

Document ID: 6dfc2a2d9181d3d0cd31fbc4cf70d0195f4aca9a

9 January, 2023

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## Submission to Inquiry - Mr Barry Albrighton

### 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 \***

Barry

**Surname \***

Albrighton

**Post-nominals (if applicable)**

MMgt (ANU)

**Street Number and Name \***

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**Suburb \***

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**Primary Contact Number \***

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**Secondary Contact Number**

[REDACTED]

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

No

### Part 3 – Desired outcome

**Provide a summary of your submission:**

To provide the DHAAT Review Panel with a submission containing information to assist in their deliberations.

## Part 4 - Your submission and Supporting Documentation

File Attached: Albrighton-RCB-Expectation-of-Casualties-v1.0.pdf

## 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**

Barry Alexander Albrighton

**Date**

09/01/2023

*Mr Barry Albrighton*

Signed by Mr Barry Albrighton

Signed on: 9 January, 2023

[Redacted]



[Redacted]

[Redacted]  
*Mr Barry Albrighton*

[Redacted]

[Redacted]

[Redacted]

[Redacted]

9 January, 2023 10:02 pm AEDT

The document has been signed by all parties and is now closed.

[Redacted]

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09 January 2023

Mr Stephen Skehill  
Chair  
Defence Honours and Awards Appeals Tribunal  
Locked Bag 7765  
Canberra BC ACT 2610

Enquiry - Medallion Recognition for Service with Rifle Company Butterworth

## Rifle Company Butterworth & the Expectation of Casualties

### Introduction

I would like to thank the DHAAT Review Panel for indicating during the first hearing that Rifle Company Butterworth (RCB) service was most likely either Warlike Service or Non-Warlike Service. This supplementary submission contains my views on the nature of RCB service operations in relation to the expectation of casualties and a Warlike Operation.

I believe it is important that we first recognise that a casualty is not only the death of a soldier. The Australian War Memorial defines a casualty as: “a person killed or injured in a war or accident”, <https://www.awm.gov.au/articles/encyclopedia/definitions/casualties> . I have no knowledge of the death any Australian soldiers serving with RCB, although I will argue that this fact in itself does not negate the expectation of casualties or the occurrence of RCB casualties throughout the Insurgency, because injured soldiers are regarded as casualties during a war.





I would suggest that on the basis of the evidence available at the time and logic, there are five broad categories of information available that suggest casualties were expected and incurred by Rifle Company Butterworth during the Communist Insurgency in Malaysia:

1. The Malayan Emergency Records and Experience.
2. The Communist Insurgency Casualty and Operational Records.
3. The Role of Rifle Company Butterworth.
4. The Operational Duties of Rifle Company Butterworth.
5. The Rifle Company Butterworth Casualties Incurred during the Insurgency.

### The Malayan Emergency & the Expectation of Australian Casualties During the Communist Insurgency in Malaysia

The Malayan Emergency also known as the Anti-British National Liberation War (1948-1960) was a guerrilla war fought in British Malaya between Communist Pro-independence fighters of the Malayan National Liberation Army and the military forces of the British Empire and Commonwealth. The leader of the Malayan Communist Party Chin Peng and his allies fled into the jungles and formed the Malayan National Liberation Army to wage a war for national liberation against British colonial rule.

During the Malayan Emergency 11,053 people were killed. The statistics in the table below suggest that ongoing casualties were expected during the Malayan Emergency including Australian casualties [https://en.wikipedia.org/wiki/Malayan\\_Emergency](https://en.wikipedia.org/wiki/Malayan_Emergency)

Malayan Emergency Casualties and losses	
Security Forces	Insurgents
 1,346 killed	6,710 killed
 519 killed	1,289 wounded
  2,406 wounded	1,287 captured
	2,702 surrendered
Civilians killed: 2,478	
Civilians missing: 810	
Civilian casualties: 5,000+	
<b>Total killed: 11,053</b>	
<b>Note: 39 Australian Servicemen killed and 27 wounded</b>	

The Malayan Emergency ended when the Malaysian Government declared the State of Emergency over. Chin Peng left Thailand for Beijing where he was accommodated by the Chinese Authorities in the International Liaison Bureau.

In relation to the Malayan Emergency, Australian soldiers serving in Malaysia during the Communist Insurgency could expect to incur casualties for the following reasons:

1. Australia was actively involved in the Malayan Emergency.
2. The Anti-British sentiment of the Malayan Emergency could be imposed on Australians.
3. Australia incurred casualties during the Malayan Emergency.
4. Australian soldiers (most likely) caused Communist casualties during the Emergency.
5. Chin Peng led the Malayan National Liberation Army during the Malayan Emergency and the Communist Insurgency.
6. There was no formal agreement between Chin Peng and the Malaysian Government to end the Malayan Emergency (that I am aware of).

### The Communist Insurgency in Malaysia and the Expectation of Casualties

The Communist Insurgency in Malaysia, also known as the 2nd Malayan Emergency, was an armed conflict which occurred in Malaysia from 1968 to 1989, involving the Malayan Communist Party and Malaysian Government Security Forces. CIA reports estimated there were about 2400 Communist Insurgents operating in Peninsular Malaysia in 1975. These Insurgents were known to be armed with mortars, small arms, rocket propelled grenades, explosives and were proficient in setting booby traps. They were supported by a propaganda radio operating out of China, were thought to be receiving arms and supplies from Vietnam and Thailand and food and other supplies from the local population.

The Communist Insurgency Table below provides an outline of casualties and losses during the Insurgency. I believe no Australian soldiers were killed as a result of hostile action.

Communist Insurgency Casualties and losses	
Security Forces	Insurgents
155 killed	212 killed
854 wounded	150 captured
	117 surrendered
Note: No Australian Casualty Records Found	

Source: [https://en.wikipedia.org/wiki/Communist\\_insurgency\\_in\\_Malaysia\\_\(1968%E2%80%931989\)](https://en.wikipedia.org/wiki/Communist_insurgency_in_Malaysia_(1968%E2%80%931989))

The Counter Insurgency Operations Table below provides a detailed account of casualties each year, demonstrates the regularity in which casualties occurred and clearly shows that a significant number of Malaysian Security Forces casualties could be expected each year.

COUNTER INSURGENCY OPERATIONS														
Year	CT DESTROYED				SF CASUALTIES			ACTIVITIES						
	Killed	Captured	Surrendered	Total	Killed	Wounded	Total	Clashes	Incidents	Movements	FINDINGS			
											Camps	Resting places	Food Dumps	Total
1969	-	-	1	1	6	22	28	-	5	83	-	18	-	18
1970	9	2	5	16	13	28	41	11	18	192	6	25	2	33
1971	9	1	3	13	9	35	44	17	13	316	7	46	12	65
1972	1	1	2	4	4	17	21	8	11	18	14	34	37	85
1973	8	-	1	9	4	19	23	16	22	181	17	50	76	143
1974	41	8	10	59	3	38	41	34	63	377	25	86	48	159
1975	7	1	5	13	33	150	183	22	76	323	34	117	35	186
1976	16	10	19	45	3	6	9	41	168	571	25	83	53	161
1977	23	28	27	78	13	85	98	31	35	285	17	58	32	107
1978	15	5	8	28	14	124	138	60	116	396	89	84	36	209
1979	26	7	9	42	15	80	95	54	64	449	58	102	52	212
1980	17	-	1	18	12	27	39	36	33	362	53	81	32	166
1981	6	3	18	27	9	34	43	16	32	314	18	28	11	57
1982	4	-	1	5	2	38	40	36	42	249	19	32	9	60
1983	10	-	3	13	5	23	28	15	34	171	22	43	20	85
1984	5	-	1	6	5	40	45	18	32	105	18	36	11	65
1985	-	-	-	-	3	23	26	3	14	142	18	45	10	73
1986	6	-	2	8	1	28	29	9	3	136	38	56	68	162
1987	7	2	-	9	1	28	29	10	6	35	40	73	40	153
1988	2	82	1	85	-	8	8	2	7	55	12	34	13	59
1989	-	-	-	-	-	1	-	-	2	8	10	21	4	35
Total	212	150	117	479	155	854	1009	439	796	4768	540	1152	601	2293

Figure 4.42 Statistics of Operational Achievement in Peninsular Malaysia from 1969 until 1989. Source: National Security Council.



On average, Security Forces could expect:

1. 50 casualties each year.
2. 8 killed.
3. 42 wounded.
4. 1 casualty every 4.4 days.
5. 1 soldier killed every 6 weeks.
6. 1 soldier wounded every 7 days.

### **The Role of Rifle Company Butterworth**

The RAAF Commander at Butterworth Air Base had real concerns that the existing security measures in place (the responsibility of Malaysian Security Forces) had shortcomings, leaving Australian assets and personnel and their families at risk of armed assault and sabotage (see attached intelligence excerpt). In addition, Communists were known to be operating in close proximity to the base and had carried out attacks on other military installations. In this context a fully armed Australian Army Rifle Company was deployed on a rotating basis, to provide the RAAF Commander with an armed Ready Reaction Force capable of deploying immediately. **This Australian fighting force was armed and ready to fight 24 hours per day, 7 days per week.**

When considering deploying an armed infantry force, it is vital that you understand the 'role of the infantry'. According to the Australian Army, the role of infantry is to, "seek out and close with the enemy, to kill or capture him, to seize and hold ground and to repel attack by day or night, regardless of season, weather or terrain". (<https://www.army.gov.au/our-people/corps/royal-australian-infantry-corps>).

Rifle Company Butterworth was an infantry company deployed to fill an infantry role. Should an actual overt breach of security occur at pre-determined Key Points within Air Base Butterworth, the role of the RCB Ready Reaction Force was primarily to 'immediately' seek out and close with the enemy, to capture, wound or kill him, to seize and hold ground and to repel attack by day or night, regardless of season, weather or terrain.

To fulfill the role, the Company would seek out and analyse intelligence in order to understand the enemy, how they operated and to prepare for armed contact with the enemy. They maintained an armed presence in the area and conducted regular patrols seeking out signs of enemy movements.

When enemy forces were reported to be operating near the base the Company would review and update their operational readiness. They would conduct additional armed patrols along the base boundary fence looking for any signs that the enemy had breached the fence, entered the base or were outside the fence preparing to enter or fire upon the base. When the risk was higher than normal, armed standing patrols would be placed at likely enemy approaches overnight and recreational leave would be cancelled.

The role RCB was performing suggests casualties could reasonably be expected because:

1. The RCB role belonged with the Malaysian Security Forces.
2. The Malaysian Security Forces were at war with the Communist Insurgents.
3. All Malaysian Security Forces actively engaged with the enemy could reasonably expect casualties.
4. Malaysian Security Forces performing similar roles at other military installations had had contacts with the enemy.

My understanding is that those members of the Malaysian Security Forces who were taking part in the Insurgency War were awarded the Pingat Jasa Malaysia Medal, a medal the equivalent of the Australian Active Service Medal. The issue to be considered here why should Australian soldiers acting in place of Malaysians be treated differently?

### The Operational Duties of Rifle Company Butterworth

The operational duties placed the RCB Ready Response Force at direct risk from harm from hostile forces because:

1. There were no continually manned military posts close to the Air Base that would hinder the approach of any CTO assault group.
2. There were Malaysian villages near the base boundary fence that could house Insurgents.
3. Any person outside the base could approach the boundary fence.
4. RCB was providing an immediate armed response capability, a deterrent, an assurance around our RAAF Vital Points and a reliable source of intelligence.

Generally, when alerted to a possible incursion at a pre-determined Vital Point location on the base, the Ready Response Force would immediately mount the Ready Reaction Force Vehicle fully armed, proceed to the Vital Point and jump from the Response Force Vehicle whilst it was travelling at under 25km/h. Ideally, soldiers would remain upright after they landed, then leap to the ground and take up a firing position. Under the orders of the Section Commander, the force would search the area for any sign of insurgents, respond to situation and secure the area.



I witnessed soldiers being injured during these callouts, usually because the truck was exceeding the 25km/h speed limit for that type of deployment, resulting in soldiers landing badly. On at least one occasion I witnessed a soldier being knocked unconscious when his weapon struck his head. On another occasion when we deployed only myself and the Section Commander had landed without incident, with all the other soldiers having landed badly.

Rifle Companies were required to conduct armed patrols within the Base searching for signs of Communist Insurgents activity. Sometimes we would patrol sections of the boundary fence seeking out any signs of enemy incursion, whilst scanning the areas external to the base looking for signs of enemy activity. At times these patrols took us alongside local villages and paddy fields where we were openly vulnerable to enemy fire. Of course, as one might expect, soldiers would be injured at times like when they tripped and fell, were infested by tropical insects like ticks or caught tropical diseases.



I don't believe I suffer anxiety as a result of my service with RCB, although I recognise that others may. Some years ago, I received a request for a witness statement in the form of a statutory declaration from an RCB veteran who was suffering from anxiety. Apparently, he was still anxious about the way he was challenged by a Malaysian Special Policeman who had cocked his weapon and aimed it at him. I too had had the same experience so I had no hesitation in providing him with a declaration outlining my own experience. I guess others may have been anxious for other reasons like when receiving reports of enemy operations, hearing about casualties, witnessing casualties and when patrolling next to villages and feeling vulnerable etc.

Whilst I believe no RCB soldiers were killed in action against the enemy, I find it difficult to accept that none became casualties whilst carrying out operational duties that were directly related to the activities of hostile forces.

### **The Rifle Company Butterworth Casualties Incurred during the Insurgency**

RCB veterans are suggesting that RCB service was Warlike because casualties were expected, whilst Defence maintain that it was not Warlike because casualties were not expected. Given that our 'expectations' are our reasonable predictions of what we expect will happen, and no RCB casualties appear to have been recorded, it is reasonable to assume that RCB casualties could not have been expected because none were recorded over 18 years. That is unless RCB casualty records were not being kept.

In my earlier submissions I discussed the political environment around the deployment. I would suggest that, had RCB casualties been appropriately predicted, reported and recorded, it is likely both the Australian and Malaysian governments would have had difficulty agreeing to the deployment. This situation could have resulted in Australian casualties and an expensive loss of RAAF assets. The Australian Government would have been left extremely embarrassed.

By deploying RCB as an armed Ready Response Force under the guise of training, it is likely any contact with the Insurgents by RCB would be reported as RCB responding to an Incursion by forces that were not recognised or expected to be hostile towards Australia.

### **Conclusion**

For the following reasons I believe it is reasonable to agree that RCB casualties were expected during the Communist Insurgency in Malaysia?

1. The Malayan Emergency casualty records and experience suggests that significant casualties would have been expected by Malaysian and Commonwealth forces during the Communist Insurgency.
2. Australia was an active force against the same Communists during the Malayan Emergency.
3. The Communist Insurgency casualty and operational records prove that there were many Malaysian Security Forces casualties during the Insurgency and that they were incurred regularly and often. The casualty numbers speak for themselves and clearly demonstrate that Malaysian Security Forces had expected operational casualties.
4. During the Insurgency, on 11 April 1975 Maj. Barry Petersen, an Australian Army Officer working with the Malaysian School of Training for the Land Army, reported being telephoned by Communist Terrorists who demanded he provide military information in return for his life (Petersen Tiger Men p212 1988). Clearly the Insurgents did not regard the Australian military operating in Malaysia as off limits.
5. Malaysian Security Forces incurred 1009 casualties during the Insurgency.

6. Should the Base have been attacked, the Insurgents could not be certain they were not targeting Australian soldiers, particularly at night.
7. Malaysian military installations were attacked on a number of occasions, with the Royal Malaysian Airforce Base in Kuala Lumpur being attacked twice in 1975.
8. Air Base Butterworth was a forward operational base.
9. There was no evidence to suggest that Air Base Butterworth would be excluded from attack in preference to other military installations in Peninsular Malaysia.
10. The CIA referred to Air Base Butterworth as a 'Prime Target' in one of their reports.
11. The Role of Rifle Company Butterworth in responding to the actions of hostile forces belonged with the Malaysian Security Forces who were regularly incurring casualties.
12. The operational duties performed by Rifle Company Butterworth in responding to the actions of hostile forces were clearly dangerous, could have resulted in the death of RCB forces and would have caused injuries and illnesses.
13. When conducting a reconnaissance patrol in an operational area during an Insurgency, there is no guarantee that the area is free of Insurgents until the search is complete.
14. The lack of RCB casualty records appears at odds with the role and operational duties performed and the likelihood of injuries and illnesses. This lack of casualty records, does however appear to be aligned with the political influences during the period in question i.e.:
  - a. Malaysia recognises the need for an armed force but is unable to provide it.
  - b. Australia recognises the need for the armed force and can provide it, provided our government does not break their election promises.
  - c. Should our personnel, their families or our assets come under attack, our (peacetime) soldiers would respond because they happened to be there and it was necessary.

In closing, I would like to point out how some of the casualty intelligence related to my deployments.

1. In 1975, the year before my first deployment in 1976, Malaysian Security forces suffered 183 casualties, whereas the Communist Insurgents incurred only 13 casualties. 1975 Malaysian Security forces suffered more casualties than in any other year. There were 571 Insurgent movements reported during 1976, the year I was there.
2. When I returned in 1979, Malaysian Security forces suffered 138 casualties in 1978, whereas the Communist Insurgents incurred only 28 casualties. There were 449 Insurgent movements recorded during 1979, the year I was there.
3. I witnessed members of RCB being injured and requiring medical attention for other reasons during my deployments.

Please feel free to contact me if you would like to discuss this submission.

Yours Sincerely

*Barry Albrighton*

Barry Albrighton MMgt (ANU)

RCB Veteran 1976-77 & 1979



## Attachment

- (e) The shortcomings of the Malaysians have been pointed out to them and will continue to be pointed out to them, but there is a limit to what the traffic will bear in this connection, without significant bad feeling being created. Some training is also being provided. Other measures that are open to us without obtrusively getting into the Malaysians' areas of responsibility have been or are being introduced, including where possible, discrete RAAF "spot checks" on Malaysian surveillance of vital points. The Miragelines, of course, are under constant and direct RAAF surveillance. In addition, Malaysian reluctance having been overcome, the ANZUK force will now provide one infantry company on rotation through Butterworth on a full-time basis, ostensibly for training, flag-showing and a change of scene. The presence of this company will provide the Commander with a ready-reaction force which he can use inter alia to supplement the elements available to him under the joint Malaysian-RAAF Plan, but short of an actual overt breach of security the Commander cannot use these troops for guard or other security duties.