices, building entry and clearance training, receiving detailed briefs on the Communist Threat forces, updates on previous attacks on Malaysian Air Force (MAF) Bases, Intelligence updates as well as cultural country briefs.

Our Mission

It was clear to us, and covered in pre-deployment briefings, that the residual presence of communist terrorists on the Malaysian Peninsular was a threat not only to the ABB, but to the strategically-deployed RAAF air platforms, logistics and accommodation buildings, the Five Power Defence Arrangement (FPDA) Headquarters Integrated Air Defence System (IADS), and possibly to ADF families living on Penang Island. At ABB the Shared Defence Plan required the Malaysian Armed Forces (MAF) to provide 'front-line' perimeter defence with sentries and both the MAF and the Royal Australian Air Force (RAAF) providing patrols inside their own dedicated areas within ABB.

While I do not remember the exact wording of the Mission, we knew that RCB was deployed as an Armed Infantry Company Quick Reaction Force (QRF) to counter any major insurgency at the Air Base.

Application of Force

Quite simply put, the application of force had been authorised through delivery of Rules of Engagement (ROE) by HQ Field Force Command to whom RCB was directly and operationally responsible, and the provision of Orders for Opening Fire (OFOF).

OFOF were distilled from the ROE and carried in card format on each individual. The principal order was '*stop or I'll shoot*' written in English and Bahasa Malaysian, emphasising that this warning was to be issued three times before engaging potential threats. The significance of accurately pronouncing the order in Bahasa Malaysian '*stop or I'll shoot*' (repeated three times) and the consequence of getting it wrong, was relentlessly driven into us prior to deploying to Malaysia.

As the QRF, we were trained and ready as the reserve force to be deployed to action in our designated role (counter penetration and counter attack) as ordered by the Ground Defence Operations Centre (GDOC). In this role we were to stop penetration into the Base area and to counter attack to repel the enemy by fire and ground assault.

Threat and Incurred Danger

We received extensive briefings about our deployment. A key aspect was that the RCB had been deployed to ABB in the early 1970s to provide a protective and quick reaction force for the base during a resurgence of the Communist Insurgency in Malaysia. Regular updates were provided on the threat situation throughout the deployment and prior to deploying to Langkawi and Pulada.

The Threat to the Base, air platforms and personnel (at Butterworth and on Penang Island) and other Military Bases on the mainland was more than just perceived. As a young 2LT I didn't think too hard about this, but I did realise that if a Vital Point (VP) call out drill went '*live*' or incursion by belligerents onto the base occurred, it would result in casualties. We knew that ABB was used for RMAF infantry battalion combat deployments, MEDEVAC operations and there was an extant threat to the Base.

On two occasions, the reality of the threat transpired when, while conducting platoon battle physical training, we ran past Nuri (Malay Armed Forces {MAF} Sikorsky Helicopters) and; at one time witnessed the unloading of Malaysian battle casualties, and another time the platform had just landed, complete with numerous bullet holes in the fuselage. The risk of harm from the ongoing actions of hostile forces were elevated from 'possible' to something very real in our minds from that point.

Security Operations Tasking

On completion of the relief in place from the 'in place' company, our Company adopted a rotational security operations battle rhythm as follows:

- **QRF Platoon.** One platoon was continuously tasked (24 hours a day) as the protective security QRF, confined to the ABB. Each day of our deployment, saw one section of the designated platoon as the QRF on immediate standby in the guard room, armed with first line live ammunition and communications. The immediate action (IA) for this section was to react by vehicle to a VP (usually twice a night and more often over a week end) on Base (and off – including the FPDA HQ IADS Buildings), dismount and conduct a clearance of the VP by assault. This was undertaken in patrol order with section weapons loaded with live ammunition. The platoon minus remained on standby, with reduced degrees of notice to move (by section) contiguous with the QRF tasking.
- **Standby QRF Platoon.** The standby platoon was designated as standby QRF and was allowed to train within close proximity to the Base. At one stage I was tasked (with my section commanders and a Military Police detachment), to conduct a reconnaissance to the RAAF Married Quarters at Hillside on Penang Island to identify protected evacuation points, in the case of protected evacuation of ADF families as part of the Families Protection Plan.
- **Third Platoon.** The third platoon trained and rehearsed close country offensive and defensive security training in accordance with the company programme which included;

range practices (outside ABB), Jungle Training at Pulada, and a close country search and destroy platoon exercise training on Langkawi Island. This Training was extremely realistic, tough and while at times repetitive, was designed around the operational security tasking of the Rifle Company at ABB. Highlights were the realistic training undertaken at the Jungle Training Centre Pulada in Johore State, Jungle training on Langkawi Island and during operational readiness of the entire Airbase during FPDA IADS exercises.

- **Weapons allocation.** My personal weapon was a 5.56mm M16 automatic rifle and each platoon carried the normal allocation of Infantry Platoon weapons. While operating on Langkawi Island, my Platoon Sergeant and all Junior NCOs and I carried live ammunition loaded in two taped magazines for protection against belligerents or wild animals. Support section weapons were included at Company HQ level.

Training with the MAF

With exception of regular counter penetration IA drills at ABB, jungle ranges training in Pulada and one of my section commanders undertaking a Survival Course with the MAF in Pulada, we did not undertake other training with the MAF. I believe that this underpinned our mission as a QRF rather than a training activity, and our interaction with MAF was directly linked to security operations tasking.

Personal and Platoon Tasking

My personal and platoon tasking was as follows:

- QRF platoon (one in three weeks) and when we were on task, Duty Officer tasking and receiving daily updates from the GDOC.
- Reconnaissance, training for, and the conduct of assault drills to VP to counter penetration within the ABB, to buildings and locations on the western side of the highway, and other key VP.
- A reconnaissance with my section commanders to the RAAF Married Quarters at Hillside on Penang Island to identify evacuation points, in the case of protected evacuation of families if required.
- I accompanied the Company Commander by helicopter to Langkawi to conduct the reconnaissance for, and liaison with local officials for the aforementioned close country search and destroy platoon exercise training within the National Park.
- Led the advance party by truck and ferry from ABB to Langkawi via Kuala Perlis. Equipment included weapons, communications, rations and blank ammunition, pyrotechnics and an assault craft complete to CES. I carried live ammunition in taped magazines.
- Conducting live fire exercise and jungle ranges at Pulada and Kulim ranges.
- Conducting a sustained fire machine gun handlers' course with the Company Sergeant Major.
- Residual training in accordance with the company programme linked to our QRF tasking.

War Service

I contend that the RCB operational deployment has continuously and erroneously been classified as peacetime service from 1970 to 1989, during the '1968 – 1989 Communist Insurgency in Malaysia'.

After Malaya gained independence, the Malaysian Communist Party's (MCP) Leader Chin Peng waged a second campaign against the government from 1968 to replace the administration with a communist regime. The armed conflict (Second Malaysian Emergency 1968-1989) occurred in Peninsula Malaysia between Chin Peng's MCP and the MAF. The existential threat to forward deployed strategic RAAF Assets resulted in the operational deployment of the RCB as an armed QRF to counter any major insurgency at the Air Base. This requirement remained until December 1989 when a Peace Accord was signed between the MCP and the Malaysian Government. Of note, the Malaysian Government recognised service by Malaysian Armed Forces during the Second Malayan Emergency (1968 - December 1989) with the award of the Malaysian Service Medal (*Pingat Jasa Malaysia*) for war service, indistinguishable to that previously awarded to MAF during the Malayan Emergency (1948-1960) and the Indonesia–Malaysia confrontation (1963-1966).

Warlike Operations. It is my understanding that 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.

In his 'Review of Veteran's Entitlements, 2002', Justice Clarke, in determining the nature of service for an approved operation, stated that the Department of Defence uses three primary factors: *the mission, the rules of engagement and the threat to ADF personnel*.

RCB had:

- a defined operational mission,
- operational ROE and OFOF, and
- a defined threat to ADF personnel and strategic assets at ABB over that period.

Over a number of years, I have had the opportunity to access de-classified documents that included the MCPs capacity, tactics, techniques, indirect weapons used, confirmed attacks on MAF bases, and other activities that constituted a real threat to ABB and its assets during the period. It is obvious that RCB was deployed as an armed infantry company QRF to counter any major insurgency at ABB. Concomitant with that, deliberations of and the decision to deploy RCB, I submit must have taken account of incurred danger to the RCB members and have been accepted by the authorities as part of their decision to deploy the RCB and maintain its presence to ABB.



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19th May 2022