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11 May, 2023

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## Submission to Inquiry - Mr Stephen Winthrop

### Part 1 – Name of Inquiry

**Name of Inquiry \***

RCB Recognition

### Part 2 – About the Submitter

**Title or Rank \***

Mr

**Given Names \***

Stephen

**Surname \***

Winthrop

**Post-nominals (if applicable)**

**Street Number and Name \***

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**Email Address: \***

[REDACTED]

**Primary Contact Number \***

[REDACTED]

**Secondary Contact Number**

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

### Part 3 – Desired outcome

**Provide a summary of your submission:**

To provide evidence that RCB was warlike

### Part 4 - Your submission and Supporting Documentation

File Attached: Defence-unable-to-demonstrate-The-threat-level-was-Low.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**

11/05/2023

A handwritten signature in black ink that reads "S. Winthrop". The letters are cursive and somewhat stylized.

Signed by Mr Stephen Winthrop

Signed on: 11 May, 2023

[Redacted]

LEGALLY SIGNED USING  
**WP**signature

[Redacted]



[Redacted]

[Redacted]  
S. Wunthorp

[Redacted]



[Redacted]

[Redacted]



[Redacted]

## Defence unable to demonstrate the threat level was Low.

Defence has always said the threat level was found to be consistently Low.

Their Holy Grail that RCB was peacetime was due the threat level being low, as in their Submission 96d, JIO study No14/74, Sept 74

Decades of research by Defence's highly acclaimed senior researchers who have examined open and closed documents from Australian War Memorial and National Archives, and this is the documents they use in their submissions 96d to support their scripted narrative.

28 April 2023, Submission 96d, page 1, 2 (a) Threat/ expectation of casualties.

During the period of service at Butterworth the **relevant assessments** of threat was that conducted by JIO reports included the term "unlikely" For example JIO study No14/74, Sept 74.

"It is unlikely that any threat to Butterworth will arise from an **external** military attack on Malaysia"

Before I take this apart, to show how Defence are trying to deceiving the reader, that is the DHAAT Board I would like to point out Defence are very careful in their choosing their words. They are trying to give the impression by cherry picking, that the threat level for 19 years remained unlikely, or low.

After all these years Defence at the close of the enquire produced a document to portray the threat level as unlikely, a very pathetic effort considering the threat level is their Holy Grail that RCB was peacetime.

Why did Defence use this example, was there nothing else to prove the threat level, and their case?

It was for an **EXTERNAL** attack,. Could Defence show us a country which was threatening to attack Malaysia.

If Defence does not understand, or worked out the threat was an **INTERNAL** threat by the Malaysian Communist Party, then this clearly shows Defence have their head in the sand when it comes to RCB.

Defence Holy Grail on the threat level is the JIO study No 14/74, Sept 74, which has nothing to do with the **internal threat**. Defence deliberately chose not to look at the **INTERNAL** threat to Butterworth.

Defence use the words "**relevant assessment**" relevant means - closely connected or appropriate to what is being done, an external attack is not relevant to the situation of RCB, it was the internal threat which was relevant to RCB. Defence usual tactic, nothing to see here, look over there, or that slide of hand trick.

Talk about cherry picking, and Defence said at the last hearing, and with conviction, they do not hide or cherry pick documents, very empty words indeed.

Defence know RCB was not peacetime, the evidence is there, it is their own documents they are in denial off. The only thing politicians and Defence care about is the bottom line of their budget.

## While on War Service

This was discussed at the public hearing and the Chair thought it could have been the silver bullet.

Could the Chair ask Defence when any other army overseas training happened, were they charged with WOWS, if not then DHAAT has their silver bullet.

I know the enquire is winding up, but if this is the silver bullet, I think DHAAT should follow this up.

## The Same CT's

The same Ct's which the Chair said there was a hot combat situation with are the same Ct's which our JIO identified as the threat to Butterworth, they are the same CT's which were expected to attack Butterworth.

It seem DHAAT wants to fit RCB into a narrow 3 section sentence, and are putting a heavy leaning on one section of the definition, the expectation of casualties, when in fact it only says an expectation of casualties.

By saying there should be a high expectation, and by putting in adjectives into the definition which are not there is changing the intent of definition and RCB will be denied proper recognition.

- a. The DHAAT board clearly states RCB was not peacetime.
- b. The board confirms there was a Communist Insurgency happening in Malaysia with the aim of over throwing the Malaysian Government by armed force.
- c. The chair confirms there was a hot combat situation in Malaysia and there were server casualties with the Malaysians
- d. The Board believe that RCB was a Quick Reaction Force whose sole purpose was to counter attack, kill, drive the Ct's off the base when they penetrated the perimeter, and this was with the approval of both the Australian and Malaysian Government under the Shared Defence Plan.
- f. The board understand there was a co-joined Shared Defence Plan for Butterworth, this made RCB part of the Malaysian conflict, whether the Australian government want to admit to, or not.

If it looks like a duck, and walks like a duck, THEN IT IS A DUCK

It does not seem like justice when adjectives are put into the definition which are not there which will refuse RCB recognition. It only says an expectation of casualties; it does not say a high expectation.

The Chairs statement..... "There were serve casualties. **Australia was not part of that combat**"

I would like to disagree with the Chair. RCB was there to be involved in combat with the Ct's when they attacked Butterworth.

Very simply, If RCB was there to go into combat with the Ct's when they attack, then RCB was part of the combat plan to engage the Ct's and that was under the Shared Defence Plan.

RCB was to be involved in combat with the Ct's when they penetrated the perimeter.

Again RCB should not be penalised because they did their job as a deterrent force very effectively. RCB denied the Ct's the ability to attack Butterworth.

I believe the Chair is misreading definition of warlike, as the definition clearly says an expectation of casualties, and there is no mention anywhere, or a preamble anywhere for the level of expectation of casualties, just as long as there is an expectation of casualties

I should go over the expectation of casualties in the definitions, so we can understand there is no sliding scale.

- a. peacetime, **No expectation of Casualties.**
- b. non- warlike, **Could occur, BUT ARE NOT EXPECTED. That is casualties are not expected.**
- c. warlike, **Expectation of casualties.**

It is only when we reach warlike that there is an expectation of casualties, and not before. Non-warlike has to be no expectations of casualties otherwise it would take it in to warlike, that is why **despite the risk there are still no expectation of casualties for non-warlike.**

This perceived idea there has to be a sliding scale of casualties from peacetime to warlike, is just not there in the definitions.

That is what they are saying in the definitions, only in warlike are casualties expected.

Even if the expectation of casualties were low then we fit the definition of warlike. End of story. Again it is very clear in the definition of warlike, there only has to be an expectation of casualties.

**RCB should not fail the test due to someone changing the definition of warlike by adding adjectives which are clearly not in the definition of warlike.**

### **Was there an expectation of an incursion of Butterworth by Ct's.**

If there was an expectation of an incursion, then there was an expectation of casualties, then we fit the definition of warlike, there only has to be an expectation of casualties to be warlike.

Again,

- Peacetime, **No expectation.**
- Non-warlike, **No expectation. despite risk,**
- Warlike, **Expectation. There only has to be an expectation to be warlike**

Any perceived idea that there has to be a high expectation is incorrect, it is not in the definition.

There is no mention that it should be high, medium or low.

**If they wanted there to be a high, medium or low level of expectation they would have inserted those words in to the definition, but they did not because they only wanted it to be just an expectation, that is why it is written that way.**

**By reading something into the definition, which is just not in there, is changes the intent of the definition, and will deny RCB their rightful recognition**

RCB would not have been sent to Butterworth if Defence did not think there was a risk of an incursion by Ct's. There would not have been a Shared Defence Plan with Malaysia if Defence did not think there was not a risk, RCB would not be armed with live ammunition and ROE for 19 years without any break in the deployments if Defence did not think there was a risk of an incursion from the Ct's.

SECRET Air brief 564/8/28

The primary threat to Butterworth is considered to be from:

- a. The eight Assault Group of 63 Ct's east of Butterworth.
- b. Small extremist urban groups in the Penang area.

(1) Recent developments and incidents, must significantly reduce confidence in the security of aircraft especially against rocket attacks from outside the base.

**Significantly reduce confidence, that say's it all.**

(8) Likely forms of attack.

- a. Groups of Ct's using small arms by day and night.
- b. Covert penetration by night small groups of terrorist with the object of attacking vital points and aircraft
- c. sabotage using delayed action explosives booby traps.

**That shows the risk which RCB was exposed to.**

(9) Current assessment: Intelligent information received in late September 75 that the CTO has given instructions to its underground organisation in Malaysia to carry out rockets attacks against air bases. The CTO seem to have a reliable supply of 3.5 inch rockets.

**If that is not a direct threat to Butterworth then what is? and this direct threat can only end in casualties,**

(10) The Major difficulty from a defence viewpoint is that the Ct's are able to decide the timing , nature and frequency of attack virtually unhindered and with little fear of retaliation.

**This must have kept the air base commander up at night knowing the Ct's are able to attack at any time, maybe that is the reason RCB was at Butterworth, the risk was to great.**

(15) In April 75, following rocket attacks on Kuala Lumpur and Minden Barracks Penang. CAS briefed the Minister that security precaution on the base has been tightened. However increased protection against rocket attack or mortar attacks and permits only response rather than prevents. **Accordingly improved ground defence and security arrangements are required.**

**It did not say it is prudent to improve security, but improvements are required.**

**Security tighten due to real hostile and war activates in Malaysia, Butterworth was part of the war.**

(21) In the absence of any sufficient Malaysian Army units to at least provide an off-base deterrent and quick reaction force, it is necessary for the OC RAAF in conjunction OC RMAF Butterworth to react with Australian forces as necessary to protect aircraft and installation.

**Let's be realistic, this is about the reality of Butterworth being attacked, and Australian forces reacting as necessary to protect assets and installations, and that can only end with casualties.**

(36) The use of RAAF helicopters aircraft to reconnoitre off-base area, and to deploy and support quick reaction forces should also be sought.

**Sound like JIO thought the QRF needed more support, also to deploy RCB off base.**

Ministerial Brief October 1975. **There is a heightened state of anxiety in their brief to the Minister**

(5) In a worsening security situation it may be necessary to seek Malaysian Government approval to reinforce Butterworth with RAAF ground defence and ARA to assist in the **defence.**

(6) In view of the **heightened possibility of a CTO attacks.** Note the word attacks, more than one expected

- a. A request to allocate at least one battalion to the area immediately surrounding Butterworth for **area defence**.
- b. Arrange for ARA and RAAF forces to operate outside the base to defend their assets in conjunction with Malaysian forces.
- c. Approval to reinforce Butterworth at short notice with RAAG ground defence including ARA to assist in the defence of operational assets.

This is a brief to the highest level of government, if anyone thinks the threat level was low, this just blows that idea out of the water. This shows the real threat and thinking of the JIO.

Let's look at some of the key words.

- a. **In a worsening security situation**, Things are going downhill fast and **JIO wanted immediate action**.
- c. **The heightened possibility of CPO attacks**. JIO believed attacks (plural, more than one) was on the cards
- d. **Area defence, in defence of operational equipment**, The whole tone was in defence off. This was not because the threat was low but because the threat was high and the risk was too great to ignore.
- c. **Reinforce**. Reinforce Butterworth with ARA troops and ground defence guards, **reinforce** Butterworth at short notice. Again the risk was too great to ignore, it was not low
- d. **One battalion immediately surrounding Butterworth for area defence**. JIO understand the risk was too high to leave the surrounding are unprotected.
- e. **ARA and RAAF forces to operate outside the base to defend**. Due to the heightened risk which was too great to ignore JIO wanted troops outside to **defend** Butterworth from a Ct attacks.
- g. **ARA to assist in the defence of Butterworth**. Very clear they are talking about taking combat action. that is combat action in the defence of Butterworth
- h. **ARA to operate outside the base to defend in conjunction with Malaysian**. What powerful wording, To operate with Malaysian forces to **defend Butterworth**. Yes RCB was part of the insurgency.

JIO could not make it any more plain, the risk was too great to sit back, JIO wanted immediate action on this matter and it needed to be taken right up to the Malaysian Prime Minister.

The risk was to great, the threat was not low or unlikely as Defence would like you to believe.

There is definitely (without doubt) a risk that one or more Ct's or subversive groups known to operating in the vicinity, could regardless of CTO/CPM policy and/or acting on their own initiative attempt an isolated attack on or within the base **at any time**.

If it looks like a duck and walks like a duck, THEN IT IS A DUCK. **It sounds warlike, because it is warlike.**

Again Defence blatantly cherry picks statements and documents to justify their scripted narrative.

They just refer to the threat from an external attack, which was never going to happen or from a large group of Ct's which was a low threat.

Defence complete ignore all the warning of the real threat, that is from smaller groups of Ct's and subversive groups which was considered defiantly (without doubt) a risk on an attack. That is why RCB was at Butterworth, to deter and counter attack this definite risk of an attack on Butterworth



At what point does, things could have been done just to be prudent, does turn into doing things because you are in a hostile and war environment. It is not logical to say we did things to be prudent, we did things in a tactical manner because we were in a hostile and war environment.

It is like saying soldiers in Vietnam only did things because it was just prudent. No it was done because they were in a hostile and war environment, the same as RCB was operating in a hostile and war environment, and RCB was a co-joined force in defending Butterworth from a Ct' attack, it was more than a co-joined force, RCB was the first responders to that attack on behalf of the Malaysian Government, we were at the same risk as any other Malaysian soldier.

A comment was made we wore the Australian uniform so we could be identified as not being Malaysian forces, that is incorrect, we wore the Australian uniform because it was the Australian uniform, Were they implying we should have worn the uniform of a foreign country.

### **Why did Butterworth remain safe**

The Ct's preferred softer targets than Butterworth, they knew the retaliation expected on them by RCB would be swift, violent, and substantial.

Having RCB as a QRF, which turned up all over Butterworth at any time heavily armed and with live ammunitions did not make Butterworth a soft target. The CT's knew there was a section strength standing by for a instance response to their penetration with a swift, violent response. This denied the Ct's their ability to attack Butterworth.

**To deny RCB recognition for the incredible and extraordinary job they did in keeping Butterworth safe from an attack is not justified, If RCB did not do their job as effectively and professionally as they did then there would be no argument, as the obvious would have happen.**

The Chair seems to want to hold RCB to a higher standard than what the warlike definition says, and I have commented on this earlier in the submission, the chair believes there must be a high expectation of casualties to be warlike, when it clearly says there only has to be an expectation.

On Anzac Day across Australia there are many veterans marching, and many of these veterans have the AASM, but only a hand full have the ICB.

It was only a hand full of the people with the AASM, who were there to engage the enemy in combat, as RCB was there to do at Butterworth. Only a hand full of veterans were in a higher risk of casualties, the great majority of people were rear echelon, purely administration, issuing stores, and their risk was probably minimal, but they were still awarded the AASM.

The chair agree that.

- a. there was a Communist Insurgency.
- b. RCB was there to engage the Ct's in combat when they penetrated the fence.
- c. casualties could happen.

Yet the Chair seems to be holding RCB to a higher standard to the vast majority of people with the AASM, who were not there to engage the enemy in combat, and of little risk, but received the AASM.

The DHAAT board should look at information provided by different RCB submissions, that while the threat was low or unlikely for an **external attack**, or large numbers of Ct's, there was a high/definitely a risk of attack from small groups of Ct's and subversive groups, and this comes with the expectation of casualties. there for we fit the 1993 definition of warlike, and that is all we need to do to be warlike.

The 1993 definitions do not say the assessed threat has to come from Defence, so a full and careful consideration can be and should be given to both the ANZUK Threat assessment and to the Malaysian threat assessment given to our Ambassador in Kuala Lumpur.

One last time for the sliding scale, in the definition there is no preamble anywhere in the definitions

- a. Warlike,                   **No casualties**
- b. Non warlike           **No casualties**, respite the risk
- c Warlike                   **Expectation of Casualties.**

**Only on warlike are casualties are expected**

One last time for the expectation of casualties

There is nowhere in the definition there has to be a high, medium or low expectation of casualties. Just as long as there is an expectation, then we fill the definition of warlike.

**If they wanted there to be a high, medium or low expectation they would have put it in the definition. but they did not, because they only wanted there to be just an expectation.**

**Reading things into the definitions and adding adjectives which are not there, changes the intent of the definitions, which will lead RCB on missing out on their proper recognition, that is warlike.**

I would like to thank the DHAAT Board for this further opportunity to put my case to them, and for their professional way they have conducted the inquire.

Stephen Winthrop

11/ 5/2023

**RCB was asked and expected to give their lives to defend Butterworth when a Ct incursion happened. Yet Defence thinks this is not a good enough reason to give RCB recognition.**