

SUBMISSION TO INQUIRY

This form must cover a submission to the inquiry

Name of Inquiry	Independent Tribunal To Reconsider Medalllic Recognition
	Rifle Company Butterworth

About the Submitter

Title or Rank:	Mr
Surname:	Thorpe
Given Names:	James Harold
Postal Address:	[Redacted]
Email Address:	[Redacted]
Preferred contact number:	Mobile: [Redacted] Home or other: [Redacted]
Is the Submission on behalf of an organisation? If yes, please provide details:	[Redacted]

Desired Outcome

Provide a summary of your submission.	Please accept my submission for consideration into this matter, it is a personal account my of my deployment to Australian Rifle Company (Rifle Company Butterworth)

Please attach your submission and any supporting documentation



Consent and Declaration

- 1 ☒ I **consent** to the Defence Honours and Awards Appeals Tribunal making my submission publicly available.
OR
☐ I **do not consent** to the Defence Honours and Awards Appeals Tribunal making my submission publicly available. My reasons are:


- 2 I also **consent** to the Defence Honours and Awards Appeals Tribunal:
- a. using information contained in my submission to conduct research;
 - b. providing a copy of my submission to a person or organisation considered by the Tribunal to be appropriate;
 - c. providing a copy of my submission to a person or organisation the subject of adverse comment in the submission; and
 - d. using content in my submission in its report to Government.

The Tribunal will decide which person or organisation is appropriate, and this may include:

- a. persons or organisations required to assist with the inquiry; and
- b. persons or organisations with an interest in the inquiry.

I **declare** that the information I have provided is correct.

Signature:



Print name:

James H Thorpe

Date:

24 June 2022

Lodging your submission

Further information, including the inquiry's Terms of Reference can be found at www.defence-honours-tribunal.gov.au

Once you are satisfied with your submission, return this form and all supporting documents

By Post:

Defence Honours and Awards
Appeals Tribunal
Level 1, 5 Tennant Street, Fyshwick
Locked Bag 7765
CANBERRA BC ACT 2600

By Email:

dha.tribunal@defence.gov.au

If you wish to speak with someone regarding your submission phone **02 6266 1019**



James Thorpe

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

INQUIRY INTO MEDALLIC RECOGNITION FOR SERVICE WITH AUSTRALIAN RIFLE COMPANY

(RIFLE COMPANY BUTTERWORTH) in the COMMUNIST INSURGENCY 1968-1989 commonly know as The 2nd MALAYSIAN EMERGENCY.

Dear Chairperson and Committee members of Defence Honours and Awards Appeals Tribunal

Please let me introduce myself my name is Mr James Harold Thorpe formerly 234716 Private James Harold Thorpe where I served as Number one Rifleman (personal weapon M203 rifle M16 with attached grenade launcher) of 1section 7 Platoon Charlie Company 5/7 Battalion Royal Australian Regiment (Mechanized) where I was posted to the Australian Rifle Company Butterworth Malaysia from June 1989 to September 1989 as a rifleman at Rifle Company Butterworth where our duties consisted of The security of the Royal Australian Air Force equipment, personnel and families and also to conduct joint training With the Malaysian military forces.

Pre-deployment

My rifle company was informed in mid to late January 1989 that we Charlie Company 5/7 Battalion Royal Australian Regiment (Mechanized) was to be the June deployment as the Australian Rifle Company posted to Butterworth Malaysia and assume all responsibilities as the Rifle Company Butterworth from June 1989 until be relieved by another Rifle Company from Australia.

As the next duty company our training was set as a very fast pace due to maintaining the Battalion training schedule with a series of multiple company exercises, 2 Battalion exercises 1 Brigade exercise at Puckapunyal plus most of the company deployed as umpires for K89 exercise between March -April 1989, along with normal vehicle maintenance and planning for long term storage for our company's M113A1 vehicles in early May 1989 plus the extra training for RCB, like vehicle checkpoints, gas training, jungle training, booby traps and demolition training, language courses (6 weeks) , patrol medic course(4 weeks) with refresher training in map reading and radio and codes for all sections within the company and a daily intelligence briefings from mid March. Also with numerous range practices using section and company heavy weapons, section drills, first aid classes DP1(Deployment Preparedness level 1) kit inspections medical appointments for teeth and vaccinations for deployment and other administrative task like writing our wills and making pay allotments and other security related paperwork.

Our training concluded late May 1989 with pre-deployment leave for 14 days before boarding a RAAF plane at Richmond Air Base to fly to Malaysia.

Malaysia June 1989 – September 1989

After arriving at Butterworth we were giving a complete tour of the air base and updated intelligence and security briefings on our role as the Quick Reaction Force and security duties. WE WERE ISSUED with (ROE'S) RULES OF ENGAGEMENT within the confines of the RAAF responsibilities of the air base perimeter. Certain areas within the air base were marked as highly recommended areas for security reasons where the standing guard patrol and Quick Reaction Force had to be on a alert at all times . Standing Guard patrols had to maintain consent radio communications with the guard room and duty officer at designated times. 1 rifle section was always designated as the ON DUTY as the guard and Quick Reaction Force , where the other 2 rifle sections within the Platoon were on standby And confined to base (10 and 30 minutes call out times) to fulfil the requirements of Quick Reaction Force.

While off duty with training and other duties permitting we were granted local leave with a time restrictions to be back on base and to ready resume our duties .

As we settled into the routine of daily intelligence briefings and normal section, Platoon and company training according to the training schedule as directed , if your section was designated as the on duty QRF section which involved in depth briefings on security and the responsibility of ROE's Rules of Engagement and the drawing of section weapons (SLR , M16 and M203 rifles plus section machine gun M60 and the correct ammunition for all section weapons we presented for guard duty and Quick Reaction Force responsibilities we were normally excuse from normal training activities to concentrate holey on the security requirements .

Enemy, Danger and Expectation of Casualties

During the intelligence and security briefings it was stressed most importantly that the Communist terrorist were very active through the area of Butterworth and other parts of Malaysia and Butterworth air base was and is a top priority target . So with the daily intelligence and security briefings And with the perceived Danger of an attack at any time , and with heavy reinforcement on battle field casualties first aid training and the strong opinion on protection of RAAF equipment personnel and families we the rifle company was expandable to take casualties for mission success.

During my deployment the company was put on full notice at lest twice that I recall but is was quite common for the Malaysian Air Force police guards which patrolled the outer perimeter to fire their weapons at any potential or perceived danger, in which made very interesting times as the Quick Reaction Force to determine whether the threat was real or perceived , as a rifleman within the guard or QRF we were always on contest alert within our area of responsibility of protecting the RAAF assets.

Training with the Malaysian Defence Force

Yes my company did participate in the joint exercise Hangaroo where they conducted training with the 9 Royal Malay Regiment (Mechanized) over a period of 2-3 weeks , I can't comment on the actual exercise as I remained at Butterworth Air Base as part of the rear details due to recovering from injury, with the remainder of the 25 RCB personal attending to guard and QRF duties , where one night approximately about 2315hours (11.15pm) I was acting in the position of guard 2Ic placing the guard

sentries along the flight line we heard rifle fire coming from the main front gate in which was about 1100 metres from our position , so myself and 3 other guard members ran towards the main gate to investigate and provide back up to the Malaysian Air Defence Guards who were firing up the main road facing north , after informing the guard commander and duty officer we deployed as QRF to the front gate armed with 2 SLR's 1 M203 and 1 M60 machine gun as we arrived at the front gate 1 RAAF Military Police/ dog handler also arrived to assist .

We found out later the next day what the Malay's were shooting at. They had seen a couple of people trying to climb the boundary fence.

Actual Task

As a very serious 20 year old in 1989 I strongly believe that with all the specific training above the standard company training and the intelligence and security briefings and requirements we meet as a company in pre-deployment , and once we were in country where the daily intelligence security briefings and carrying live ammunition I have no doubt that we were in a active war zone and we were there to protect Australian assets eg; RAAF air craft, infrastructure, personnel and families against the Communist terrorist threat that was very active until the signing of the peace treaty in December 1989 .

After 30 plus years I still believe that we were sent by the Australian Government and Department of Defence to provide a well trained and armed Rifle Company to Butterworth Malaysia to serve as the Australian Rifle Company for the protection of RAAF equipment personnel and assist the Malaysian Government and Defence forces in defeating the threat they faced .

I have been privileged to been able to read all the documentation researched by the RCBRG over the many years to confirm that what we were told all those many years ago that we were on active service in a foreign allied country to assist in their struggle to end a terrible deadly war that lasted over 30 years.

I wish to thank the tribunal for the opportunity to voice my opinion about this important matter and with confidence in the tribunal in making a positive response and granting all entitlements to aid all Veterans who served in Malaysia at Butterworth As Australian Rifle Company (Rifle Company Butterworth) and RAAF personnel for their dedication to duty of the defence of Australia and Malaysia.

Please accept my availability to answer further questions in person or written response by your request. . -



James Thorpe



PROTECTED AREA KAWASAN LARANGAN

NO
ADMITTANCE
TO
UNAUTHORISED
PERSONS

閒人
免進



DILARANG MASUK
JIKI TIADA
KEBENARAN

உததரவனறி
உள்ளே
பிரவேசிக்க
கூடாது

保護區 பாதுகாப்பு இடம்

RESTRICTED

C3-2

7. At all times, before opening fire you must remember:
- If in doubt do not shoot,
 - You must not fire unless this is the least force necessary to enable you to carry out the orders you have been given.
 - Shoot to wound and not to kill.
 - Use the minimum number of rounds necessary.
 - Your right to shoot ceases as soon as the necessity for protection has passed, ie, if your first round wounds the person so that he can no longer continue the act which caused you to open fire, you are not to shoot him again.
8. You are to take careful note of the fact that your right to shoot ceases at the Air Base boundary fence. You are not to shoot at a person on the other side of the fence.

Sentries on Protected Places

9. If you are posted as a sentry on a Protected Place, the provisions of paragraph 3 apply. However, if any person enters the Protected Place and whilst within the boundaries of the Protected Place fails to halt when challenged with the words 'HALT OR I FIRE - BERSIHNTI ATAU SAYA TEMBAK' repeated three times you may fire at him provided you are unable to stop him or to arrest him by any other means.
10. Similarly, should a person whom you have arrested within a Protected Place attempt to escape, you may shoot them subject to:
- your having challenged them correctly in accordance with the procedure given in paragraph 5; and
 - there being no other means of affecting their rearrest.
11. You are to take careful note of the fact that your right to shoot ceases if the person you challenge leaves the Protected Place, whether escaping from arrest or not. You must not shoot at such a person or any other at any time when they are outside the boundaries of the Protected Place, except within the provision of paragraphs 5 - 7.

RESTRICTED

RULES OF ENGAGEMENT

APPENDIX 3 TO
ANNEX C

ENGAGEMENT BY FIRE

General

1. All troops are to be made aware, through briefing and discussions, of the difficulties of and necessity for, identifying friend from foe. Most Malaysians who have access to the Air Base, seldom carry identity cards and probably have only a vague awareness of authorized and unauthorized areas.
2. It is imperative that all ranks know and understand the rules of engagement and methods of ensuring own troops safety.
3. The most important implication of engagement by fire is 'IF IN DOUBT DO NOT SHOOT'.

Rules of Engagement

4. Application. The rules are to be applied within the Air Base regardless of curfew, periods of increased security, air defence exercises and time of day or night. All ranks operating within the Air Base are to be aware of friendly national organizations which operate within the Air Base.
5. Orders for Opening Fire. You may open fire at a person or persons only in the following circumstances:
 - a. If you are ordered to guard any building vehicle, aircraft, tent being used as a dwelling or as a place of storage, or you are ordered to guard the occupants of, or any property contained in each such building, vehicle, aircraft or tent you may open fire at any person who is in the act of destroying or damaging by fire or explosives the building, vehicle, aircraft or tent, or the property contained therein PROVIDED THAT THERE IS NO OTHER MEANS OF PREVENTING THE PERSON FROM CARRYING OUT THE ACT OF DESTRUCTION OR DAMAGE.
 - b. If you or any other person is illegally attacked in such a way as to give you reason to fear that death or grave bodily injury will result, you may open fire on the person carrying out the attack PROVIDED THAT THERE IS NO OTHER MEANS OF PREVENTING THE PERSON FROM CARRYING OUT THE ATTACK.
6. Before opening fire you are to warn the person whom you intend to shoot of your intention to open fire unless he ceases his illegal act. You should use the challenge 'HALT OR I FIRE - BERHENTI ATAU SAYA TEMBAK' repeated three times.

ORDERS TO OPEN FIRE.

You may open fire at a person or persons only in the following circumstances.

- a. If you are ordered to guard any building, vehicle, aircraft, tent or construction being used as a dwelling or place of storage, or the occupants or contents therein; You may open fire at any person who is in the act of destroying or damaging by fire or explosives the building, vehicle, aircraft, tent or construction, or the occupants or property contained therein; PROVIDED THERE IS NO OTHER MEANS OF PREVENTING THE PERSON FROM CARRYING OUT THE ACT OF DESTRUCTION OR DAMAGE.
- b. If you or any other person is illegally attacked in such a way as to give you reason to fear that death or grave bodily injury will result; You may open fire on the person carrying out the attack PROVIDED THERE IS NO OTHER MEANS OF PREVENTING THE PERSON FROM CARRYING OUT THE ATTACK.
- c. To effect the detention or arrest of a suspected illegal entrant, or to prevent the escape of an arrested illegal suspect; You may open fire to prevent the escape of the illegal suspect PROVIDED THERE IS NO OTHER MEANS OF EFFECTING THE ARREST OR PREVENTING THE ESCAPE.





50th Anniversary



RIFLE COMPANY BUTTERWORTH

Malaysian Armed Forces (MAF) congratulates Rifle Company Butterworth (RCB) for its 50th anniversary of establishment in Malaysia.

Your presence and sacrifice here in Malaysian soil in protecting the RMAF Butterworth base during the resurgence of the communist insurgency in 1970-1989 was a remarkable contribution and had always been the highlight of your presence here in Malaysia.

Since then, the cooperation and the desire to further develop the friendly relations continue to grow, in preparing for more challenging future ahead.

May the long historical defence collaboration between MAF and Australia Defence Force will further strengthen and expand beyond the bilateral scope and more importantly under the auspices of the Five Power Defence Arrangements and the Malaysia Australia Joint Defence Program in providing a better future for the subsequent generations.



GENERAL TAN SRI DATO' SRI HJ AFFENDI BIN BUANG RMAF
CHIEF OF DEFENCE FORCE



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1970 - 2020



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OFFICIAL MEDIA SOCIAL



In all cases before opening fire you are to warn the person whom you intend to shoot of your intention to open fire by using the challenge HALT OR I FIRE. BERHENTI ATAU SAYA TEMBAK. Repeated three times.

At all times before opening fire you must remember;

- a. IF IN DOUBT DO NOT SHOOT
- b. YOU MUST NOT SHOOT UNLESS IT IS THE LEAST FORCE NECESSARY TO CARRY OUT THE ORDERS YOU HAVE BEEN GIVEN
- c. SHOOT TO WOUND NOT TO KILL
- d. USE THE MINIMUM NUMBER OF ROUNDS NECESSARY
- e. YOUR RIGHT TO SHOOT CEASES AS SOON AS THE NECESSITY FOR SUCH ACTION HAS PASSED. IE. IF YOUR FIRST ROUND WOUNDS THE PERSON SO THAT HE CAN NO LONGER CONTINUE THE ACT WHICH CAUSED YOU TO OPEN FIRE, YOU ARE NOT TO SHOOT HIM AGAIN.

You are to take careful note of the fact that your right to shoot normally ceases at the Air Base boundary fence (including the hospital, Messes and Married Quarters areas). You are not to shoot at a person on the other side of the fence unless specific orders to the contrary have been issued.