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12 April, 2023

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Submission to Inquiry - Mister Michael James Connolly

Part 1 – Name of Inquiry

Name of Inquiry *

Medallic recognition for service with Rifle Company Butterworth

Part 2 – About the Submitter

Title or Rank *

Mister

Given Names *

Michael James

Surname *

Connolly

Post-nominals (if applicable)

Street Number and Name *

[Redacted]

Suburb *

[Redacted] *

[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:

Individual

Part 3 – Desired outcome

Provide a summary of your submission:

My third submission is in relation to specific points made during the 3 and 4 April Hearings.

Part 4 - Your submission and Supporting Documentation

File Attached: RCB-3.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.

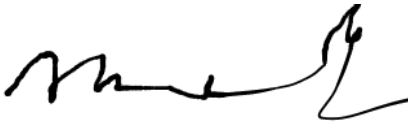
✓ I declare that the information I have provided is correct.

Name

Michael James Connolly

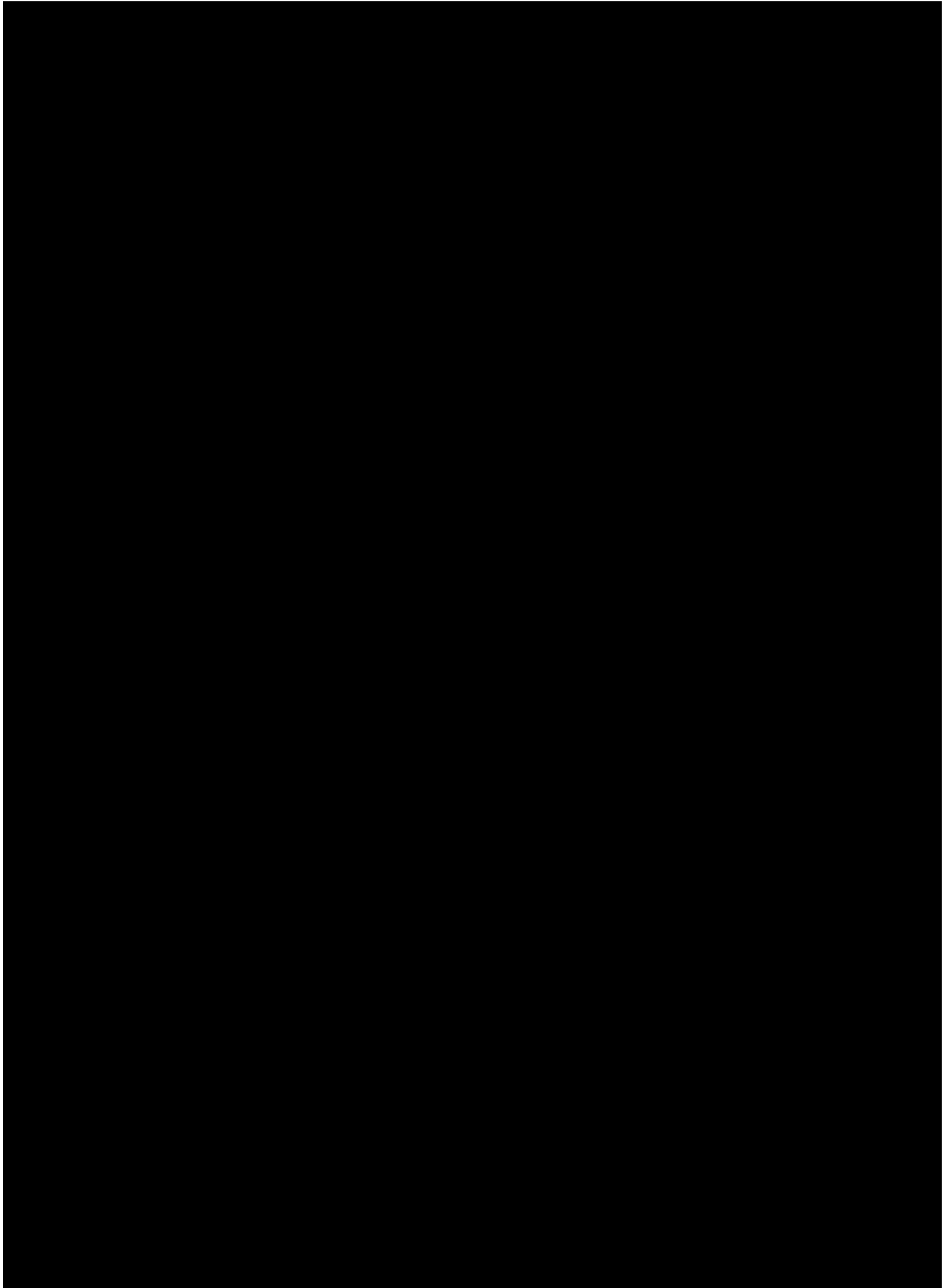
Date

12/04/2023



Signed by Mister Michael James Connolly

Signed on: 12 April, 2023



Michael James Connolly

I would like to highlight/address several points that I believe require further clarification prior to the DHAAT making their determination on the RCB inquiry. I conducted two tours of RCB, C Coy 1 RAR June to September 1974 and A Company 1 RAR June to September 1975. There are a number of issues from the public hearings conducted on 3 and 4 April 2023. Namely the retention and storing of loaded live ammunition magazines and link for the GPMG:

1. On both my tours 1974 and 1975 none of the weapon magazines loaded with live ammunition were taped. The live ammunition link for the M60 GPMG and the loaded live ammunition magazines for the M16 and SLR rifles were held in a footlocker. Said footlocker was kept in the QRF room and was loaded onto the QRF vehicle whenever the QRF was called out.
2. All weapons carried by the QRF Section, were in the unloaded condition whilst in the QRF Guard room.
3. On one occasion during the 1974 tour, I recall our weapons upon alighting from the QRF vehicle were placed in the loaded condition. This was a tactical decision of the Section Commander, as the Section was conducting fire and movement through the designated KP which was the RAAF hospital. This was due to the fact the Section was away from the vehicle and the ammunition contained in the footlocker and the vehicle not being able to be in proximity to the Section. Our Section Commander made that decision based on the tactical situation at the time.
4. On my 1975 tour with A company 1 RAR, on one occasion the half Section Standing Patrol I was with, went to the action condition on our weapons, a tactical decision made by the commander of that patrol. Further to that we had a Malay Soldier attached to us whose weapon was in the actioned condition as well. I have been informed by other members of the Companies Platoons/Sections this occurred on similar patrols during the same period.
5. The Rules of Engagement for both those tours were challenge 3 times in Malay "Stop or I will shoot" before firing at the enemy on the airbase. I never heard or was instructed to wound anyone if I had to open fire.

On 5 August till 8 August 1975 the entire Rifle Company was stood to, as a result of a heightened CT presence/activity in the Province of Wellesley approximately 3 kms from BAB; along with the discovery of a large holes that had been cut in the perimeter fence of BAB. The BAB RAAF Commanding Officer ordered the entire Rifle Company to be stood to for the period of 5 to 8 August 1975; and to mount in addition to the 10-man QRF Section 5 x 5 man Standing Patrols and a 10-man Section to mount a roving picquet on the RAAF Mirage flight line.

This amounted to 45 members (not including the SNCOs and Officers) on duty each full day during that period. The remainder of the Rifle Company was on standby in the Company lines to be used as additional QRF and relief for the members on duty. Further on each Standing Patrol a Malay Soldier was attached as an interpreter and extra rifle. Each member of the Standing Patrols was armed with individual weapons including GPMG and live ammunition, once again adherence was given to the ROE. The Standing Patrols I was involved in were conducted at the old Chinese cemetery on the Eastern side of BAB airstrip.

It is my opinion the Standing Patrols, Roving and QRF were/was Warlike. Warlike operations are those military activities where the application of force is authorised to pursue specific military objectives and there is an expectation of casualties.

Our role was just that, to use force to meet our objectives. To react to any incursion onto BAB, to use force if necessary to stop/cease that incursion. The Standing Patrols, Roving Picquets and QRF if it was met with an enemy incursion could/would expect casualties, if force had to be utilised to achieve our objective: Protecting BAB Personnel and Assets.

It has been stated that our ROE was defensive only, I would counter that by stating in the matter of encountering a lone person be it identified enemy or some other belligerent then the ROE would be used in its Standing order format/manner. Challenge 3 times before firing. If, however, the QRF was activated to an actual enemy incursion where shots had been fired or not; I would say that the ROE in its legal form would and could not be met. The ROE was not defensive only if used in that scenario. Once the QRF is activated it is impossible by virtue of the role of a QRF to have an ROE that is defensive only, as it is a reactive force.

The Standing Patrol (Standing patrols are usually small (half section/section) static patrols intended to provide early warning, security or to guard some geographical feature, such as dead ground.) Standing Patrols are also reactive and proactive. In this case it was to provide early warning and interdiction if the need arose; to possible incursion through the identified openings cut into the perimeter fence. The importance and no doubt heightened security threat was in my mind at the time which was one of more than an unlikely threat. This was reinforced by having a Malay Soldier attached to our Standing Patrol.

It is my assertion the Tribunal and Defence have not given or attributed sufficient weight to this sequence of events from 5 August through to 8 August 1975. This was an out of the standard QRF situation we expected whilst on QRF duty. To have that many Standing Patrols is and was a greater threat than we had faced from the commencement of our tour of duty; further bolstering what was usually the RAAF Police/dogs and ADGs responsibility guarding the flight line of Mirage and other aircraft. It also increased the likelihood of casualties if incursions did occur

I was 19 years of age at the time and positioned prone beside old graves and watching a section of the BAB perimeter fence (which had been identified as having an opening cut into it) this Standing Patrol was taken very seriously. Knowing that we were tasked to be early warning for the Company and have to deal with any incursion that may have occurred; was a very stressful task. We were awake from the time we inserted into our position (just after full darkness) , it rained on us (no wet weather protection), and we had no night optics afforded to us. So our only means of conducting our duty was to rely on our sight (as much as we could) and our hearing. It was not training or just an Officers callout like we had experienced on standard QRF duty. We were armed and prepared to hold and defend our position against any and all intruders or CTs.

The Standing Patrols in question, were placed in a tactical manner, (around the entire perimeter of BAB to be early warning to an incursion through the identified openings in the perimeter fence and else where into BAB). to react to any incursion using the ROE or any other means to stop the incursion. This would have entailed the use of force, by using all and necessary means i.e., shooting the enemy. The possibility of friendly casualties if a contact happened or occurred would be very high.

During the hearings on 3/4 April 2023, Defence stated/mentioned we the RCB did not have any combined military activities with the Malay Army. This statement is incorrect: I would just reiterate the Standing Patrol I was on during the period 5/8 August 1975. We had a Malay Soldier attached to us for the duration of that Standing Patrol, so that statement by Defence does not stand or have merit. The Malay Soldier was acting as an interpreter and extra rifle support to the Standing Patrol. I might

add at this juncture that this was not the only time a Malay Soldier had been attached to a similar Patrol. (Mark Butlers submission 052 of the RCB inquiry)

The Standing Patrols, Roving picquet on the flight line were all considered necessary to bolster the QRF, and no doubt deemed of a very high priority by the OC RAAF. The document (SECRET) supporting this is attached in my 1st submission number 001 to the Inquiry (DHAAT)

By virtue of the Standing Patrol with attached Malay Soldier being placed in that position (the old Chinese cemetery on the Eastern side of BAB) we were placed in harms way, it is only due to the fact no incursion onto BAB occurred during that period; that no contact occurred, or casualties eventuated.

Lastly during the hearings on 4 and 5 April 2023, Defence stated that they did not or would not contest any of the submissions from individuals (with the exception of from memory 2 which were preposterous) if that is the case surely the evidence that is gleaned from reading those submissions cannot be discounted ; and by that it should be accepted that what occurred on the ground is certainly not what the powder coated RAAF or Army documents state.

There was a threat to all RCB personnel as well as RAAF, the possibility of casualties cannot be discounted by an unsupported statement by Defence that the threat was LOW, and the possibility of casualties was probable but highly unlikely. The 1975 JIO does not support this statement by Defence as was pointed out by the Tribunal. Further neither does the 1993 definition of Warlike service.

ASSESSMENT OF RIFLE COMPANY BUTTERWORTH SERVICE USING 1993 NATURE OF SERVICE DEFINITION – WARLIKE Definition 2.18 Warlike operations are those military activities where the application of force is authorised to pursue specific military objectives and there is an expectation of casualties. These operations can encompass but are not limited to: a.

a state of declared war;

b. conventional combat operations against an armed adversary; and

c. Peace Enforcement operations which are military operations in support of diplomatic efforts to restore peace between belligerents who may not be consenting to intervention and may be engaged in combat activities. Normally but not necessarily always they will be conducted under Chapter VII of the United Nations Charter, where the application of all necessary force is authorised to restore peace and security or other like tasks.

It does not state how High, or Low the expectation of casualties is or should be. It only states there is an **expectation** of casualties. (see the expectation of casualties for Ubon below)

When my (and the RCB) service is compared to that of the RAAF ADG in Ubon Thailand and Diego Garcia, I say our service was more than comparable with that service. Our threat was greater as per my above paragraphs. Ubon and Diego Garcia have met the standard of Warlike Service, and by that precedent ours (RCB) should meet that standard.

INQUIRY INTO UNRESOLVED RECOGNITION ISSUES FOR ROYAL AUSTRALIAN AIR FORCE PERSONNEL WHO SERVED AT UBON BETWEEN 1965 AND 1968

The Australian Defence Committee in 1965 reviewed the implications for Australia of the USAF build-up of forces at Ubon. Notwithstanding the increased threat to Ubon, the Committee felt that, ... while the operations by RAAF aircraft in the air defence role will be confined to the boundaries of Thailand, the fact that RAAF aircraft are being employed in the defence of an air base from which offensive operations are being mounted against North Vietnam could be considered by North Vietnam and Communist China as being similar to participation in the actual offensive operation. Nevertheless, the Defence Committee considered: 13 ... the probability of enemy air attacks [in Thailand] would be **slight**.

The Tribunal considers that it is relevant to take into account the finding of the Mohr Review that determined that service at Ubon was 'warlike'. This conclusion was based on the following finding: 'Alert State Five' was not peacetime or garrison duty, nor was it a training exercise. 'Alert State Five' required that two fully armed aircraft be at the end of the runway with pilots in close presence, ready and able to be airborne within five minutes to engage an intruding aircraft with a view to its destruction, subject to identification or lack of it. The danger of casualties was clearly forecast. The question then remains as to whether or not this was 'warlike' or 'non warlike'. Did the squadron face an objective danger? Did they 'incur' danger? Even though no danger eventuated in the sense that there were no actual combat engagements, they were armed for combat and had been told by those who knew more of the situation that danger did exist and they must hold themselves in readiness to meet it, not at some indeterminable time in the future, but at five minutes notice. **(RCB was 24/7 QRF ready without notice)**

1 In regard to base security this fell into two distinct areas. First, there was security within the base itself. The Review heard from a number of those who have been at Ubon. It is clear from what was said that within the base itself the RAAF contingent had prepared defensive protection and arms had been issued for use if needs be. **(same as RCB)**

Second, the ADGs patrolled both day and night outside the perimeter of the base and in so doing saw evidence of terrorist activity. So far as it is known they were never engaged in an exchange of fire, but the danger of terrorist activity in the general area was known and precautions taken. These patrols were armed and authorised to fire if the situation called for fire. The Rules of Engagement for the RAAF contingent from 1965 onwards signified that contact with hostile forces of an enemy should be expected and that these hostile forces were to be engaged in armed combat with the aim of destroying them. In these circumstances there was **an expectation of casualties**.

(no mention of how High or Low they would be) Conclusion It is my opinion that, in the final analysis, the period of service at Ubon in the period 1965-1968 was warlike in nature. Their service, most certainly comparable with many other groups of the three services in other similar limited conflicts, should properly be rewarded with the appropriate repatriation and medal entitlements.

I can only add that what occurred on the ground differed to what the RAAF and Defence documents state re threat expectation of casualties and ROE was (and it differed throughout the 19 plus years RCB operated) When it comes to the expectation of casualties one could state .the 1993 & 2018 definition it only say's an expectation of casualties, it does not say a high or medium or low expectation, just there needs to be an expectation.. The Mission statement of a Standing Patrol is to Stand until relieved (Stand is to remain and fight and hold the ground) the very nature of the Standing Patrol I was on meant there was/would be an expectation of casualties by virtue of being there during that heightened threat level.

Michael Connolly