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14 December, 2022

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Submission to Inquiry - Mr Stephen Winthrop

Part 1 – Name of Inquiry

Name of Inquiry *

Recognition for service with Rifle Company Butterworth

Part 2 – About the Submitter

Title or Rank *

Mr

Given Names *

Stephen

Surname *

Winthrop

Post-nominals (if applicable)

Street Number and Name *

[REDACTED]

Suburb *

[REDACTED]

Postcode *

[REDACTED]

State *

[REDACTED]

Email Address: *

[REDACTED]

Primary Contact Number *

[REDACTED]

Secondary Contact Number

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

No

Part 3 – Desired outcome

Provide a summary of your submission:

Expectation of Casualties

Part 4 - Your submission and Supporting Documentation

File Attached: Expectation-of-Causalities.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

Stephen Winthrop

Date

14/12/2022

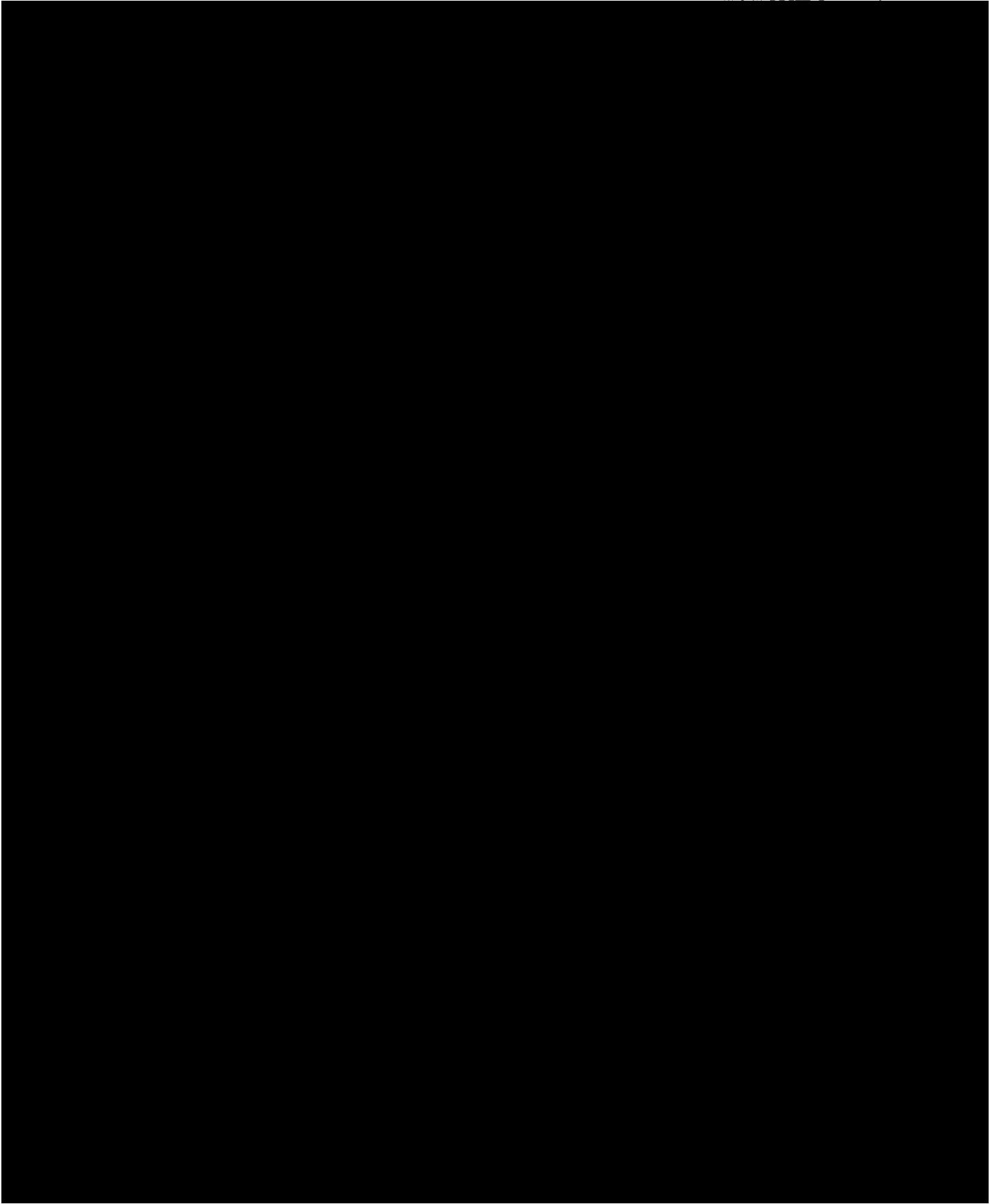


Signed by Mr Stephen Winthrop

Signed on: 14 December, 2022

Signature Certificate

 LEGALLY SIGNED USING **WP E-Signature**



Expectation of Casualties.

Was the Malaysian Terrorist Insurgency a serious situation which could lead to casualties.

The actions and the aim of the CT's were far more serious than to damage the Malaysian Government. The Communist Terrorist Organisation aim was to overthrow the elected government by armed force this was a continuation of the Malaysian Emergency by the same leader Chin Peng and the same CT army.

Expectation of casualties.

We do not need to go past the reason and the role in which RCB were deployed to Malaysia to understand that there was an expectation of casualties.

1. RCB was deployed to Butterworth as a Quick Reaction Force to defend our assets and vital points on a Royal Malaysian Air Base during their Communist Insurgency. Our sole purpose at Butterworth was when attacked was to counter-attack, repel, kill, recapture ground, that was RCB sole purpose.
2. RCB role as a QRF was in a constant state of readiness there was never any down time there was never any breaks between deployment a new company would march in on the same day as the old one left. This demonstrates the seriousness of the situation nothing was left to give the CT's any opportunity to attack.
3. RCB was the only combat unit at Butterworth with the task of counter-attack any CT's penetration. Malaysia did not have any troops at Butterworth for this task.
4. The Malaysian Army had casualties on their other bases for doing what RCB was doing at Butterworth, that is to defend our assets and Malaysian vital points on their Royal Malaysian Air Base. Butterworth was a forward operational air base. Malaysian vital points were critical in their war against the CT's, RCB was defending these vital points for Malaysia during their insurgency.
5. It was not just the CT's which posed an assessed threat, but the many subversive groups which acted independently.
6. Under the direction of the Ground Defence Operational Centre RCB was the first responder to an overt penetration which could only result in death and casualties.
7. RCB role was directly intended to engage the CT's on any breach or penetration.
This alone gives us the expectation of casualties.
8. The very existence of Communist Terrorist operating around Butterworth with the aim of overthrowing the elected government by armed force. Butterworth was a desirable target for the CT's, the CT's were operating on the door steps of Butterworth, bridges and railway lines bombed, military base on Penang Island bombed, CT's were killed 10 miles from Butterworth.

This environment, that is the actions of the CT's created an expectation of casualties.

SECRET – Department of Air Brief, 564/8/28.

'The most important requirement is to ensure that the base has adequate emergency arrangements in place to deal with casualties and to recover from an attack'

It is very clear from the above document that Butterworth was required to be prepared for expected casualties

Activation of Butterworth Hospital

Base Defence Plan OP Order 1/71

1. On activation of the Ground Defence Operation Centre at level Amber the full Hospital Emergency plan would be activated, and remain under command of the Ground Defence Operational Centre until stood down.
2. Both RCB and the Base Hospital was activated due to ground threats to Butterworth
RCB was activated to respond to that threat, and the Base Hospital was activated to deal with casualties as a result of that threat.
3. Defence had expectation of casualties that's why we had ROE and the hospital had emergency procedures in place to deal with casualties. RCB role was to engage the CT's when they attacked or penetrated the perimeter of Butterworth.

Likely Forms of Attacks. Secret Air Brief 564/8/28.

In summary the possible forms of a CTO attack on Butterworth are:

- a. An open conventional attack by day or night by a large group of CT's using small arms and explosives and possibly supporting rockets and mortar fire.
- b. A covert penetration by night by a small group of Terrorist with the object of attacking vital points and aircraft using explosives.
- c. Sabotage using delayed action explosives, booby trap and similar devices by subversive groups, and by locally employed civilians and contract personnel on the base.

When you have armed troops with live ammunition who are there to engage the enemy to counter attack when they attack or penetrate the perimeter, then you are going to have casualties. That is the nature of it.

How can you not expect casualties when you are on a forward operational air base which was prosecuting a war against the CT's, and there was an assessed threat by two Intelligence Agency's, Butterworth was a desirable target for the CT's this environment created an expectation of casualties.

Was there an assessed threat which would lead to an expectation of casualties.

Simply put there was a threat which would lead to an expectation of casualties by two Intelligence Groups.

1. ANZUK Intelligence Group. 1971 SECRET document The threat to Air Base Butterworth to end of 1972.

They concluded that an attack on Butterworth by CT members or subversive group was a definitely a risk at any time without any warning.

2. Malaysian Deputy Director of Military Intelligence brief to our High Commissioner Mr Rowland.

'The threat to all RMAF Bases was now very seriously regarded, and apart from anything else an attack on Butterworth would be a good moral victory for the Communist Terrorist Organization'

He assessed Butterworth as a probable target.

When the Malaysian Deputy Director of Military Intelligence Brief our High Commissioner that he considered that Butterworth is a probable target for the CT's, then the only conclusion is there would be an expectation of casualties.

It could not be predicted when the CT's or a subversive group would attack Butterworth or how it would attack.

SECRET Air Brief 564/8/28

The major difficulty from a Defence point of view point is that the CT's are able to decide the timing, nature and frequency of attacks virtually unhindered and little fear of retaliation. The advantage remains with the CT's.

JIO are saying that the CT's were in a position and able to attack Butterworth on their own terms.

That simply tells us that Butterworth could be attacked at any time, RCB mission was to counter-attack this overt penetration to engage the CT's (and I do not mean in dialogue). This could only result in casualties

RCB role as a QRF was in a constant state of readiness, there was never any down time. There was never any breaks between deployment a new company would march in on the same day as the old one left.

The only dedicated military force at Butterworth to counter a CT overt penetration was RCB's Quick Reaction Force. Under the Shared Plan it was RCB who was to respond to that overt penetration. The Malaysians had guards and sentries, but no dedicated military force for that purpose.

Were we part of Malaysia's war against the Communist Terrorist and exposed to casualties as the Malaysian troops were, and did suffer casualties.

In reality we were, if we look at what was happening on the ground at that point in time, there is only one conclusion that is we were part of Malaysia war against the CT's and on active service as the Malaysian troops were, after all we were doing their job for them on their Royal Malaysian Air Base Butterworth.

1. We were a QRF to defend our assets on a RMAF Base which was a forward operational air base in their fight against the CT's, it went far beyond that it included shared areas which included vital points. These vital points were pivotal to the success of Malaysian operations against the CT's. If these vital points were damaged it would significantly impact on their ability to take the war to the CT's and thus made it a desirable target for the CT's.
2. Protecting Malaysia vital assets from a CT' attack automatically made us part of their war, and made us exposed to casualties as the Malaysian troops were, and they did suffer casualties.
3. By providing that military force which was required to defend the RMAF Base Butterworth which allowed Malaysia to release more troops into the field, this directly assisted the Malaysians in their fight against the CT's.
4. We were performing exactly the same task as Malaysian troops were carrying out on their other military bases. The funny thing is if we were in the Malaysian Defence Force and doing what RCB was doing we would be on active service.
5. The Shared Plan. Under the shared plan the Australian Air Officer Commanding Butterworth would take control of both Australian and Malaysian troops in the event there was a penetration on Butterworth.
6. If we were in the Malaysian Army and doing what RCB were doing at Butterworth, that is providing a Quick Reaction Force, for protection of Malaysian vital assets used in their war against the CT's then we would be on active service.
7. The Malaysian Army had casualties for doing what RCB were doing at Butterworth, we were taking the place of Malaysian soldiers at Butterworth.

As we were providing the defence role for Butterworth for the Malaysian Army, that is doing what their soldiers on Active service would be doing if RCB was not there. Then RCB was on active service.

Defence can make all the academic claims, but this is what in reality was happening on the ground.

*RCB was the dedicated force to respond to an overt penetration by CT's
That made us part of Malaysians war against the Communist Terrorist.*

It was a case of how to be involved in the Malaysian Insurgency without actually saying we are.

Do we fit Non-Warlike Definition.

Non-Warlike service exposes ADF personnel to an indirect risk of harm from hostile forces.

1. RCB were deployed to directly engage the CT's at Butterworth when they attacked or penetrated Butterworth perimeter, to counter-attack, to hold ground, to repel the CT's. and to do this there would have been an expectation of casualties. The sole reason RCB were deployed to Butterworth was to be a Quick Reaction Force to protect our assets during the Communist Insurgency this included Malaysian vital assets in their war against the CT's.

RCB role was to directly to engage the enemy when the breached the perimeter.

There is no expectations of casualties as a result of engagement of those designated forces or groups.

1. RCB was often activated by the Ground Defence Operation Centre due to ground threats, again RCB role was to directly respond to this threat, at threat level Amber the hospital also activate their Medical Emergency Plan to deal with casualties, as there was an expectation of casualties.

Again, Dept. of Air Brief 564/8/28 'The most important requirements are to ensure that the base has adequate emergency response arrangements to deal with **casualties** and recover from the effects of an attack'.

The above Dept of Air Brief clearly indicate there was an expectation of casualties and an expectation of an attack.

Having the capability to employ violence to achieve their objectives but there is no specific threat or assessed intent.

1. Two Intelligence agency said there was an assessed treat to Butterworth, the ANZAC Intelligence Group and the Deputy Director of Military Intelligence Malaysia.
2. The Ground Defence Operational Centre was repeatedly activated due to an assessed ground threats to Butterworth.
3. We cannot go past the SECRET Air Brief 564/8/28. Intelligence information received in late September 1975 reports its underground organisation in Peninsular Malaysia to carry out rocket attacks against air bases especially during the months of September and October.

It did not exclude Butterworth. There were orders given to attack Butterworth with rockets.

ADF personnel is limited to self-defence.

1. Defence would want you to believe we only had the right to defend ourselves the same as we would have in Australia. Our ROE went beyond self-defence.
2. Our ROE were very clear we did not have to wait for lives were in danger to open fire.

Unit Standing orders, Rules of Engagement, Engagement by fire Appendix 3 to Annex C.

You may open fire at a person or persons

Who is in the act of destroying or damaging by fire or explosion the building vehicle, aircraft or tent, or the property contained.

You may fire on persons or persons

in a Protected Place or escaping arrest, and we had to give warnings to ensure that person or persons was not a civilian worker.

Malaysian soldiers had casualties on their other bases for doing what RCB was doing on Butterworth. We were being used to protect our assets and also Malaysian vital assets in their war against the CT's.

3. These ROE were for sentry duties and they went far beyond self-defence only. When activated by the GDOC which was to an assessed ground threats to Butterworth of an attack or penetration, then we were under the GDOC orders.

4. We had ROE because the normal right to defend ourselves did not give us the power we needed to carry out our duties.

5. We had to learn the words '**Stop or I will Shoot**' in Malaysian.

It is very clear that RCB does not fit the definition of Non-warlike.

It is also very clear because of the role RCB was sent to Butterworth, that is reason we do not fit the definition of Non-Warlike.

Guarding and Sentry Duties Verse Responding to an Attack or Penetration.

Possibility Verse Expectation of Casualties.

Defence maintain RCB duties were the same as garrison duties in Australia guarding and sentry duties, (except in Australia there was not a Communist Insurgency going on) you also do that in war zone, the question is whether we were doing it as in like Australia or in a war zone. We were on a forward operational air base used to prosecute a war from, that answers the question.

1. It is one thing to be guarding and sentry duties, there may be a possibility of casualties, but it is completely different when your duty is to directly respond to an attack or penetration to engage the enemy, to kill, to recapture ground, to counter attack, there would be an expectation of casualties.

2, RCB was given the offensive task designed to engage the enemy to protect our assets and vital points which included Malaysian vital assets in their war against the CT's.

3. I wonder why Defence only talk about guarding and sentry duties, but never talk about RCB role as a QRF which was designed to directly engage the enemy in combat on penetration of Butterworth which can only result in death or casualties.

RCB was the dedicated force at Butterworth to respond to an overt penetration by CT's on the RMAF Base, that made us part of Malaysians war against the Communist Terrorist.

It was a case of how to be involved in the Malaysian Insurgency without actually saying we are.

In truth RCB played a vital part in Malaysian war against the Communist Terrorist Organisation by providing that military force to protect and defend Malaysian vital assets on their Royal Malaysian Air Base Butterworth.

RCB was on a forward operational Malaysian Air base which was being used to prosecute a counter insurgency operation against the Communist Terrorist this made Butterworth a desirable target for the CT's. This environment creates an expectation of casualties.

DHAAT need to look at what was really happening on the ground to understand that RCB was War-like.

A personal thought

'I think Defence have dug a hole for themselves and do not know how to get out of it, so they just keep on digging, sure there was a political reason for the deception but that was over ½ a century ago.

I think they have dug this hole for themselves and there is no going back.

Stephen Winthrop

13 November 2022