

Document ID: e19babad2421bb34c5b78981b68f9c31a03a6d6c

14 December, 2022

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Submission to Inquiry - Mr Leslie James Ray

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

Given Names *

Leslie James

Surname *

Ray

Post-nominals (if applicable)

Street Number and Name *

[REDACTED]

Suburb *

[REDACTED]

Postcode *

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State *

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Email Address: *

[REDACTED]

Primary Contact Number *

[REDACTED]

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:

subsequent submission in addition to my previous submission lodged in May 2022

Part 4 - Your submission and Supporting Documentation

File Attached: subsequent-submission-to-RCB-enquiry-14-December-2022.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

leslie james ray

Date

14/12/2022

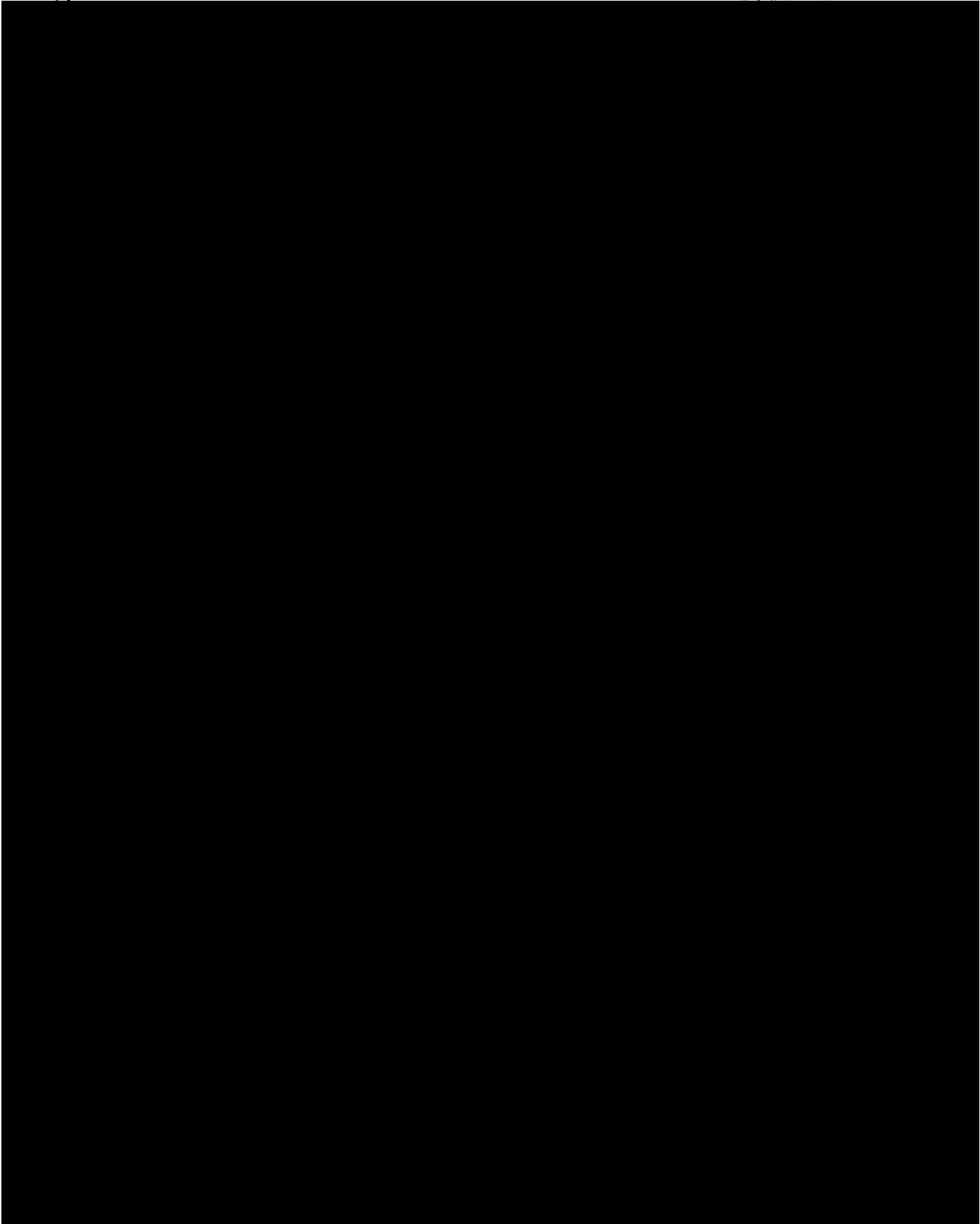
A handwritten signature in black ink, appearing to read 'Leslie James Ray', with a horizontal line drawn underneath the signature.

Signed by Mr Leslie James Ray

Signed on: 14 December, 2022

Signature Certificate

 LEGALLY SIGNED USING



Subsequent submission to the RCB DHAAT Inquiry

Leslie James Ray

[REDACTED]
[REDACTED]

14 December 2022

In accordance with directions the Chair gave during his 23 November public hearing, I wish to lodge an additional submission.

I noted the Chairs comments that refuted the Department of Defence's view that RCB was normal peacetime service, therefore, this submission will look at the difference between 'warlike' and 'non-warlike' service as clearly RCB service was not normal peacetime service or garrison duty, and I will draw a comparison with other operations that were initially awarded non-warlike status but later upgraded to warlike.

The RCB Review Group have identified seven operations that were initially awarded the ASM but were later upgraded to the AASM. These seven operations were detailed in a matrix with the service provided by RCB (dated the 31 December 2017) comparing criteria such as closest distance to known enemy, rules of engagement, patrol area, allied and enemy casualties and primary tasks to name a few.

The Chair would be aware of this matrix and any additions since that date, so I don't need to go over that material again.

However, there was at least one omission, and that was the upgrading of the ASM to the AASM for the crew of the HMAS Canberra for operation *DAMAK VI* between November 1992 and March 1993.

This was highlighted in two separate appeals to the Defence Honours and Awards Appeals Tribunal (DHAAT), both dated the 4 October 2013, for Warrant Officer Andrew Craig Dennis¹ and Chief Petty officer John David Anderson.²

Even though these appeals were about the 'double medalling policies', they highlight the difference between the criteria for the ASM and the AASM.

The initial deployment of the *Canberra* was to enforce United Nations sanctions against Iraq for which they were correctly awarded the ASM as enforcing sanctions is deemed non-warlike, however, for approximately seven days during that deployment the *Canberra* was re-tasked to provide anti-air escort services for the USS Caron. On one of those days, the *Caron* fired on targets in Baghdad. After seven days, the *Canberra* resumed its sanctions enforcement task.

In June 2009 a review determined that the services rendered by the *Canberra* during those seven days were war-like, and consequently the service rendered by the *Canberra* was recognised by an upgrading to the AASM.

Now consider the difference between the two tasks performed by the *Canberra* during this operation.

Enforcing UN Sanctions involved armed military personal boarding ships where there was a possibility of casualties (but not expected), and rules of engagement which were defensive in

¹ Warrant Officer Andrew Craig Dennis and the Department of Defence [2012] DHAAT (4 October 2013).

² Chief petty officer John David Anderson and the Department of Defence [2012] DHAAT (4 October 2013).

nature. It was a police action as there was no enemy and the *Canberra*'s role were to enforce the law and to stand between opposing parties.

However, providing anti-air escort services for a ship that fired on the enemy is not a police action, but a clear military objective. There were expectations of casualties, there was an active enemy present, and the rules of engagement clearly provided 'shoot to kill' authority. The *Canberra*'s task was to provide security for the *Caron* so it could engage in combat operations with the enemy.

Now compare the *Canberra*'s seven-day war-like task with the nineteen-year task of RCB.

HMAS Canberra

It was to provide anti-air escort services for the USS Caron, or in other words, they were to counter any aerial attack by the enemy. Clearly, a war-like activity, although no evidence exists that any attack occurred.

RCB

We were there to provide a quick reaction force to counter any attack by the enemy.

This view is supported by the former Labor Defence Minister, the Hon Stephen Smith MP, who stated:³

In 1973 an Australian infantry company was established as Rifle Company Butterworth in Malaysia. This provided a protective and quick-reaction force to assist our regional partners during a resurgence of the Communist Insurgency.

The Rules of Engagement for RCB restricted deadly force to within the wire, therefore, had the enemy broken through the wire, RCB was tasked 'to seek out and close with the enemy, to kill or capture him, to seize and hold ground and to repel any attack, day, or night, regardless of weather or terrain.'⁴

This responsibility was in place 24/7, 365 days a year for 19 years.

Hence the reason why RCB was required to be A1 fit, fully trained in infantry tactics, and equipped with front line ammunition.

RCB's quick-reaction force had a clearly defined military objective and was authorised to use deadly force to achieve its aims. It did not wear blue helmets, and it did not stand between belligerents. It was not a peacekeeping force.

RCB's role was to provide security for the Australian assets at Butterworth which allowed the Malaysian military forces to concentrate on combat operations with the enemy.

There were also mechanisms in place to reinforce the company to battalion strength if needed.

Conclusion

RCB was there to provide a deterrent to the Communists forces and to support the Malaysian forces as they engaged in active operations against a known enemy.

RCB performed a similar service to the *Canberra* during the Gulf War.

³ The Defence Minister addressed the Council for Security Cooperation in the Asia Pacific at Curtin University on the 10 November 2011.

⁴ Army Standing Instruction (Personnel), Part 11, Chapter 4 – Infantry Combat Badge.

The fact that there were no major security breaches during that time is testament to the effectiveness of RCB, and it should not be used to deny proper recognition.

Kind Regards,
Leslie James Ray

Photos

I've attached some photos taken by others at Butterworth. They raise an interesting question which I would like the Chair to address.

In two of the pictures, the linked ammunition carried is live ammunition, and clearly the locations of the photos were not on a range.

In my limited military experience, the only places that live ammunition is carried in proximity of the relevant weapon is on a range or on active service.

The reason that I know that the ammunition is live ammunition is that blank 7.62mm linked ammunition for the M60 machine gun is made entirely from black plastic. Clearly, these rounds are brass rounds and therefore are live rounds.

Could the Chair explain why soldiers were handling live ammunition outside of a range if they were not on active service?



Figure 1 The soldier on the left is holding a M60 machine gun with no blank firing attachment (BFA) fitted. The linked ammunition carried are live rounds and the location is not on a range. The number of belts carried is probably an exaggeration.



Figure 2 A typical section doing the nightly QRF patrol. One soldier seated at the front is holding the m60 machine gun and the soldier next to him has a belt of live ammunition draped over his shoulder as has the soldier seated on the left in the truck. They are without their shirts for the photo but are dressed in long pants and boots, the required dress for patrol order. There are ten soldiers in an infantry section. The above photo shows eight with one in the Armscote building and the other taking the photo. Therefore, in the group is a corporal and a lance corporal, who would not have tolerated the handling of live ammunition with weapons if it were not active service.



Figure 2 Both photos taken inside of the QRF room showing the allotted section dressed in patrol order. There are eight soldiers in the photo, one in the Armscote building and one taking the photo. This duty was performed every night.