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19 April, 2023

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## Submission to Inquiry - Dr. Craig Ellery

### Part 1 – Name of Inquiry

Name of Inquiry \*

Rifle Company Butterworth

### Part 2 – About the Submitter

Title or Rank \*

Dr.

Given Names \*

Craig

Surname \*

Ellery

Post-nominals (if applicable)

Street Number and Name \*

[REDACTED]  
[REDACTED]

[REDACTED]

Postcode [REDACTED]

[REDACTED]

[REDACTED] State \*

[REDACTED]

[REDACTED] : \*

[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:

A rebuttal to Defence's submission, Page 76 of Defence submission 96b '59. Disciplinary Code. The company is deemed to be on war service pursuant to Defence Act 54 and is subject to the Army Act under Defence Act 55.' The citation later goes on to say any member charged outside the territorial limits of the Commonwealth will have their charge prefaced with 'Whilst on War Service' (WOWS). Without any doubt, it is illogical to say that a member can be charged and punished under WOWS, but the service rendered is not war service. This is

nonsense and prejudicial. Why make this statement and direction if the company was not involved in a country where war service was expected to be rendered, either from small attacks to a major attack on the airbase. I have heard the repeated and tiresome argument that the Act gave greater powers to the company OC in Malaysia but there is no disputing the writing and its clear, irrefutable statement of a company being on war service. As well, I am sure that if necessary, a member would have been flown back to Australia, most probably under arrest to face a higher authority if the crime warranted it. It is time the honorable thing is done and this matter laid to rest.

## Part 4 - Your submission and Supporting Documentation

File Attached:

## 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**

Craig Ellery.

**Date**

19/04/2023



Signed by Dr. Craig Ellery  
Signed on: 19 April, 2023