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Submission to Inquiry - Dr Craig Ellery

Part 1 – Name of Inquiry

Name of Inquiry *

Craig Ellery

Part 2 – About the Submitter

Title or Rank *

Dr

Given Names *

Craig

Surname *

Ellery

Post-nominals (if applicable)

KCEG, BA(Hons.), PhD, FIHRC

Street Number and Name *

[Redacted]

Suburb *

[Redacted]

Postcode *

[Redacted]

State *

[Redacted]

Email Address: *

[Redacted]

Primary Contact Number *

[Redacted]

Secondary Contact Number

[Redacted]

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

Personal submission.

Part 3 – Desired outcome

Provide a summary of your submission:

To provide more context to the assertion that RCB was warlike service.

Part 4 - Your submission and Supporting Documentation

File Attached: Document-1.doc

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

08/04/2023

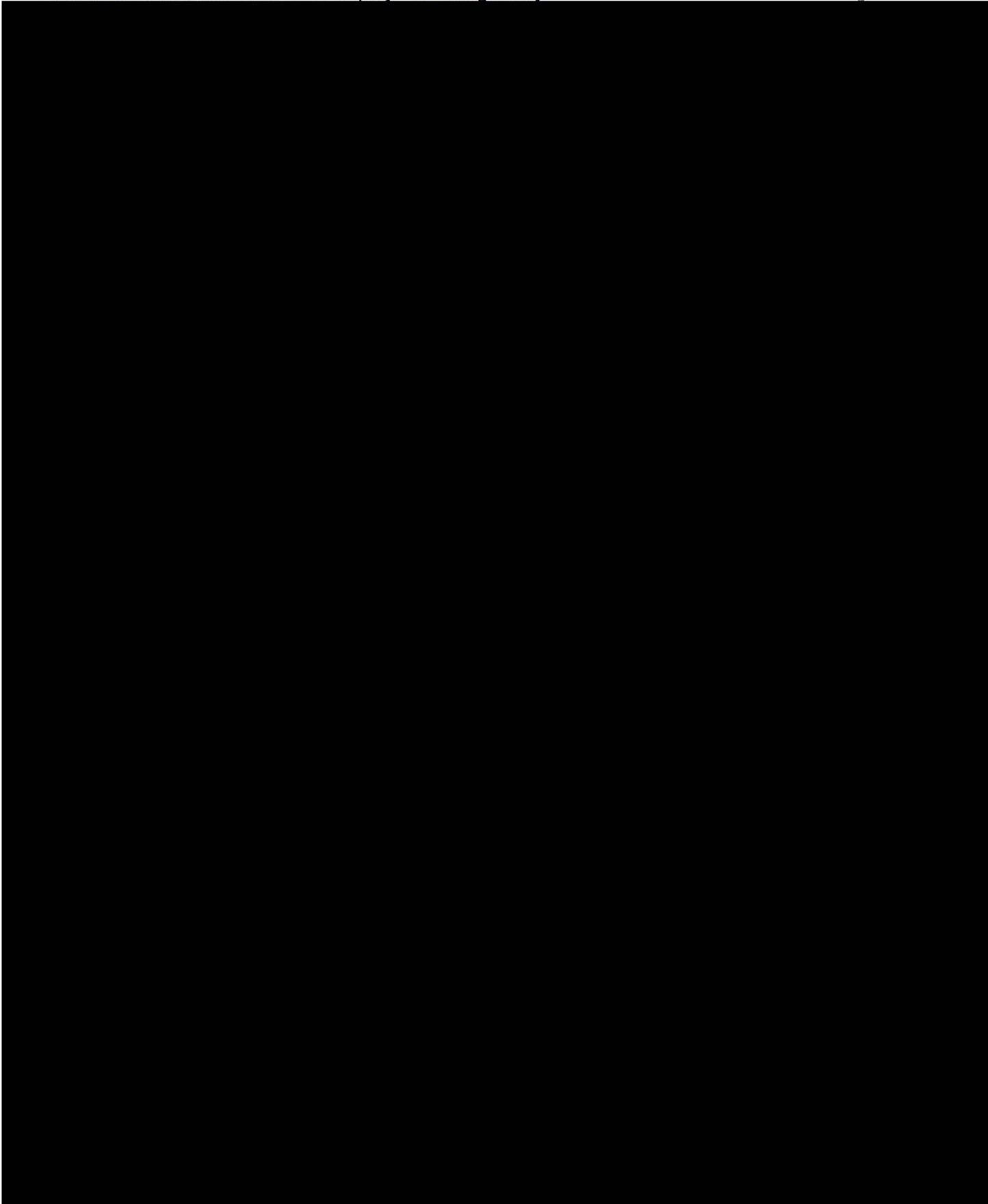


Signed by Dr Craig Ellery

Signed on: 8 April, 2023

Signature Certificate

Document name: Submission to Inquiry - Dr Craig Ellery



COMPARISON OF OPERATIONAL SERVICE ENTITLEMENTS AND AWARDS – RCB

(AS AT 31 DEC 17)

Criteria	Australian Rifle Company Butterworth (1)	Diego Garcia RAAF ground personnel (9)	Ubon RAAF Airfield Defence Guard (2)	Namibia Engineer UN deployment	Somalia HMAS Tobruk and Jervis Bay	Middle East - (incl Iraq) Operations OKRA and HIGHROAD (4)	Cambodia UN deployment	Rwanda UN deployment (8)
Operational deployment period	2 Nov 1970 – 2 Dec 89	2001 - 2002	1965 - 1968	18 Feb 89 to 10 Apr 90	1992-3	1 Jul 14 ongoing	20 Oct 91-7 Oct 93	Aug 94 to Aug 95
Current award	ASM 45-75 or ASM	AASM	AASM 45-75	AASM and UNTAG medal	AASM	AOSM (5)	AASM and UNAMIC/UNT AC medal	AASM and UNAMIR medal
Initial award	ASM 45-75 or ASM	ASM	ASM 45-75	ASM and UNTAG medal	ASM	AOSM	ASM and UNAMIC/UNT AC medal	ASM and UNAMIR medal
Intelligence Threat Assessment	Yes	Remote possibility from a ground perspective	Yes	Yes	Yes	Yes	Yes	Yes
Closest distance from known enemy	Outside perimeter. No attack	1680 km, across an ocean. No attack	No enemy attacked while AS Air Defence Guards (ADG) were there (2)	Outside perimeter	At sea, docked at Mogadishu on occasions (2). No attack	Outside base perimeter. No attack yet	Mixed with potential hostiles	Outside perimeter, very close at Kibehu, taunting the AS soldiers to open fire
Rules of Engagement	Self-defence, shoot to wound if possible, per ROE	None known for small arms. Very low level enemy air or naval threat	Aircraft provide use of force against aircraft attacking base (7)	UN had no ROE so AS troops used ROE/OFOF for self-defence	Self defence, shoot to kill if necessary	OPSEC, but HAS to be at least self-defence, being an operational deployment	Self-defence, shoot to wound if possible, per ROE	Self defence – no shooting engagements unless on order
Patrol area	RCB patrolled inside perimeter, in conjunction with RAAF Police Dog Teams;	No patrols known	ADGs could patrol outside perimeter (7)	Only check points, assembly areas and protection of work locations	Large ocean area plus alongside at Mogadishu	Only inside training area, not outside allied security perimeter	Check points, assembly areas and protection of work locations	Convoy and VP protection. Carried 40mm illum, F89 light machine guns and pers wns

	permission could be given by RAAF Base Commander to patrol outside							
RAAF and RAN Aircraft	Fighters were the prime IADS asset; tasked to stay out of Thai airspace unless cleared. Maintained flight in Singapore. Acft conducted patrols over Indian Ocean.	Provide air defence of Diego Garcia base and transiting through it	Limited to Thai airspace providing air defense for the USAF attack aircraft and bombers (7)	No. One RAAF officer on ground duties.	N/A. Ships self-protect and achieve mutual protection with other warships	RAAF acft conducting strike missions, EW, refueling and logistic support	6 Army helos in support (armed?) Helos had an armed protection/QRF platoon in base loc	No combat acft. Med pers only
Expectation of casualties	Possible, and planned for. Combat medics in RCB, with backup from RAAF & local hospitals. 3 Fatal NBCAS.	No. Base medical facilities available. Nil fatal	Possible. Base USAF and Thai medical facilities available. Nil fatal	Possible, including mines. Nil fatal	Possible. HMAS Tobruk had an embarked medical team with surgical capability. Nil fatal	Possible, and planned for. Entire deployable fd hosp is deployed in loc with strategic medevac as for MEAO. Nil fatal	Possible. Prime role was to prov comms spt for UN troops. Nil fatal	Possible. Prime role was to prov med spt for UN troops. Nil fatal
Weapons issued	Full complement of rifle company weapons	Normal small arms for air crew	Small arms (rifle and pistols)	Personal small arms only – pistol, SLR and 7.62mm Bren LMG	Pistols, shotguns, rifles and 50cal machine guns	Multiple by both AS and Iraqi Army (Brigade level weapons), including anti-armour	Pers wpns. Inf coy carried rfl and F89 light machine guns.	Pers wpns. Inf coy carried rfl and F89 light machine guns. Three M113A1s.
Ammunition	Live ammunition all weapons (1)	Gnd staff believed to be unarmed (TBC).	Live (small arms only)	Live (small arms only)	Live per above	Live per above	Live per above	Live. Nil explosive
Within range	Yes – mortars,	No	No evidence of any	South African	Possibly. Pirates	Yes – mortars,	Yes – mortars,	Yes – mortars, small

of enemy weapons	small arms & explosives		attacks involving Australians (7)	Defence Force (who were not “enemy”, intimidated AS troops by firing near them, holing vehicles deliberately at least once	carried RPGs, small arms and up to 12.7 mm DshK	small arms, MG up to 12.7 mm DshK & explosives	mines, small arms & explosives	arms, RPG/SPG 9, MGs to 12.7mm DshK and machetes
Reinforcements considered	Yes, to battalion strength (6)	No	No (Ubon had Thai and USAF defences incl MG bunkers)	No. Part of a UN force that included civilians	Yes	Yes. Operation OCRA is a substantial deployment	Yes. Part of a larger UN force.	Other UN elements
Combat engagements	Yes, by Malaysian army and police. Some green on blue	No	No evidence of any involving RAAF (7)	No. “Not a shot fired”.	No	Not yet	None known	Kibehu came close. AS fired no shots and were not fired upon (no AS troops hit)
Casualties known after deployment	Nil from enemy, but at three Fatal NBCAS and many injured NBCAS	Nil	No evidence of any. NVA sappers attacked in 1970 after AS left	None	Nil	None yet	Some NBCAs. Nil killed.	Nil Battle Cas
Allied casualties within 50 kilometers	Yes (3)	Nil	No evidence of any	Possibly other UN troops	No	Yes – Iraqi Army fighting ISIL	Probable, UN casualties, if any, not known	Large numbers of neutrals murdered
Allied casualties within 100 kilometers	Yes (3)	Nil	No evidence of any	Possibly other UN troops	No	Yes – Iraqi Army fighting ISIL	Probable, UN casualties if any, not known	Large numbers of neutrals murdered
Enemy casualties within 50 kilometers	Yes (3)	Nil	No evidence of any	Not yet identified	No	Yes	Probable, depending on definition of “enemy”	Probably, but not caused by AS troops
Enemy casualties within 100 kilometers	Yes (3)	Nil	No evidence of any	Not yet identified	No	Yes	Probable, depending on definition of “enemy”	Probably, but not caused by AS troops
WILL completed	Yes	Has to be – they were	Has to be – they were deployed on	Standard UN deployment	Yes	Yes	Yes	Yes

before deployment		deployed on overseas service	overseas service	procedure				
Primary task	Protect RAAF aircraft, other assets and personnel inside the perimeter, and apply service protected evacuations from Penang.	Protect RAAF aircraft, other assets and personnel inside the perimeter.	Protect RAAF aircraft, other assets and personnel inside the perimeter.	Supervise the return of refugees, holding of a general election, withdrawal of South African forces and Namibia's transition to independence	Provide logistic (incl healthcare) support to Coalition forces. Nil refugees treated.	Train Iraqi 206 Corps; self-protect	Provide comms spt to UNAMIC/UNT AC	Med elm to provide med spt to UN force. Rifle company with sect of APCs to protect the med force
Allied support	RAAF Police Dog Teams inside the wire, RMAF (Handau) on the perimeter, external defence provided by 6 RMAF brigade (army)	TBA; probably USAF	Substantial Thai and USAF forces	Part of a UN force incl police and civilians	Coalition naval forces; coalition ground forces when alongside	Coalition forces	Rest of UNAMIC/UNT AC (22,000 troops in all)	UNAMIR I and II.
Basis for upgrade of award	See Note 10	See Note 11	See Note 12	See Note 13	See Note 14	See Note 15	See Note 16	See Note 17

NOTES:

1. For RCB, pistols, rifles, automatic rifles, machine guns, sniper rifles, 40mm grenade launchers, 66mm Light anti-tank weapons, 84mm medium anti-tank guns, all with at least a First Line of live ammunition. Hand grenades and Claymore mines included in ammunition stocks stored inside the base. All available at short notice from on-base ammo storage. QRF carried pistols, rifles, automatic rifles and machine guns, ammunition for which was in the QRF area under guard, and frequently carried on both drill and actual callouts inside the base, and carried on order outside the base on some exercises. MGs were also pintle-mounted on RAAF trucks which had spotlight each for many rotations. Dates are the official Communist Insurgency/Second Malaysian Emergency dates listed by the Malaysian Government.

2. In Ubon, the enemy was in another country – Vietnam, a long way away; the Ubon airbase was surrounded by friendly/neutral Thais. There were no identified local enemy and there is no evidence of any ground contacts while RAAF were there. At the **same time** Ubon was garrisoned with ADG, so too was Butterworth, also a support base for Vietnam). In Somalia, RAN operations ranged from being tied up alongside Mogadishu providing logistic/medical support, to patrolling at sea out to 1000+ km off-shore. There was no enemy navy or air threat. Pirates were a low possibility, being the equivalent to land-based criminals that Army was tasked to defend themselves and the Somali population against. Navy had no contacts. Army had only a few contacts, with nil friendly battle casualties.

3. An array of researched Malaysian publications list MAF casualties. See Document Database.
4. Operation OKRA also features a security force based on a rifle company with virtually identical tasks as those carried out by RCB at Butterworth. A similar protective force, called Force Protection Element, is doing the same in Afghanistan at Kabul. Two **other** separate groups are also in the Middle East – Air Task Group supporting the RAAF airstrikes and refueling operations based in UAE/Dubai/Qatar, and the second is the SOTG also conducting “training” in unspecified locations. Such service (some support personnel in the Middle East are not even armed) in support of operations in Iraq and Afghanistan attracted/s campaign medals without stepping foot in the hostile areas. These award decisions are good examples of the *Statement of Principles No 3*:
To maintain the inherent fairness and integrity of the Australian system of honours and awards care must be taken that, in recognising service by some, the comparable service of others is not overlooked or degraded.”
5. The Operational Service Medal (OSM) replaced the AASM. The award criteria for the OSM is at:
[http://www.defence.gov.au/Medals/ Master/docs/Australian/Since-75/AOSM-GMEO-Instrument-2015.pdf](http://www.defence.gov.au/Medals/Master/docs/Australian/Since-75/AOSM-GMEO-Instrument-2015.pdf) and advised at DEFGRAM 188/2015.
6. RCB Research database Document 19751007 paras 5-6 gives evidence.
7. INQUIRY INTO UNRESOLVED RECOGNITION ISSUES FOR ROYAL AUSTRALIAN AIR FORCE PERSONNEL WHO SERVED AT UBON BETWEEN 1965 AND 1968. 18th February 2011. Item 60. 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. North Vietnamese sappers attacked after RAAF had left.
8. Medical force protected by 2 and then 2/4 RAR with F88 rifles and F89 LMGs, a section of armoured personnel carriers (armament included 30/50 cal MG combination). Two man crew also had personal wpns.
9. Deployment on 9 Nov 01 of four F18s and air and ground crew from 77 Sqn. Replaced in Feb 02 by same assets from 3 Sqn who RTA Australia 21 May 02. Several scrambles of planes occurred; all false alarms (no enemy). Nil ground threats. “No threat ever materialized” (Defence web site).
10. **RCB**. Still denied recognition of service as ‘warlike’, despite all of these comparative upgrades/awards. RCB troops served approx. one month for 1 Nov 70-30 Aug 73, then for three months thereafter.
11. **Deigo Garcia**. Recognised as Warlike Service per 20011207 - *Determination of Warlike Service - VEA 86 - OP SLIPPER* (signed by Danna Vale Minister for DVA for and on behalf of the Minister for Defence on 7 Dec 01). See also [http://www.defence.gov.au/Medals/ Master/docs/Australian/Since-75/Australian-Active-Service-Medal-ICAT-Instrument-2015.pdf](http://www.defence.gov.au/Medals/Master/docs/Australian/Since-75/Australian-Active-Service-Medal-ICAT-Instrument-2015.pdf)
12. **Ubon. 2000 Review of Service Entitlement Anomalies in Respect of SE Asian Service 1955-75**, under chap 6. See [http://www.defence.gov.au/Medals/ Master/docs/Reviews-Reports/Review-Service-Anomalies-South-East-Asian.pdf](http://www.defence.gov.au/Medals/Master/docs/Reviews-Reports/Review-Service-Anomalies-South-East-Asian.pdf), p73: **Conclusion** ... 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 all three services in other similar limited conflicts, should properly be rewarded with the appropriate repatriation and medal entitlements. **Recommendations** It is recommended that RAAF service at Ubon:
... b. in the period 25 Jun 65 until the Squadron was withdrawn on 31 Aug 68 be classified as ‘warlike’ operational service and that personnel be eligible for the appropriate repatriation and medal entitlements.

13. **Namibia.** 30 days of service with UNTAG from 18 Feb 89 to 10 Apr 1990. See <http://www.defence.gov.au/Medals/ Master/docs/Tables/AASM/S303-01-AASM-NAMIBIA.pdf>

14. **RAN ships off Somalia. *Inquiry Into Recognition of Australian Defence Force Service in Somalia Between 1992 and 1995***, chaired by Prof Dennis Pearce AO (p7-8): Tribunal found that in the case of both of the RAN Units, their ROE were used to determine the level of their award. In this case, the Ships' ROE were restricted to self defence only (although lethal force was permitted in some circumstances). The Tribunal further found that the use of ROE as the sole criteria for determining the level and classification of honours and awards was flawed. Furthermore, that with the exception of Somalia, medallic recognition principles which began with the lead up to the First Gulf War (1990/91), were based on all assigned ASF units within the AO being treated equally as a part of the ADF Joint Force. The Tribunal found that the recognition for HMA Ships Tobruk and Jervis Bay was inadequate, and recommended upgrade to AASM. Defence opposed this position. See https://defence-honours-tribunal.gov.au/wp-content/uploads/2011/06/Somalia-Report_Public-Release.pdf for full report. One day of service for Naval Component for [Operation Solace](#) from 10 Jan 93 to 21 May 93.

15. **Operation OKRA/HIGHROAD.** Not upgraded; participants have been awarded AOSM from the outset.

16. **Cambodia.** 1 day of service (or 1 sortie) with the UNTAC from 20 Oct 91 to 7 Oct 93. See <http://www.defence.gov.au/Medals/ Master/docs/Tables/AASM/S102-01-AASM-CAMBODIA.pdf>

17. **Rwanda.** 1 day of service with UNAMIR - Operation Tamar from 25 Jul 94 to 8 Mar 96. Recognised as Warlike Service per *official Media Release by Minister for Veterans' Affairs The Hon Bruce Billson on 13 Feb 06*. 20060213. See also <http://www.defence.gov.au/medals/ Master/docs/Tables/AASM/S79-06-AASM-RWANDA.pdf>

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