



## **REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH-EAST ASIAN SERVICE 1955-75**

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Parliament House  
CANBERRA ACT 2600**

February 2000

Dear Minister

In April 1999 you announced the establishment of a review of possible anomalies in service entitlements affecting those members of the Australian Defence Force who served in South-East Asia during the period 1955-75. I am pleased to present the report of the independent Review conducted by myself, assisted by Rear Admiral Philip Kennedy.

This report is later than the date originally fixed. With your consent, due to the complexity and numbers of matters raised for consideration, that date was extended.

Yours sincerely,

**MAJOR GENERAL R F MOHR**

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**REPORT OF THE REVIEW**  
**OF SERVICE ENTITLEMENT ANOMALIES**  
**IN RESPECT OF SOUTH-EAST ASIAN SERVICE 1955-75**

**Terms of Reference**

The following were the terms of reference for the Review:

1. The Australian Government intends to review possible anomalies in service entitlements affecting those members of the Australian Defence Force who served in South-East Asia during the period 1955 to 1975.
2. This review will provide advice about relevant matters that should be taken into account for subsequent assessment by the Government of entitlements to repatriation benefits and service medals flowing from service during this period.
3. The review will produce a written report which will have regard to:
  - RAAF Ubon in Thailand;
  - service with the naval component of the Far East Strategic Reserve (comparing the conditions prescribed for the naval contingent with those personnel from the other two Services);
  - RAAF Butterworth in Malaysia;
  - service in Malaysia during the period of Confrontation with Indonesia; and
  - other service in South-East Asia during the period 1955-75, where prima facie evidence is presented to the review of possible anomalies regarding this service.
4. The review will report to the Government by 29 October 1999.

*(Due to the volume of submissions received, the Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, The Hon Bruce Scott MP approved an extension).*

## **EXECUTIVE SUMMARY**

This report addresses the outcome of the 'Review of Service Entitlement Anomalies in respect of South-East Asian Service 1955-75'. It follows the Government's desire to resolve these issues.

The Government undertook to set up an independent review to provide advice about relevant matters that should be taken into account in assessing the repatriation benefits and service medals that should flow from this service.

On 26 May 99, The Hon Bruce Scott MP, Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, appointed Major General, The Hon R F Mohr RFD ED RL to conduct the independent review. The Minister also appointed Rear Admiral Phillip Kennedy RAN Rtd to assist and advise the Review on service matters.

A consultative approach was taken in the conduct of the Review. Notices were placed in major metropolitan newspapers calling for written submissions. Public Hearings were held in all State and Territory capital cities. These were held to enable those who had made written submissions to speak either in explanation or expansion of them. The consultative approach taken, especially the format adopted for the Public Hearings appeared to meet with universal approval among the veteran population.

The general approach taken was to treat this Review, in so far as was possible, as a new investigation of matters raised. This approach was taken because it was felt important not to be influenced by pre-conceived ideas, but to apply a fresh mind to the questions, especially as this was to be the final word on the raised anomalies.

In this context, it was important for the Review to research and understand the *raison d'être* for each of the ADF deployments to South-East Asia. This close scrutiny found that some aspects of procedure and process in administering entitlement to medals and repatriation benefits were themselves in need of clarification or review. The matters of primary concern to the Review are addressed in Chapter 1 of the Report.

Written submissions received totalled 750 and 400 oral submissions were made at the Public Hearings. Some submissions received were, on a strict interpretation of the Terms of Reference, outside the scope of the Review but with the concurrence of the Minister, those with some relevance to the Review were considered.

Given the large number of submissions received it would have been unworkable to address each of these separately in the Report. Consequently, wherever practicable, recommendations in the Report relate to ADF service in the particular deployment eg, during the Malayan Emergency and during the period of Confrontation with Indonesia.

The Review was to report to the Government by 29 Oct 99 but due to the volume of submissions received, the Minister approved an extension to this report date.

Representatives of the major ex-Service organisations that made submissions to the Review indicated their general acceptance of its independence, and any subsequent recommendation.

The following is a summary of the anomalies raised and the consequential Review recommendations.

## **SUMMARY OF RECOMMENDATIONS AND PROPOSALS**

### **INTRODUCTION**

#### **MEDALS AND REPATRIATION BENEFITS**

##### **Recommendation**

It is recommended that a policy be clearly laid down to ensure that the recommendation for the award of a campaign medal and the subsequent award of such a medal does not carry with it any entitlement to repatriation benefits.

### **CHAPTER 1**

#### **GENERAL OBSERVATIONS**

##### **Respective Responsibilities of Defence and Veterans' Affairs Departments**

Much has been made of the fact that:

- it is the Department of Defence that sets the conditions of service for ADF deployments and that these conditions of service subsequently determine the appropriate entitlement to repatriation benefits, and
- the Department of Veterans' Affairs is not responsible to make judgments on the nature of service experienced on ADF deployments and therefore it defers questions on this aspect to Defence for resolution.

## **Recommendation**

It is recommended that both the Departments of Defence and Veterans' Affairs forge a more constructive working relationship at a senior level to ensure that a more coordinated approach is undertaken on future matters involving the medals and repatriation entitlements of Veterans.

## **CHAPTER 3**

### **FAR EAST STRATEGIC RESERVE - MALAYAN EMERGENCY**

### **RAN - FESR 1955-1960**

#### **The Anomaly**

Seagoing naval personnel during the Malayan Emergency formed part of the RAN Contingent to the British Commonwealth Far East Strategic Reserve. These personnel have never been eligible for repatriation benefits until 1997. In 1997, following a review by the Department of Defence, the Government accepted a recommendation that their service be classified as operational service for the period 2 Jul 55 to 27 May 63 inclusive. This classification gave them compensation cover under the VEA 1986 for any injury or disease incurred during this period of service. However, this period of service did not count as qualifying service for the service pension.

Ex-Service organisations representing the interests of seagoing naval personnel of FESR have, however, continued to press for the period of service during the Malayan Emergency ie, 1 Jul 55 to 31 Jul 60, to count as qualifying service for the service pension. They believe that this aspect of their service is anomalous when compared to their army and airforce colleagues in FESR who have qualifying service on the proviso that they received the GSM with Clasp 'Malaya'.

#### **Recommendation**

It is recommended that such anomaly should be removed by placing naval seagoing personnel serving with FESR in the period 1 Jul 55 to 31 Jul 60 on the same basis as other members of FESR and in particular, to grant to them qualifying service so that they will be eligible for the service pension.

## **NAVAL GENERAL SERVICE MEDAL (NGSM) FOR SEAGOING SERVICE WITH FESR 1955-1960**

### **The Anomaly**

The question of whether or not the NGSM with Clasp 'Malaya' should have been awarded to members of the RAN who had the appropriate qualifications has been a source of contention for many years and remains so up until the present time.

### **Recommendation**

It is recommended that the service of members of ships companies who served with the ships attached to FESR between 01 Jul 55 and 31 Jul 60 be recognised for the award of the NGSM with Clasp 'Malaya', the AASM 45-75 with Clasp 'Malaya' and the RASB.

## **INCLUSION OF RAN FESR FATALITIES IN THE PERIOD 1 JULY 55 TO 31 JULY 60 ON THE HONOUR ROLL OF THE AUSTRALIAN WAR MEMORIAL**

### **The Anomaly**

If the recommendations of the Review as to repatriation benefits and the award of the NGSM are followed then I have been informed that the necessary steps will be taken to record the names of those fatalities in the appropriate manner.

### **Recommendation**

It is recommended that the names of those killed while on service with the RAN as part of the FESR should be recorded on the Honour Roll at the Australian War Memorial in the appropriate manner.

## **SERVICE AT RAAF BASE BUTTERWORTH**

### **The Anomaly**

One of the specific areas of ADF service the Review was asked to advise on was service at RAAF Base Butterworth. I have found it difficult to comment in such specific terms as such service ranged over almost all of the period covered by the Review and in particular two major conflicts, the Malayan Emergency and the Indonesian Confrontation.

Most, if not all, of the submissions received from personnel stationed at RAAF Base Butterworth concerned either their involvement in operations on the Thai/Malay border region or their non-allotment during the period of the Indonesian Confrontation. These sought either medal recognition for their service or repatriation benefits or a combination of both. I have addressed these issues in Chapter 5 of the Report.

The remaining issues are, I believe, those concerning the appropriateness of ceasing qualifying service for the service pension on 31 Jul 60, and the availability of a medal to recognise service after the end of the Emergency.

### **Recommendations**

It is recommended that:

- a. the use of the GSM with Clasp 'Malaya' as a device to indicate eligibility for qualifying service for the service pension be discontinued,
- b. eligibility for qualifying service for the service pension during the Malayan Emergency should be restricted to those personnel allotted for service up to and including 31 Jul 60, and
- c. the period from 1 Aug 60 to 27 May 63 inclusive remain as operational service.

### **ANOMALIES IN THE AWARD OF THE ASM 45 - 75**

#### **The Anomaly**

Members of the RAN who served on ships of the RAN serving as part of FESR during the period 02 Jul 55 to 30 Oct 71 were awarded the ASM 45 -75 Clasp 'FESR'. Members of the Army and RAAF, who served in Malaya during the same period, perceive that an anomaly exists in the award of this medal. They seek similar recognition for service with the FESR, not recognised by other awards, during the period 02 Jul 55 to 30 Oct 71.

#### **Recommendation**

It is recommended that members of the Army, Air Force and land based RAN personnel serving in the Far East Strategic Reserve for periods of 30 or more days be awarded the ASM 45-75 Clasp 'FESR, on the same terms and conditions applying to the RAN seagoing personnel.

### **RAN RADIO OPERATORS – HMS TERROR - KRANJI W/T AND CK2 – 11 May 60 – 5 Jun 62**

#### **The Anomaly**

A group of Radio Operators were sent from Australia to Singapore in the above period for service at Kranji Wireless Station and at RAF Base Seletar at

Chai Kang (CK2) Wireless Receiving Station. They were engaged in signals intelligence. This service appears not to have been part of FESR but rather classed as on loan to CINC FES.

### **Recommendation**

It is recommended that those Radio Operators posted to Singapore during the period 11 May 60 – 5 Jun 62 be retrospectively allotted for the period thereby qualifying them for the award of appropriate medal and repatriation benefits.

## **WAR CORRESPONDENTS IN MALAYA**

### **The Anomaly**

This submission was made on behalf of a group of War Correspondents who were attached to 2RAR during the Malayan Emergency. They perceive that their service as War Correspondents in Malaya has not been properly recognised by the award of a campaign medal.

### **Recommendation**

It is recommended that those official, uniformed, War Correspondents and Official War Artists who served with ADF personnel during the Malayan Emergency be eligible for the award of the AASM 45-75 with Clasp 'Malaya'.

## **CHAPTER 4**

### **FAR EAST STRATEGIC RESERVE – INDONESIAN CONFRONTATION**

### **AWARD OF THE AUSTRALIAN ACTIVE SERVICE MEDAL FOR SERVICE DURING THE CONFRONTATION**

### **The Anomaly**

The AASM is awarded for operational service in the Korean War, the Malayan Emergency, the Indonesian Confrontation and the Vietnam War.

It is with regard to the period of the Indonesian Confrontation that an anomaly appears to have occurred.

The current basis of the AASM with Clasp 'Malaysia' being awarded for service during the Indonesian Confrontation is eligibility depending on the award of the GSM 1962 with Clasp 'Malay Peninsula' or Clasp 'Borneo'.

Campaign medals awarded for ADF service during the confrontation were the GSM 1962 with the following clasps:

- 'Brunei' for the period 8 Dec 62 to 23 Dec 62 inclusive.

- **'Borneo'** for the period 24 Dec 62 to 11 Aug 66 inclusive.
- **'Malay Peninsula'** for the period 17 Aug 64 to 11 Aug 66 inclusive.

Recipients of the GSM 1962 with Clasp 'Brunei' have submitted that they be included in those eligible for the award of the AASM 1945-1975 with Clasp 'Malaysia'.

### **Recommendation**

It is recommended that the Determination for the AASM Clasp 'Malaysia' be amended to include service leading to the award of the GSM 1962 with Clasp 'Brunei'.

## **SERVICE IN HMAS GULL**

### **The Anomaly**

A number of submissions were received from former members of the ships' company of HMAS GULL who perceive that their service in that ship during the Indonesian Confrontation has not been recognised and seek the award of the GSM Clasp 'Borneo'.

### **Recommendation**

It is recommended that Navy Medals Section review all claims for eligibility for the GSM Clasp 'Borneo' and assess their eligibility in accordance with ANO 241/72.

## **HMAS VAMPIRE**

### **CAMPAIGN MEDAL FOR SERVICE DURING CONFRONTATION**

### **The Anomaly**

HMAS VAMPIRE was one of twelve ships officially allotted for service on the Far East Station during the period of confrontation with Indonesia. The ship carried out 29 days on patrol in the Borneo area of East Malaysia and 24 days in the Singapore/Malacca Straits, West Malaysia.

Two Imperial awards were issued covering the period of Confrontation with Indonesia. The GSM 1962 with Clasp 'Borneo' and with Clasp 'Malay Peninsula'. In essence, to be eligible for the award of these campaign medals, personnel are required to have aggregated at least 30 days service afloat or ashore in each qualifying area.

Submissions have been received from members of the crew of HMAS VAMPIRE claiming that a medal should be awarded to them.

**Recommendation**

It is recommended that the criteria for the award of the AASM 45-75 with Clasp 'Malaysia' be amended to include the service of HMAS VAMPIRE during the Indonesian Confrontation.

**HMAS DIAMANTINA****The Anomaly**

Former crew members of the HMAS DIAMANTINA perceive that they played an important role in the Indonesian Confrontation and that they should be entitled to the GSM with Clasp 'Malay Peninsula', the AASM Clasp 'Malaysia', the RASB and repatriation benefits.

**Recommendation**

I am unable to recommend the entitlements sought for service in the HMAS DIAMANTINA during the Indonesian Confrontation.

**CHAPTER 5**  
**FAR EAST STRATEGIC RESERVE**  
**SERVICE IN MALAYSIA****SERVICE ON THE THAI-MALAY BORDER**  
**1 AUGUST 1960 – 27 MAY 1963****The Anomaly**

ADF Members who served on the Thai-Malay Border during the period 1 Aug 60 – 27 May 63 claim that they were on 'warlike' operations and seek to have their service recognised through the award of full repatriation benefits and the award of the AASM 1945-75 Clasp 'Thai-Malay'.

**Recommendation**

It is recommended that service on the Thai-Malay border area from 01 Aug 60 to 27 May 63 be considered to be equivalent to 'warlike' service and that personnel concerned be eligible for the appropriate medals and repatriation benefits.

**SERVICE ON THE MALAY PENINSULA INCLUDING**  
**SINGAPORE****The Anomaly**

Submissions have been received regarding anomalies in the treatment of Army and RAAF personnel with service in the operational area on the Malay Peninsula (including Singapore) during the period of the Indonesian Confrontation. The relevant operational area is detailed in Item 7 of Schedule

2 to the VEA 1986 and covers the period from 17 Aug 64 to 30 Sep 67 inclusive.

All ADF personnel on the posted strengths of units in the operational area were eligible for the award of the GSM 1962 with Clasp 'Malay Peninsula', the AASM 45-75, but not the RASB.

A search of records indicates that no Army or RAAF member was allotted for service in the Malay Peninsula during Confrontation and, consequently, none is currently eligible for any repatriation benefits.

On the other hand, HMA Ships involved in the operational area during Confrontation were 'allotted' and therefore all crewmembers are eligible for the full range of repatriation benefits and medals.

The treatment of RAN members vis a vis their colleagues in the Army and the RAAF on the Malay Peninsula is seen to be anomalous.

### **Recommendation**

It is recommended that Army and RAAF personnel on the posted strength of units located on the Malay Peninsula, including Singapore, during the period from 17 Aug 64 to 30 Sep 67 inclusive ie, the period of Confrontation defined in Item 7 of Schedule 2 to the VEA 1986, be allotted retrospectively so that they become eligible for full repatriation benefits and appropriate medals entitlement.

## **SERVICE ON SECONDMENT TO THE ROYAL MALAYSIAN ARMED FORCES**

### **The Anomaly**

ADF personnel who were seconded on loan service with the Royal Malaysian Armed Forces believe their service has not been properly recognised by either the award of medals or repatriation benefits. There are two periods of service involved; the first during the period of Confrontation with Indonesia, and the second subsequent to Confrontation.

## **SECONDMENT DURING CONFRONTATION**

### **Recommendation**

It is recommended that ADF personnel seconded to the Royal Malaysian Armed Forces during the period of Confrontation, and whose service met the qualifying conditions of the SOS Act 1962, be allotted retrospectively for that period of service and be awarded appropriate medals and repatriation benefits.

(NOTE: This anomaly is also connected with the RAAF/Army service on the Malay Peninsula during Confrontation. Currently this service is not recognised for repatriation benefits, as RAAF/Army personnel were not allotted. The Review recommends that these personnel be allotted retrospectively. However, if these personnel are not allotted then, presumably, seconded personnel also would not be allotted despite Defence and Repatriation saying in 1965 that such service is eligible service).

## **SECONDMENT SUBSEQUENT TO CONFRONTATION**

### **Recommendation**

It is recommended that the service of ADF personnel on secondment to the Royal Malaysian Armed Forces after Confrontation be recognised by the award of an ASM 45-75 with Clasp 'FESR'.

## **ARMY AIR DISPATCH PERSONNEL**

### **The Anomaly**

Some Army Air Dispatch personnel claim that they served with the British Army's No 55 Air Dispatch Coy (55AD Coy) RASC during the Malayan Emergency, along the Thai/Malay Border region, and during the period of the Indonesian Confrontation in Borneo and the Malay/Singapore region. They also claim that these periods of service have not been recognised for either campaign medals or repatriation benefits as personnel were not formally allotted.

The Army Air Dispatch personnel claim that their non-allotment is anomalous. They claim that the nature of their service was difficult and very dangerous and compares more than favourably with that of other ADF personnel who were formally allotted during the period and for whom full medal and repatriation benefits have been awarded.

### **Recommendation**

It is recommended that Australian Army Air Dispatch personnel whose records show that they were attached to 55 AD Coy RASC, or the 'Miscellaneous Australian Detachments unit of FARELF' during the relevant military campaigns, be retrospectively allotted and be eligible for the appropriate medals and repatriation benefits.

## **FORMER AUSTRALIAN ARMY PERSONNEL RECRUITED INTO THE MALAYAN POLICE FORCE**

### **The Anomaly**

This submission concerned former members of the Australian Army who were recruited by the Government of the Federation of Malaya to serve as Lieutenants in the Malayan Police Force. They perceive that their service should be recognised by Australia.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **CHAPTER 6 FAR EAST STRATEGIC RESERVE- THAILAND**

### **UBON**

#### **The Anomaly**

Following the 1997 Defence Review of service anomalies, the Government accepted the recommendation that service at Ubon between May 1962 and August 1968 be classified as operational service. Consequently, members of the RAAF Contingent became eligible for compensation under the VEA 1986 for any injury or disease incurred during that period of service. They also became eligible for the award of the ASM45-75 with Clasp 'Thailand'.

However, personnel concerned continue to claim that their service at Ubon was warlike and that they should be awarded the appropriate repatriation and medal entitlements.

#### **Recommendation**

It is recommended that RAAF service at Ubon:

- a. in the period May 1962 to 25 Jun 65 continue to be classified as 'non-warlike' operational service and that personnel be eligible for the appropriate repatriation and medal entitlements, and
- b. 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.

## **FLOW-ON IMPLICATIONS FROM UBON ANOMALY**

The Review has been advised that there may have been other ADF personnel on duty in Thailand besides those at RAAF Base Ubon. The nature of this

service could justify these personnel also being eligible for extended medals and repatriation benefits similar to those recommended for service at RAAF Base Ubon. Consequently, there could be some later applications from these personnel that will have to be reviewed by the Departments of Defence and Veterans' Affairs. However, the case of personnel on 'EXERCISE OBSERVER' can be determined now.

### **Recommendations**

On the basis of fairness and equity, I further recommend that:

- a. Personnel attached to Thailand on 'EXERCISE OBSERVER' after 31 Aug 68, until the end of the USAF 'OPERATION COMBAT LANCER' in November 1968, be eligible for similar medal and repatriation entitlements to those awarded for service at RAAF Base Ubon.
- b. The end date of the ASM 45-65 with Clasp 'Thailand', and any other medal awarded for service in Thailand, be extended to a date that would ensure all eligible ADF service in Thailand would be covered. In this regard, as the major involvement of ADF personnel in the Vietnam conflict ceased on 11 Jan 73, perhaps this would also be an appropriate end date for service in Thailand.

## **CHAPTER 7**

### **VIETNAM**

#### **AUSTRALIAN CIVILIAN SURGICAL AND MEDICAL TEAMS**

##### **VIETNAM**

#### **The Anomaly**

Former members of Australian Civilian Surgical and Medical Teams who served in Vietnam perceive that their service should attract repatriation benefits similar to ADF personnel and designated civilians serving in Vietnam during the same period.

#### **Recommendation**

It is recommended that Australian Civilian Surgical and Medical Teams operating in Vietnam during the Vietnam War be deemed as performing qualifying service for repatriation benefits.

## **AERO MEDICAL EVACUATION FLIGHTS**

### **The Anomaly**

The USAF categorises AME services as combat or direct support combat services. For their service with the USAF 902 and 903 AME Units, RAAF Nurses were awarded the Vietnam Medal, AASM with Clasp 'Vietnam' and full repatriation benefits. Conversely nurses who served only in the Australian 'circuit' have received the VLSM as opposed to the VM plus the AASM, RASB and full repatriation benefits. They claim the VM as proper recognition for their service.

### **Recommendation**

It is recommended that all RAAF Nurses who served in AME Teams during the period 1964-1973 of the Vietnam War be awarded the Vietnam Medal.

## **QANTAS AIR CREWS IN VIETNAM**

### **The Anomaly**

During the course of the War in Vietnam it became apparent that the RAAF from its available resources would not be able to fully cover the need for flights to and from Saigon (as it then was), carrying troops and equipment. To enable these requirements to be met QANTAS charter flights with QANTAS flight crews were employed.

Despite repeated submissions made over the years QANTAS crew members were never regarded as being 'designated civilians' for the AASM.

### **Recommendation**

It is recommended that for the purposes of the award of the AASM Clasp 'Vietnam' QANTAS aircrews be given 'designated civilian' status.

## **MERCHANT MARINERS**

### **MV (HMAS) JEPARIT AND MV (HMAS) BOONAROO**

### **The Anomaly**

Members of the Merchant Navy who served on board MVs JEPARIT and BOONAROO during voyages to Vietnam have been awarded the VLSM and the AASM 45-75. However, they are not eligible for repatriation benefits. These merchant mariners believe they have not been properly recognised for their efforts and seek eligibility for repatriation benefits for their periods of service.

### **Recommendation**

It is recommended that eligibility for full repatriation benefits be extended to these Australian merchant mariners.

## **FOREIGN AFFAIRS OFFICERS SEEKING THE AASM IN RESPECT OF SERVICE IN VIETNAM**

### **The Anomaly**

Members of the Foreign Affairs Office perceive that their service in Vietnam should be recognised through the award of the AASM.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **HMAS SYDNEY**

### **The Anomaly**

A number of submissions related to those personnel who served in HMAS SYDNEY on voyages to and from South Vietnam during the conflict in that country. These submissions advance the possible anomaly of the failure to award the Vietnam Medal for periods spent in Vietnam at Vung Tau.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **AWARD OF THE VIETNAM LOGISTIC SUPPORT MEDAL (VLSM) AND THE VIETNAM MEDAL (VM)**

### **The Anomaly**

A number of submissions were received seeking the award of either the VM in lieu of the VLSM, or the award of both the Vietnam Medal and the VLSM where a member of the ADF performed service that satisfied the conditions of both in separate deployments.

### **Recommendation**

It is recommended that no further action be taken on these issues.

## **VIETNAM – GALLANTRY AWARDS SUBMISSIONS REGARDING GALLANTRY AWARDS AWARDED OR NOT AWARDED DURING THE VIETNAM WAR**

These issues were considered by the recent 'End of War List – Vietnam' Review and I strongly support the recommendation in that Report, that the 'End of War List – Vietnam' be closed.

### **Recommendation**

It is recommended that no further action be taken with this issue.

## **VISITS BY CMF OFFICERS TO SOUTH VIETNAM**

### **The Anomaly**

CMF Officers, who undertook periods of attachment on continuous full-time duty of about 14 days in Vietnam to gain experience through observation of activities of ADF operations, perceive that their service should more appropriately attract the award of the Vietnam Medal and full repatriation benefits.

### **Recommendations**

It is recommended that:

- a. No further action be taken on the question of the award of the Vietnam Medal.
- b. No further action be taken on the question of repatriation benefits as the officers concerned have had full cover under the VEA since 1986.

## **VISITS TO SAIGON IN 1962 AND 1963 BY HMA SHIPS VAMPIRE, QUEENBOROUGH, QUIBERON AND QUICKMATCH**

### **The Anomaly**

In 1962, HMA Ships VAMPIRE and QUICKMATCH made a visit to Saigon from 25 Jan - 29 Jan 62. HMA Ships QUEENBOROUGH and QUIBERON visited Saigon from 29 Jan - 4 Feb 63. I understand that the Director Naval Intelligence had tasked the ships to report on the feasibility of HMAS SYDNEY being able to navigate the Saigon River to disembark troops and supplies in Saigon.

The personnel involved in these visits perceive that this service has not been appropriately recognised for either medals or repatriation benefits.

### **Recommendations**

It is recommended that:

- a. No further action be taken on the issue concerning the visit of HMA Ships VAMPIRE and QUICKMATCH to Saigon from 25 Jan - 29 Jan 62 either for qualifying service for the service pension or a campaign medal.

- b. No further action be taken on the issue concerning repatriation benefits for the visit of HMA Ships QUIBERON and QUEENBOROUGH to Saigon from 29 Jan – 04 Feb 63 as ships' complements are already covered for this visit.
- c. the qualifying criteria for the award of the VLSM be reviewed with the aim of including service covered by the GSM 1962 with Clasp 'South Vietnam' i.e., from 24 Dec 62 to 28 May 64, this would include the visit to Saigon by HMA Ships QUIBERON and QUEENBOROUGH in 1963.

## **RECOGNITION OF MULTIPLE TOURS OF VIETNAM AND OTHER CAMPAIGNS**

### **The Anomaly**

Several submissions were received seeking the award of clasps to denote extra tours of Vietnam and other operational areas following the initial tour which led to the award of the relevant medal.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **CHAPTER 8** **'SPECIAL OPERATIONS'**

### **The Anomaly**

A number of submissions were received in which veterans claimed they were employed on sensitive covert sea, land and air operations. These veterans had previously sought recognition of their involvement on these special operations but, apparently, their claims were rejected.

### **Recommendations**

It is recommended that;

- a. the Department of Defence undertakes a full reconsideration of the claims made in the relevant submissions.
- b. where future claims are made, these be forwarded for determination of the facts by the appropriate organisation within the Department of Defence before a decision is made on the classification of the service involved.
- c. the service records of those personnel engaged in special operations in the future be annotated in such a way that many years after the events their service can be readily authenticated.
- d. A Clasp 'Special Operations' be considered for the AASM, AASM 45-75 and the ASM 45-75.

In regard to recommendation **a**, I have instructed the Review Secretariat to provide copies of the relevant submissions to the Department of Defence. I have also instructed the Review Secretariat to write to each of the veterans concerned to advise them that their claims are being considered but that this will be done outside the terms of my Report.

## **LAOS – VIENTIANE**

### **The Anomaly**

Radio Operators and Radio Mechanics attached to the Australian Embassy in Vientiane during the period 1961 – 1964 (approx) perceive that this service has not been recognised.

### **Recommendation**

It is recommended that the ASM Clasp ‘Special Operations’ be granted for this service.

## **RAN SUBMARINE SERVICE – ‘SPECIAL OPERATIONS’**

### **The Anomaly**

A number of submissions were made relating to service in submarines prior to 14 Feb 75 where it is claimed that clandestine operations were undertaken similar to those that were undertaken since that date and subsequently recognised through the award of the ASM Clasp ‘Special Operations’. Further, there have been claims that some operations constituted “warlike” activities and should be recognised accordingly through the award of the AASM 45-75 and repatriation entitlements.

### **Recommendations**

It is recommended that:

- a. the Chief of Navy be invited to review RAN submarine operations prior to 1975 with a view to recognising the service of personnel involved with ‘special operations’ with the ASM 45-75, with Clasp ‘Special Operations’.
- b. the period of service in question was not warlike and no further action need be taken with regard to these claims.

## **CHAPTER 9**

### **OTHER ISSUES**

#### **SERVICE WITH THE UNITED NATIONS MISSION IN LAOS 1975**

##### **The Anomaly**

RAAF personnel tasked to assist the UN Mission in Laos to relocate Hill tribes perceive that their service has not been recognised.

##### **Recommendation**

It is recommended that no further action be taken on this issue.

#### **MEMBERS OF THE AUSTRALIAN DEFENCE FORCE SERVING IN EAST TIMOR DURING THE CIVIL WAR 1975**

##### **The Anomaly**

A number of ADF medical personnel serving in Timor during the Civil uprising in 1975 perceive that their service has not been properly recognised.

##### **Recommendation**

It is recommended that the service of Australian medical personnel engaged in humanitarian work in East Timor during the 1975 Civil War be recognised for that service through the award of the ASM 45-75 with an appropriate clasp.

#### **FOREIGN AWARDS**

##### **The Anomaly**

Several submissions were made regarding the acceptance or non-acceptance of awards offered to members of the ADF by foreign governments during the period covered by the Review.

##### **Recommendation**

It is recommended that no further action be taken on this issue.

#### **PNG NATIONALS - ELIGIBILITY FOR THE AWARD OF THE ASM 45-75**

##### **The Anomaly**

PNG Members of the New Guinea Volunteer Rifles perceive that an anomaly exists whereby they were excluded from the award of the ASM 45-75 with Clasp 'PNG'.

### **Recommendation.**

It is recommended that no further action be taken on this issue by this Review as the matter is being progressed by the Department of Defence.

## **UNITED NATIONS SERVICE – KASHMIR**

### **The Anomaly**

A number of personnel who served as Observers in Kashmir perceive that their service should be classified as 'warlike' and that they should be eligible for full repatriation benefits.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **ARMY SURVEY**

### **The Anomaly**

The Royal Australian Army Survey Corp Association put before the Review a very strong prima facie case for further consideration for recognition of its members service particularly in Indonesia both before 1975 and in the years afterwards.

Their main contention was that there should be an award of the ASM with an appropriate clasp for this service. The submission also included service in other areas in the South West Pacific but in my view this latter service did not make out as strong a prima facie case as the Indonesian experience.

### **Recommendation**

It is recommended that the matter of recognition of Army survey tasks be referred to Army for consideration.

## **'MEDALS FOR ALL' POLICY**

### **The Anomaly**

The Review received two submissions recommending that the eligibility base for campaign medals be broadened. Both submissions were no doubt made in good faith, but it is my opinion that they were not well considered.

### **Recommendation**

It is recommended that no further action be taken on these issues.

## **MERCHANT NAVAL SERVICE – PNG & KOREA**

### **The Anomaly**

Members of the Merchant Marine perceive that their service in and around PNG and Korea during periods of tension should be recognised through award of Defence medals.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **MINE DISPOSAL POST WORLD WAR II**

### **The Anomaly**

Personnel employed in and around New Guinea on mine disposal activities post WW II perceive that the ASM 45-75 with Clasp 'PNG' does not properly recognise the hazardous nature of their activity and seek an individual clasp.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **NORTH WEST INDIAN OCEAN DEPLOYMENTS**

### **The Anomaly**

Personnel deployed on ships to the Indian Ocean in the early 1980's, during the Iran/Iraq war, perceive that this service should be recognised through the award of the ASM.

### **Recommendation**

It is recommended that this issue be referred to the Department of Defence for further consideration as it is outside the Terms of Reference of the Review.

## **RECOGNITION OF SERVICE BY AUSTRALIAN NATIONALS WHO ENLISTED IN AND SERVED WITH BRITISH UNITS DURING WORLD WAR II BY THE AWARD OF THE AUSTRALIAN SERVICE MEDAL 1939-1945**

### **The Anomaly**

Australian civilians who were residing in the United Kingdom at the outbreak of WWII and subsequently joined units of the British Defence Force perceive that they should also be eligible for Australian awards for their service.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **OTHER WORLD WAR II ISSUES**

All of these submissions related to activities which occurred well outside the Terms of Reference of this Review and no action has been taken on them. Suffice to say that they have been referred to the Department of Defence for any action deemed necessary.

## **ISSUES RELATING TO SHIPS AND AIRCRAFT DURING THE PERIOD 1954 TO 1955 OPERATING IN SINGAPORE, KOREA, VIETNAM & MALAYA**

A number of submissions were received relating to service during the period which is outside the Terms of Reference and no action has been taken. They have been referred to the Department of Defence for any action deemed necessary.

## **SUNDRY SUBMISSIONS OUTSIDE THE TERMS OF REFERENCE**

The following list sets out submissions which were outside the Terms of Reference of the Review and on which no action has been taken.

The submissions are listed so that those making them will be aware that their submission was noted by this Review:

- a. RAAF service in Singapore 53-54, Ground Staff
- b. RAAF 78(F) Wing deployed to Malta 52-54 during the Suez Emergency
- c. Service during atomic testing.
- d. ADF service during 45-48 in support of Dutch forces in Dutch East Indies during conflict between Dutch forces and Indonesian Independence Forces.
- e. Gold Card. A number of submissions were received relating to the Gold card. This matter is clearly outside the Terms of Reference of this Review and no further action has been taken.

## **SERVICE OVERSEAS – EXERCISES – PEACETIME DEPLOYMENT**

A number of submissions were received seeking some form of recognition for deployments overseas to take part in exercises in one sort or another not connected with any warlike activity nor involving any hazard outside those associated with normal peacetime training in Australia.

## **Recommendation**

It is recommended that no further action be taken on these issues.

**Membership of the Review Of Service Entitlement Anomalies  
In Respect of South East Asian Service 1955-75**



**Major General The Honourable Bob Mohr RFD ED RL and Rear Admiral  
Philip Kennedy AO RAN RTD**

Secretariat

Commander Tim Bloomfield AM RAN

Mr Ces White, Department of Veterans' Affairs

Ms Jan Coles

Mr Doug Smith

Mrs Grace Jackson

## **Preface**

On Wednesday 26 May 99, the Minister for Veterans' Affairs and Minister Assisting the Minister for Defence, the Hon Bruce Scott MP, appointed me to conduct a Review of possible anomalies in service entitlements affecting those members of the Australian Defence Force who served in South-East Asia during the period 1955-1975. At the same time Rear Admiral P G N Kennedy AO RAN Rtd was appointed to assist and advise me on service matters.

Commander T Bloomfield AM RAN, Director of Honours and Awards in the Directorate of Personnel Policy, Defence Personnel Executive, Department of Defence, was appointed Secretary and the Review Secretariat was located in his Directorate.

Mr Ces White, Department of Veteran's Affairs, was originally appointed to advise on matters relating to the Veterans' Entitlement Act 1986, but he has in fact undertaken much wider obligations in all areas of research. Mr White is a veteran of 26 years RAAF service followed by 16 years in the Public Service, the last 11 of which was with the Department of Veterans' Affairs.

The full Terms of Reference appear at the front of this report.

As a first requirement, the fact of a Review being undertaken and its Terms of Reference were published in the major newspapers throughout Australia, and particular notice was given to some persons and organisations who were known to be interested in making major submissions. In the first instance submissions were to be in writing and submitted to the Secretariat. At the outset a cut-off date of 13 Aug 99 was fixed for such submissions, but as events unfolded, it was found that submissions continued to be received and accepted long after that date.

It became apparent that some form of Public Hearings would have to be held to enable those who had made written submissions to speak to their submissions, either in explanation or expansion of them. A decision was made that in order to determine just how these proposed Public Hearings were to proceed a 'trial run' should be held and Hobart was selected as the location of this trial. The format used appeared successful and was used at the subsequent hearings with what appeared to be universal approval. Public Hearings were held around the country. A list of venues and dates are attached at Annex G.

A total of 750 written submissions were registered and 400 oral submissions were made at the Public Hearings.

At each Public Hearing I made opening remarks setting out procedures in the following words:

## **Opening Remarks**

**“As those present will know, I have been appointed by The Hon Mr Bruce Scott MP, Minister for Veterans’ Affairs, and Minister Assisting the Minister for Defence, to review possible anomalies in service entitlements affecting those members of the Australian Defence Force, who served in South-East Asia during the period 1955-1975 and eventually report to him with my advice. Rear Admiral Philip Kennedy AO RAN Rtd has been appointed to assist me. The Terms of Reference have been widely advertised.**

**Before proceeding with the more formal part of this hearing I wish to make some general remarks.**

**Firstly, I wish to stress that the Review will be open, public and impartial. Oral submissions will not be on oath. A tape recording will be made, but may, or may not, be transcribed. Neither I, nor Admiral Kennedy, will receive any submission, formal or informal, written or oral, except through the Secretariat at the address stated in the advertisement giving public notice of the Review.**

**Any written submissions received directly by either of us will be handed forthwith to the Secretary and treated as official. Any oral submissions made, or attempted to be made, will be ignored, save that public reference may be made to the attempt.**

**It is my understanding that in some quarters the fact that the Secretariat is located within the Department of Defence causes some disquiet, as also does the appointment of Commander Bloomfield as Secretary. No such disquiet is justified. I repeat that the Review will be open, public and impartial. The plain fact is that in conducting the Review administrative resources have to be provided, and the arrangements made provide such resources. Commander Bloomfield has other duties, but those do not impinge on this Review.**

**The Chief of the Defence Force, and the three Service Chiefs, will if they so desire, make submissions in the same manner as the other interested parties. Copies of any such submissions will be supplied to the Naval Association of Australia, and any other party to whom such submission may refer.**

**Mr Ces White, who some two years ago retired from a position in the Department of Veterans’ Affairs, and also served for 26 years in the RAAF, has been recalled to conduct such research as may be required. I might say, that it appears now that much research will be required on factual matters and factual matters only. There will not be a ‘back door’ method of receiving Department submissions.**

**I acknowledge that much research has been done by some of those making submissions, and subject to checking source material, it is much appreciated.**

**Ms Coles has been appointed to provide clerical services.**

**The general procedure to be adopted at the hearings will be for those persons who have made a written submission to be invited to speak in explanation and/or expansion of their submission.**

**If anyone making a submission has any supporting documentation, official or unofficial, they should make it available either directly or to be copied. If they are able to quote a direct reference to a written source, they should say so.**

XXX

**If the time allotted for oral submissions in any centre proves to be insufficient, further arrangements will be made in due course.”**

On a number of occasions during the Public Hearings, issues were raised that were able to be resolved by either Commander Bloomfield and/or Mr White almost on the spot. This not only saved time, but gave great satisfaction to those involved. Once again it proved the willingness of those two gentlemen to go far beyond the strict scope of their duties.

Generally the Public Hearings were conducted as far as practical in an informal way. The atmosphere was amicable and helpful.

The procedure at the Public Hearings was that those who attended and wished to be heard were registered and allotted a time when they would be called on. Some did not use the time allotted, some exceeded it, but by and large the procedure was successful and resulted in orderly hearings.

At the close of proceedings at the last Public Hearing I made the following statement.

**“As this the final hearing of this Review closes and in the presence of the representatives of some of the major proponents I wish to say that my overwhelming impression of those who have come forward to make oral submissions is that these were, by and large, honourable people. They believed that they had performed honourable service to their country, at some personal inconvenience, and danger, and felt a deep resentment that heretofore their service had not received the consideration it merited.”**

Whatever may be the outcome of the Review I am certain of one thing and that is the ex-service community found satisfaction in the fact that at last there was a forum where they could present their cases.

### **General Approach**

The general approach adopted was to treat this Review, in so far as it was possible, as a new investigation of matters raised, notwithstanding previous reviews and investigations that had been undertaken concerning the matters raised before the Review.

This approach was adopted because it was felt to be important not to be influenced by pre-conceived ideas, but to apply a fresh mind to the questions, especially because this was to be the final word on the activities, periods and areas concerned.

It will be noticed that although this was the general approach, in some instances, reference has had to be made to earlier proceedings in order to see the matters in proper perspective. Another fact has been the large expansion of material available with the expiration of the thirty-year period giving access to previously inaccessible material.

## **Onus of Proof in the Conduct of the Review**

At the outset it was found that contemporary records were incomplete, or for one reason or another no longer exist. Thus at times I was left with the submission on a topic, the advice of Rear Admiral Kennedy as an expert in service matters in the special and general service areas, as well as a sense of reality.

In those circumstances if what was said was generally accepted as being factual, it was accepted as being a basis on which a finding could be made. This then, I consider, in general agrees with the policy laid down in Section 119 of the Veterans' Entitlements Act 1986 (VEA).

## **Written Submissions**

A total of 750 written submissions were registered. Some were large on behalf of a body or bodies of ex-servicemen and women, and some personal to the individual making it. As the Public Hearings progressed it became apparent that some who attended had not made a written submission, but wanted to speak. This was allowed, although those making an oral submission were urged to make a written submission in due course.

Initially, some of the written submissions expressed some criticism of the fact that the Secretariat was located within the Department of Defence. I am happy to report that this criticism was quickly withdrawn and as far as could be ascertained the Review was seen to be "open, fair and impartial".

Some submissions received were, on a strict interpretation of the Terms of Reference, outside the scope of the Review. However, in some instances, with your concurrence they have been considered, although in some cases all that could be done was to note a particular matter raised and forward it as part of this report. Others have no relevance to this Review, in my view of the matter, and have not been considered.

## **Approach Taken on Individual Submissions**

Given the large number of written and oral submissions to the Review it would have been unworkable to address each of these separately in the Report. Consequently, wherever practicable, my comments have been made as a general overview statement on the nature of the ADF service involved in each deployment.

For example, my comments on submissions concerning the nature of seagoing naval service with FESR are stated generally and not in the particular. This is also the case with ADF service on the Malaysian mainland during the period of confrontation with Indonesia. In this latter case, although

many submissions were received from personnel posted to individual units in the operational area, my comments have approached the issues on a general basis by recommending that all of those personnel on the posted strength of units on the mainland during the period should be retrospectively allotted.

While this approach has provided a more workable way to present my report, I realise that it does raise some problems for the Departments responsible for implementing the accepted recommendations. It also poses problems for the veterans concerned.

If veterans cannot at first see where their submission has been addressed in the report, they should look closely to see if the nature of their service is addressed in one of the general 'overview' chapters. This would, I hope, minimise unnecessary correspondence with the responsible Departments asking if their submissions were considered. In this latter regard, I can give my unreserved comment that each submission was taken into consideration.

Once the Government has made its decisions on the recommendations in the Report, I would expect that those veterans who believe that they are covered by any accepted recommendation extending medals and/or repatriation benefits, would be invited to make an appropriate application to the Department responsible for implementing the recommendation.

### **Medals and Repatriation Benefits**

I hasten to confirm the generally expressed view that the receipt of medals does not necessarily mean that repatriation benefits would flow as a natural consequence or vice versa. The two areas of benefits are really unconnected and for good reasons.

Repatriation benefits are awarded in response to the dangers and hazards involved in undertaking service in warlike or non-warlike areas, and the stresses and strains incurred from combat conditions against an enemy. Despite the title of some campaign medals, and the Australian Active Service Medal is a case in point, their award is based solely on the basis that a member was involved in a campaign and not necessarily that a member had come under fire. Moreover, eligibility for repatriation benefits accrues from the moment a member arrives in a warlike or non-warlike area whereas the award of a campaign medal normally requires a member to have served for a set qualifying period before becoming eligible.

In this context, wherever in the Report I have recommended only the award of a campaign medal or the award of a campaign medal and repatriation benefits, **these are considered and deliberate decisions made in the context of this report only.**

It is my opinion that for the future a policy should be clearly laid down that the recommendation for the award of a campaign medal and the subsequent

award of such a medal does not carry with it any entitlement to repatriation benefits.

### **Recommendation**

It is recommended that a policy be clearly laid down to ensure that the recommendation for the award of a campaign medal and the subsequent award of such a medal does not carry with it any entitlement to repatriation benefits.

### **Acknowledgments**

Before leaving these introductory matters I wish to express my thanks to all those who have given me so much help and assistance during the time this Review has been progressing, and in particular the help and assistance of Rear Admiral Kennedy, which has gone far beyond his original brief, and I make it clear that the task undertaken would not have been possible without his help, advice, companionship and friendship.

Likewise, but in a different role, Commander Bloomfield has been responsible both personally, and with the assistance of his Staff, for the impeccable way in which the administration has been conducted. The burden has been heavy but he has cheerfully and efficiently gone out of his way to enable the Review to proceed without delays and inconvenience. He and the Review has had, the benefits of the assistance given by Mr Doug Smith and Mrs Grace Jackson of his staff.

Mr Ces White has, as remarked earlier, gone far beyond his original brief with helpfulness and efficiency in researching source material, as well as providing the advice and assistance on matters pertaining to veterans' entitlements.

Ms Coles has been invaluable in her efforts to provide secretarial services and again has gone far beyond her duties as originally planned.

I would also like to thank the staff of the Defence Signals Directorate for the invaluable assistance they gave in providing the Review with a greater understanding of 'Special Operations' and how we might better manage the recognition of those personnel involved in the future. Staff of the Department of Defence Naval Historical Section and Archives Section have also given invaluable assistance.

For the photographs that complement this report I would like to thank the Australian War Memorial, the Department of Defence, Mr Jo Strazcek, Mr Charlie Watson and Mrs Daphne Amos.

Lastly, and by no means least, I am indebted to those who have made submissions, both large and small, and to those hundreds of ex-service

people who have come forward at Public Hearings and spoken to their joint or personal submissions.

Without in any way endeavouring to make excuses for any delays or shortcomings in this Report I wish to point out that the extent of the material before the Review and the number of submissions made was far beyond what was anticipated at the outset. Likewise the amount of research to be undertaken was greatly in excess of what was anticipated.

While acknowledging the great help and assistance of all those who gave it, and without which the Review could not have been possible, nor could this Report have been written, the responsibility for the content of the Report is mine, and mine alone and I accept it.

**ABBREVIATIONS**

AASM	Australian Active Service Medal	NGSM	Naval General Service Medal
ADF	Australian Defence Force	NM	National Medal
ADG	Airfield Defence Guards	2 NM	Second Naval Member
AFO	Admiralty Fleet Order	NWIO	North West Indian Ocean
AM	Member of the Order of Australia	NZ	New Zealand
AME	Aero Medical Evacuation	PGT	Indonesian Air Force Quick Action Troops
ANO	Australian Naval Order	PNG	Papua New Guinea
ANZAM	Australia New Zealand America	RAAF	Royal Australian Air Force
AO	Officer of the Order of Australia	RAN	Royal Australian Navy
ARVN	Army of the Republic of Vietnam	RANR	Royal Australian Navy Reserve
ASM	Australian Service Medal	RAR	Royal Australian Regiment
CIDA	Committee of Inquiry into Defence and Defence Related Awards	RASB	Returned from Active Service Badge
CINC FES	Commander In Chief, Far East Station	RFD	Reserve Force Decoration
CINC	Commander in Chief	RN	Royal Navy
CT's	Communist Terrorists	SOS	Special Overseas Service
DPS	Director of Personnel Services	UK	United Kingdom
DSD	Defence Signals Division	USAF	United States Air Force
DSO	Distinguished Service Order	USSR	Union of Soviet Socialist Republics
DVA	Department of Veterans' Affairs	VEA	Veterans' Entitlements Act 1986
DZ	Drop Zone	VLSM	Vietnam Logistic and Support Medal
FARELF	Far East Land Force		
FESR	Far East Strategic Reserve		
GSM	General Service Medal		
HADS	Head Australian Defence Staff		
HMAS	Her Majesty's Australian Ship		
HQ	Headquarters		
LRO	Leading Radio Operator		
LWOP	Leave Without Pay		
MC	Military Cross		
MM	Military Medal		
MP	Member of Parliament		
MV	Motor Vessel		



## **CHAPTER 1**

### **GENERAL OBSERVATIONS**

One of the principles followed by the Review in examining whether or not an anomaly had occurred was, as far as was practicable, to research and understand the *raison d'être* for ADF deployments to South-East Asia.

This close scrutiny has found, in my view, that some aspects of procedure and process in administering entitlement to medals and repatriation benefits are themselves in need of clarification or review. The matters of main concern are addressed in subsequent paragraphs.

#### **Medals Awarded to Designated Civilians**

The Review had difficulty understanding the rationale behind the policy for the award of medals to 'designated civilians'. A particular case concerned the award of the Vietnam Logistic and Support Medal (VLSM) and the AASM 45-75 with Clasp 'Vietnam'.

The award of the AASM 45-75 to designated civilians was on the basis that they "were integrated in the ADF for extended periods of time, performing like functions with their ADF counterparts". It would be reasonable to expect that those civilians awarded the VLSM would also subsequently be awarded the AASM, but this was not the case. Some recipients of the VLSM have been specifically excluded from the award of the AASM on the basis that they had not been "integrated in the ADF for extended periods of time, performing like functions with their ADF counterparts". This confusion in policy has acted to exclude some civilian recipients of the VLSM from being awarded the AASM and I am not sure that this exclusion is justified on the facts.

There are grounds for the Department of Defence's medals policy for civilians to be reworked especially for those civilians drawn into future conflicts. Noting the current trend to pare down the Australian Defence Force's numerical uniformed strength and to increase the use of civilian contractors for services such as transportation, aircraft maintenance etc., it is manifestly preferable to sort out policy in advance rather than attempt to do so twenty plus years later on.

#### **Campaign Medals**

On some occasions, issuing authorities have applied their own interpretation of terms used in the qualifying service criteria for campaign medals, or perhaps have misunderstood the nature of, and reason for, campaign medals. In particular, the terms 'in direct support of operations' or 'in support of operations' have at times, I believe, been mis-interpreted to impose conditions of eligibility far in excess of what was intended by the authority that decided on creating the medal.

For example, evidence is presented later in the Report on the matter of eligibility for the Naval General Service Medal (NGSM) with Clasp 'Malaya'. In this case I believe that the issuing authority interpreted, incorrectly, that the term 'in support of operations against bandits' meant ships had to have been bombarding shore positions. However, when the medal's raison d'être was examined, the authority that decided on its creation had indicated a range of activities that would support awarding the medal, and most of these were for activities where personnel need not necessarily have been under fire.

Another example concerns the General Service Medal (GSM), 1962 with Clasps 'Borneo' and 'Vietnam'. Included in the qualifying service criteria of the Royal Warrant is the requirement for "one operational sortie .... by aircrew .... in direct support of operations". However, the issuing authority placed the following interpretation on this criterion that I believe is far too severe and quite inappropriate for a campaign medal:

**"The qualifying sortie referred to ...must be in direct support of operations, eg by close contact with, and assistance to, ground forces in forward areas, in the form of reconnaissance, offensive or air defence support, the dropping of personnel by parachute, or the air dropping of supplies.....Members of the crew of an aircraft routed to an airfield in [Borneo or Vietnam] with reinforcements or supplies, or in flights of a similar nature, do not normally qualify. While such flights were in support of operations, they were not in direct support. In addition, routine medical evacuation sorties cannot be considered to have been in direct support of operations."**

I believe that the raison d'être for campaign medals is summed up quite well in the case submitted for the creation of the GSM 1962 with Clasp 'Malay Peninsula'. In studying the conditions which affect the claim it was stated, inter alia, that:

- "It would be unfair to restrict the award of the clasp to only those who had been in direct contact with the enemy. Any successes are attributable to the overall effort.
- The award of a campaign clasp is recognition that a man has taken part in operations or in a campaign and not that he has necessarily been under fire.
- Even when the officers and men concerned in the bases have taken no direct part in the actual operations, they have given direct support to the front line and have been in the area of the campaign.

- It would be virtually impossible to administer a scheme whereby the medal was awarded for specific operations. There would be borderline cases each time with varying numbers of men disgruntled at being denied the medal.”

I believe that these aspects should be accepted by issuing authorities as exemplifying the guiding principles to be applied when deciding what is meant by the terms contained in the Royal Warrant qualifying criteria for campaign medals, especially those relating to ‘in direct support of operations’ or ‘in support of operations’.

### **Keeping Track of People**

Great anxiety has been caused among veterans by all three Services not keeping proper track of the whereabouts of its people during a conflict. Later, when a veteran makes a claim and ‘the system’ does not have appropriate records, the onus is placed on the claimant to come up with supporting documentary evidence.

In one case, an army veteran was advised to write to British military sources to obtain proof that he had served with a British unit, yet his personal records clearly showed that he was attached. What was in question though was whether or not the British unit he had served with had undertaken operational service. Cases arose of Navy personnel being attached to ships or shore stations in operational areas but this service was not clearly evident on their records yet the service was undertaken. Similar cases arose among veterans, especially some employed on ‘special operations’, not having the service reflected somehow, on their service documents.

The service records of those personnel engaged in ‘special operations’ should be annotated in such a way that many years after the events their service can be readily authenticated.

Surely the responsibility for ascertaining the precise whereabouts of its people during conflicts both past and present, lies with each of the Services. This responsibility should not be transferred to the veteran who may not have the knowledge or capacity to access official records to ensure the appropriate information is elicited, nor be aware at the time that a record of his activities was not being maintained.

### **Research and Analysis**

A great deal of Cabinet and other high level documentation was accessed from National and Defence Archives. On some occasions this material provided a perspective on the background to an alleged anomaly quite different to that stated in past reviews. It seemed to me that this material had not been previously researched or, if it had, it had not been carefully

analysed, before past decisions were taken. The Review's research into the reason for the exclusion from repatriation benefits of naval seagoing personnel in the Far East Strategic Reserve (FESR) during the Malayan Emergency illustrates this point.

It is axiomatic that one must get the facts right in an area as sensitive as Honours and Awards. This, however, was not always the case. A prominent example is the official distribution of a flawed table of ships allotted to the Far-East during the Indonesian Confrontation. This flawed list has, until now, denied some personnel being awarded campaign medals and repatriation benefits. It behoves the Services to get it right the first time, an error such as this is indefensible.

Failure to conduct proper research and analysis of the background issues has led to some personnel being given incomplete or flawed information or advice. Each and every time the suspect information was regurgitated to a new claimant, it took on a more enhanced authenticity.

Understandably, the major concentration of the Defence effort is on the needs of today's force – not those of the past. However, as shown by this Review, it is not until much later that problems with the conditions of service of today's force arise. Consequently, I believe it would be short-sighted indeed if sufficient resources are not applied to ensure that the history/circumstances of each ADF deployment is collated now, so that issues arising later from these deployments can be speedily and responsibly processed.

There needs to be established a reliable data bank of historical information on each conflict where ADF personnel have been deployed to ensure that decision takers can confidently draw upon this so that consistency of decisions is assured.

### **Respective Responsibilities of Defence and Veterans' Affairs Departments**

Much has been made of the fact that:

- it is the Department of Defence that sets the conditions of service for ADF deployments and that these conditions of service subsequently determine the appropriate entitlement to repatriation benefits, and
- the Department of Veterans' Affairs is not responsible for making judgments on the nature of service experienced on ADF deployments and therefore it defers questions on this aspect to Defence for resolution.

Both of these statements have been found wanting. The evidence addressed above under the headings '**Keeping Track of People**' and '**Research and Analysis**' clearly indicates that there needs to be a more rigorous approach taken by Defence to meet its record keeping responsibility. On the evidence also, there needs to be greater service involvement at a senior level, in the

decision making process. This is not meant to be a denigration of those civilian members currently engaged on this task but clearly, when the nature of past defence force service is being reviewed, it is axiomatic that those who understand the nuances of what is involved should do this.

In addition, it is the Department of Veterans' Affairs that administers the VEA 1986 and decides in accordance with that Act whether or not a veteran had 'incurred danger from hostile forces of an enemy' yet, on their own advice to the Review, they are not responsible for making these judgments. I would have thought that all such decisions should have been referred to Defence for a decision.

Given the foregoing, I believe that it is timely for both Departments to meet and clarify their respective roles and responsibilities to ensure that a more coordinated and appropriate consideration of the facts is undertaken on future matters impacting on the medals and repatriation entitlements of veterans.

### **Recommendation**

It is recommended that both the Departments of Defence and Veterans' Affairs forge a more constructive working relationship at a senior level to ensure that a more co-ordinated approach is undertaken on future matters involving the medals and repatriation entitlements of veterans.

## **CHAPTER 2**

### **INTRODUCTION AND STATEMENT OF PRINCIPLES**

Before proceeding to report on the formal matters of the Review I wish to make some general remarks which bear on some, or all, of the matters to be considered.

#### **Defining the Anomaly**

Generally speaking an anomaly is said to exist when the circumstances under consideration do not appear to accord with what common sense and the rational order of things would lead one to expect.

In human affairs, as opposed to scientific, what must then be done is to examine, as far as possible, the reasons given for bringing about the alleged anomaly.

If on the examination and in the light of further facts now known there is cause to remove the anomaly it should be removed. In other words if the original premises for creating the alleged anomaly are shown to be unsatisfactory and the later discovered facts warrant a revision of the anomaly such a course should be adopted.

Some matters which came before the Review were not strictly speaking within the ambit of a possible anomaly, but as they had been referred to the Review they were considered and reported upon if they raised matters of general importance about which some clarification was thought to be of assistance.

Some submissions dealt with were from non-members of the ADF but contained matters closely concerned with the activities of the ADF.

I have endeavoured to deal with each case as best I can, and my advice at times will not be a straight out recommendation as to action to correct an anomaly, but rather a recommendation that further consideration be given to a particular situation or that a matter be re-examined in the light of the submissions made.

On the other hand, where a clear anomaly is shown, equity and justice demand that the rectifying action should be that which should have been taken at the time the anomaly came about, in so far as such a course is now possible.

As an example, and one of the main areas of consideration, the position of RAN personnel serving in HMA Ships as part of FESR and their exclusion from repatriation benefits by the Repatriation (Far East Strategic Reserve) Act 1956 (FESR Act). If that exclusion were found to be an anomaly, that is to say at the time the exclusion was made, there were no grounds for it, or the grounds given were not valid, then the remedy would call for retrospective action to make good the exclusion on the same terms as if the exclusion had

not happened. It would not be a matter of applying some contemporary principles. This course would appear to accord with the information provided by the DVA at the Public Hearing in Canberra on 08 Sep 99 when speaking to its submission, as the following extract from the transcript demonstrates:

**“Judge Mohr:** But you know that my task is to look for an anomaly. You know what an anomaly is? It’s something that is out of kilter with what a reasonable person would see if he looked at the facts.

**DVA:** Correct.

**Judge Mohr:** Now how do you say that we should go about that? In the case of Army, Airforce, Navy, FESR?

**DVA:** Well, what we simply say is that, well our submission says is that there are a number of principles that should be applied that are represented in the types of service and it’s the application of those principles.

**Judge Mohr:** No, you see, I am not looking at principles, am I, at this stage? I am looking to the anomaly.

**DVA:** Yes, but we would think that an anomaly would relate to whether the principles that grant something have been applied correctly or not applied correctly.

**Judge Mohr:** Yes, but we come back. Do you say that if I say that, for instance, that what was given to the army and airforce was overly generous? The anomaly is removed, bearing in mind the navy’s exclusion.

**DVA:** No.

**Judge Mohr:** You see, that’s what two wrongs don’t make a right.

**DVA:** Well, I can see where you are coming from there and we....

**Judge Mohr:** Yes well, is that where you are coming from? That’s what I’m interested in.

**DVA:** No, it’s not where we are coming from.

**Judge Mohr:** You’re not challenging the proposition that, if I find this anomaly, excluding the navy, that was an anomalous act.

**DVA:** No, we are not challenging that. It’s open.....

**Judge Mohr:** Right, and if I suggest that the anomaly should be corrected, the way to correct it would be to put the navy on the same basis as the other two services, wouldn’t it?

**DVA:** No we’re not challenging that.

**Judge Mohr:** Oh, right, well I am sorry, I thought you might be

**DVA:** No, we are not, we didn’t intend to do that anyway.”

This matter will of course feature in consideration of the position of the Navy in the period 1955-1960, when considering the possible anomaly of its exclusion from repatriation benefits.

## **Allotment**

There has been no single topic which has affected so many possible anomalies as the matter of “allotted” or “not allotted”.

I am fully conscious of the provisions governing the award of medals, qualifying service, etc, in Warrants, Acts and guidelines. The point is however, that so many members of the ADF served in South-East Asia during the period of the Review had no idea of the necessity for themselves or their unit to have been ‘allotted’ before they received qualification for a medal or repatriation entitlements and now find themselves disadvantaged years later because those who ordered them to do their duty, which they did, took no

steps to ensure that the required allotment procedures were attended to when quite clearly they should have been.

There is a procedure available for retrospective allotment but this appears not to have been followed in many cases.

It seems unfair that members of the ADF in this situation should be denied the opportunity to put forward for consideration the nature of their service, which would in many cases, amount to operational and/or qualifying service because of this action, or rather lack of action, of their superiors.

I make this general comment in the light of the invitation in your letter of 05 Oct 99, suggesting that my recommendations may be of general interest to the veteran community.

In other parts of my Report I have commented on the considerable confusion in the minds of recipients of the value of the award of an Australian Active Service Medal (AASM), the very nature of which demonstrates to their mind that they must have had service which would amount to 'qualifying service', in relation to repatriation entitlements.

It does not I think fall within the general ambit of the Review to resolve these matters, although you will be aware that in particular cases I have advised that some remedial action should be taken.

### **'INCURRED DANGER', 'PERCEIVED DANGER' AND 'OBJECTIVE DANGER'**

In essence, Section 7A of the VEA 1986 requires that a veteran must have 'incurred danger from hostile forces of an enemy' before such service becomes 'qualifying service' for the 'service pension'.

In *Repatriation Commission v Thompson*, the Full Federal Court decision carried the matter a step further in stating that a 'perceived danger' had to be contemporaneous with an 'objective danger'.

The judgement in that case was clearly correct in defining the distinction between 'perceived' and 'objective' danger on the facts proved in that case. Although *Thompson* genuinely 'perceived' danger, on a review of the facts no danger of any sort existed. The facts clearly showed that no hostile forces capable of being a danger to him were within hundreds of kilometres of the incident in which he 'perceived' danger. In that case, there was plainly no 'objective danger'.

In other words the danger he 'perceived' arose from his own fear that he was in danger, but this fear was a delusion in his mind. A serviceman incurs danger when he encounters danger, is in danger or is endangered. A serviceman incurs danger from hostile forces when he is at risk or in peril of

harm from hostile forces. A serviceman does not incur danger by merely perceiving or fearing that he may be in danger.

Although the outcome in the *Thompson* case is clear on the facts provided, it still leaves open the question of how an 'objective danger' is to be established.

To establish whether or not an 'objective danger' existed at any given time, it is necessary to examine the facts as they existed at the time the danger was faced. Sometimes this will be a relatively simple question of fact. For example, where an armed enemy will be clearly proved to have been present. However, the matter cannot rest there.

On the assumption that we are dealing with rational people in a disciplined armed service (ie. both the person perceiving danger and those in authority at the time), then if a serviceman is told there is an enemy and that he will be in danger, then that member will not only perceive danger, but to him or her it will be an objective danger on rational and reasonable grounds. If called upon, the member will face that objective danger. The member's experience of the objective danger at the time will not be removed by 'hindsight' showing that no actual enemy operations eventuated.

All of the foregoing highlights the inherent difficulty with this concept of perceived and objective danger. It seems to me that proving that danger has been incurred is a matter to be undertaken irrespective of whether or not the danger is perceived at the time of the incident under consideration. The question must always be, did an objective danger exist? That question must be determined as an objective fact, existing at the relevant time, bearing in mind both the real state of affairs on the ground, and on the warnings given by those in authority when the task was assigned to the persons involved.

During discussion at the Public Hearing in Canberra with representatives of the Departments of Defence and Veterans' Affairs, it appeared that in deciding the question of whether or not an objective danger existed at any given time, the issue turned on the question of whether or not the service was 'warlike' or 'non warlike' in nature. It was agreed that there might well be 'grey' areas that do not fall clearly on one side of the line or another. Similarly, there may be circumstances in which perhaps, for a short period, a 'non warlike' operation can become very 'warlike'.

It would seem that there is no difficulty when deployments are declared, prospectively, to be 'warlike'. In that case all those who subsequently served in the prescribed area would be covered by the 'warlike' declaration irrespective of the actual nature of the duties carried out by the personnel of the Service or Services involved. However, even in this case the authorities would know that some personnel within the deployment would not, on examination, incur danger from hostile forces of the enemy and therefore, technically, would not have 'qualifying service' for the service pension. Yet all personnel who form part of the deployment are covered automatically by the prospective declaration that service is 'warlike'.

This outcome is not new. I understand that in the two world wars, involvement was such that in principle, 'qualifying service' for the service pension was not solely related to those in combat service. It had to include a measure of general service which was not service in direct combat, but which was continuous, subject to general service conditions and in respect of which, no satisfactory line of demarcation could be fixed to divide it from combat service.

With respect, I believe that a similar set of circumstances to the world wars and in the current 'warlike' classification existed in those areas now under review and where anomalies are alleged to have occurred. With the prospective declaration of 'warlike', it is inevitable that some personnel would have qualifying service for fairly remote participation, and there may not have been any likelihood of their incurring danger from hostile forces of the enemy given the nature of their support services. Within those ADF deployments, there were areas of direct participation in fighting, areas of service involving operational risks but not involved in fighting, and areas of service in support of those undertaking operations.

It is understandable that these variations of service within an operational area can not be entirely avoided when decisions are taken, prospectively, to declare service as 'non warlike' or 'warlike'. Given this uncertainty, it seems to me then to be quite indefensible to require later on more demanding criteria to be met when examining the nature of service not covered by the original declaration process. This is especially so when this latter service was conducted in the same period and in the same operational area and equates more than favourably with that of most personnel or units covered by the prospective declarations.

I believe that in making retrospective examinations on the nature of service many years after the event, as is now the case, the concepts and principles involved should be applied with an open mind to the interests of fairness and equity, especially if written historical material is unavailable for examination or is not clear on the facts. This is the approach that I have taken in addressing the anomalies put forward and to me, it accords with the general Defence classification principles and the benevolent nature of the Veterans' Entitlements Act, and the general principles promoted therein.

The foregoing remarks are made to point out the many shades of grey and difficulties that arise from the concepts of 'incurred danger', 'perceived danger' and 'objective danger' and in the application of these concepts when considering the nature of service of past overseas deployments of ADF personnel.

## **CHAPTER 3**

### **FAR EAST STRATEGIC RESERVE**

### **MALAYAN EMERGENCY**



**HMAS ARUNTA**

The submissions made regarding service in RAN ships serving in FESR from 01 Jul 55 to 31 Jul 60, points to the exclusion of these personnel from repatriation benefits in the FESR Act 1956.

The complaint is that the exclusion should not have been made and to remove the perceived anomaly the appropriate steps should be taken to place seagoing naval personnel serving with FESR on the same basis as other ADF members of the FESR.

### **RAN - FESR 1955-1960**

#### **The Anomaly**

Seagoing naval personnel during the Malayan Emergency formed part of the RAN Contingent to the British Commonwealth Far East Strategic Reserve. These personnel have never been eligible for repatriation benefits until 1997. In 1997, following a review by the Department of Defence, the Government accepted a recommendation that their service be classified as operational service for the period 2 Jul 55 to 27 May 63 inclusive. This classification gave them compensation cover under the VEA 1986 for any injury or disease incurred during this period of service. However, this period of service did not count as qualifying service for the service pension.

Ex-Service organisations representing the interests of seagoing naval personnel of FESR have, however, continued to press for the period of service during the Malayan Emergency ie, 1 Jul 55 to 31 Jul 60, to count as qualifying service for the service pension. They believe that this aspect of their service is anomalous when compared to their army and airforce colleagues in FESR who have qualifying service on the proviso that they received the GSM with Clasp 'Malaya'.

## **Formation of FESR**

In order to consider whether or not a possible anomaly exists in regard to the conditions of service of RAN seagoing personnel during the Malayan Emergency in the period 1 Jul 55 – 31 Jul 60, it is necessary to examine, briefly, the history of the formation of the FESR and Australia's contribution to that Reserve.

During 1954 high level discussions were held between the United Kingdom, Australia & New Zealand concerning the perceived threat of communist expansion into South-East Asia. Both China and the USSR were considered to pose a real potential threat including the possibility of conventional warfare to expand communist influence, if not domination in that area.

By November 1954 the Chief of Naval Staff Australia, the Commander in Chief Far East Station (CINC FES) with the Chief of Naval Staff New Zealand held a meeting to consider the naval aspects of the unrest. The meeting discussed the RAN contribution to the FESR. At that stage, apparently, no firm decision had been made to commit Australian Forces to FESR which until then had been a UK concept.

On 1 Apr 55 the Prime Minister (Mr R G Menzies, as he then was), made a statement in which he referred to his recent trip overseas and the discussions he had had relating to the defence of Malaya. He announced that he would be proposing to Parliament that Australia contribute forces to a strategic reserve based in Malaya. The United Kingdom and New Zealand would also be contributing forces to the Reserve. Australia's contribution was to be:

**Naval Forces:** two destroyers or two frigates, an aircraft carrier on an annual visit and additional ships in an emergency.

**Armed Forces:** an infantry battalion with supporting arms and reinforcements to be held in Australia and called upon if need be.

**Air Forces:** a fighter wing of two Squadrons, a bomber Squadron and an Airfield Construction Squadron

## Primary and Secondary Roles

After much discussion the following primary and secondary Roles of FESR, which were common not only to the ADF component of FESR but to the British and New Zealand components as well, were agreed:

### **Primary Role:**

**The primary role of the Strategic Reserve in accordance with the purposes of the South East Collective Defence Treaty, is to provide a deterrent to, and to be available at short notice to assist in countering further communist aggression in South East Asia. Further the role it will take is to form part of the force for external defence of Malaya and Singapore.**

**The Strategic Reserve may, at the direction of the Commander in Chief (Far East) be employed in defence operations in the event of armed attack against Malaya or Singapore. The Strategic Reserve or units thereof will not be otherwise committed for the use of force in its primary role without reference to the ANZAM Defence Committee except as specified.**

### **Secondary Role:**

**The secondary role of the Strategic Reserve is to assist in the maintenance of the security of Malaya by participating in operations against communist terrorists.**

**Units of the Strategic Reserve may be employed in its secondary role to the extent such employment does not prejudice the readiness of the Strategic Reserve to perform its primary role.**

On 20 Apr 55 Mr Menzies spoke in Parliament on the subject of Foreign Affairs and Defence. In the course of his speech he repeated the contribution Australia would make to FESR. He went on to mention the possibility of Australian Forces in FESR being used in anti-bandit operations but left the question open pending further discussion.

## Use of HMA Ships

### *HMAS WARRAMUNGA*



Prior to the Prime Minister's statement to Parliament some Departmental activity had taken place and on 28 Apr 55, in response to a letter from the Minister for Defence of 12 Apr 55, the Minister for Navy had replied stating that HMAS ARUNTA and HMAS WARRAMUNGA had been designated as the initial RAN contingent and would be available after the cessation of exercises in late May early Jun 55 in the Malaya area. He

enclosed a draft directive to the CINCFES under whose operational control all ships of FESR, including HMA ships, would be placed. He proposed inter alia that;

**“HMA Ships under your operational control may be used as are ships of the Royal Navy in Malayan waters to prevent infiltration by communist agents or armed bandits by sea, together with anti terrorist operations in Malaya”.**

There is a Minute Paper with a note from CINC FES stating that he concurs and that

**“as amended the directive is in fact in force now”.**

This letter was answered by the Minister for Defence by letter to the Minister for Navy dated 5 Jun 55, enclosing a letter to the Prime Minister from the Defence Committee for his approval which made it clear the draft directive had still to be considered by UK & NZ Chiefs of Staff. As to conditions of service for the Australian component of FESR the Report of the Services/Treasury investigating team was expected and would be considered when received.

As to operations against communist terrorists HMA Ships were not to be so deployed pending a Government decision although the draft directive was approved.

On 9 Jun 55 the Prime Minister in a letter to the Minister for Defence approved HMA Ships ARUNTA and WARRAMUNGA becoming part of FESR but that they should not be deployed in operations against communist terrorists pending a Government decision.

On 15 Jun 55 Cabinet approved the use of HMA Ships ARUNTA and WARRAMUNGA as part of FESR and further approved the participation of Australian Forces on operations against the communist terrorists with the proviso they should not be used in relation to civil disturbances.

### **Repatriation Cover for RAN Personnel**

On 8 Aug 55 the Minister for the Navy wrote to the Prime Minister stating, inter alia, that:

**“The Naval Board recommends also that the RAN personnel be granted the benefit of cover under the Repatriation Act and be eligible for whatever taxation concessions and other general benefits, not associated with living costs, as are granted to the Army and RAAF personnel of the Strategic Reserve.”**

On 10 Oct 55 the Prime Minister as Acting Treasurer replied stating, inter alia, that:

**“In view of the responsibility of the Treasury Finance Committee to the Treasurer for matters associated with pay and conditions of service of members of the Forces, the proposals were referred for initial examination by that Committee.**

I am now informed that the Second Naval Member was invited to attend at the meeting of the Committee which the Navy proposals were considered and that, having regard to the requirements of Naval personnel afloat by comparison with land-based forces, the Committee concluded that requirements of Navy would be adequately met by payment to the personnel concerned of a sterling exchange supplement of 28% of pay and allowances less normal Australian commitments. This conclusion has my approval.

I also understand that it was decided that your Department would state a further case to Treasury for reference to the Commissioner of Taxation, that the taxation concession which may be provided under Section 79B of the Income Tax and Social Service Contribution Assessment Act should extend to these Naval personnel."

Once again no reasons had been given for the exclusion but it is perhaps important to note that the Minister for Navy's letter was written after the Naval Board had an opportunity to consider what had been decided at the Treasury Finance Committee Meeting and that the circumstances had led to this letter from the Minister being written. It is a matter of regret that the Minister did not spell out the reasons for the Naval Board's recommendation.

The minutes of the meeting of the Naval Board that led to the Minister's letter states:

**"Conditions of Service (allowances) for the RAN Component of the Far East Strategic Reserve**

Consideration was given to the minutes of the Second Naval Member dated 7 and 11 July 1955, and of the Assistant Secretary (Finance) dated 11 July 1955, containing a review of the Combined Services/Treasury Team's Report on conditions of service for shore based Australian Service Personnel of the Commonwealth Far East Strategic Reserve, and to their proposals thereon in respect of allowances for the personnel of the RAN component afloat. The recommendations of the Treasury Finance Committee to the Defence Committee on the Report were also made available.

Consideration was also given to Seagoing Local Overseas Allowances detailed in Admiralty Fleet Order 2632/1954 which are the outcome of much investigation by Admiralty as to reasonable recompense for personnel afloat for higher costs incurred at ports abroad, and which have been approved by the British Treasury.

As HMA Ships will be integrated with ships of the Royal Navy and the Royal New Zealand Navy (the latter has also adopted the RN rates with a slight amendment), so far as married personnel are concerned, it was considered of importance from all points of view that all RAN seagoing personnel working in such close co-operation should be the recipients of like allowances.

It was therefore decided to recommend to the Treasury that the allowances for RAN personnel afloat in the Commonwealth Strategic Reserve be based on Admiralty Fleet Order 2632/1954.

It was decided to recommend also that provision be made for RAN personnel afloat in any legislation designed to provide repatriation benefits for Service personnel of the Commonwealth Strategic Reserve."

This explains why the Minister in his letter gave no reasons for the recommendation.

The important fact is that up until that time no reasons had been given for the exclusion.

In Nov 55 a question arose as to whether or not HMA Ships ARUNTA and WARRAMUNGA could be used in bombardments as the amnesty had been relaxed. The CINC FES stated in the request that these ships have already carried out practice bombardments and were fully qualified for the duty. After some discussion and an assurance from Chief of Naval Staff that he would

**“personally guarantee that Australian Ships would not be used for bombardment unless there is a real operational need”,**

and that he would

**“make doubly sure of this by informing CINC FES of our requirement”,**

approval was given. That approval continued throughout the deployment of HMA Ships to FESR.

Finally a directive on the role of RAN ships attached to FESR was issued on 24 Dec 56. It should be noted that this Directive extends to operations in Chinese waters apparently in carrying out their primary role. A copy of this directive is attached at the end of this Chapter as enclosure 1.

It is against this background that the question of conditions of service and the possible anomaly therein in respect to seagoing RAN personnel is examined. I refer particularly to those conditions of service in relation specifically to repatriation entitlements.

In its Report and recommendations the Treasury Finance Committee on conditions of service of the Australian component of the FESR noted the Navy was not included under the then legislation, as Navy had not previously had any component operating in South-East Asian waters, other than Korea. The Committee did however consider that repatriation compensation benefits should only be granted “where such disabilities occurred whilst on duty”.

Benefits for operational service were recommended as follows:

- **“The Repatriation Act shall apply in respect of disabilities resulting or arising from death, injury or illness of a member while on service, but such provisions shall not apply in respect of any disability resulting or arising from an occurrence while the member was not on duty.**
- **Other benefits for operational service be withdrawn, ie. that regulations which prescribe Malaya as an ‘operational area’ be repealed.**
- **Singapore/Malaya be a declared area for the purpose of Section 79B of the Income Tax and Social Services Contribution Assessment Act.**

- **Personnel at present serving in Malaya in No 1 Bomber Squadron and other Service personnel (including Army Signals and observers) whose postings to Malaya are not related to components of the Strategic Reserve or integrated staffs, to retain eligibility for existing benefits in respect of their present tour of duty in the area.”**

This recommendation was of course guaranteed by paragraphs 5 and 6 of its Report, which stated that:

**Views of the Services/Treasury Investigating Team on the question of operational benefits.**

5. The investigating team recommends that operational benefits be withdrawn but that a modified form of repatriation cover be approved for personnel who suffer disabilities in the course of service in Malaya. It also recommends that the Malayan area be declared an area for the purpose of a zone exemption under Section 79B of the Income Tax and Social Services Contribution Assessment Act.

6. The Treasury Finance Committee considers that because of the possibility of casualties or other disabilities resulting from ‘operational service’ in Malaya, personnel should be covered by the provisions of the Repatriation Act where such disabilities occur whilst on duty. It is unable to recommend that the normal operational benefits applicable to war service should apply generally to activities associated with a ‘cold war’ in this area since the role of the Forces is primarily that of a garrison and the operations against terrorists are supplementary to the garrison duties. It therefore supports the recommendations of the investigating team in respect of operational benefits (see paragraph 21). The Committee noted that these recommendations are in general supported by the relative Service Boards. It also noted that personnel concerned, being contributors under the Defence Forces Retirement Benefits Act will qualify for pension or other benefit should any disability result in discharge from the Forces.

Finally paragraph 27 of the Report stated:

**Naval Seagoing Personnel**

The foregoing recommendations apply to land-based forces and do not relate to Naval personnel serving in ships. Their conditions of service cannot be related to those of the land-based forces and will have to be the subject of separate consideration.

Apart from the recommendations regarding repatriation benefits, the remainder of the conditions given relate to land based forces accompanied by families. These remaining conditions of service do not give rise to an anomaly as seagoing naval personnel were not quartered ashore or accompanied by their families. It is paragraph 27 of the Report that calls for consideration in this regard.

One point should be considered at this juncture and that is the concept of death, illness, or injury arising ‘whilst on duty’.

On 26 Jul 55 the Minister for Defence referred the Report to Cabinet Committee on Defence Preparation. This was Submission No 476. That committee, by Decision 580(DPC) on 17 Aug 55, declared inter alia that:

**Para (1) "The Repatriation Act to apply in respect of disabilities resulting or arising from death, injury or illness of a member while on service, but such provisions are not to apply in respect of any disability resulting or arising from an occurrence while the member is not on duty".**

There is no suggestion in that decision that seagoing naval personnel were not to be included and it gives some credence to the argument that paragraph 27 of the Treasury Finance Committee Report referred to earlier was meant to apply specifically to those conditions applicable to land forces on the topics mentioned and not in the recommendations regarding repatriation benefits.

The concept of 'on duty' and 'not on duty' caused concern to the Minister for Repatriation and on 1 Sep 55 he wrote to the Prime Minister pointing out some of the problems and suggesting that the matter be further considered at both Departmental and Cabinet level.

The Prime Minister replied on 13 Sep 55 agreeing that the Minister for Repatriation should be present at the Defence Preparations Committee's meeting when repatriation matters were being discussed. On the question of the Defence Preparations Committee's decision about the conditions for FESR, the Prime Minister said it was his understanding

**"that the decision in effect is an agreement on broad principles, and that details are still to be worked out".**

He suggested that there should be consultations at departmental level.

On 19 Sep 55, Mr Daffy, an Assistant Commissioner of the Repatriation Commission raised many concerns arising from Cabinet Decision No 580(DPC) with the Chairman of the Repatriation Commission. On 2 Sep 55, Mr Rich of Repatriation Department wrote a Minute to the Chairman of the Repatriation Commission making further suggestions including whether or not an injury or illness need arise from direct contact with the enemy, or an injury arising out of an accident while serving in an operational area, or any injury or illness while serving with the Reserve. He also raised the question of the eligibility for a Service Pension.

On 18 Oct 55 Mr Daffy wrote 'Notes for discussion with Treasury Finance Committee'. He raised many issues including whether eligibility would depend on 'war service'.

On 21 Oct 55 representatives of the Department of Treasury (Defence Division) and the Repatriation Commission posed questions on the interpretation of Cabinet Decision 580(DPC). Although the issues were discussed, no final decision was made. However, there was no reference to the exclusion of one or more of the Services.

Although no records of the discussions which must have followed the Prime Minister's letter to the Minister for Repatriation suggesting inter departmental discussions to resolve the difficulties have been found, they must have been held as appears from the photocopy of the letter from the Assistant Secretary of the Treasury to the Treasurer dated 13 Apr 56 attached as enclosure 2 at the end of this chapter.

It is clear from this Minute that it was administrative difficulties which led to the decision to provide repatriation benefits to all land based personnel of FESR, including those on garrison duty, and not any consideration of dangers incurred by particular members as compared with others. The recommendation was approved as appears from the initials of the Treasurer dated 1 May 56.

On 7 Feb 56 Mr Daffy wrote a Minute to the Chairman, Deputy Chairman and Commissioner of the Repatriation Commission setting out his Report on a meeting of the Treasury Finance Committee. Present at that meeting were Mr Daffy, representatives of Treasury, Department of the Army, Department of the Navy, Parliamentary Draftsman, War Service Homes and Taxation. At paragraph 5 of this minute he specifically raises the question of the exclusion of seagoing naval personnel. From their discussions

**“It was also decided to specifically draw Cabinet's attention to the fact that the present decision and the further recommendations being made do not cover the Navy, as no ships or Navy personnel had been allotted to the Strategic Reserve: the original agendum No 476 [on which Cabinet Decision 580 (DPC) was based] refers to the Army and Air Force only”.**

Sometime before 6 Jun 56 Mr Daffy requested information

**“as to which, if any, ships of the RAN had been allotted to Malaya since 17 Aug 53”.**

A Mr Rich made enquires from the Secretary of Navy and in a Memorandum dated 8 Jun 56 confirmed that he had been informed that the following ships hereunder were allotted –

	<b>Commenced</b>	<b>Concluded</b>
<b>ARUNTA</b>	<b>Aug 55</b>	<b>Nov 55</b>
<b>WARRAMUNGA</b>	<b>Aug 55</b>	<b>Nov 55</b>
<b>ANZAC</b>	<b>Nov 55</b>	<b>Still there</b>
<b>TOBRUK</b>	<b>Nov 55</b>	<b>Still there”</b>

***(One other ship was mentioned but its name is not decipherable)***

The statement in Mr Daffy's minute that:

**“no ships or Navy personnel have been allotted to the Strategic Reserve”**

is, in light of further information revealed by research, not entirely correct.

Apart from that memorandum the following is further evidence that ships were allotted, at least in the initial stages of FESR:

- On notes of a discussion with the Chief of Staff held on 15 Jun 55 which was attached to Submission 395 the following appears:

**“It was confirmed that the two destroyers ARUNTA and WARRAMUNGA to be allotted to the reserve are to remain in the area on completion of their present ANZAM exercises”.**

- In a Minute from the Minister for Navy to the Prime Minister dated 08 Aug 55 the Minister wrote:

**“The estimated annual cost of payment of allowances recommended is approximately 38,000 pounds in respect of the units at present allotted to the Strategic Reserve**

- In a Minute 4001/107/7011448 of 11 Nov 55 from G H Vivian on behalf of the Secretary of the Navy to Treasury (Defence Division) it is stated that:

**“The date on which the RAN ships were allotted for duty as the RAN component of the Strategic Reserve was 1 Jul 55.**

On 6 Mar 56 the Melbourne Herald published an article headed “Diggers Unhappy with Conditions”. In that article the question of the extent of cover under Repatriation Legislation was raised as a matter of complaint to be incorrect as subsequently learned.

In a minute to the Minister for Repatriation in March 1956 about this article the Chairman of the Commission wrote:

**“The legal situation up to the present time is that members of the forces serving with the Strategic Reserve are entitled to the full benefits which under both the Repatriation and Re-establishment and Employment Acts flow from ‘war service’ in the Korea and Malaya Operations. It is quite possible that the members think otherwise; that they believe they are not covered “while not on duty”.**

**It seems possible that when Cabinet again considers the matter, it will vary its previous decision in relation to the exclusion of “off duty” periods from qualifying service.”**

On 27 Apr 56 Mr Daffy sent to the Chairman a draft ‘Report and Recommendations of Treasury & Finance Committee’ on the subject ‘Repatriation Benefits Strategic Reserve – Malaya’. Paragraph 20 of that draft states:

**“The Committee noted that the general conditions of service approved for the Strategic Reserve were designed for land-based personnel serving in Singapore and Malaya and that, following separate consideration of the conditions to apply to RAN personnel serving in ships in Malayan waters, approval has been given for the payment of an exchange concession as the only special benefit.”**

The Committee further noted that consideration was being given to representation by the Department of the Navy that eligibility for the taxation concession under Section 79B of the Income Tax and Social Services Contribution Assessment Act should also be given to those RAN members.

On 6 June 1956 Cabinet considered Submission No 129 relating to 'Operational Benefits for the Strategic Reserve'. In that Submission the position of RAN seagoing personnel was mentioned thus –

**“The committee noted that the general conditions of service approved for the Strategic Reserve were designed for land based personnel serving in Singapore and Malaya and that following separate consideration of the conditions to apply to the RAN personnel serving in ships in Malayan waters, approval had been given for payment of an exchange concession as the only special benefit to accrue in respect of such service. The Committee further noted that consideration was being given to representation by the Department of the Navy that eligibility for the taxation concession under Section 79B of the Income Tax and Social Services Contribution Assessment Act should also be granted to these RAN members”.**

On 27 Jul 56 Mr Daffy sent a Minute to the Chairman regarding the decision on the subject 'Repatriation Benefits – Strategic Reserve Malaya'. Paragraph 10 of this minute refers to the need for administrative requirements for

**“the Service Departments to see that their documents clearly define the movements of members in a way which will enable us to pin point their qualifying service”.**

In paragraphs 11 and 12 he addresses the question of the RAN seagoing personnel as follows:

**“11 Attached to the corner of this file is a copy of the Prime Minister's statement of 1/4/55 dealing with the Strategic Reserve.**

**12 This indicates clearly that ships of the Naval force are part of the Strategic Reserve. Statements in the various directives indicate the Navy is to play the same role as the rest of the Strategic Reserve, and on that ground there does not seem to be any logical reason for not including personnel serving in ships for the benefits. I will discuss this point further with Mr O'Donnell Chairman of the Treasury Finance Committee. The ships spent some time each year in Korean waters while still remaining part of the Strategic Reserve”.**

There is no record of any such subsequent discussion or its outcome. However, the Minute itself indicates that there had been no detailed consideration of the reasons for the exclusion of the RAN seagoing personnel from benefits as Mr Daffy had been privy to all discussion up to that date.

However, on 21 Aug 56 the Chairman of the Repatriation Commission wrote to the Parliamentary Draftsman on aspects of the proposed legislation for repatriation benefits for the Strategic Reserve Malaya. In paragraph 2 he notes that:

**“The Australian contingent comprises units of the Naval, Army and Air Forces in the Commonwealth but, as only land based personnel serving in Singapore and Malaya are to be covered, provision will not have to be made for RAN personnel serving in ships in Malayan waters, although those ships form part of the Strategic Reserve, (Para. 20 of the Treasury Finance Committee's Report of 9/4/56, Attachment “A” to Submission 129 refers).**

On 19 Oct 56 a Mr Cummins for the Secretary of the Department of the Navy, having seen the draft Bill to provide repatriation benefits for certain personnel of FESR informed the Chairman of the Repatriation Commission "that this Department concurs with the draft Bill".

The Bill was presented to Parliament. During the Second Reading Speech the omission of RAN personnel from repatriation benefits was first raised. In the course of his speech Mr Chaney, a Government member, said inter alia:

**'The Honourable Member for Parkes stated that members of the naval forces would not be covered by this legislation. I think the position is that members of the naval forces will be covered while they are based on Singapore Island or on Malaya itself, but that members of the crews of sea-going ships will not be covered. That is anomalous. If a member of the Army or of the Air Force were injured while on a ship travelling from say, Fremantle, Darwin or Sydney to Malaya, he would be covered automatically by the legislation then, as well as on a voyage home, but a seaman employed on a ship of war would not be so covered. I should like to hear the Minister explain why naval personnel will not be covered. (Underlining added).**

*Hansard page 2078*

**If the strategic force ever includes an aircraft carrier, I hope that aircrews operating from the carrier will come within the provisions of the legislation. Over the land, they would be operating under the same conditions as aircrews of the Royal Australian Air Force. In addition, they would have the hazardous task of flying from and landing on the deck of an aircraft carrier. I know that my friend from Fawkner treats that lightly, but I hope that I shall never be subjected to it myself. If aircrews operating from aircraft carriers will not be covered by the legislation, I hope that, in view of the task they are asked to perform, provision will be made for them.**

Mr J R Fraser, a member of the Opposition, in the course of his speech referred to Mr Chaney's remarks and said:

*Hansard Page 2081*

**"The Honourable Member for Perth (Mr Chaney) made some reference to that definition, and to the exclusion of naval personnel who are members of the complements of sea-going vessels. I think it is quite clear that the definitions contained in paragraphs (a) and (b) under "Malayan Service cover naval personnel who may be attached to shore establishments in Malaya, or to land forces serving in the area. But I believe the exclusion of ships' complements operates, or could operate, unfairly in respect of members who will be sharing equally the risks taken by members of other forces in these areas. It may be true that, if a naval vessel is simply cruising up and down the coast bombarding shore establishments, or participating in the bombardment of rebel or terrorist areas, the bulk of the ship's complement may not be exposed to the danger that will be attendant on participation in operations on the land, where contact with the enemy is more direct, and where the danger of injury or death is greater. But there is always of course, the likelihood of an attack developing either from the air, or from the sea, or off shore batteries replying to the bombardment from the sea. The men engaged on the ships in such circumstances should be eligible for the benefits that are to be provided by this measure.**

**It may be, also, that the word 'complement', as used by the Parliamentary Draftsman, has a different meaning from that of the word as used in the naval sense. I believe that the Navy's use of the word applies to the whole ship's company, whether members of the company are ashore on patrols or landing parties, or on board, irrespective of the interpretations given in paragraphs (a)**

and (b). The ship's complement, in the naval sense, means every member of the ship's company while his name remains on the ship's books, and a man's name may remain on the ship's books while he is actually ashore with a landing party, or on patrol taking part, on equal terms, with members of the Army, in a fight. It seems to me that if the provisions of the bill are to be extended to cover Army and Air Force personnel who are not directly combatants as are those who are taking part in actual operations against terrorists, then they should be extended similarly to those members of the Navy. It is true that, so far as I can see, the provisions of the bill extend to members of the medical corps, to personnel at base head-quarters and to others who do not, in the normal course of events, come into contact with an enemy, but who are, of course, subject to any reprisal that may be taken, either by bombardment on land or from the air. I believe that the serving members in the categories I have mentioned should be covered by the bill, and I should like the Minister for Health (Dr Donald Cameron) to explain to the House when he is replying to the debate, the reason for the specific exclusion of ships' companies or ships' complements from the entitlements which flow from that definition of "Malayan service".

If the facts are as I have outlined, I believe that the Minister should suggest that the measure be amended to include men serving in the sea-going ships of the Navy with the others who are to benefit from the measure. I believe that these men are as entitled to eligibility as the normal non-combatant members of both the Army and the Air Force.

Dr Donald Cameron (Minister for Health) who had control of the Bill in the House of Representatives spoke in reply and said:

*Hansard page 2084*

"I promised the honourable member for Parkes (Mr Haylen) that I would answer some questions that he asked on this subject, but first, I would point out the difference between the purpose of this bill and that of the main Repatriation Act, which was intended to apply to different forces in different circumstances. The forces affected by the series of bills before us are not in the same category as those for whom the Repatriation Act was designed. That is why their treatment is different. The members of the strategic reserve are permanent soldiers, serving under definite conditions of enlistment. The servicemen for whom the Repatriation Act was designed were volunteers, not professional soldiers.

Mr Pollard: They were not all volunteers.

Dr Donald Cameron: Almost all of them were. These professional soldiers are engaged under specific conditions, for specific service. They have undertaken to give whatever service may be required of them as members of the Permanent Forces. However, it is not a question of restricting their entitlement. They will be able to obtain their full entitlement, but because some are allocated to special duties with the strategic reserve in Malaya this bill confers upon them an additional series of benefits. That is the crux of the whole situation. These additional benefits have been modelled on the Repatriation Act. I think that that answers most of the general criticisms of this bill.

The honourable member for Parkes wanted to know whether ex-servicemen could, when applying for these benefits, employ the same mechanisms that other ex-servicemen employ – the boards, tribunals and so on under the Repatriation Act. The answer is "Exactly the same". The pensions and benefits they will receive are modelled on those under the Repatriation Act. They will be administered by the Repatriation Commission and application may be made in the same way as at present.

**Mr Pollard:** The benefits are modelled on those in the Repatriation Act, but they are not necessarily the same.

**Dr Donald Cameron:** I began by explaining that though the whole of the Repatriation Act is not to apply, a great many of its provisions have been added to the ordinary entitlement of the professional soldier.

**Mr Haylen:** The Minister is raising a very great question. These men enlisted thinking that they would have full repatriation benefits.

**Dr Donald Cameron:** They did not enlist specifically for service in Malaya, but as permanent soldiers, under the terms and conditions laid down for their enlistment. Because they have been given special duties they are now being afforded extra benefits.

The honourable member for Parkes asked whether tuberculosis would be regarded as an automatic entitlement. The answer is that it will not be automatic, and will be treated just as would any other disability that may have been acquired on service. The onus of proof will apply. An application can be made for tuberculosis or any other disability to be regarded as attributable to war service, whether it becomes evident during service or after. However, an application is required, not as the honourable member has suggested, in order to save trouble. We would save a great deal more trouble if we granted automatic entitlement. Nor is it a matter of saving money, but rather of applying appropriate conditions in a set of circumstances different from those which obtained for servicemen in the two world wars.

It is not a question of whether the risks of the service are greater or less. They are different. That is why the Government has adopted this attitude. We have here a body of permanent servicemen who are serving under the conditions of their engagement. Some of them are undertaking an additional operational risk, and for them additional benefits are being provided.

The honourable member for the Australian Capital Territory (Mr J R Fraser) asked whether this legislation would apply to sailors serving on warships. They are not regarded as being subjected to additional operational risks. They are subjected to the risks of the service for which they engage, and therefore their conditions are in accordance with the terms of their enlistment. The honourable member said that there might be a reply from air, shore batteries or sea to their bombardment. That will not happen because the Malayan terrorists do not possess the resources to retaliate in that way. I do not think that it is necessary for me to say much more. I have answered the specific questions asked of me and have outlined, in general, the reasons for this legislation.

**Mr J R Fraser:** I want to refer once again to the definition which excludes specifically naval personnel who are members of ships' complements, and I should like the Minister, in this discussion in committee, to give in greater detail the reason for the exclusion of those men from the benefits that flow from this act. I point again to the wording of the bill, 'complement of a sea-going vessel'. I again remind the Minister that men who are members of a ship's company, who are the complement of that ship, may be landed ashore; they may go as a landing party or they may even go on patrol. While their names remain on the ship's books, they are still members of the complement of that ship, although they would in such circumstances be incurring all the dangers attendant upon patrols in jungle areas, if they became involved in landing parties. This provision could be so interpreted as to mean that they were still members of the complement of a sea-going vessel and they could be deprived of benefits. I think that the wording of the section requires more attention than the Minister has given to it.

**Dr Donald Cameron:** The honourable member may set his mind at rest. If these persons engage in operations after being disembarked, as he suggests, they are eligible for the additional benefits set out, but they are restricted, while they are acting in the complement of the vessel, that is to say, in the vessel.

**Mr J Fraser:** Even if the vessel is shelled?

**Dr Donald Cameron:** In these operations, the vessel is not shelled. The point of the whole thing is in relation to circumstances where there is an additional operational risk, that is to say, a risk additional to the risks involved in normal military service. The whole purpose of this series of bills is to provide benefits for risks additional to those involved in normal military service. When some service additional to normal military service is performed, the men become eligible for benefits.”

These remarks are, so far as I have been able to find, the only reasons given for the exclusion of seagoing RAN personnel from repatriation benefits that were given to the Army and Air Force personnel. This exclusion gives rise to the possible anomaly and the anomaly mentioned by Mr Chaney in the extract from his speech quoted above.

## **Consideration**

I turn now to consider the validity of the reasons given for the exclusion of seagoing RAN personnel from repatriation benefits.

Firstly that the Navy was carrying out only the duties for which its members had enlisted. The terms of enlistment for members of the Navy at that time were firstly that they were all volunteers who undertook by their enlistment to serve wherever their ships may have been sent and to undertake the duties assigned up to and including war. These conditions were, or at least equal to, the terms of enlistment of the members of the other two services although the other two services in the particular circumstances of their deployment had the option of taking their families with them, if married, with the consequent description of their garrison like conditions in Malaysia. A description which was not applicable to the Navy, being quite impracticable given the nature of Naval service.

Secondly, that once a ship was called on to bombard a shore position, the terrorist had no means of retaliation in the sense that they had no artillery. Whilst that was true it was equally true that the same consideration applied to the Air Force. The terrorists had no air force and no anti aircraft artillery other than small arms fire – which would have no effect at the operational heights at which bombers operated. A like consideration applies to the use of army artillery – the terrorist had no counter bombardment capacity. Those members of the Army most likely to be in direct contact with terrorists, in its secondary role, were infantry and it was the administrative difficulties of keeping records as to who, where and when this occurred which led to the decision to extend cover to all land based personnel of FESR, including those engaged solely on garrison type duties.

By the time the FESR Act 1956 commenced on 1 Sep 57 RAN ships had already carried out shore bombardments and whenever they were at anchor or alongside, operation 'Awkward' had been carried out. Operation 'Awkward' comprised illuminating the ship's hull underwater, sending down divers on a regular basis to check that no 'limpet' type mines had been attached, lowering ship's boats to patrol the vicinity and at times detonating scare charges, the posting of armed sentries to patrol the upper deck guarding against suspicious small craft and possible 'swimmers'. Further the ships had patrolled both the East and West Coasts of Malaya on most occasions carrying a contingent of Radio Operators (S) to intercept and locate the source of terrorist radio transmissions for intelligence purposes, (substantiated following our discussions with the appropriate area within Defence).

From December 1955, the Navy had been authorised to conduct offensive action against terrorists as ordered and the RAAF had continued its offensive action against terrorists as it had before FESR was formed.

These activities against terrorists were of course additional to the Primary Role common to all three services and were not to interfere with the Primary Role. The Primary Role would of course involve some degree of joint operations and co-operation as would on occasions the Secondary Role.

From time to time ex-members of the RAN who served on ships attached to FESR have applied for repatriation benefits and have been refused on the grounds, inter alia, that they or their ships had not been 'allotted' for duty with FESR. In fact the real reason for refusal was that the Act specifically excluded them from benefits. That having occurred, apart from the few ships originally allotted, there was no purpose in allotting ships. 'Allotting' gave them access to benefits and there were by law no benefits to be had.

## **Conclusion**

It is my opinion that the foregoing clearly indicates that the exclusion of the Navy from the benefits provided by the Repatriation FESR Act 1956, created an anomaly for which no satisfactory reasons were provided and that such anomaly should be removed by placing seagoing naval personnel serving with FESR in the period 1 Jul 55 to 31 Jul 60 on the same basis as other members of the FESR and in particular, to grant to them qualifying service so that they will be eligible for a service pension.

I cannot advise you on the action or actions needed to bring about that result but I am heartened by the response of the Repatriation Commissioner at the Public Hearing in Canberra to my question:

**"You're not challenging the proposition that if I find the anomaly excluding the Navy that was an anomalous act?"**

**Answer: No we are not challenging that. It's open.**

**Question:** Right if I suggest that the anomaly should be corrected the way to do it would be to put the Navy on the same basis as the other two services wouldn't it?

**Answer:** No we're not challenging that."

The exclusion of naval seagoing personnel from benefits provided under the FESR Act 1956 clearly created an anomaly which was continued by the VEA 1986, for which no satisfactory reasons were provided.

## **Recommendation**

It is recommended that such anomaly should be removed by placing naval seagoing personnel serving with FESR in the period 1 Jul 55 to 31 Jul 60 on the same basis as other members of FESR and in particular, to grant to them qualifying service so that they will be eligible for the service pension.

## **NAVAL GENERAL SERVICE MEDAL (NGSM) FOR SEAGOING SERVICE WITH FESR 1955-1960**

### **The Anomaly**

The question of whether or not the NGSM with Clasp 'Malaya' should have been awarded to members of the RAN who had the appropriate qualifications has been a source of contention for many years and remains so up until the present time.

*THE NAVAL GENERAL SERVICE MEDAL 1915-62*



### **Consideration**

The relevant condition for the award of the medal is as follows:

- **Service Afloat:** The qualifying time will be twenty eight days between 16 June 1948 and 31 July 1960 inclusive, in ships or craft patrolling off the Malayan Coast in support of operations against the bandits or one journey between the 16 June 1948 and 31 July 1960 inclusive in a Harbour Defence Motor Launch or small craft up a river or creek in the Federation of Malaya, in close support of operations against bandits.

The last formal examination of this matter was that conducted by the Committee of Inquiry into Defence and Defence Related Awards (CIDA). The

Committee concluded that there were two possible reasons for the non-award of the medal to members of the RAN who may have qualified:

- **Breakdown in communications between the Commander-In-Chief Far East Strategic Reserve and the Commonwealth Naval Board.**

- **RAN ships did not qualify.**

Although not strictly accurate, it is the first of the above propositions which posed what was the reason for the non-award.

When the matter first became a matter of dispute a letter was written on behalf of the Chief of Naval Staff (RAN) to his counterpart in the Admiralty inquiring as to which, if any, Australian ships attached to FESR had qualified for the award of the NGSM.

The reply was that no ships had qualified. Subsequent research undertaken on behalf of the Review, and privately to form part of submissions, reveals a basic flaw in the question asked of Admiralty. In the period under consideration namely, 1955 – 1960, the system in the Royal Navy was not to qualify ships, as such, but to qualify individuals.

This is perhaps best exemplified by Admiralty Fleet Order (AFO) 2460 in September 1960 which concerned the award for service in Malaya since 16 Jun 48 and fixes the final date for qualifying service as 31 Jul 60, the AFO reads:

**“Where Commanding Officers are satisfied that the necessary conditions have been fulfilled provisional issue of ribbon may be made.”**

Then followed the procedure of acknowledging receipt of the ribbon on Form S540 which would apparently lead to the issue of the medal itself, it being emphasised that the award of the ribbon was provisional and the award of the medal was subject to a further check.

Provision was made for a ship to draw from Naval Stores a quantity of ribbon to hold on board for issue in due course.

This AFO followed previous AFO's from 1947 onwards in almost similar words.

Further amplification of this position and perhaps explaining why it was said that no RAN ships have qualified appears in a letter dated 23 May 97 from the Head of UK Naval Pay & Pensions (Accounts) as the Royal Navy Medals Office was part of that section.

Firstly it was confirmed in that letter that the process and procedure for the award of the NGSM with Clasp 'Malaya' did not change in 1956. The criteria stipulated in Command Paper Number 7907 covers the whole of the period from 16 Jun 48 to 31 Jul 60.

The letter went on to say:

**“I think what is confusing is the fact that details of qualifying ships held by the RN Medal Office are very sparse after 1953 and non-existent after 1954. It has always been the case that personnel, not ships, need to fulfil the required conditions in order to receive an award but, to do that, they have to serve on a**

ship that is in the qualifying area. It follows, therefore, that if a man can prove, by his service certificate, etc, that he was on a ship for a certain length of time and that ship is listed as being in the qualifying area, as long as he completes 28 days in at least one or more ships, then he should be entitled to an award. The fact that no qualifying ships are known after 1954 suggests that no personnel could qualify, because without ships in the area the men could not be there either!"

The final remark was given the lie by the authoritative publication "**Spinks – British Battles and Medals**" at page 235 which states that in the period 16 Jun 48 to 31 Jul 60 some 7800 Naval General Service Medals with clasp 'Malaya' were awarded to Royal Navy personnel.

It should be remarked at this juncture that the deployment of RN ships to FESR was on a completely different basis to those applicable to RAN ships. RN ships were deployed to FESR and remained deployed for an indefinite period. What changed were members of the crew who, from time to time, were drafted away from the ships on which they were serving and replaced. On the other hand RAN ships served as part of FESR for a more or less definite time – usually nine months.

The procedure followed by the Royal Navy in awarding the medal was not known to Commanding Officers of HMA Ships nor to higher authority in the RAN (at least when the inquiry was made to the Admiralty) and thus no Naval General Service Medals were issued to RAN personnel.

Correspondence with the United Kingdom authorities in later years has confirmed and amplified the position and highlighted the difficulties in view of the years that have passed since the relevant period.

On the 27 Feb 97, the UK Ministry of Defence wrote in response to the Far East Strategic Reserve Association stating:

**"Turning to the question, I should point out that given the time which has elapsed since the Insurgency, it is now very difficult to comment on the scope of the records that were generalised. It was assumed however, that, as anti-terrorist operations were essentially an Army matter, with support from the sea, few detailed Navy records were kept. It is suspected that anything that survived was disposed of locally before final withdrawal from the Far East in 1971.**

**In these circumstances the only surviving records which might help are the Ships deck logs."**

In further correspondence between the Ministry of Defence (UK) and the Review Secretariat on 8 Jul 99 it was stated;

**" I have attached at Annex 'A' the criteria for an award of the NGSM published in the Command Paper. At Annex 'B' is an extract from the Committee on Grants of Honours Decorations and Medals which proposed there should have been a medal awarded for service in Malaya."**

Annex 'A' reports the definition of 'Service Afloat' already set out above. Annex 'B' reads –

**“The Naval General Service Medal with clasp ‘Malaya’.**

**Since the declaration of the Emergency in Malaya, the Royal Navy has assisted the civil powers in operations against bandit forces by:-**

- a. **organising and carrying out off shore patrols, on both the West and East Coasts of Malaya with the object of preventing illegal immigration, smuggling, carriage and landing of arms and ammunition in the Federation of Malaya;**
- b. **Installing and maintaining wireless telegraphy equipment at various police stations and establishing a communication network between the police and service authorities ashore and afloat;**
- c. **participating in several small landings with troops and police. A bombardment of bandit positions in the surrounding area was carried on in support of land forces by HMS CONSORT in January 1949;**
- d. **conveying troops police and government officers by sea as required operationally;**
- e. **showing the flag in isolated localities for the maintenance of morale amongst the civil authorities”.**

The Ministry of Defence (UK) again wrote to the Review Secretariat on 20 Jul 99 stating;

**“I have searched through the various minutes of the Committee on the Grant of Honours Decorations and Medals but have not found any reference to the boundaries of the qualifying area for the Naval General Service Medal (NGSM) with clasp Malaya. The minutes only quote the criteria that was published in the Admiralty Fleet Order, Annex A to my letter of 8 July 1999.**

**I regret that I am unable to confirm the distance from shore the ships had to be as the list that we hold of qualifying ships only state, along side the qualifying periods, West Coast or East Coast Patrols. The only information that Naval Historical Branch in London can provide is that anti-terrorist operations normally meant providing ‘naval gunfire support’ by bombarding terrorist positions ashore. They are unable to provide details of how far from shore the ships were when providing this support, presumably the distance would depend on the firing range of the guns.”**

This reference in the minutes of the Committee on the Grant of Honours Decorations and Medals to ‘providing gunfire support’ did not find its way into the Warrant in the conditions for the award of the NGSM which refers only to ‘patrolling off the Malayan Coast in support of operations against the bandits”. The true position appears to be as set out in The Ministry’s letter of 23 May 97 set out above, namely,

**“if a man can prove, by his service certificate etc., that he was on a ship for a certain length of time, and that ship is listed as being in the qualifying area, as long as he completes 28 days in at least one or more ships, then he should be entitled to an award.”**

To qualify for this NGSM only one of the conditions, shown at Annex B of the UK Ministry of Defence letter of 8 Jul 99 to the Review Secretariat, had to be completed during the relevant qualifying period.

In further correspondence between the Ministry of Defence (UK) and the Review Secretariat on 12 Aug 99 it was stated—

**“With reference to your fax dated 27 July 1999 paragraphs (a) (c) and (d) of Annex B would cover service afloat in support of operations against bandits. Service, during the qualifying period of at least 28 days spent on one or more of those duties would qualify for the NGSM with clasp Malaya.**

**I have again searched the minutes of the Committee on the Grant of Honours Decorations and Medals but I have not found any reference to how far off the shores of Malaya the ships were, when in close support of operations against bandits. Unfortunately the minutes refer only to “in close support of operations against bandits”.**

In the final result it seems clear that as CIDA said, a break down in communications was at the heart of the non-award of the NGSM to personnel of the RAN during the relevant period.

The Commanding Officers of HMA Ships were under the operational command of CINC FES for both their Primary and Secondary Roles as ships deployed to FESR. That being the case, they would report their proceedings to that officer, or his designated subordinate. Some of such reports survive in the possession of the officers concerned, but as shown by the correspondence above, much if not all of the records of the activities of ships serving as part of FESR were lost, left behind, or destroyed when the UK forces finally left the Far East in 1971.

In any event a percentage of what material is still in existence is unsatisfactory. Reports and logs were not kept with a view to setting out qualifying service for the NGSM. The need for such recording was not known in RAN ships. Furthermore there was, in all probability, a considerable overlap between ship's movements in fulfilling their primary role and their secondary role. Showing the flag being one such overlap. It may on occasion have been primarily in the Primary Role and on another occasion primarily in the Secondary Role, but sometimes with elements of both, in which the ships were engaged. For example, when proceeding to and from an exercise area in Malaya or adjacent waters, ships probably carried on their secondary roles of patrolling for the purposes set out in Annex 'B' above. It is impossible to be exact in defining the particular role of a ship in any given period, but bearing in mind that each destroyer or frigate was on station for a period of nine months, it is impossible to imagine that in that period it, and the members of its ship's company, did not accumulate at least 28 days service in Malayan waters which qualified for the award of the NGSM with Clasp 'Malaya'. The same consideration applies with perhaps lesser, but nevertheless sufficient, force to come to the same conclusion concerning the deployment of aircraft carriers.

In any event, if the RN procedure of awarding the NGSM is followed ie,

“if a man can prove, by his service certificate etc., that he was on a ship for a certain length of time, and that ship is listed as being in the qualifying area, as long as he completed 28 days in one or more ships, then he would be entitled to an award.”

then there can be no question that all members of all ships' companies of RAN ships attached to FESR have qualified.

### **Conclusion**

It is my opinion the members of ships companies who served with the ships attached to FESR between 01 Jul 55 and 31 Jul 60 have all qualified for the award of the NGSM with clasp 'Malaya'. The award of this medal would subsequently lead to the award of an AASM 45-75 and a RASB.

I have been informed by the Defence Directorate of Honours and Awards that there is no practical reason why that medal should not be issued at this time, if personnel meet the qualification criteria of 28 days.

### **Recommendation**

It is recommended that the service of members of HMA ships' companies who served with the ships attached to FESR between 01 Jul 55 and 31 Jul 60 be recognised for the award of the NGSM with clasp 'Malaya', the AASM 45-75 with Clasp 'Malaya' and the RASB.

## **INCLUSION OF RAN FESR FATALITIES IN THE PERIOD 1 JULY 55 TO 31 JULY 60 ON THE HONOUR ROLL OF THE AUSTRALIAN WAR MEMORIAL**

If the recommendations of the Review as to repatriation benefits and the award of the NGSM are followed then I have been informed that the necessary steps will be taken to record the names of those RAN fatalities in the appropriate manner.

### **Recommendation**

It is recommended that the names of those killed while on service with the RAN as part of the FESR be recorded on the Honour Roll at the Australian War Memorial in the appropriate manner.

## **SERVICE AT RAAF BASE BUTTERWORTH**

One of the specific areas of ADF service the Review was asked to advise on was service at RAAF Base Butterworth. I have found it difficult to comment in such specific terms as such service ranged over almost all of the period covered by the Review and in particular two major conflicts, the Malayan Emergency and the Indonesian Confrontation.

I am advised that service at RAAF Base Butterworth currently attracts the following medals and repatriation benefits:

### **Medals**

- **The GSM with Clasp 'Malaya' for service up to 31 Jul 60 ie, the date of Malayan Independence.**
- **The GSM 1962 with Clasp 'Malay Peninsula' for service during the Indonesian Confrontation from 17 Aug 64 to 12 Jun 65 with an extension of this end date to 11 Aug 66 for aircrew engaged on operational patrols over the waters surrounding the Malay Peninsula and Singapore.**

### **Repatriation Benefits**

**Operational service from 1 Sep 57 to 27 May 63. The operational area covers all of Malaya and Singapore. All units at RAAF Base Butterworth were 'allotted' for service during this period. All personnel on these units had eligible operational service that provides compensation cover under the VEA for any injury or disease incurred as a result of this service.**

**Qualifying service eligibility for the service pension for those personnel involved in the Malayan Emergency who were allotted for service and who were awarded the GSM with Clasp 'Malaya'. The end date for the award of this campaign medal is the 31 Jul 60 when Malaysian Independence was granted. This date was selected as it was thought at the time that only those awarded the medal had incurred danger from hostile forces of the enemy.**

**Operational service from 28 May 63 to 19 Apr 67. Only those members of units at RAAF Base Butterworth who were involved in operations over the Thai/Malay border area would have been allotted for operational duty.**

**The period of operational service during the Indonesian Confrontation against mainland Malaysia extended from 17 Aug 64 until 30 Sep 67. At present, no Army or RAAF personnel have been allotted for service during this period.**

Most, if not all, of the submissions received from personnel stationed at RAAF Base Butterworth concerned either their involvement in operations on the Thai/Malay border region or their non-allotment during the period of the Indonesian Confrontation. These sought either medal recognition for their service or repatriation benefits or a combination of both. I have addressed these issues in Chapter 5 of the Report.

The remaining issues are, I believe, those concerning the appropriateness of ceasing qualifying service for the service pension on 31 Jul 60, and the availability of a medal to recognise service after the end of the Emergency.

The Malayan Emergency formally came to an end on 31 Jul 60 and activity from communist terrorists was then effectively being contained in the Thai/Malay border region. Although there was still some danger abroad, this danger was remote from activities at RAAF Base Butterworth. Consequently, with the exception of service in the Thai/Malay border region, I believe that 31 Jul 60 is a suitable date to signify the end of the period of qualifying service for the service pension during the Malayan Emergency.

However, as there was still some remote danger abroad, the nature of service from 31 Jul 60 until the end of the operational period on 27 May 63 would, in my view, still satisfy the conditions for it to be classified as operational service.

I note that the VEA currently restricts eligibility for qualifying service for the service pension during the Malayan emergency to those personnel allotted for service and awarded the GSM with Clasp 'Malaya'. I believe that using medal eligibility in this way is wrong as its use contradicts the view that there is no nexus between medals entitlements and eligibility for repatriation benefits.

Regarding submissions for a medal to recognise service after the end of the Malayan Emergency, later in this Chapter I have recommended that Army, Air Force and land based RAN personnel serving with FESR for periods of 30 days or more be awarded the ASM 45-75 with Clasp 'FESR' for those periods of service where no other medal has been issued. I believe acceptance of this recommendation would satisfy the concerns of those who served at RAAF Base Butterworth after the end of the Malayan Emergency on 31 Jul 60.

### **Recommendations**

It is recommended that:

- a. the use of the GSM with Clasp 'Malaya' as a device to indicate eligibility for qualifying service for the service pension be discontinued,
- b. eligibility for qualifying service for the service pension during the Malayan Emergency should be restricted to those personnel allotted for service up to and including 31 Jul 60, and
- c. the period from 1 Aug 60 to 27 May 63 inclusive remain as operational service.

## **ANOMALIES IN THE AWARD OF THE ASM 45-75**

### *THE AUSTRALIAN SERVICE MEDAL 1945-75*



### **The Anomaly**

Members of the RAN who served on ships of the RAN serving as part of FESR during the period 02 Jul 55 to 30 Oct 71 were awarded the ASM 45 -75 Clasp 'FESR'. Members of the Army and RAAF, who served in Malaya during the same period, perceive that an anomaly exists in the award of this medal. They seek similar recognition for service with the FESR, not recognised by other awards, during the period 02 Jul 55 and 30 Oct 71.

### **Background**

On the 26 Jun 96 His Excellency the Governor General made a declaration under sub-regulation 4(2) of the ASM 45-75 Regulations approving the award of the ASM 45-75 with clasp 'FESR' to those members of the RAN who rendered service aboard one of HMA Ships as part of FESR in the period 2 Jul 55 to 30 Oct 71 for a period of 30 days or for periods aggregating 30 days.

The date of 02 Jul 55 was apparently chosen to provide that those members of the RAN serving on HMA Ships in the period of the Malayan Emergency between that date and 31 Jul 60 would be covered. In another section of the Review I have given advice that during this period such members should be awarded the NGSM and AASM with Clasp 'Malaya'. In the same period members of the Army and RAAF and members of the RAN serving in Malaya on land were eligible, if qualified, for the award of the GSM and subsequently the AASM.

Assuming my advice as to the award of the NGSM, AASM and RASB to seagoing members of the RAN is accepted, this would leave members of the RAN with eligibility for an award of the ASM Clasp 'FESR' from 1 Aug 60 to 30 Oct 71 for 'non warlike service'. No such eligibility was extended to members of Army and RAAF or land based members of the RAN during the same period.

Many submissions have been made pointing out this anomaly for such service.

Apart from the period of Confrontation with Indonesia during which service of a 'warlike' nature was performed there were periods when service of a 'non - warlike' nature was performed on land in Malaysia, which may well have satisfied the criteria for an award of the ASM Clasp 'FESR'.

It is difficult, in my view, to explain the exclusion of two arms of the ADF from eligibility for this award and it is a clear anomaly. If this anomaly were to be rectified by a regulation granting eligibility to members of the Army and RAAF in the same or similar terms to that applying to members of the RAN then important results will ensue concerning service on land in Malaysia, not only during the period of Confrontation but for service on land in Malaysia generally.

Many submissions have been made seeking recognition of such service and the widening of eligibility for an award of the ASM Clasp 'FESR' would provide an avenue for these claims to be investigated and decided. The duties undertaken by members of all three services during this period were of a similar nature.

### **Conclusion**

It is my opinion that the anomaly should be rectified by awarding the ASM 45 – 75 to members of the Army, RAAF and RAN personnel serving ashore in the area on the same terms as those applying to the RAN.

### **Recommendation**

It is recommended that members of the Army, Air Force and land based RAN personnel serving in the Far East Strategic Reserve for periods of 30 or more days be awarded the ASM 45-75 Clasp 'FESR' on the same terms and conditions applying to the RAN seagoing personnel.

### **RAN RADIO OPERATORS – HMS 'TERROR', KRANJI W/T AND CK2 – 11 May 60 – 5 Jun 62**

#### **The Anomaly**

A group of Radio Operators were sent from Australia to Singapore in the above period for service at Kranji Wireless Station and at RAF Base Seletar at Chai Kang (CK2) Wireless Receiving Station. They were engaged in signals intelligence. This service appears not to have been part of FESR but rather classed as on loan to CINC FES.

#### **Consideration**

Those personnel who wished to do so were accompanied by wives and families, and allowances in line with those payable to members of the Army

and Air Force engaged in like duties in Singapore were paid to the RAN Radio Operators. The RAN radio operators worked alongside and with, Army and Air Force members of the ADF engaged in the same work as themselves. It appears from the information to hand that members of the Army and Air Force qualified for, and were awarded the GSM clasp 'Malaya' and granted Qualifying Service as defined in Section 7A of the VEA 1986 for service up to 31 Jul 60.

Although these men were, in the terms used by the Navy in documents concerning this matter, 'drafted' for service in Singapore, it seems they were never 'allotted'. This oversight on the part of Navy was in no way the fault of the men concerned and indeed they were told prior to leaving Australia that they would be entitled to full repatriation benefits. This is borne out in a Minute from DSD to DPS dated 24 Dec 59 which reads:

**"In approving this letter setting the above scheme in motion, the 2 NM directed that the whole question of pay and allowances and service conditions generally should be gone into by DPS**

- 2 It has been ascertained that the Army and RAAF pay, allowances and conditions for communication personnel are the same as for the RAN. Details of RAAF allowances are attached for information.**
- 3 In order that volunteers know what to expect, the Commanding Officer HMAS HARMAN is being asked to arrange careful briefing of ratings, particularly the LRO(S), on conditions etc., in Singapore.**
- 4 Arrangements for a RAN officer at Singapore to act in a liaison capacity will be dealt with separately."**

## **Conclusion**

These men were not excluded from benefits by the FESR Act 1956 as they were not sea-going. This being the case it is my opinion that a retrospective allotment would seem to be appropriate.

## **Recommendation**

It is recommended that those Radio Operators posted to Singapore during the period 11 May 60 – 5 Jun 62 be retrospectively allotted for the period thereby qualifying them for the award of appropriate medal and repatriation benefits.

## **WAR CORRESPONDENTS IN MALAYA**

### **The Anomaly**

This submission was made on behalf of a group of War Correspondents who were attached to 2RAR during the Malayan Emergency. They perceive that their service as War Correspondents in Malaya has not been properly recognised by the award of a campaign medal.

### **Consideration**

The submission does not provide any particulars of the dates between which official war correspondents served but from copies of correspondence attached to the submission, it is accepted that they were in Malaya at the appropriate time during the Emergency.

The relevant part of the Royal Warrant detailing the terms for the award of the GSM 48-60 with Clasp 'Malaya' states, inter alia, that the following civilian categories are eligible:

- **“Members of the following organisations who wore the approved uniform:**
  - (a) **British Red Cross Society and Order of St. John.**
  - (b) **War Department Physiotherapists sent out from the United Kingdom on tours of duty, who wore British Red Cross Society uniform.**
  - (c) **Navy, Army and Air Force Institutes staff.**
  - (d) **Women’s Voluntary services personnel who served under N.A.A.F.I.**
  - (e) **Soldiers’, Sailors’ and Airmen’s’ Families Association.**
  - (f) **Forces Help Society.**
- **Civilian Works Staff who held C.C. Commissions in the Royal Air Force and wore Royal Air Force uniform.”**

As can be seen from the above, Official War Correspondents, even though they were in uniform, are not mentioned in the list of those civilians eligible for the award of the GSM. As they are not eligible for the GSM, under current eligibility criteria, they are not as a consequence, eligible for the award of the AASM 45-75 with Clasp 'Malaya'.

Official war correspondents have been recognised in some previous and subsequent campaigns to the Malayan Emergency. Consequently, from one perspective, it could be seen that their non-recognition during the Malayan Emergency campaign was deliberate. However, from another perspective, it could be seen that their non-inclusion was an oversight; this is especially credible given that uniformed Official War Correspondents in other campaigns have been recognised. Similar provision should apply to Official War Artists.

## **Conclusion**

On balance, I believe that the Official, Uniformed, War Correspondents and Official War Artists during the Malayan Emergency deserve to have their participation in the campaign recognised.

However, it is not within the province of this Review to recommend changes to the terms for the award of Imperial campaign medals. The exclusion of official war correspondents from eligibility for the GSM 48-60 with Clasp 'Malaya' during the Malayan Emergency campaign therefore, must stand.

Nevertheless, it is within the province of this Review to recommend a campaign medal be awarded under the Australian system of Honours and Awards. In this context, I believe that the award of the AASM 45-75 with Clasp 'Malaya' is an appropriate award and that it should be awarded. Similar provision should apply to Official War Artists.

### **Recommendation**

It is recommended that those Official, Uniformed, War Correspondents and Official War Artists who served with ADF personnel during the Malayan Emergency be eligible for the award of the AASM 45-75 with Clasp 'Malaya'.

Enclosure 1  
To Chapter 3



IN REPLY  
QUOTE

No. 5193/11

TELEPHONES :  
MKY 550  
NAVY OFFICE, VICTORIA BARRACKS,  
ST. HELDA ROAD  
MKY 130  
NAVAL BRANCHES,  
ALBERT PARK BARRACKS.  
TELEGRAPHIC ADDRESS :  
"NAVY, MELBOURNE."

COMMONWEALTH OF AUSTRALIA

CABINET SECRETARIAT  
REGISTERED  
24 DEC 1956  
58/5029/59/7  
File No. 013779 21DEC56  
DEPARTMENT OF THE NAVY  
NAVY OFFICE, MELBOURNE, S.C.I.

- The Secretary, Prime Minister's Department, Canberra, A.C.T.
- The Secretary, Department of External Affairs, Canberra, A.C.T.
- The Secretary, Department of the Army.
- The Secretary, Department of Air.

DIRECTIVE FOR THE ATTACHMENT OF H.M.A. SHIPS TO THE FAR EAST FLEET FOR SERVICE WITH THE STRATEGIC RESERVE.

Forwarded, herewith, are three copies of a revised Directive for the Attachment of H.M.A. Ships to the Far East Fleet for Service with the Strategic Reserve which has been approved by the Minister for Defence and the Minister for the Navy.

2. Copies of this Directive will be held by the Flag Officer Commanding Her Majesty's Australian Fleet and all R.A.N. Ships allocated to the Strategic Reserve. In addition copies have been forwarded to the Secretary, Department of Defence, the Secretary of the Admiralty, and the Commander-in-Chief, Far East Station.

Encl.

*Strom*  
Secretary

(1) MA Bunting.

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Copy No.  
Dated 18th December, 1956.

DIRECTIVE FOR THE ATTACHMENT OF HER MAJESTY'S AUSTRALIAN SHIPS  
TO THE FAR EAST FLEET FOR SERVICE WITH THE STRATEGIC RESERVE.

The Australian Commonwealth Naval Board desire to convey to the Commander-in-Chief, Far East Station, the conditions under which H.M.A. ships allocated to the Far East Fleet for service with the Strategic Reserve are placed under his operational control. These conditions are forwarded in accordance with paragraph 5 of the Directive for the Strategic Reserve, issued to the British Defence Co-ordination Committee (Far East) by the Anzac Defence Committee. They are intended to amplify the provisions of the overall Directive in regard to the employment of units of the Royal Australian Navy. None of the conditions set out below is intended to conflict with or override the provisions of the basic Directive.

2. The tour of duty of individual H.M.A. destroyers and frigates under your command will normally be approximately nine months, and information on reliefs will be forwarded not less than three months before the arrival of such reliefs on your Station. Details of the annual visit of H.M.A. aircraft carriers to the Far East Station will be communicated with as much notice as possible.
3. H.M.A. ships under your operational control may be used, as are ships of the Royal Navy, for anti-terrorist operations in Malayan waters, and to prevent infiltration by sea of Communist agents or armed bands.
4. H.M.A. destroyers or frigates under your operational control should be detailed in rotation with ships of the Royal Navy and Royal New Zealand Navy for service in Korean waters under the control of the United Nations Commander. It is requested that the period of service of individual Australian units in Korean waters should normally not exceed two months of their nine months' attachment to the Far East Fleet. Should operations in Korea be resumed, the United Nations Commander has been informed that re-allocation of full-time Australian Naval contribution to the United Nations forces should be requested from the Australian Commonwealth Naval Board. You will be informed of the arrangements to be made.
5. H.M.A. ships of the Strategic Reserve may, at the discretion of the British Defence Co-ordination Committee (Far East) be employed in defence of the Federation of Malaya and Singapore and of the sea communications in the Malayan area against external aggression.
6. H.M.A. ships forming part of the Strategic Reserve should not be used for any operational duties of an international character without the prior approval of the Naval Board, except as outlined in paragraphs 4 and 5 above and for the protection of shipping. The conditions under which they may be used for the protection of shipping are identical with those laid down in P.B.G.O. 252 dated 10th August, 1955, a copy of the relevant instructions is attached as an Appendix.
7. While serving under <sup>your</sup> operating control H.M.A. ships should not be used for the conduct of any other operations which may require the use of force until the whole circumstances have been laid before the Naval Board and its consent received.
8. Australian Naval personnel of the Strategic Reserve are not to be used to aid local authorities in civil disturbances without the prior consent of the Australian Government. However, such personnel may be directed to take appropriate measures to safeguard their ships should these be threatened by the civil disturbances.

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9. It is requested that, as far as possible, H.M.A. ships allocated to the Strategic Reserve be detailed for flag showing duties in South East Asian waters in order that their participation in the Strategic Reserve may be fully appreciated in the countries in this area.

10. It is emphasised that except for the provisions in paragraphs 6, 7 and 8 above, it is the desire of the Naval Board that ships of the Royal Australian Navy should form an integral part of the Far East Fleet and be treated in the same manner as their counterparts in the Royal Navy.

11. Commissions empowering Courts-Martial to be convened to try personnel of the Royal Australian Navy have been issued to you, the Flag Officer, Second-in-Command, the Flag Officer, Malayan Area, and the Commodore-in-Charge, Hong Kong.

12. Copies of this Directive have been forwarded to:

- a) The Anzac Defence Committee. (25 Copies)
- b) The British Defence Co-ordination Committee. (Far East)  
(10 Copies)
- c) The Commanding Officers of all H.M.A. ships allocated to the Strategic Reserve.
- d) The Administrative Authorities of all H.M.A. ships allocated to the Strategic Reserve. (F.O.C.A.F. 12 Copies)  
(D. 10 6 Copies)  
(P. 1. 12 Copies)
- e) The Admiralty. (10 Copies)
- f) The Secretary, Prime Minister's Department.  
The Secretary, Department of Defence.  
The Secretary, Department of External Affairs.  
The Secretary, Department of the Army.  
The Secretary, Department of Air.

(3 Copies each)

Encl:

Appendix.

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APPENDIX

CONDUCT OF H.M.A. SHIPS IN CHINESE WATERS

The following instructions for the conduct of H.M.A. ships in protection of British merchant ships against intervention by Chinese Communist or Nationalist warships and aircraft have been approved by the Australian Naval Board. H.M.A. ships are to help any neutral vessel to save life but are to be careful that such action does not constitute intervention in the conduct of the Chinese Nationalists or Communists.

2. The following rules are accepted by the Commonwealth Government as applying to jurisdiction which may be exercised over British merchant ships by Chinese Communist or Nationalist warships or aircraft:
  - a) Jurisdiction may be exercised over merchant ships by Nationalists or Communists in their respective territorial waters. Ships may be turned back, searched or arrested.
  - b) Merchant ships may not be interfered with or controlled outside territorial waters, even though they have been arrested inside territorial waters.
  - c) Merchant ships may not be attacked either inside or outside territorial waters. (See paragraph 8).
  - d) Territorial waters are to be taken as limited by a line drawn strictly three miles from the low water mark of mainland and island.
3. Available H.M.A. ships are to give full protection up to the limits of territorial waters, (e.g., in the Yangtze South Channel up to the Kaitoan Spit Buoy but not westward of it).
4. When dealing with incidents arising out of interference with British merchant ships, H.M.A. ships are to be guided by paragraphs 5 to 10 below.
5. British merchant ships held under arrest outside territorial waters are to be released, whether they were originally arrested inside or outside territorial waters.
6. H.M.A. ships are normally to keep outside territorial waters (see paragraph 2(d)) and they are not to enter confined waters dominated by Communists or Nationalists. They may enter other territorial waters as follows:
  - a) To protect a British merchant ship which has actually been attacked by gunfire or aircraft.
  - b) On humanitarian grounds.
7. If a British merchant ship is stopped in territorial waters and told to go back she disobeys at her own risk. If she is then fired on and H.M.A. ships have intervened as in paragraph 8 (b) below, the merchant ship must be told to comply with Chinese instructions while in territorial waters.
8. Opening fire:
  - a) H.M.A. ships may open fire if fired at first or if a British merchant ship is fired at.

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- b) In the particular circumstances of a British merchant ship being fired at because she disobeys orders while in territorial waters, H.M.A. ships should take all possible steps to cause Chinese to cease fire. If after warning, fire continues, H.M.A. ships may open fire. (See paragraph 7 above).
- c) H.M.A. ships may fire at aircraft in self-defence or when British merchant ships are being or have been attacked, provided there is no doubt that the aircraft being engaged is the attacker.
- d) Paragraph 6 above should ensure that ships do not come under fire of shore batteries. If, however, this happens, H.M.A. ships are not to reply to the fire unless essential to save life, and should, if their task permits, move out of range.
9. H.M.A. ships may board merchant vessels at their discretion to investigate or regain control of an arrested ship. If board/party is resisted by force, force must be used in reply.
10. Should it be necessary for one of H.M.A. ships to intervene to release or protect a merchant ship in accordance with these instructions, she is to act vigorously to gain the initiative, giving firm instructions to merchant ships or Chinese warships, and, if possible, putting the latter in the position of having to fire first if British orders are to be resisted.
11. If asked for advice or permission to enter Chinese ports, Commanding Officers are to state that it is not the Navy's duty to give such advice or permission. All the Navy may do is to give the facts of the situation, for example, that the entrance is being patrolled. Merchant ships must make their own estimate of risks.

DEPARTMENT OF THE TREASURY  
(DEFENCE DIVISION)Enclosure 2  
to Chapter 3

C.12804/48.

SUBJECT: NOTES ON CABINET AGENDUM NO.THE TREASURER:CONDITIONS OF SERVICE FOR THE AUSTRALIAN COMPONENT  
OF THE COMMONWEALTH STRATEGIC RESERVE,  
MALAYA - OPERATIONAL BENEFITS

Cabinet Decision No.580 (D.P.C.) of 17th August 1955 laid down broad general conditions of service for the Australian Component of the Strategic Reserve, Malaya. Briefly stated, it withdrew full scale operational benefits and substituted limited special benefits more in keeping with the role of the Reserve.

2. In order to clarify certain points, particularly for the purposes of legislation, it has been found necessary to make a further submission to Cabinet with recommendations going into the details of the conditions which are to apply.

3. The recommendations have been worked out by the Treasury Finance Committee with the assistance of representatives from Departments concerned with the administration of the main benefits affected by the Cabinet Decision.

4. A variation is proposed in one of the principles laid down in the Cabinet Decision, which provided that Repatriation benefits should be granted in respect of death or incapacity arising from occurrences while the member is on duty. It is considered that any attempt to distinguish between "on duty" and "off duty" occurrences would cause great administrative difficulties and it is now proposed that benefits should be granted in respect of death or invalidity resulting from "any occurrence during the member's war service" or, in other words, while he is serving with the Reserve.

5. The Committee recommends that the detailed conditions apply from the date of Cabinet's Decision (17th August 1955). This, of course, will involve bringing down legislation with retrospective effect. However, there can be no real objection to this as members concerned have been aware that only the limited benefits in accordance with Cabinet's Decision apply; in fact, following promulgation of the Decision, tax deductions under the appropriate scale were made from members' pay, and credits of operational deferred pay were suspended.

Conclusion

6. I concur in the Treasury Finance Committee's recommendations, and recommend that you approve of the submission to Cabinet.

*I concur*  
*AA*  
*Treasurer*  
*11/5/56*

*W. H. H. H. H.*  
*Assistant Secretary.*  
*13/4/1956.*

## CHAPTER 4

### FAR EAST STRATEGIC RESERVE - INDONESIAN CONFRONTATION

The Review received a number of submissions relating to perceived anomalies during confrontation with Indonesia in the period 8 Dec 62 to 30 Sep 67.

This chapter deals with those submissions.

### AWARD OF THE AUSTRALIAN ACTIVE SERVICE MEDAL 45-75 FOR SERVICE DURING THE CONFRONTATION

#### *THE AUSTRALIAN ACTIVE SERVICE MEDAL 45-75*



#### The Anomaly

The AASM 45-75 is awarded for operational service in the Korean War, the Malayan Emergency, the Indonesian Confrontation and the Vietnam War.

It is with regard to the period of the Indonesian Confrontation that an anomaly appears to have occurred.

The current basis of the AASM with Clasp 'Malaysia' being awarded for service during the Indonesian Confrontation is eligibility depending on the award of the

GSM 1962 with Clasp 'Malay Peninsula' or Clasp 'Borneo'.

Campaign medals awarded for ADF service during the confrontation were the GSM 1962 with the following clasps:

- **'Brunei'** for the period 8 Dec 62 to 23 Dec 62 inclusive.
- **'Borneo'** for the period 24 Dec 62 to 11 Aug 66 inclusive.
- **'Malay Peninsula'** for the period 17 Aug 64 to 11 Aug 66 inclusive.

Recipients of the GSM 1962 with clasp 'Brunei' have submitted that they be included with those eligible for the award of the AASM 1945-1975 with Clasp 'Malaysia'.

## **Consideration**

The then Minister for Defence Industry Science and Personnel in answering a question in the House of Representatives on 24 September 1997 (Hansard No 14 1997 page 2229) said:

**“I am very pleased to say today that we will be awarding to those personnel who served in the Korean War, the Malayan Emergency and the Indonesian Confrontation an Australian Active Service Medal 1945-1975”**

The Minister went on to say that one of the qualifications for the award would be the award of “a General Service Medal in either the Malayan Emergency 1948-1960, the Indonesian Confrontation 1962-1966 or the Vietnam War”.

It appears from this policy announcement that service during the Indonesian Confrontation which led to the award of a General Service Medal would lead to the award of the AASM.

However, when the policy was translated into the necessary “Australian Active Service Medals Regulation” the Gazette Notice No S54 of 10 February 1988 referred only to the GSM 1962 with Clasp ‘Borneo’ and Clasp ‘Malaysia’.

Why Clasp ‘Brunei’ which clearly referred to service during the Indonesian Confrontation was omitted is unknown but its omission has raised a clear anomaly.

## **Conclusion**

It is my opinion that this anomaly should be rectified, and as it complied with the Government’s Service Medal policy, the relevant Regulation for the AASM Clasp ‘Malaysia’ should be amended to include service leading to the award of the GSM 1962 with Clasp ‘Brunei’.

## **Recommendation**

It is recommended that the Determination for the AASM Clasp ‘Malaysia’ be amended to include service leading to the award of the GSM 1962 with Clasp ‘Brunei’.

## **SERVICE IN HMAS GULL**

### **The Anomaly**

A number of submissions were received from former members of the ships' company of HMAS GULL who perceive that their service in that ship during the Indonesian Confrontation has not been recognised and seek the award of the GSM Clasp 'Borneo'.

*HMAS HAWK*



### **Consideration**

In rejecting their claims for the award, research undertaken by the Review has ascertained that the Navy Medals Section has been in error in failing to have regard to the most recent Australian Naval Order (ANO), which sets out qualifying dates different to those used by the Medals Section.

Annex B to ANO 241/72 (attached as enclosure 1 to this chapter), clearly shows that the ship was in the qualifying area and was allotted for duty during the periods represented by the submissions.

### **Conclusion**

It is my opinion that those personnel and possibly others, have qualified for the award of the GSM Clasp 'Borneo' as shown by Annex B of ANO 241/72 (Annex B).

### **Recommendation**

It is recommended that Navy Medals Section review all claims for eligibility for the GSM Clasp 'Borneo' and assess their eligibility in accordance with ANO 241/72.

## **HMAS VAMPIRE - CAMPAIGN MEDAL FOR SERVICE DURING CONFRONTATION**

### **The Anomaly**

HMAS VAMPIRE was one of twelve ships officially allotted for service on the Far East Station during the period of confrontation with Indonesia. The ship

carried out 29 days on patrol in the Borneo area of East Malaysia and 24 days in the Singapore/Malacca Straits, West Malaysia.

Two Imperial awards were issued covering the period of confrontation with Indonesia. The GSM 1962 with Clasp 'Borneo' and with Clasp 'Malay Peninsula'. In essence, to be eligible for the award of these campaign medals, personnel are required to have aggregated at least 30 days service afloat or ashore in each qualifying area.

Submissions have been received from members of the crew of HMAS VAMPIRE claiming that a medal should be awarded to them.



*HMAS VAMPIRE*

## **Background**

Although the respective awards have their supporting logic, they effectively deny the crew of HMAS VAMPIRE any recognition for having served in the campaign in the period of confrontation with Indonesia.

The crew of HMAS VAMPIRE aggregated 24 days service afloat in the qualifying area for the GSM with Clasp 'Malay Peninsula'. They then went on to spend 29 days service afloat in the qualifying area for the GSM with Clasp 'Borneo' before being ordered to leave the area and take part in a SEATO exercise. In aggregate, the crew of HMAS VAMPIRE served for 53 days in a campaign against the common enemy, Indonesia, on duties designed to protect the common country, Malaysia. It seems incongruous that the crew of HMAS VAMPIRE has no visible recognition that they served in the campaign.

I realise that the respective GSM's are Imperial awards and that their conditions of eligibility are sacrosanct. I believe, however, that the Australian system of honours and awards has the flexibility to recognise the service of the crew of HMAS VAMPIRE during the Indonesian Confrontation.

In relation to the period of the Indonesian Confrontation, the AASM 45-75 with Clasp 'Malaysia' is issued to those who have first qualified for the GSM with Clasp 'Malay Peninsula' or Clasp 'Borneo'. The medal can be seen as an 'umbrella' medal issued to embrace all of those who served on active service during the Indonesian Confrontation. Inclusion of HMAS VAMPIRE under this 'umbrella' medal, therefore, would seem to be an appropriate gesture and would not detract from the value placed on the AASM 45-75 Clasp 'Malaysia'.

The medals principles espoused by the 1994 'Committee of Inquiry into Defence and Defence Related Awards' (CIDA) would seem to support some special consideration being given to the circumstances of HMAS VAMPIRE. The relevant aspects of these principles are as follows:

- **Principle 1:** ...Medals should be reserved for the recognition of service in military campaigns clearly and more markedly more demanding than peacetime.
- **Principle 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.
- **Principle 9:** While regard is given to previous decisions and interpretations on awards made by the Australian government and military authorities, consideration of service for an award is not constrained by these. Assessing authorities will always take into account any new or additional information which is made available and will operate according to the normal standards of fairness.

## **Conclusion**

The circumstance of the service of HMAS VAMPIRE during the Indonesian Confrontation is unique. The proposed gesture to recognise its service under the Australian system of honours and awards complies with the CIDA principles.

It is my opinion that such a gesture would be fair to the crew of HMAS VAMPIRE, it would not degrade the service of those already covered by the AASM Clasp 'Malaysia', nor would it set any unwarranted precedent.

## **Recommendation**

It is recommended that the criteria for the award of the AASM 45-75 with Clasp 'Malaysia' be amended to include the service of HMAS VAMPIRE during the Indonesian Confrontation.

## **HMAS DIAMANTINA**

### **Anomaly**

Former crew members of the HMAS DIAMANTINA perceive that they played an important role in the Indonesian Confrontation and that they should be entitled to the GSM with Clasp 'Malay Peninsula', the AASM Clasp 'Malaysia', the RASB and repatriation benefits.

HMAS DIAMANTINA



### **Background**

The HMAS DIAMANTINA was a ship used largely for scientific research and carried a crew of CSIRO officers to carry out studies such as hydrological and zooplankton sampling. During the Indonesian Confrontation the DIAMANTINA made a number of voyages around the South East Asian region.

Submissions recalled a number of unusual situations, but the claim relevant to gaining the entitlements they seek was assisting the Far East Strategic Reserve by patrolling while minesweeping vessels cleared various rivers in 1964.

### **Consideration**

An exhaustive review of the records of proceedings for the HMAS DIAMANTINA and for the minesweepers HMA Ships GULL, HAWK, CURLEW and SNIPE working in the area at the time, did not reveal any information that supports the claim made in the submission.

### **Recommendation**

I am unable to recommend the entitlements sought for service on the HMAS DIAMANTINA during the Indonesian Confrontation.

**Enclosure 1 to Chapter 4**

Naval History Directorate  
**MINUTE**

CN99/896-  
NHD 369 /99

DHA

Attention: Mr Cec White (R1-1-DO13)

**SERVICE IN BORNEO / MALAY PENINSULA AREAS - ISSUE OF AUSTRALIAN  
NAVY ORDERS (ANOs)**

Reference:

A.     Telecon Cec White / Brett Mitchell on 25 November 1999

1.     In accordance with Reference A, a number of ANOs relevant to RAN service in the Borneo / Malay Peninsula areas were identified.

2.     ANOs issued were:

- a.     362/66, amended by 508/66 and 533/66;
- b.     638/66;
- c.     478/69; and
- d.     241/72.

3.     Copies of all are enclosed. ANO 241/72 should be used as the definitive list of HMA Ships allotted for such service.

B.S. MITCHELL  
Assistant Naval Historical Officer  
CP3-4-41  
02 6266 3044

26 Nov 99

**241/72**  
**APPENDIX B**

**ALLOTMENT OF RAN SHIPS FOR SPECIAL SERVICE FOR THE PURPOSE OF THE  
 REPATRIATION (SPECIAL OVERSEAS SERVICE) ACT 1962-1965 AND THE INCOME TAX  
 ASSESSMENT ACT 1936-1965**

<i>HMA Ship</i>	<i>Period</i>	
	<i>From</i>	<i>To</i>
CURLEW	2.6.64	29.1.65
*CURLEW	3.10.65	14.9.66
DERWENT	15.12.64	11.1.65
DERWENT	15.3.66	17.3.66
*DERWENT	18.3.66	30.4.66
DERWENT	10.6.66	13.6.66
DERWENT	20.6.66	30.6.66
DERWENT	21.7.66	26.7.66
DUCHESS	31.8.65	7.9.65
DUCHESS	6.11.65	29.11.65
DUCHESS	16.12.65	20.12.65
*DUCHESS	4.1.66	5.2.66
GULL	6.5.64	18.9.64
GULL	7.1.65	30.6.65
*GULL	1.7.65	14.8.65
GULL	24.1.66	14.9.66
HAWK	6.5.64	18.9.64
HAWK	7.1.65	30.6.65
*HAWK	1.7.65	14.8.65
*HAWK	10.1.66	14.9.66
IBIS	23.8.64	30.6.65
*IBIS	1.7.65	3.2.66
PARRAMATTA	7.7.65	9.7.65
*PARRAMATTA	17.7.65	3.8.65
PARRAMATTA	19.8.66	8.9.66
SNIPE	2.6.64	29.1.65
*SNIPE	19.7.65	14.9.66
TEAL	23.8.64	30.6.65
*TEAL	1.7.65	3.2.66
VAMPIRE	16.3.66	31.3.66
VAMPIRE	4.4.66	12.4.66
*VAMPIRE	18.6.66	16.7.66

## APPENDIX B-continued

<i>HMA Ship</i>	<i>Period</i>	
	<i>From</i>	<i>To</i>
VENDETTA	12.10.64	2.11.64
VENDETTA	31.8.65	7.9.65
*VENDETTA	19.10.65	19.11.65
VENDETTA	29.11.65	29.12.65
VENDETTA	29.1.66	9.2.66
YARRA	17.6.65	30.6.65
*YARRA	1.7.65	17.7.65
YARRA	4.8.65	16.8.65

Notes.- 1.. All dates shown are inclusive.

2. \* Periods so indicated are periods of service in the Borneo Area which qualify for the benefits shown in Paragraph 6 (b).  
(HPB 302/201/25)

## **CHAPTER 5**

### **FAR EAST STRATEGIC RESERVE**

### **SERVICE IN MALAYSIA**

I learnt during the course of writing this Report that the Directorate of Honours and Awards had undertaken research into this question. That research and the conclusion reached has been made available to me and I adopt it as part of this Report and set it out hereunder.

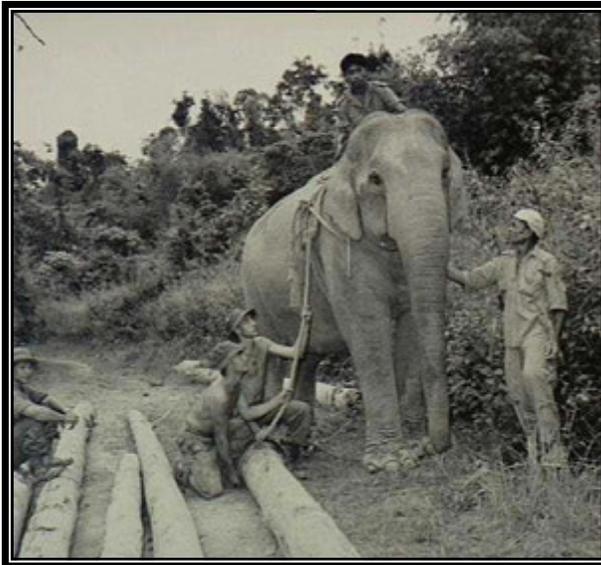
### **SERVICE ON THE THAI/MALAY BORDER**

### **1 AUGUST 1960 – 27 MAY 1963**

#### **The Anomaly**

ADF Members who served on the Thai/Malay Border during the period 01 Aug 60 – 27 May 63 claim that they were on 'warlike' operations and seek to have their service recognised through the award of full repatriation benefits and the award of the AASM 1945-75 Clasp 'Thai/Malay'.

*Australian Troops utilising local resources in Malaysia*



#### **Background**

In 1955 the remaining elements of the Communist Terrorist Organisation withdrew from Malaya into southern Thailand and started to build up safe bases and acquire local support in the border areas with the object of conserving its hard core military strength and securing itself for future operations against Malaya. Although the Malayan Emergency was officially declared at an end on 31 Jul 60,

security operations against Communist terrorists continued to be conducted along the Thai/Malay Border. Members of the ADF continued to serve on these anti-terrorist operations on a rotational basis with forces from New Zealand, Britain and Malaya.

The 1st Royal Australian Regiment (1RAR), under the command of 28 Commonwealth Infantry Brigade Group, was deployed almost continually on border operations during 1960. In January 1961, A Company and elements of the Support Company were operating on the border area 'OPERATION BAMBOO' which had started in August 1960. With the battalion command post located at Grik, the battalion area of operations encompassed the mountainous jungle east of Grik in the area of the Perak River. The aim of

this operation was to intercept communist terrorists operating in the border area. 1RAR was withdrawn from Operation Bamboo by June 1961.

The 2<sup>nd</sup> Royal Australian Regiment (2RAR) commenced Operation Magnus on 1 Aug 62 under the operational command of the Headquarters 2<sup>nd</sup> Federation Brigade (the first time Australian troops had been placed under Malayan command). With its battalion command post located at Kroh, the Operation consisted of aggressive patrolling to reduce and prevent communist terrorist movement in and out of North Malaya. Patrols were briefed to "Remember that you will be on your own and that we do have a hostile enemy". While the patrols were not to shoot on sight due to the possibility of civilians being in the patrol areas, they were to conduct cordon, search, ambush and food denial tasks.

As an example of the operations being conducted, during the period 1-9 August 2RAR participated in a battalion search-and-destroy operation in an area of operations lying along 75 miles of the Malayan side of the Thai-Malay Border from Northern Perlis to Northeast Kedah. On 3 August, a recently occupied terrorist camp was located containing a sub-machine gun, some ammunition and other items. On 4 August a battalion ambush in which rifle fire was exchanged resulted in the wounding of two communist terrorists (it was later confirmed that one of these subsequently died from his injuries). communist terrorists were heard, and one sighted, on 6 August, but no contact was made. A further operation was then planned to commence on 10 August, its aim being to destroy Communist Terrorists in an area of four map squares. In this Operation 'Hot Train', A and C companies were used as blocking forces with B company used as the assault company. This operation located enemy rest areas and a new terrorist camp with the capacity to house 20 personnel. A recent blood trail was located and followed with a tracker dog. 2 RAR ceased border operations on 11 Oct 62.

On 30 Apr 62 C and D Companies 2RAR with several specialist platoons acting as rifle platoons left Terendak Camp in Malacca to rejoin Operation Magnus on border operations. Operations commenced on 1 May 63 in Perlis State. While no recent signs of Communist terrorists were found in the search area at this time, the patrols apprehended several smugglers and trespassers. Border operations for 2RAR concluded on 30 June 1963. 2 RAR was relieved by 3 RAR who assumed operational responsibility on 20 Aug 63. 3 RAR continued to participate in Operation Magnus operations on the Thai/Malay border throughout 1964 and 1965.

### **Repatriation Eligibility**

Item 3 of Schedule 2 of the VEA 1986 shows the operational area from 1 Sep 57 to 27 May 63 as being 'the area comprising the territories of the countries known as the Federation of Malaya and the Colony of Singapore, respectively'. Members of the ADF who are allotted for service within this operational area are eligible for Operational Service under the provisions of the VEA 86. During this same period however, eligibility for Qualifying Service (the Service Pension) also requires that the member have 'service in

respect of which the person has been awarded, or has become eligible to be awarded, a British General Service Medal with Clasp 'Malaya'.

The GSM Clasp 'Malaya' was awarded for service in the Federation of Malaya from 16 Jun 48 to 31 Jul 60 and the Colony of Singapore from 16 Jun 48 to 31 Jan 59. Qualifying time for Army personnel is service of one day or more on the posted strength of a unit or formation. Members of the ADF who served in Malaya between 1 Aug 60 and 27 May 63 are not eligible for this GSM. While they are eligible for operational service therefore they are not eligible for Qualifying Service under the Veterans' Entitlements Act 1986.

It should be noted that from 28 May 63 to 19 Apr 67, members allotted for service in the Thai-Malay Border Area listed as Item 5 of Schedule 2 of the Veterans' Entitlements Act 1986 are eligible for both operational and qualifying service without any additional qualifying requirements.

## **Conclusion**

It is clear that members of the ADF who were involved in anti-terrorist operations on the Thai-Malay border were involved in combat operations against an armed adversary where the application of force was authorised to pursue specific military objectives, namely the destruction of Communist terrorists in the region. The type of activities they engaged in, such as the ambush operation given as an example above, indicates that they did incur danger from hostile forces of the enemy. It is my opinion therefore, that their operations should be considered to be 'warlike' in nature.

Ineligibility for the GSM with Clasp 'Malaya', the award of which is a prerequisite in repatriation legislation, currently precludes members of the ADF serving on operations on the Thai/Malay border from 1 Aug 60 to 27 May 63 from benefits for 'warlike' service. A further factor is their current eligibility for the ASM with Clasp 'Thai/Malay' as recommended by the CIDA. The ASM is awarded for 'non-war-like' service and not for 'warlike' service. As the eligibility requirements for repatriation benefits are in this instance tied to medals eligibility (almost an anomaly in itself), a recommendation that service on the Thai/Malay border operations was 'warlike' service is also likely to have implications in its implementation in regard to their eligibility for medals.

## **Recommendation**

It is recommended that service on the Thai/Malay border area from 01 Aug 60 to 27 May 63 be considered to be equivalent to 'warlike' service and that personnel concerned be eligible for the appropriate medals and repatriation benefits.

## **SERVICE ON THE MALAY PENINSULA INCLUDING SINGAPORE**

### **The Anomaly**

Submissions have been received regarding anomalies in the treatment of Army and RAAF personnel with service in the operational area on the Malay Peninsula including Singapore during the period of the Indonesian Confrontation. The relevant operational area is detailed in Item 7 of Schedule 2 to the VEA 1986 and covers the period from 17 Aug 64 to 30 Sep 67 inclusive.

*Australian Personnel on the Malay Peninsula*

All ADF personnel on the posted strengths of units in the operational area were eligible for the award of the GSM 1962 with Clasp 'Malay Peninsula', the AASM 45-75, but not the RASB.



A search of records indicates that no Army or RAAF member was allotted for service in the Malay Peninsula during Confrontation and, consequently, none is currently eligible for any repatriation benefits.

On the other hand, HMA Ships involved in the operational area during Confrontation were 'allotted' and therefore all crew members are eligible for the full range of repatriation benefits and medals.

The treatment of RAN members vis a vis their colleagues in the Army and the RAAF on the Malay Peninsula is seen to be anomalous.

### **Background**

The Repatriation Legislation in force covering the period of Confrontation was the Repatriation (Special Overseas Service) (SOS) Act 1962. Under this Act, eligible service depended on being 'allotted' for 'special service' in a 'special area' and actually serving in a 'special area'. Service in a 'special area' while allotted for special duty meant service that was directly related to the warlike operations or state of disturbance in the area.

In May 1965, The Minister for Defence advised the Minister for Repatriation that:

- “The whole of the Federation of Malaysia has now been proclaimed a security area under the [Malaysian] Internal Security Act.
- Indonesian infiltrations have occurred in various places on the Malayan Peninsula, including Malacca, Johore and Singapore. The Joint Intelligence Committee’s view is that they will continue and will not be confined to any particular areas.
- Australian ground forces have been engaged against infiltrators in Malacca in addition to their operations on the Thai/Malay border and in Borneo.
- Plans for defence of the Malayan Peninsula against infiltrators divide Malaya into regions for which various brigades are responsible. 28 Commonwealth Brigade [encompassing ADF Army Personnel] is responsible for Malacca. However, this would not necessarily preclude their use elsewhere in an emergency and if suitable other forces were not available.
- Australian naval and air forces are also available for use against Indonesian infiltrators and our air force participates in the air defence alert in the air defence identification zone over Malaya/Singapore.
- The Defence Committee’s view is that, having regard to the inability to predict in what areas infiltrators would operate, the continued activity in this sphere, and the fact that the whole of the Malayan Peninsula has been declared a security area under the Malaysian Security Act, it would be appropriate now to declare the Malayan Peninsula (including Singapore and adjacent waters) a special area for the purposes of eligibility for repatriation benefits.
- Should the whole of the Malayan Peninsula be prescribed as a special area as proposed, the effect would be to extend the cover for repatriation eligibility to all areas in south East Asia in which our servicemen are engaged, or likely to become engaged, in operational activities in present circumstances as all other areas in Malaysia [i.e. Thai/Malay border] and South Vietnam are already prescribed as special areas.”

In Decision No 1042 of 7 Jul 65, Cabinet approved the whole of the Malayan Peninsula and Singapore being declared a ‘special area’ under the SOS Act 1962. Eligibility for repatriation benefits arising from this decision was to be confined to those personnel who were specifically allotted for special duty in relation to Communist terrorists in the Thai/Malay border area and Indonesian infiltrators. This decision is reflected in Item 5 (Thai/Malay border) and Item 7 (remainder of Malayan Peninsula) of Schedule 2 to the VEA 1986.

### **Operations against Indonesian Infiltrators**

In deciding whether or not to declare Brunei as a ‘special area’, Cabinet was briefed on the kinds of service that would render personnel eligible for repatriation benefits under the Act. The general criterion in determining whether or not ‘special duty’ was appropriate was the assessment that such service exposed ADF personnel “to operational risks beyond the line of ordinary peacetime duty”. Cabinet submission No 462 of October 1964 and Decision No 531(amended) of 15 Oct 64 refer.

In letter CINCFE 2337/2315/5 dated 26 May 65, Headquarters Far East Command made a case to the UK Defence Services Secretary and the Ministry of Defence UK for a Clasp to the GSM 1962 to be awarded to cover

operations in West Malaysia, including Singapore. Relevant parts of that submission are restated here for ease of reference.

- “British and Commonwealth Forces in West Malaysia first became affected by operations in July 1964, when the first of the Singapore racial riots started. Up to this time, the main operational involvement had been on the Thai/Malay border against the Communist Terrorist Organisation.
- From August 1964 onwards, Indonesian aggression was directed against the Malay Peninsula and Singapore Island, and on a number of occasions British and Commonwealth Forces were directly involved in counter-infiltration operations against enemy forces.
- The first direct act of Indonesian aggression against the Malay Peninsula occurred on 17 Aug 64, when three groups of infiltrators, totaling 108, landed in the Pontian area of South Johore.
- This was followed by a parachute landing of 98 infiltrators into the Labis area of Johore on 1 Sep 64. Two aircraft loads dropped on two separate DZs, and a third aircraft is believed to have crashed into the Straits of Malacca enroute to the DZ.
- A force of 52 infiltrators landed from 5 fishing boats on the Malacca coast on 29 Oct 64.
- The Indonesian landing parties consisted of Indonesian regular troops drawn from the (PGT) (Air Force Quick Action Troops), volunteer regular troops and a small proportion of Malaysian Chinese volunteers, who had previously defected to Indonesia for military training. All were uniformed and armed.
- This pattern of infiltration has continued with increasing tempo up to the present date [26 May 65]. Up to that time, naval, land and air activity included:

**Land forces:** British and Commonwealth Forces have been deployed against Indonesian infiltration in the Malay Peninsula on three occasions since August 1964, and have been brought to a high state of readiness on a number of other occasions.

**Air Force:** The air defence organisation of the Far East Air Force has been maintained at a high state of readiness since August 1964. Following the landings at PONTIAN on 17 August, air patrols were carried out. During the following weeks aircraft were scrambled on numerous occasions to investigate reports of unidentified aircraft. Air defence forces continue to maintain a high state of readiness and patrols are regularly flown from airfields in West Malaysia. Offensive air support of ground forces has been provided by Hunter, Sabre and Canberra aircraft. Reconnaissance sorties have been carried out by Shackleton, Canberra, Pioneer and “V” aircraft.

- The Commander-in-Chief Far East and his three Service Commanders considered that there is in effect a campaign taking place in West Malaysia and that all forces in the area are taking part in that campaign, and should be awarded a campaign clasp to the General Service medal.”

## Discussion

The Commander-in-Chief Far East and his three Service Commanders at the time considered that **all forces in the operational area of the Malayan Peninsula** took part in the campaign against Indonesian infiltrators.

Although some units came under direct enemy fire, those not coming under direct fire gave direct support to those in the front line. They were part of the operations, they were close to the front line, and they were in an area where infiltrations and bomb attacks took place.

Apparently only one of the allotted RAN ships, HMAS TEAL, came under direct enemy fire in the operational area. However, all other ships allotted were all "close to the front line" and were involved in anti-infiltration operations.

On examination of the facts Army and RAAF personnel did no more than, or less than, their Navy colleagues in operations during Confrontation. Consequently, there does not seem to be any supportable reason to deny Army and RAAF full repatriation benefits and full medals entitlement i.e., being treated similarly to their Navy colleagues.

Army and RAAF personnel who served on the Malay Peninsula during Confrontation suffer also in a comparison with repatriation benefits afforded to their colleagues who served in the operational area of the Malay Peninsula during the Malay Emergency.

Item 3 of Schedule 2 of the VEA 1986 defines the operational period from 1 Sep 57 to and including 27 May 63. The Malayan Emergency formally ended on 31 Jul 60. Under the VEA, personnel who were allotted to the operational area and who received the GSM Clasp 'Malaya' are eligible to receive the full range of repatriation benefits. This campaign medal ceased to be awarded after the end of the Emergency on 31 Jul 60. Those Army and RAAF personnel who were allotted and served in the operational area after that date had operational service eligibility and therefore were entitled to compensation under the VEA for any injury or disease incurred during that service.

Not all those who received the GSM Clasp 'Malaya' came under direct enemy fire. However, those that did not, gave support to those in the front line. They were part of the operations, they were close to the front line, and they were in an area where they experienced danger from the enemy, the Communist terrorists. Although the threat from Communist terrorists abated after the formal end to the Emergency, some terrorists were still at large and were especially active in the Thai/Malay Border area. In this context, the continuation of the period of eligibility for operational service was understandable.

When conditions of service for duty with the FESR during the Malayan Emergency were being considered, the original concept was that forces would be mainly employed on garrison type duties and that few personnel would also be engaged in operations against the Communist terrorists. This concept was designed to extend repatriation benefits only to those actually on duty against the Communist terrorists; personnel not so engaged would not be eligible.

As discussed in detail under that part of this Report dealing with the anomaly of seagoing Naval forces of FESR, because of the administrative difficulties in administering this 'on duty' concept, Cabinet decided that eligibility for repatriation benefits would be afforded on the basis of 'any occurrence' while allotted to FESR ie, actual engagement with the enemy was not a prerequisite for eligibility, only being allotted for duty with FESR was sufficient.

Given the treatment of those allotted to FESR, it would be anomalous to require Army and RAAF personnel on the posted strength of units located on the Malaya Peninsula, including Singapore, during the period of Confrontation from 17 Aug 64 to 30 Sep 67 inclusive, to have been actually under direct fire from Indonesians before being eligible for repatriation benefits.

### **Conclusion**

It is my opinion based on the facts presented that there is an anomaly in the repatriation and medals entitlement afforded to Army and RAAF personnel on the posted strength of units located on the Malayan Peninsula, including Singapore, during the period of Confrontation from 17 Aug 64 to 30 Sep 67. Their service "was directly related to the warlike operations or state of disturbance in the area". Their service was similar in character and level of danger experienced by their Navy colleagues. There does not seem to be any supportable reason, therefore, to deny Army and RAAF personnel similar repatriation benefits and medals entitlement to those received by their Navy colleagues who were allotted for duty during the period of Confrontation.

### **Recommendation**

It is recommended that Army and RAAF personnel on the posted strength of units located on the Malay Peninsula, including Singapore, during the period from 17 Aug 64 to 30 Sep 67 inclusive ie, the period of Confrontation defined in Item 7 of Schedule 2 to the VEA 1986, be allotted retrospectively so that they become eligible for full repatriation benefits and appropriate medals entitlement.

## **SERVICE ON SECONDMENT TO THE ROYAL MALAYSIAN ARMED FORCES**

### **The Anomaly**

ADF personnel who were seconded on loan service with the Royal Malaysian Armed Forces believe their service has not been properly recognised by either the award of medals or repatriation benefits. There are two periods of service involved; the first during the period of Confrontation with Indonesia, and the second subsequent to Confrontation.

## **SECONDMENT DURING CONFRONTATION**

In 1965, the Department of Defence wrote to the Repatriation Commission addressing the question of the entitlement to repatriation and allied benefits of personnel seconded to the Malaysia Armed Forces; letter 225/1/29 of 30 Jun 65 refers. At that time, 9 RAN Officers, 5 RAN ratings, 1 Army Officer and 5 RAAF Officers were seconded.

These personnel were under the control and jurisdiction of the Malayan Service to which they were seconded and operated as a member of that Service. The Department of Defence stated that their duties would, in some cases,

**“involve operational activities of a nature which, if they were performed by members of the Australian Services serving in the Malaysian theatre, would justify allotment for special service in with the provisions of the Repatriation (Special Overseas Service) (SOS) Act 1962”.**

The Department of Defence recommended that seconded Australian Service personnel, who served in areas declared as ‘special areas’ under the SOS Act 1962 and whose service met the other qualifying conditions, should be allotted for special service and be eligible for repatriation and other benefits in the same manner as other Australian servicemen in the area.

In reply to the Department of Defence letter and recommendations, the Repatriation Commission agreed with the recommendation as it came within the provisions of the SOS Act 1962; letter G5/4/32 of 12 Jul 65 refers.

For the purposes of the Repatriation Commission, service documents of the personnel concerned were to be annotated with details of the allotment including the date of commencement and termination of the ‘special duty’ to which the individuals were allotted.

## **Conclusion**

Both the Department of Defence and the Repatriation Commission in 1965 considered the position of ADF personnel seconded to the Royal Malaysian Armed Forces during the period of Confrontation. Both agreed that where seconded personnel met the qualifying conditions of the SOS Act 1962, they would be allotted for such service by their respective Australian Service. This has not been done, given the submissions to the Review by seconded personnel.

## **Recommendation**

It is recommended that ADF personnel seconded to the Royal Malaysian Armed Forces during the period of Confrontation, and whose service met the qualifying conditions of the SOS Act 1962, be allotted retrospectively for that period of service and be awarded appropriate medals and repatriation benefits.

(NOTE: This anomaly is also connected with the RAAF/Army service on the Malay Peninsula during Confrontation. Currently this service is not recognised for repatriation benefits, as RAAF/Army personnel were not allotted. The Review recommends that these personnel be allotted retrospectively. However, if these personnel are not allotted then, presumably, seconded personnel also would not be allotted despite Defence and Repatriation saying in 1965 that such service is eligible service).

## **SECONDMENT SUBSEQUENT TO CONFRONTATION**

Some ADF Personnel were still on seconded loan service to the Royal Malaysian Armed Forces after Confrontation. The Review is not aware of the total number of personnel or which Service is involved, but one submission refers to three Army Officers being seconded over the period 1967 to 1970.

Submissions on this anomaly seek recognition of this period of seconded service by the award of the ASM 1945-75 with a suitable clasp. The contention is that seconded service with the Royal Malaysian Armed Forces, particularly in 1969 during the race riots, was far more hazardous than normal peacetime service. In this regard, a comparison has been made with service in Papua New Guinea during the period 1945 to 1975 for which an ASM 1945-75 Medal has been awarded. A comparison has also been made with naval service with the British Commonwealth Far East Strategic Force (FESR), especially during its later years to 1971, for which an ASM 1945-75 Clasp 'FESR' has been awarded.

## **Conclusion**

Service by ADF personnel on secondment to the Royal Malaysian Armed Forces after Confrontation service appears to equate well with the nature of naval service in the latter years of FESR. The award of an ASM 1945-75 medal with a suitable Clasp, preferably the 'FESR' Clasp, would therefore be appropriate.

## **Recommendation**

It is recommended that the service of ADF personnel on secondment to the Royal Malaysian Armed Forces after Confrontation be recognised by the award of an ASM 1945-75 with Clasp 'FESR'.

## ARMY AIR DISPATCH PERSONNEL

*RAAF Hercules dropping stores*



### The Anomaly

Some Army Air Dispatch personnel claim that they served with the British Army's No 55 Air Dispatch Coy (55AD Coy) RASC during the Malayan Emergency, along the Thai/Malay Border region, and during the period of the Indonesian Confrontation in Borneo and the Malay/Singapore region.

They also claim that these periods of service have not been recognised for either campaign medals or repatriation benefits as personnel were not formally allotted.

The Army Air Dispatch personnel claim that their non-allotment is anomalous. They claim that the nature of their service was difficult and very dangerous and compares more than favourably with that of other ADF personnel who were formally allotted during the period and for whom full medal and repatriation benefits have been awarded.

### Background

Information on files in the National Archives indicates that in October 1960, "the standard of training and operational effectiveness [of army air dispatch personnel] was not high. To overcome this deficiency, approval was given to attach personnel to 55 AD Coy RASC. The program set up indicated that personnel would be given "training and operational sorties".

The attachment of personnel started in February 1961. Periods of attachment ranged from 2 to 6 months. In 1962 when the new AMF Air Supply Organisation was proposed, the need for continued operational training with 55 AD Coy RASC was confirmed. However, it is not evident when the training program with 55 AD Coy RASC ended.

An extract from the unofficial history of the Australian Army's 176 Air Dispatch Squadron located at RAAF Base Richmond, NSW also states, inter alia, at pages 11 and 12:

**"The next operational service Australian Air Dispatchers were to see was in the Malayan Emergency when in 1955, two RAASC officers were detached to 55 AD coy RASC to study any new techniques in air drop which differed from that used in New Guinea.**

**The first Australian Regular Army (ARA) air supply component was a section of 39 Air Supply PI and was raised in 1960 and had a strength of eight men. In 1961,**

**another ARA section of eight men was raised. Both sections served in Malaya (Butterworth) during the Malayan Emergency with 55 AD Coy, RASC.**

**In July 1962, the two sections were combined to raise a half strength 40 Air supply PI that was brought to full strength in 1963. 36 Air Supply PI was also formed in 1963.**

**In the meantime, 12 man sections were still on a three-month rotation with 55 AD Coy, RASC. These dets operated in Malaya, Singapore, Borneo and Thailand.”**

From official documents, newspaper articles, sworn affidavits, copies of log books, and personnel records submitted to the Review by personnel concerned, the following facts have been gleaned:

- Australian Air Dispatch personnel did serve on attachment with 55 AD Coy RASC.
- It is clear that personnel flew on operational sorties with 55 AD Coy RASC over the Thai/Malay border region, in Borneo, and in the Malay Peninsula/Singapore area during the Emergency and Confrontation.
- 55 AD Coy RASC was clearly on warlike service in the air supply of ground troops in combat conditions during all of these campaigns.
- Personnel records show some members were attached to 55 AD Coy RASC while others show they were attached to the ‘Miscellaneous Australian Detachments unit of FARELF’ before being sent for duty with the British unit.
- The ‘Miscellaneous Australian Detachments unit of FARELF is shown on official documents as an Australian Army unit that was “allotted for duty in Malaya/Malaysia/Singapore during the various conflicts between 1950 and 1967”.

## **Conclusion**

It is my opinion from the available evidence, that it is reasonable to conclude that during the relevant military campaigns Army Air Dispatch personnel were employed on warlike operational sorties with their British colleagues of 55 AD Coy RASC in direct support of ground forces engaged in actual combat operations against the enemy. As a consequence, the nature of their duty clearly warrants their being formally allotted for this service.

## **Recommendation**

It is recommended that Australian Army Air Dispatch personnel whose records show that they were attached to 55 AD Coy RASC, or the ‘Miscellaneous Australian Detachments unit of FARELF’ during the relevant military campaigns, be retrospectively allotted and be eligible for the appropriate medals and repatriation benefits.

## **FORMER AUSTRALIAN ARMY PERSONNEL RECRUITED INTO THE MALAYAN POLICE FORCE**

### **The Anomaly**

This submission concerned former members of the Australian Army who were recruited by the Government of the Federation of Malaya to serve as Lieutenants in the Malayan Police Force. They perceive that their service should be recognised by Australia.

### **Consideration**

Those who volunteered for this service did so on individual contracts with the Government of the Federation of Malaya. They did not serve as members of the Australian Defence Force, nor on Australian Government duty in supporting the ADF.

Accordingly they are not eligible for the AASM with Clasp 'Malaya' regardless of the fact that they may have been eligible for award of the GSM with Clasp 'Malaya'.

### **Conclusion**

It is my opinion that these personnel were not members of the ADF and as such are not eligible for Australian awards.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **CHAPTER 6**

### **FAR EAST STRATEGIC RESERVE- THAILAND**

#### **SERVICE IN RAAF BASE UBON**

*RAAF SABRE Aircraft*



### **UBON**

#### **The Anomaly**

Following the 1997 Defence Review of service anomalies, the Government accepted the recommendation that service at Ubon between May 1962 and August 1968 be classified as operational service. Consequently, members of the RAAF Contingent became eligible for compensation under the VEA 1986 for any injury or disease incurred during that period of service. They also became eligible for the award of the ASM45-75 with Clasp 'Thailand'.

However, personnel concerned continue to claim that their service at Ubon was warlike and that they should be awarded the appropriate repatriation and medal entitlements.

#### **Background**

In May 1962, less than two years after the end of the Malayan Emergency, Australia, as a willing partner in the American led South East Asian Treaty Organisation (SEATO), deployed a RAAF Sabre fighter squadron (No 79) to Ubon in Thailand to improve that country's deficient air defences and to maintain its territorial integrity. Britain and New Zealand also made shorter-term contributions to Thai national security.

These deployments all have to be seen in the same geo-political context as those of the FESR i.e., to deter China's aggression and assist in counteracting the local Communist Terrorist (CT) problem.

The two previous reviews of the nature of service at Ubon, and in particular the later review conducted following the passage of the VEA (Compensation and Budget Measures) Bill 1997, have set out in some detail the history of this matter. These reviews have decided, following a retrospective analysis of the activities of the RAAF at Ubon, that personnel were not engaged in 'warlike' activities.

In my opinion, the approach taken in these reviews was flawed. What should have been considered is the question of what decision should have been made about the commitment of the Squadron to Ubon bearing in mind the present classifications of commitment namely, peacetime, non-warlike, warlike, and war. Peacetime and war classifications can be safely excluded. This leaves the choice between 'non-warlike' and 'warlike'.

The directive to the Squadron when it was first deployed, set out its operational role as follows:

- a **Self defence.**
- b **In defence of Thailand when instructed by the Air Board.**
- c **If requested by the Thai authorities through COMUSMACTHAI, or his nominated deputy to intercept aircraft attacking with weapons Thai territory or forces within Thailand, in the event of attack without warning, when prior reference to the Air Board is not practicable.**

Directive **c** above gave the Squadron an immediate active role. If such an air attack occurred then the Squadron would be expected to take immediate action as in those circumstances of an attack without warning, no reference to the Air Board would have been practicable. It would be a matter calling for response within minutes.

Thus the Squadron was placed on an immediate operational footing, having to maintain a position that would enable an immediate response if called upon. In May 1962, however, such an eventuality appeared unlikely and in fact, no aircraft were placed at an alert state. Nevertheless, had it eventuated, the Squadron was in a position to have taken immediate armed action against an attacking aircraft. If the alert had been activated, the expectation of casualties was clearly forecast.

In September 1963, the Royal Thai Air Force requested assistance from No 79 Squadron in the interception and identification of intruding aircraft. The Department of Air approved this assistance being provided. This new duty was an extension of the instruction originally issued but Squadron aircraft were not placed on any special alert status to meet this task.

By mid 1964 signs of change were evident in the general situation in South-East Asia. North Vietnam and the Viet Cong were within sight of over-running South Vietnam. In particular, Chinese MIG-17s were being based in Hanoi and this was

seen to be a very significant threat to Thailand. The positioning of MIG aircraft in Vietnam brought China more directly into the conflict equation and also brought Bangkok and Ubon, which was much closer to Hanoi, within range of the MIG-17 aircraft. These aircraft were later augmented and/or replaced by more capable MIG 19s and MIG 21s.

A marked change occurred in 1965. The early months of 1965 saw a steady deterioration continuing in the war effort in South Vietnam. This led in turn to a rapid, greatly increased, US military commitment. In Thailand, the USAF began a build up of aircraft, especially at Ubon, to participate in OPERATION 'ROLLING THUNDER', the aerial bombing assault by the USAF on North Vietnam and targets along the Ho Chi Minh trail.

The US stance in Thailand changed from being concerned, primarily, with that country's air defence to one of using Thailand as a base for the USAF's increased aerial commitment to the military effort in the Vietnam conflict. As a consequence, the threat of retaliation from either China or North Vietnam against bases in Thailand from which USAF aircraft operated grew markedly. There was an increased threat posed to airfields in Thailand by direct aerial attacks, attacks on USAF aircraft returning to Thailand and from ground attacks on airfields by communist insurgents. As Ubon was one of the most important USAF bases for its air operations in the Vietnam conflict, the threat to that airfield grew to quite a high level.

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

**“the probability of enemy air attacks [on Thailand] would be slight”.**

Despite this assessment, the RAAF's commitment to the air defence of Thailand was elevated to meet the increased threat posed by the USAF's escalating efforts in the Vietnam conflict. A critical conference was held on 12 Jun 65 between Commander Second Air Division USAF and the Officer Commanding RAAF Ubon. At the conference it was proposed that the RAAF undertake the air defence alert tasks with its aircraft at 'Alert State Five', from dawn to dusk seven days a week.

'Alert State Five' required that two fully armed aircraft be held on the operational readiness platform, preflighted, with pilots in close presence, ready and able to become airborne within five minutes to engage an intruding aircraft with a view to its destruction. This was the highest 'alert state' that could be achieved. 'Alert State Two', which required pilots to be seated in their aircraft, was impossible because of extreme heat experienced in that climate, and the next alert state,

which called for a 'Combat Air Patrol' to be mounted with two aircraft airborne at all times, was beyond the Squadron's capability.

In this context, the RAAF Contingent's Task and Role Directive, and Rules of Engagement were revised and agreed to by Australia. In essence these were as follows:

**"The task of the RAAF Contingent was to cooperate with the Thai Armed Forces and the forces deployed by other SEATO countries in maintaining the territorial integrity of Thailand. The RAAF Contingent was not to be committed to the use of force except:**

- **In self-defence.**
- **In the air defence of Thailand when so instructed by the Air Board; or**
- **If requested by the Thai authorities, through COMUSMACTHAI or his nominated deputy, to intercept aircraft attacking Thai territory or forces within Thailand, in the event of attack without warning when prior reference to the Air Board is not practicable.**
- **No 79 Squadron RAAF can be included in the RTAF/USAF integrated air defence system for Thailand, but Australia reserves the right to withdraw the Squadron should that be necessary to meet a more serious threat elsewhere.**
- **Alert Status No 79 Squadron RAAF was to be:**
  - **Two aircraft were at Alert Five (5), seven days each week, daylight hours only.**
  - **Aircraft were armed with 30mm cannon and sidewinder air-to-air missiles."**

Notably these new directives, inter alia, excluded the words '**with weapons**'. This was a significant relaxation, as previously an enemy aircraft could not be attacked before it had used its weapons. Under the new Directives, aircraft declared hostile were to be engaged and destroyed by the most available weapon ie, USAF, RTAF or RAAF aircraft. The decision for a No 79 Squadron aircraft to engage an intruder or not within Thai airspace now clearly rested with the OC of the Air Operations Centre at Don Muang (near Bangkok), and the final decision to engage had passed to the airborne pilot. Again the danger of casualties was clearly forecast.

America's attempts to have the RAAF participate in a widening of operations into Laos during the latter part of 1965 and early 1966 were refused and the RAAF remained constrained to operate within Thai air space. Similarly, but on different grounds, a request for the RAAF to participate in night operations against helicopters supporting insurgent elements in Eastern Thailand was refused on technical grounds; night operations would have been too risky as the Avon Sabre aircraft had limited night fighting capability, having no radar.

In the result, No 79 Squadron maintained the 'Alert State Five' seven days a week during daylight hours for over three years from 25 Jun 65 until the Squadron was withdrawn on 31 Aug 68. In so doing it bore 50% of the air defence burden and thus freed up USAF and Thai air assets for other tasks. The USAF and/or RTAF maintained the 'Alert State Five' of readiness daily from dusk to dawn, (the other 'half' of the day), either from Ubon or nearby Udorn airfield.

## **Base Security**

The OC RAAF Contingent understandably took the closest interest in base security in the new situation. A new mustering (Airfield Defence Guard) was introduced in 1965 and numbers of them were introduced at Ubon to increase base security. The Australian Airfield Defence Guards (ADGs), unlike the American Air Police, were allowed to patrol well outside the base perimeter to ward off missile/mortar attack.

The far greater number of aircraft, personnel and infrastructure now based at Ubon not only reinforced the requirement for air defence of the base, its personnel and assets, but also assuredly drew increased attention from local communist terrorists (reputedly 1200 in NE Thailand).

## **Consideration**

In the period from 1962 until the directive to the RAAF was markedly revised in June 1965, the situation at RAAF Ubon, although uncomfortable and entailing hazards greater than service in Australia in peacetime, was not of such a nature that it could be classified 'warlike'. The outcome of the review undertaken in 1997 recognised this period of service as non-warlike operational service and appropriate repatriation and medal entitlements were awarded.

The role of the Squadron at this time could have been classified as 'warlike' in nature falling as it did into a 'grey' area. On the one hand the role directives (a) and (b) were more 'non-warlike' than 'warlike' while on the other hand directive (c) meant that the Squadron could be called on to engage in a clearly warlike activity if the occasion arose. On balance and with some hesitation I support this view. In doing so I am mindful that although directive (c) had implications of warlike activity it was remote and the Squadron took no action to adopt a state of readiness other than that implicit in directives (a) and (b). Accordingly, I support the finding of the 1997 Review for this period.

The period after June 1965 until withdrawal of the RAAF Squadron in August 1968 is, however, a different matter. Four fundamental changes to the original Directive and Rules of Engagement were made in June 1965 which placed the RAAF Contingent Ubon on a very different footing than in earlier years as follows:

- **Operational control passed from Canberra to the AOC at Don Muang and the airborne pilot became the final arbiter of when to 'open fire'.**
- **Deletion of the words 'attacking with weapons' meant that the pilot could shoot first and not have to wait till the enemy aircraft had first attacked Thailand or friendly forces.**
- **All friendly forces were at last integrated into one cohesive system for the air defence of Thailand and Ubon.**
- **Maintenance of 'Alert State Five' operational readiness was the highest feasible operational status.**

'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.

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. Second, the ADG's patrolled both day and night outside the perimeter of the base and in so doing saw evidence of terrorist activity. So far as 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 authorized 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.

## **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 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:

- a. in the period May 1962 to 25 June 1965 continue to be classified as 'non warlike' operational service and that personnel be eligible for the appropriate repatriation and medal entitlements.
- 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.

## **FLOW-ON IMPLICATIONS FROM UBON ANOMALY**

The Review has been advised that there may have been other ADF personnel on duty in Thailand besides those at RAAF Base Ubon. The nature of this service could justify these personnel also being eligible for extended medals and repatriation benefits similar to those recommended for service at RAAF Base Ubon. Consequently, there could be some later applications from these personnel that will have to be reviewed by the Departments of Defence and Veterans' Affairs.

Having said that, the Review is aware of one such case that can be addressed now. RAAF personnel were attached to Thailand during the period Mar 68 to Nov 68 to observe combat operations of the F111 involved in the Vietnam conflict. The USAF deployed six F111 aircraft to the RTAF Base at TAKHLI in Thailand under its 'OPERATION COMBAT LANCER'. These aircraft were deployed primarily on operations over North Vietnam. I understand that during this period the RAAF sent personnel to TAKHLI to observe and report on the operational performance of the F111. The RAAF operation was titled 'EXERCISE OBSERVER' and personnel were attached to RAAF Base Ubon for administrative purposes.

Following the 1997 Defence review of service at RAAF Base Ubon, the Government accepted the recommendation that the period of service at Ubon from 31 May 62 to 31 Aug 68 inclusive be classified as operational service and that personnel be eligible for the appropriate medals and repatriation benefits. For those personnel on 'EXERCISE OBSERVER' who were attached to Ubon from March 1968 up to and including 31 Aug 68, this meant that they were included among those eligible for these extended benefits. Their 'base' was recorded on their service documents as Ubon even though they physically served at the RTAF Base at TAKHLI.

The Review is aware of at least one member of 'EXERCISE OBSERVER' whose period of attachment was between 13 Sep 68 to 17 Oct 68 inclusive i.e., after the closure of RAAF Base Ubon. As the end date for extended repatriation benefits, and the ASM 45-75 with Clasp 'Thailand' were related to the end of service at Ubon, this member was not eligible for any benefits yet the nature of his duty was the same as his colleagues on 'EXERCISE OBSERVER'. Although research indicates that this member is most likely the only member of 'EXERCISE OBSERVER' not covered; there may be some others.

## **Recommendations**

On the basis of fairness and equity, I further recommend that:

- a. Personnel attached to Thailand on 'EXERCISE OBSERVER' after 31 Aug 68, until the end of the USAF 'OPERATION COMBAT LANCER' in November 1968, be eligible for similar medal and repatriation entitlements to those awarded for service at RAAF Base Ubon.
- b. The end date of the ASM 45-65 with Clasp 'Thailand', and any other medal awarded for service in Thailand, be extended to a date that would ensure all eligible ADF service in Thailand would be covered. In this regard, as the major involvement of ADF personnel in the Vietnam conflict ceased on 11 January 1973, perhaps this would also be an appropriate end date for service in Thailand.

## **CHAPTER 7**

### **VIETNAM**

The main ADF deployment during the Vietnam War took place in the period 31 Jul 62 to 11 Jan 73.

### **AUSTRALIAN CIVILIAN SURGICAL AND MEDICAL TEAMS**

#### **VIETNAM**

*The Royal Prince Alfred Hospital Team on Arrival in Vietnam*



#### **The Anomaly**

Former members of Australian Civilian Surgical and Medical Teams who served in Vietnam perceive that their service should attract repatriation benefits similar to ADF personnel and designated civilians serving in Vietnam during the same period.

#### **Background**

The members of these teams were civilian doctors and nurses working in Vietnam under arrangements made by the Department of Foreign Affairs, (formally Department of External Affairs).

According to a Minute signed by the Chief of Defence Force on 25 Feb 98, addressed to the Minister for Defence Industry Science and Personnel (with an information copy to the Minister for Defence), seeking the award of the AASM to 'designated civilians' which included the Surgical and Medical Teams, the following information appears:

**“Certain ‘designated civilians’ have been approved for the award of the Vietnam Logistic Support Medal on 23 January 1998.”**

This medal was duly awarded. The basis for that award was;

**“that they were employed in Vietnam and were integrated in the ADF for extended periods of time, performing like functions with their ADF counterparts”.**

There was one occasion where it is officially noted that an anaesthetist who was serving with one of the Australian Civilian Medical Teams was called upon in an emergency to ‘fill in’ at the ADF 1 General Hospital Vung Tau.

Also there is strong anecdotal evidence that on occasions both nursing and surgical members of the Teams also ‘filled in’ at the ADF 1 General Hospital at Vung Tau and on numerous occasions allied wounded personnel, notably ARVN personnel, were brought to the Teams’ hospitals.

On 10 Mar 98 the Minister made a determination under Paragraph 4 (1) (b) of the Australian Active Service Medal Regulation approving the issue of the AASM to (inter alia) Australian Civilian Surgical and Medical Teams. The medal was duly issued on the basis that they had already received the VLSM. Members of the team, notably nursing sisters but including some surgeons, have made submissions that they should receive full repatriation benefits, including access to the service pension, the RASB and the Vietnam Medal.

The problem is what effect, if any, does approval of the issue of VLSM and the subsequent issue of the AASM have, noting that it was issued on the basis that they

**“were integrated in the ADF for extended periods of time performing like functions with their ADF counterparts”.**

The significance and effect of the award of the AASM to those, and other civilians who had been “integrated into the ADF for extended periods of time performing like functions with their ADF counterparts” was canvassed at the open hearing in Canberra on 28 Sep 99 when both Defence and DVA were represented and spoke to their respective submissions.

The question posed to Defence following the statement in their submission that

**“Awards of the AASM are linked to warlike operations by the Minister for Defence”**  
was:

<b>Judge Mohr:</b>	<b>“Does this mean that the recipients of the medal rendered ‘warlike service’”.</b>
<b>Dept of Defence:</b>	<b>“Okay in relation to that first question, the answer is no. The award of an AASM is in recognition for having served in a warlike area of operations, not necessarily having rendered combat duties, if you like, or active service. It’s purely recognition in that area which has been declared a warlike area of operations”.</b>

I must admit that after all the confusion about the meaning of 'Active Service' following a declaration under the Defence Act regarding overseas service I did not expect that the term would be used again. It seems from this answer that if a declaration that one particular area is an area of 'warlike' service then something more than service in that area is necessary for 'qualifying service'. This raises the bogey of administrative difficulties about who, where, what!

The DVA submission took the matter a little further. Paragraph 24 of their submission said:

**"In general terms, Australia awards the Australian Active Service Medal (AASM) for warlike service and the Australian Service Medal (ASM) for non-warlike service. Findings of the inquiry would need to stand alongside decisions to award these medals for particular service. It would be most unusual to recommend qualifying service, for example, for a deployment where the medal entitlement was the ASM"**

The questions and answers on the meaning of paragraph 24 went as follows:

**"Judge Mohr** Now we come to this question of medals. Question 24. Is the converse of this statement true? That is, if an AASM has been awarded does this mean that it would be unusual for the recipient not to have satisfied the qualifying service criteria for the service pension, especially when the medal is awarded to those 'who rendered service in warlike operations'?

**DVA** Well, yes, the converse should be true. For medals awarded after the categorisation of warlike and non-warlike service came into place and after the AASM and ASM came into place.

**Judge Mohr** Did you say it would be true? It would be unusual not to have rendered qualifying service if you've got the AASM?

**DVA** Yes, correct. The norm is that if it is warlike service you get an AASM, and so if you rendered warlike service you might expect to get an AASM.

**Judge Mohr** Yes, well, let's remind ourselves of what ... Defence was asked, AASM. Awards of the AASM are linked directly to a declaration of warlike operations by the Minister for Defence. Does this mean that recipients of the medal rendered warlike service? And they said no, they just rendered service in a warlike operation,

**DVA** Yes, I didn't really find conflict in that in the sense that the whole, the norm is, as per INTERFET for example. To declare the period of service of INTERFET in Timor, warlike service, so anybody going up there, renders warlike service. That's what's happened.

**Judge Mohr** Everybody that goes up there?

**DVA** Everybody

**Judge Mohr** You mean civilians too?

**DVA** No because civilians are not ADF members, so I can't answer for civilians. My comment was meant to relate to the military.

**Rear Admiral Kennedy**

Defence contracted civilians, for example?

**DVA** Well, you'd have to ask Defence that specific question because I can't answer that question from where I sit at the moment. So I think it is just conceivable within that warlike, that whole warlike service, somebody may not be out patrolling, they might just be sitting as a clerk somewhere in a headquarters, and in that sense, their service wasn't particularly warlike, but they were exposed to the danger that warlike service connotes.

- Judge Mohr** If you are a civilian in Vietnam, and you've been awarded the AASM on the basis that you were integrated with the Australian Defence Force and performed like functions as members of the Australian Defence Force, what would happen then?
- DVA** ..... I understand that certain classes of civilians are recognised under the VEA.
- Judge Mohr** Well the wording is, integrated into the Australian Defence Force and performing like functions as members of the Australian Defence Force.
- DVA** I don't fully understand the question...
- Judge Mohr** Well, I will repeat it for you. You have a civilian, a government employee, in Vietnam, always a civilian, is awarded the AASM on the basis that that civilian was fully integrated, (these are the words on the documents that we have). Fully integrated with the Australian Defence Force and performed like functions of members of the Australian Defence Force and awarded the AASM
- DVA** The first part of my answer is that the award of the AASM has absolutely no significance to the operation of the Veterans' Entitlements Act. What does come into play is the nature of their involvement with the Australian Defence Force.
- Judge Mohr** Integrated with them.
- DVA** If indeed that person is working alongside military units under the command of military units, then the VEA has provision for its full range of benefits to be extended to that person as if they were a member of the Australian Defence Force. Now I happen to know that...
- Judge Mohr** Well, the wording that I have was 'integrated into the ADF for extended periods of time performing like functions with their ADF counterparts and awarded the AASM.' Now can you go any further to categorise their service as qualifying them for the full range of repatriation benefits?
- DVA** Well, as I said, being awarded the AASM is of no significance in that context. It is whether they were performing work with the Australian Defence Force under the command of the Australian Defence Force.
- Judge Mohr** No, they weren't, these weren't, but the way in which they got the AASM was on the basis that they were integrated with the Australian Defence Force for extended periods and performed like functions of the members of the ADF. Now if they had been members of the ADF, in Vietnam, they would have been entitled to full benefits, wouldn't they?
- DVA** And indeed, those that were fully, if I use your words, integrated into the ADF, would have had those benefits extended. I mean, there are for example, Salvation Army units, officers that work with the Australian Defence Force, some war correspondents, all civilians, all who get the full range of benefits.
- Judge Mohr** Young men's Christian Association, The Australian Campaigners for Christ?
- DVA** Well, there are other civilians up there, working for Foreign Affairs who do not qualify.
- Judge Mohr** Australian War Correspondents?
- DVA** Some of those yes. They are attached to the Australian Defence Force as a war correspondent.
- Judge Mohr** Australian Civilian Surgical and Medical Teams?
- DVA** Indeed
- Judge Mohr** Civilians. Integrated with the ADF. Do they qualify?
- DVA** They qualify because of that integration with the ADF, not because of the award of an AASM.
- Judge Mohr** No, well that's what I am getting at. That was the basis on which they were awarded the AASM. Does their integration with the Australian Defence Force and performing like functions over an extended period equate them with members of the Defence Force?
- DVA** There are provisions in the VEA for that to happen, and it has happened on several occasions, many occasions, but not on every occasion.

- Judge Mohr** I am at a loss, you see. I have to look at these things. I have not got the Campaigners for Christ but I've got very strong submissions from the Australian Civilian Surgical and Medical Teams, Australian War Correspondents and Merchant Mariners. I am faced with the fact that the Minister has seen fit to accept the fact that they were integrated with the Australian Defence Force for extended periods and performed like functions of members of the ADF.
- DVA** With respect, those questions would need to be addressed to the Department of Defence which handles the honours and awards considerations.

It would seem that at one stage DVA agrees that the Australian Civilian Surgical and Medical Teams would be among those who should get the full range of benefits. (See the passages set out above). However, DVA seems to be handing the matter back to the Department of Defence, which had already given its version of the effect of the award of the AASM in those circumstances.

### **Conclusion**

It is my opinion that

- noting that they were awarded the AASM due to the fact that they were "integrated with the Australian Defence Force and performed like functions", and
- the anecdotal evidence presented.

The Australian Civilian Surgical and Medical Teams should be deemed as performing qualifying service.

### **Recommendation**

It is recommended that Australian Civilian Surgical and Medical Teams operating in Vietnam during the Vietnam War be deemed as performing qualifying service for repatriation benefits.

## AERO MEDICAL EVACUATION FLIGHTS

*RAAF Hercules Aircraft*



### The Anomaly

The USAF categorises AME services as combat or direct support combat services. For their service with the USAF 902 and 903 AME Units RAAF nurses were awarded the Vietnam Medal, the AASM with Clasp 'Vietnam', and full repatriation benefits. Conversely, RAAF nurses who served only in the Australian 'circuit' received the VLSM plus the AASM, RASB and full repatriation benefits. These nurses claim they should have been awarded the VM and not the VLSM.

### Background

Early in the Vietnam War at Army's request, the RAAF formed Aero Medical Evacuation (AME) teams to repatriate to Australia its dead and wounded from Vietnam.

RAAF nurses were subsequently trained at Laverton for AME duties then posted to No 4 RAAF Hospital (4 Hospital) at the RAAF Base Butterworth, Malaysia.

A number of these nurses were attached to USAF 902 and 903 AME units at Clark Air Force Base in the Philippines. They fulfilled their duties flying as a member of the aircrew of USAF aircraft evacuating dead and wounded US personnel from Vietnam to various locations. Their service has been recognised by the award (inter alia) of the VM.

Those nurses who remained at least technically on the strength of 4 Hospital were allocated, as required, to RAAF AME aircraft flying into Vietnam and evacuating Australian dead and wounded to Australia.

These nurses have been awarded the VLSM, the AASM and the RASB. They claim that they should have been awarded the VM instead. CIDA in its 1994 Report in recommending the award of the VM said:

**"The conditions for the Vietnam Medal in the original Letters Patent state that qualifying service includes one operational sortie over Vietnam or Vietnamese waters by aircrew on the posted strength of a unit allocated for direct support of operations in Vietnam. On this basis the nurses qualify for the Vietnam Medal as did aircrew flying cargo into or out of Vietnam"**

CIDA then went on to note that:

**“Air Force Office holds that qualifying sorties must be as an authorised member of an aircraft in direct support of operations and that medical evacuations cannot be considered to have been in direct support of operations”.**

Initially the RAAF ‘CIDA’ Implementation Team in its Report dated 1994 agreed with the CIDA recommendation. However, in July 1995 Air Force Office wrote to the President of the RAAF Nursing Branch of the RAAF Association stating:

**“CIDA appears to have assumed that units such as 4 Hospital and Nos 36 and 37 Squadrons were allocated for direct support of operations. Units allocated in direct support of operations were in fact based in Vietnam”.**

Air Force Office clearly repudiated the CIDA recommendation on the basis that 4 Hospital was not allocated in direct support of operations in Vietnam.

This repudiation appears to have overlooked one important consideration and that is that the USAF 902 and 903 AME Units were not based in Vietnam either but were based at Clark AFB in the Philippines. As those RAAF AME nurses serving with the USAF were not “based in Vietnam” but were still eligible for the VM, there seems to be no sustainable reason why those RAAF AME nurses who operated out of 4 Hospital should not also be eligible for the medal.

Moreover, these nurses were allocated to the particular AME flight. Once they embarked on the AME flight they, ipso facto, became supplementary members of the aircrew just as, say, air dispatchers become supplementary members of the aircrew while embarked in an air supply aircraft.

## **Conclusion**

It is my opinion that RAAF nurses who served in an AME role during the 1964-1973 period of the Vietnam War **should all be recognised** uniformly by the award of the Vietnam Medal.

## **Recommendation**

It is recommended that all RAAF Nurses who served in AME Teams during the period 1964-1973 of the Vietnam War be awarded the Vietnam Medal.

## **QANTAS AIR CREWS IN VIETNAM**

### **The Anomaly**

During the course of the War in Vietnam it became apparent that the RAAF from its available resources would not be able to fully cover the need for flights to and from Saigon (as it then was), carrying troops and equipment.

To enable these requirements to be met QANTAS charter flights with QANTAS flight crews were employed.

## **Background**

Information supplied by those making a submission on behalf of these civilian crews shows that in the period 1964 to 1973 a total of 141 such flights were made carrying a total of 74,000 service personnel. The majority of these flights were between 1966 and 1971 when a total of 131 flights were made carrying in all 39,300 passengers.

Despite repeated submissions made over the years QANTAS crew members were never regarded as being 'designated civilians' for the AASM. The reasons given for not including them in the category of 'designated civilians' were

- "not integrated into ADF activities" and
- "they only transited to and from Australia".

Why this should be so is difficult to understand given the nature of the activities undertaken. As remarked earlier the sole purpose of the flights was to carry members of the ADF and their equipment to Vietnam, land at Saigon and let the passengers disembark, and after crew rest, servicing the aircraft etc return to Australia, with whatever passengers were available – again members of the ADF returning to Australia.

### **QANTAS OPERATING WITH AUSTRALIAN TROOPS**



For most, if not all, of the time these flights were made to Saigon airport which was by no means secure and rocket attacks were not unknown. In addition gunship helicopters regularly patrolled the vicinity of the airport to prevent hostile activities. In a word the risks of flying into and out of Saigon were the same for the

civilian crews as the dangers faced by RAAF aircrews.

The privilege of being a 'designated civilian' status has been granted to 'civilian members of the Department of Defence, Civilian Contractors of the Department of Defence, members of the Australian Merchant Navy, members

of Australian Civilian Surgical and Medical teams, Australian War Correspondents, Members of the Australian Salvation Army, members of the Australian Young Men's Christian Association and members of the Australian Campaigners for Christ'.

### **Conclusion**

It is anomalous that a similar privilege has not been granted to those members of the QANTAS aircrews who performed this duty. I am informed that all were volunteers.

It is my opinion that an anomaly clearly exists and that it should be rectified by granting, subject to satisfactory proof of eligibility, those concerned 'Designated Civilian Status', which would lead to the awarding of the AASM.

### **Recommendation**

It is recommended that for the purposes of the award of the AASM Clasp 'Vietnam' QANTAS aircrews be given designated 'Civilian Status'.

## **MERCHANT MARINERS**

### **MV (HMAS) JEPARIT AND MV (HMAS) BOONAROO**

#### **The Anomaly**

Members of the Merchant Navy who served on board MVs JEPARIT and BOONAROO during voyages to Vietnam have been awarded the VLSM and the AASM 1945-75. However, they are not eligible for repatriation benefits. These merchant mariners believe they have not been properly recognised for their efforts and seek eligibility for repatriation benefits for their periods of service.

#### **Background to the use of MV JEPARIT**

In June 1966 the Australian Coastal Shipping Commission (Australian National Line -ANL) vessel MV JEPARIT made its first voyage to Vietnam. The vessel had been chartered by the Department of Shipping and Transport to carry stores on a regular supply run for the Australian forces in Vietnam. A civilian crew manned the vessel on the initial voyages. After five voyages, the eighteen members of the Seaman's Union in the crew refused to man the vessel, however, members of other maritime unions remained in the crew.

In March 1967, the RAN placed seventeen Navy ratings on the vessel under the supervision of a RAN officer. The vessel sailed for Vietnam on 11 Mar 67 under the command of her Merchant Navy master with a

*HMAS JEPARIT*



mixed crew of merchant mariners and RAN personnel. The MV JEPARIT completed another twenty-five voyages with the mixed crew before industrial action occurred on 10 Dec 69. The Waterside Workers Federation refused to load the vessel with non-union labour (the RAN ratings) and the Federal Cabinet decided to commission the vessel to enable it to be loaded and unloaded by ADF personnel.

A contractual arrangement was entered into between the RAN and ANL whereby ANL acting as managing agents for the Commonwealth provided the civilian complement of the crew. The Merchant Navy Master was granted a commission in the Royal Australian Navy Volunteer Reserve and re-assumed command before MV JEPARIT next sailed to Vietnam. In order to support the Unions that had permitted their members to continue to man the vessel, the merchant mariners concerned retained their original terms and conditions of employment, with the addition of the following special conditions when in Vietnam waters:

- An allowance equivalent to 100% of the general rate of pay.
- An allowance equivalent to 100% of all overtime and other payments.
- Personal injury insurance executed by the ANL, being additional to any entitlement under the Seaman's Compensation Act.
- Special allowances if the vessel was carrying explosives.

The renamed HMAS JEPARIT made a further seventeen voyages to Vietnam and with the general withdrawal from Vietnam in 1972, the vessel was decommissioned and returned to the ANL on 15 Mar 72.

### **Background to the use of MV BOONAROO**

The Australian Government chartered the MV BOONAROO in May 1966 to carry military cargo to Vietnam in support of the Army. In February 1967, after the first voyage to Vietnam, the vessel was taken over from the ANL and commissioned as the HMAS BOONAROO. Although two ANL engineer officers were posted to the vessel, they were first appointed to the RAN Reserve. Consequently, the vessel was crewed solely by RAN personnel during the second of only two voyages it made to Vietnam. The vessel returned to Sydney on 1 May 67 and was decommissioned and returned to the ANL.

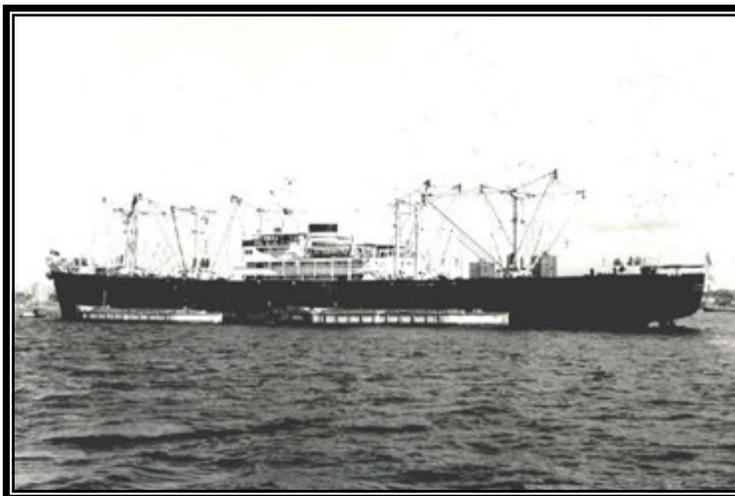
### **General Comment**

All Australian merchant mariners who served on MVs JEPARIT and BOONAROO are eligible for both the VLSM and the AASM 1945-75 with Clasp 'Vietnam'. Some merchant mariners who made multiple voyages may also be eligible for the Vietnam Medal.

When the VEA 1986 was introduced in 1986, RAN personnel who served on the two ships JEPARIT and BOONAROO when they were commissioned as RAN ships, were deemed to be eligible for the full range of medal and repatriation benefits. However, eligibility for repatriation benefits was not extended to those merchant mariners employed in the 'joint' crew of JEPARIT. It was at this point that an anomaly was perceived to have occurred.

In 1940, Australian merchant mariners were covered under the Seamen's War Pensions & Allowances Act 1940 (SWP&AA) for a limited range of wartime circumstances. Although merchant mariners had workers' compensation under the Seaman's Compensation Act 1911, the ship owners' liability under this legislation did not cover personal injuries resulting from acts of war. Hence the need for SWP&AA legislation.

**HMAS BOONAROO**



Over subsequent years, the shortcomings of the SWP&AA as opposed to the benefits under Repatriation legislation were continually represented to successive Governments by ex-service organisations. The primary reason given for not including

them under Repatriation legislation was that their wage structure and their conditions of service were far better than that enjoyed by RAN personnel.

In January 1989, the Deputy President of the Repatriation Commission was appointed by the Minister for Veterans' Affairs to conduct an Inquiry into the needs of Australian merchant mariners, Commonwealth and allied veterans and allied mariners. The Inquiry reported in October 1989. The Inquiry recommended that the level and range of benefits provided to Australian merchant mariners should be the same as that provided to veterans i.e., they should be included under the provisions of the VEA 1986.

Among other things, the Inquiry had addressed the issue of wage structure and conditions of service compared with RAN personnel and found that these were not appropriate barriers to the extension of full repatriation benefits to Australian merchant mariners. The Inquiry concluded that the case for bringing Australian merchant mariners under the provisions of the VEA ought to depend on the general proposition that their exposure to the perils of war went beyond those endured by the civilian population.

At the time, the Government did not accept the Inquiry's recommendation. However, with effect from 1 Jul 94, the Government did extend full repatriation cover to Australian merchant mariners from the two world wars under the provisions of the VEA 1986 on the same basis as Australian Defence Force veterans.

The Government's decision in 1994 to extend full repatriation cover to Australian merchant mariners from the two World Wars seems to have established an important principle for subsequent decision-makers to apply. This is taken to be that, despite conditions of service that applied at the time for merchant mariners, if they and members of the ADF incurred danger from hostile forces from an enemy, then the mariners ought to be eligible for the same level of repatriation benefits as their ADF colleagues.

### **Consideration**

When both the JEPARIT and BOONAROO operated as ANL ships fully crewed by Australian merchant mariners they operated on voyages to and from Vietnam in direct support of ADF operations.

When sailing as HMAS BOONAROO and HMAS JEPARIT, the conditions were such that the civilian members of JEPARIT's crew could quite properly be considered to have been integrated with the ADF and performing like functions as members of the ADF. This is so despite the disparities between RAN pay and conditions and those for merchant mariners.

Given this, and the Government's decision in 1994 to extend eligibility for repatriation benefits to Australian merchant mariners from the World Wars, and the general principle that this decision established, it is my opinion that there is no defensible reason why Australian merchant mariners serving on JEPARIT and BOONAROO during voyages to Vietnam should not be covered by repatriation legislation.

### **Recommendation**

It is recommended that eligibility for full repatriation benefits be extended to those Australian merchant mariners serving on JEPARIT and BOONAROO during voyages to Vietnam.

## **FOREIGN AFFAIRS OFFICERS SEEKING THE AASM 45-75 IN RESPECT OF SERVICE IN VIETNAM**

### **The Anomaly**

Members of the Foreign Affairs Office perceive that their service in Vietnam should be recognised through the award of the AASM 45-75.

## **Background**

A number of submissions were received from personnel who were either on the staff of the Embassy in Saigon or diplomatic couriers to Vietnam.

I understand that these personnel were awarded the VLSM on the basis that they served in Vietnam:

**‘while attached to a unit or organisation operating in support of the Australian Armed Forces. (Vietnam Logistics and Support Medal Regulation 4(l)9b).’**

If it had been otherwise it would have been awarded pursuant to Regulation 4 (2)(b) i.e., they;

**‘were integrated with the Australian Defence Forces and performed like functions’**

If the award had been made on the latter basis, the Minister would not, on 23 Jan 98, have refused to certify them as being integrated with the Australian Armed Forces and performing like functions (Defence Personnel Executive Minute CDF 43/1998 25 February 1998 signed by the Minister on 10 Mar 98, citing as the reason “were not integrated into ADF activities”).

It was noted by the Minister that Embassy staff enjoyed such benefits as diplomatic immunity and were not employed for operational reasons.

## **Conclusion**

It is my opinion that the Minister was justified in making this decision and that no anomaly exists.

## **Recommendation**

It is recommended that no further action be taken on this issue.

## **HMAS SYDNEY**

*HMAS SYDNEY*



### **The Anomaly**

A number of submissions related to those personnel who served in HMAS SYDNEY on voyages to and from South Vietnam during the conflict in that country. These submissions advance the

possible anomaly of the failure to award the Vietnam Medal for periods spent in Vietnam at Vung Tau.

### **Background**

The papers concerning this matter are numerous due to the extensive investigation made into the question of 'incurred danger' whilst in harbour. The decision has always been that the Ships' Company of HMAS SYDNEY did not qualify for award of the Vietnam Medal. Those who qualified have already been awarded the VLSM and AASM 45-75 with Clasp 'Vietnam'.

### **Conclusion**

Following a detailed study of the papers including the most recent submissions on this issue, it is my opinion that there is no anomaly. The matter was concluded a long time ago and no new information has been presented to overturn the decision not to award the Vietnam Medal. The matter should now be treated as concluded.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **AWARD OF THE VIETNAM LOGISTIC AND SUPPORT MEDAL (VLSM) AND THE VIETNAM MEDAL (VM)**

### **THE VIETNAM LOGISTIC AND SUPPORT MEDAL**



### **The Anomaly**

A number of submissions were received seeking the award of either the VM in lieu of the VLSM, or the award of both the Vietnam Medal and the VLSM where a member of the ADF performed service that satisfied the conditions of both in separate deployments.

### **Background**

In relation to the award of the VM in lieu of the VLSM, these awards were issued for distinctly different components of the Vietnam War. In relation to the double award, this offends against the CIDA principle that a member of the ADF should receive the award of only one Australian campaign medal in respect of any one campaign.

### **Conclusion**

It is my opinion that no anomaly exists in either case and there would be no merit in furthering either issue.

## **Recommendation**

It is recommended that no further action be taken on these issues.

## **VIETNAM – GALLANTRY AWARDS**

### **SUBMISSIONS REGARDING GALLANTRY AWARDS AWARDED OR NOT AWARDED DURING THE VIETNAM WAR**

These issues were considered by the recent 'End of War List – Vietnam' Review and I strongly support the recommendation in that Report, that the 'End of War List – Vietnam' be closed.

## **Recommendation**

It is recommended that no further action be taken on these issues.

## **VISITS BY CMF OFFICERS TO SOUTH VIETNAM**

### **The Anomaly**

CMF Officers, who undertook periods of attachment on continuous full-time duty of about 14 days in Vietnam to gain experience through observation of activities of ADF operations, perceive that their service should more appropriately attract the award of the Vietnam Medal and full repatriation benefits.

### **Background**

During the period of the Vietnam conflict selected CMF Officers were given the opportunity to volunteer to visit Vietnam for a period of about 14 days to gain experience by observing ADF activities in functions appropriate to their relevant corps. Many did so.

In recent years they have been awarded the VLISM and the AASM 45-75 with Clasp 'Vietnam' but some now seek the Vietnam Medal and full repatriation benefits.

The administrative instruction given to personnel selected for the visits included the following pertinent advice:

- “1. You have been selected to visit South Vietnam on attachment as an observer to an Australian unit for a period of approximately two weeks.**
  
- 20. Members on short term visits to South Vietnam are not allotted for special duty. However, benefits under the Repatriation (SOS) Act are provided (even though no allotment for special duty has been made) when a member dies**

**or suffers a disability as a result of action by hostile forces whilst outside Australia (MBI 216-1 para 3 (b) refers). Any other disability is compensable under the Commonwealth Employees' Act (MBI 34-1 refers)."**

However on 22 May 86 the then Minister for Defence deemed a number of ADF personnel to have been allotted for duty in Vietnam. Item 3 in Part 2 of the Schedule to the Deeming Instrument includes "Members of the Australian Navy Army and Air Force on public relations, familiarisation or welfare visits to the Australian Forces in Vietnam". This Deeming Instrument was revoked on 23 December 1997 by the then Minister for Defence Science and Personnel and a new Deeming Instrument issued. This new Instrument continued the allotment of these CMF officers.

It is my opinion that these officers are covered by these Deeming Instruments and accordingly, they are entitled to claim the full range of repatriation benefits. Apparently this was not known to the CMF officers concerned.

### **Conclusion**

None of the CMF officers accrued the necessary 30 days qualifying service for the Vietnam Medal and consequently, this campaign medal is not available to them.

There is no issue in respect of repatriation benefits.

### **Recommendations**

It is recommended that:

- a. No further action be taken on the question of the award of the Vietnam Medal.
- b. No further action be taken on the question of repatriation benefits as the officers concerned have had full cover under the VEA since 1986.

### **VISITS TO SAIGON IN 1962 AND 1963 BY HMA SHIPS VAMPIRE, QUEENBOROUGH, QUIBERON AND QUICKMATCH**

*HMAS QUICKMATCH*

#### **The Anomaly**

In 1962, HMA Ships VAMPIRE and QUICKMATCH made a visit to Saigon from 25 Jan - 29 Jan 62. HMA Ships QUEENBOROUGH and QUIBERON visited Saigon from 29 Jan - 4 Feb 63. I understand that the Director



Naval Intelligence had tasked the ships to report on the feasibility of HMAS SYDNEY being able to navigate the Saigon River to disembark troops and supplies in Saigon.

The personnel involved in these visits perceive that this service has not been appropriately recognised for either medals or repatriation benefits.

## **Background**

The circumstances of the visit by HMA Ships VAMPIRE and QUICKMATCH were last reviewed in 1997 when the Department of Defence undertook the first major review of service entitlement anomalies. The review determined that although the duty undertaken was dangerous, there was no enemy and the application of force was not authorised.

The Government subsequently accepted a recommendation that this service be classified as 'hazardous service' under the provisions of the VEA 1986. Because of technical legal reasons however, this service could not be included in the VEA as 'hazardous service' and it was subsequently classified as 'operational service'. This decision did not mean that personnel involved received less than their 'entitlement', as the repatriation benefits that flow from 'hazardous service' are the same as those that flow from 'operational service'.

This period of service did not, per se, accrue any eligibility for medals. There was no military campaign being undertaken by ADF personnel. The visit occurred before Australia's formal military involvement in the Vietnam conflict on 31 July 1962. However, as these ships undertook the visit as part of their duties with FESR, ships' personnel were eligible for the award of the ASM 45-75 with Clasp 'FESR'.

The visit by HMA Ships QUIBERON and QUEENBOROUGH in early 1963 occurred within the operational area of Vietnam, and within the period defined in the SOS Act 1962. At the time, however, the ships were not formally allotted and therefore, personnel were not eligible for either repatriation benefits or campaign medals.

On the introduction of the VEA in 1986, the Government decided that repatriation cover should be extended to those ADF personnel who were not allotted but had visited Vietnam in support of Australia's military effort. The Minister for Defence subsequently deemed all such personnel to have been allotted for duty in Vietnam during the period they were actually in the operational area. Consequently, the period of the visit to Saigon in early 1963 by HMA Ships QUIBERON and QUEENBOROUGH was deemed 'allotted service' and personnel became eligible for full repatriation benefits and the RASB, but no campaign medal.

The period of 'deemed' allotment, however, was not eligible service for campaign medals existing at the time ie, the:

- GSM 1962 with Clasp 'South Vietnam for 30 days service from 24 Dec 62 to 28 May 64 for personnel on the posted strength of Units in Vietnam.
- Vietnam Medal for service between 29 May 64 to 27 Jan 73 – on the posted strengths of units in Vietnam. Eligibility also extended to seagoing naval service on inland waters or off the coast of Vietnam.

In 1993, the VLSM was struck to recognise service of members of the ADF and certain civilians, who rendered service in support of the military operations in Vietnam between 29 May 64 to 27 Jan 73, but who did not qualify for the Vietnam Medal. It is not clear to me however, why the eligible period for the VLSM did not extend to the earlier period of service covered by the GSM 1962 with Clasp 'South Vietnam'.

CIDA, in its Report of March 1994, in commenting on submissions for recognition of the two visits by the award of the VLSM said, inter alia, that:

“These ship visits took place before Australia’s significant involvement in the Vietnam War.....The Committee is aware that had these visits taken place after the starting date of the VLSM, they would have qualified for that medal ..... Nevertheless, noting the short duration and the nature of the visits, and noting that the VLSM is essentially concerned with the support of the Australian armed forces in Vietnam.....The Committee rejects the view that the terms and conditions of the VLSM should be expanded to allow the .....ships to qualify [for the medal].”

### **Consideration**

It is my opinion that although members of the ship’s companies of VAMPIRE and QUICKMATCH feel aggrieved, these ships visited Saigon prior to Australia’s involvement in the Vietnam War and consequently, there is no entitlement for them to be awarded qualifying service for the service pension and therefore no anomaly exists.

However, I do feel some sympathy for members of the ship’s companies of QUIBERON and QUEENBOROUGH who feel aggrieved at not being awarded the VLSM for their involvement in the Vietnam conflict.

With respect, I find I am unable to support the conclusion by CIDA. The essential element of their consideration is that “...had the visits taken place after the starting date of the VSLM, they would ..qualify [for] that medal”. CIDA is saying therefore, that the nature of the visit satisfies the criteria for the award of the VLSM and the medal would be awarded but for its start date. In this context, the remaining argument by CIDA simply is not sustainable. Consequently, if the start date for the VSLM could be changed to a date earlier than the visit to Saigon in early 1963 by HMA Ships QUIBERON and QUEENBOROUGH, the visit would be eligible service and personnel would be eligible for the campaign medal.

The raison d'être for the VSLM is to be lauded but it seems anomalous to me that its qualifying criteria do not extend to the period of service covered by the GSM 1962 with Clasp 'South Vietnam' i.e., from 24 Dec 62 to 28 May 64. I believe that this aspect needs to be reconsidered.

## **Recommendations**

It is recommended that:

- a. No further action be taken on the issue concerning the visit of HMA Ships VAMPIRE and QUICKMATCH to Saigon from 25 Jan - 29 Jan 62 either for qualifying service for the service pension or a campaign medal.
- b. No further action be taken on the issue concerning repatriation benefits for the visit of HMA Ships QUIBERON and QUEENBOROUGH to Saigon from 29 Jan – 04 Feb 63 as ships' complements are already covered for this visit.
- c. the qualifying criteria for the award of the VLSM be reviewed with the aim of including service covered by the GSM 1962 with Clasp 'South Vietnam' i.e., from 24 Dec 62 to 28 May 64, this would include the visit to Saigon by HMA Ships QUIBERON and QUEENBOROUGH in 1963.

## **RECOGNITION OF MULTIPLE TOURS OF VIETNAM AND OTHER CAMPAIGNS**

### **The Anomaly**

Several submissions were received seeking the award of clasps to denote extra tours of Vietnam and other operational areas following the initial tour which led to the award of the relevant medal.

### **Background**

Originally, despite policy to the contrary, the Government issued a policy statement that such clasps would be awarded. This policy was announced at a time when it was thought that no other medal for veterans of the Vietnam War would be awarded.

On the establishment of the AASM45-75 it was considered equitable that Vietnam veterans should have access to that medal on the same basis as veterans of the Korean War 1950-1953, the Malayan Emergency 1948-1960 and the Indonesian Confrontation 1962-1966. This led to the withdrawal of the policy to award clasps to the Vietnam Medal. In that decision the Government noted that it was not the policy to award clasps to medals to denote extra tours of an operational area in either the Imperial System of Honours and Awards or in the Australian System, which was introduced in 1975.

## **Conclusion**

It is my opinion that, given the history, the now well established policy should stand.

## **Recommendation**

It is recommended that no further action be taken on this issue.

## **CHAPTER 8** **'SPECIAL OPERATIONS'**

### **The Anomaly**

A number of submissions were received in which veterans claimed they were employed on sensitive covert sea, land and air operations. These veterans had previously sought recognition of their involvement on these special operations but, apparently, their claims were rejected.

### **Background**

Research of National and Defence archives on the claims did not unearth any relevant material for consideration. The appropriate organisations within the Department of Defence were subsequently asked if they could substantiate any of the claims made.

The outcome of this referral indicates that:

- some of the claimed duties were able to be confirmed;
- details of personnel involved were not readily apparent;
- considerably more research would need to be done before all aspects of the claims made in each submission could be confirmed or denied; and
- information on which this advice is based is not available for general release.

After discussing the issues with one of the Defence organisations concerned, I was convinced that on the facts, there is a strong prima facie case for reconsidering each of the submissions where the claim was based on the veteran's involvement on 'special operations'. Further, noting that there is already a Clasp 'Special Operations' to the ASM, it is my opinion that there are strong grounds to consider striking a similar clasp to the AASM, AASM 45-75 and the ASM 45-75.

### **Conclusion**

Whilst I have been able to consider two areas of special operations, it is my opinion that I am not in a position to consider many of the claims relating to 'special operations' because of the continuing sensitivity of the material and its unavailability for inclusion in my Report. In the circumstances, I can only make the following strong recommendations:

## **Recommendations**

It is recommended that;

- a. the Department of Defence undertakes a full reconsideration of the claims made in the relevant submissions.
- b. where future claims are made, these be forwarded for determination of the facts by the appropriate organisation within the Department of Defence before a decision is made on the classification of the service involved.
- c. the service records of those personnel engaged in special operations in the future be annotated in such a way that many years after the events their service can be readily authenticated.
- d. A Clasp 'Special Operations' be considered for the AASM, AASM 45-75 and the ASM 45-75.

In regard to the first recommendation, I have instructed the Review Secretariat to provide copies of the relevant submissions to the Department of Defence. I have also instructed the Review Secretariat to write to each of the veterans concerned to advise them that their claims are being considered but that this will be done outside the terms of my Report.

## **LAOS – VIENTIANE**

### **The Anomaly**

Radio Operators, Radio Mechanics and intelligence/linguist personnel attached to the Australian Embassy in Vientiane during the period 1959 – 1964 (approx) perceive that this service has not been recognised.

### **Background**

According to submissions received RAAF and Army personnel were assigned for service in Laos. During the period 1961- 1964 four members of 201 Signal Squadron (Overseas) which was stationed in Singapore, detached radio operators – usually three at a time to the Australian Embassy in Vientiane, Laos to install and operate a radio link with Australia, there being no secure link otherwise available. This arrangement replaced the earlier deployment of RAAF personnel.

These men wore civilian clothes and carried diplomatic passports identifying them as Army personnel attached to the Embassy. On occasions a radio mechanic was sent from Singapore to Laos to perform maintenance on the equipment.

Accommodation was in a flat forming part of the Embassy compound.

This operation was authorised by the Joint Intelligence Committee and inquiries have confirmed that this was the case.

What is sought is the award of the ASM with suitable clasp.

### **Conclusion**

It is my opinion that the service of these personnel was carried out under adverse conditions and would appear to warrant appropriate recognition.

### **Recommendation**

It is recommended that the ASM Clasp 'Special Operations' be granted for this service.

## **RAN SUBMARINE SERVICE – 'SPECIAL OPERATIONS'**

### **The Anomaly**

A number of submissions were made relating to service in submarines prior to 14 Feb 75 where it is claimed that clandestine operations were undertaken similar to those that were undertaken since that date and subsequently recognised through the award of the ASM Clasp 'Special Operations'. Further, there have been claims that some operations constituted warlike activities and should be recognised accordingly through the award of the AASM 45-75 and repatriation entitlements.

### **Background**

In its Report of March 1994 CIDA noted that

**“there are precedents for considering service rendered before 1975 in the Australian system of Honours and Awards”.**

I am aware that, post 1975, the Australian Service Medal, Clasp 'Special Operations', has been awarded to a number of crews where submarines have been required for tasks well beyond what might normally be expected on the Australia Station. Noting that there have been numerous awards of the ASM Clasp 'Special Operations' post 1975 I can see no reason why similar operations prior to 1975 should not be rewarded in the same way. Given that such operations pre 1975 are assessed as valid an anomaly indeed exists.

With regard to recognition of perceived “warlike” operations, whilst mindful of the hazardous nature of submarine operations, unless these operations were declared Warlike by Government, there is no case for the award of the AASM.

## **Conclusion**

It is my opinion that a clear anomaly exists and would strongly advise that Chief of Navy be invited to review RAN submarine operations prior to 1975 with a view to recognising the service of personnel involved with 'special operations' with the award of the ASM 45-75, with Clasp 'Special Operations'.

Further, noting that there is no evidence to support the concept of warlike operations by submarines, I am unable to support the concept of 'active service'.

## **Recommendations**

It is recommended that:

- a. the Chief of Navy be invited to review RAN submarine operations prior to 1975 with a view to recognising the service of personnel involved in special operations with the award of the ASM 45-75, with Clasp 'Special Operations'.
- b. the period of service in question was not warlike and no further action need be taken with regard to these claims.

## **CHAPTER 9**

### **OTHER ISSUES**

#### ***MEMBER OF THE ADF ON UNITED NATIONS PEACEKEEPING DUTIES***



### **GENERAL CRITICISMS**

A number of submissions were received making general criticism of the Australian Honours and Awards system.

These submissions raised no specific matters that could properly be considered by this Review and no further action was taken.

### **SERVICE WITH THE UNITED NATIONS MISSION IN LAOS 1975**

#### **The Anomaly**

RAAF personnel tasked to assist the UN Mission in Laos to relocate Hill tribes perceive that their service has not been recognised.

#### **Background**

This submission was by members of the RAAF who were serving at Butterworth and were 'tasked' to assist the UN Mission in Laos in the relocation of Hill tribes.

This service has not been recognised by the Australian Government.

The relocation task lasted for approximately 12 days. This period of time does not meet the requirement of 30 days service necessary to lead to the award of the ASM, or any other award.

#### **Conclusion**

It is my opinion that whilst the service was no doubt difficult, the particular mission and time spent does not meet the qualifying criteria of the award of the ASM.

## **Recommendation**

It is recommended that no further action be taken on this issue.

## **MEMBERS OF THE AUSTRALIAN DEFENCE FORCE SERVING IN EAST TIMOR DURING THE CIVIL WAR 1975**

### **The Anomaly**

A number of ADF medical personnel serving in Timor during the Civil uprising in 1975 perceive that their service has not been properly recognised.

### **Background**

The following is a precis of a submission previously made to the Returned Services League for membership, which was granted:

The submission concerns a comparatively small contingent of Australian Defence Force Medical personnel and RAAF personnel who were actively engaged in humanitarian work in East Timor during the civil war which erupted in that country at the time of the Malayan uprising late in 1975.

It is understood that the defence force personnel had been preceded in East Timor by a civilian doctor who arrived in Dili on 25 Aug 75 and commenced work in the Dili hospital.

The first official RAAF involvement appears to have been on about 30 Aug 75 when two Hercules aircraft evacuated 180 refugees and a RAAF Dakota took an International Red Cross representative, together with some relief supplies, to Dili at about the same time as the Hercules evacuation flights.

Subsequently a senior member of the Australian Red Cross flew to Bacau and then returned to Australia and requested assistance from the Joint Services Medical Adviser. Then followed protracted negotiations between Foreign Affairs, Defence and the Australian Red Cross. Finally, after some delay, agreement was reached to provide service medical assistance. On 17 September an ADF Medical Team flew to Dili by RAAF Caribou. They began work alongside an Australian civilian team already established.

On 20 September other members of the ADF commenced arriving in Dili by RAAF Caribou, white painted with Red Cross markings, to liaise with the Red Cross for medical supplies and supervise the loading of evacuees for transport to Darwin.

Subsequently other members of the Australian Defence Force were rotated to carry out duties in the Dili Hospital.

Eventually conditions became too dangerous culminating in the house in which the medical team was living coming under artillery fire. The ADF medical personnel were evacuated to Australia on 30 Oct 75.

## **Conclusion**

From the foregoing precis, it is my opinion that a strong prima facie case has been made in support of the submission and that their service should be appropriately recognised.

It is fair to say that their conditions in Dili were hazardous and at times dangerous. Sporadic small arms fire was common and generally fire discipline among all levels of all factions was poor.

## **Recommendation**

It is recommended that the service of Australian medical personnel engaged in humanitarian work in East Timor during the 1975 Civil War be recognised for that service through the award of the ASM 45-75 with an appropriate clasp.

## **FOREIGN AWARDS**

### **The Anomaly**

Several submissions were made regarding the acceptance or non-acceptance of awards offered to members of the ADF by foreign governments during the period covered by the Review.

### **Background**

Foreign awards are defined in the *Guidelines Concerning the Acceptance and Wearing of Foreign Honours and Awards by Australians* as those offered “by the Head of State or the Government of a country with which Australia maintains diplomatic relations; or by an official agency of the United Nations; or by other international organisations recognised diplomatically by Australia.”

The purposes of controlling the acceptance and wearing of foreign awards are:

- Honours are bestowed on a citizen by, and in the name of, the head of state for the service to that state;
- If a citizen is worthy of recognition it is the right of their own nation to mark this;
- Acceptance of foreign awards could imply divided loyalties;
- Acceptance of foreign awards could embarrass the citizen’s own head of state because another country has honoured the citizen rather than his or her own head of state; and

- Acceptance of a foreign award could cause, or have the potential to cause, foreign policy problems.

Until 1989 Australia used the British regulations on the acceptance and wearing of foreign awards. The British regulations provided separate rules for those persons whom a foreign government wished to honour for government service (including after retirement) and those to be recognised for service unconnected with their employment. Where approval was granted for government service it could be restricted or unrestricted.

In 1989 Australia established its own *Guidelines* (and associated Administrative Instructions). These were approved by The Queen on Australian Government advice and provided for:

- Administration of the *Guidelines* by the Governor-General, rather than The Queen (however, the *Guidelines* themselves could only be further altered by The Queen on the advice of the Prime Minister of Australia);
- That acceptance and wearing would be granted together – there would be no restricted and unrestricted categories as with the British regulations; and
- The policy remained restrictive for those who were to be honoured by a foreign government for their Australian government service.

### **Campaign Medals**

On occasions where approval has been given for the Australian Defence Force to accept and wear a foreign campaign award, this has been on the basis that only one foreign campaign award will be accepted. In the case of the Korean War, this was *the United Nations Service Medal Clasp 'Korea'*. For the Vietnam War approval was given for the acceptance of the *Vietnamese Campaign Medal*. In the Gulf War the Saudi Arabian *Kuwait Liberation Medal* was accepted; the offer of an award by Kuwait itself for the Gulf War has not been taken up, preserving the policy. This ensures that the pre-eminence of the Australian system is maintained and that The Queen's wishes that Australians have their service marked by Australian Awards rather than foreign awards, is respected.

### **Conclusion**

The present Guidelines are the result of recommendations made by two separate honours inquiries. The policy now in place allows acceptance of awards except where:

- Australia's foreign policy interests would be adversely affected; or

- Where proliferation of awards would be seen as confronting The Queen's wishes that Australians be predominately recognised by Australian Awards.

It is my opinion that this policy is sound and that no anomaly exists.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **PNG NATIONALS - ELIGIBILITY FOR THE AWARD OF THE ASM 45-75**

*THE AUSTRALIAN SERVICE MEDAL 45-75*



### **The Anomaly**

PNG Members of the New Guinea Volunteer Rifles perceive that an anomaly exists whereby they were excluded from the award of the ASM 45-75 with Clasp 'PNG'.

### **Background**

Following an investigation by the Review Secretariat, it has been ascertained that PNG Nationals concerned are eligible for the award of the ASM 45-75 with Clasp 'PNG'.

As long ago as February 1999 a request was sent to Head of Australian Defence Staff (HADS) PNG seeking information as to the PNG Nationals who may be eligible for such an award. The request included a list of names of known personnel.

Official confirmation of this information from PNG is required before names can be included in the schedules to be presented to the Governor General for approval.

HADS PNG has advised that the list has been passed to the PNG Defence Force but that it would be a considerable time before a reply would be received.

In October 1999 a follow up letter was sent to HADS but to date no reply has been received.

## **Conclusion**

This matter has been resolved and whilst details have yet to be finalised, the Department of Defence is actively pursuing a conclusion to the issue.

## **Recommendation.**

It is recommended that no further action be taken on this issue by this Review as the matter is already being progressed by the Department of Defence.

## **UNITED NATIONS SERVICE – KASHMIR**

### **The Anomaly**

A number of personnel who served as Observers in Kashmir perceive that their service should be classified as 'warlike' and that they should be eligible for full repatriation benefits.

### **Background**

A submission was made on behalf of United Nations Ceasefire Observers deployed to Kashmir during the clashes between India and Pakistan concerning areas across the border between their countries. The Observers commented in their submission they were Australian Army Officers – mostly from the Army Reserve – who had volunteered for a tour of duty as Observers to monitor the ceasefire and more particularly breaches of it.

There can be no doubt that their duties were arduous, hazardous and entailed living and working under poor conditions. It was inevitable that on many occasions the ceasefire broke down with the exchange of artillery and small arms fire between the two forces opposing each other in the border area. When these exchanges of fire occurred the observers were very often placed in high danger from either or both sides.

In recognition of their service a United Nations Medal was awarded to them and more recently they have been awarded the ASM. Their submission is that it would be more appropriate that they should have been awarded the AASM with an appropriate clasp.

### **Conclusion**

It is my opinion that the criteria for the award of an AASM do not extend to cover the situation of these Officers. Any decisions to award that medal to them would entail a widening of the criteria in a way which would not appear appropriate. At present the criteria are dependant on operational service in the Korean War, the Malayan Emergency, the Indonesian Confrontation or the Vietnam War, with the further qualification the recipients must have been awarded the appropriate campaign medal for that service.

On the other hand the ASM is prescribed for 'non-warlike' or 'peacekeeping' operations which would appear to cover appropriately the role and situation of these Officers. Their service although dangerous, was not warlike in the sense that they did not face an enemy and were themselves unarmed non-combatants. Their role was that of peacekeepers or more accurately perhaps Observers of policies to keep the peace.

### **Recommendation**

It is recommended that no further action be taken on this issue.

## **ARMY SURVEY ACTIVITIES**

### **The Anomaly**

The Royal Australian Army Survey Corp Association put before the Review a very strong prima facie case for further consideration for recognition of its members service particularly in Indonesia both before 1975 and in the years afterwards.

Their main contention was that there should be an award of the ASM with an appropriate clasp for this service. The submission also included service in other areas in the South West Pacific area but in my view this latter service did not make out as strong a prima facie case as the Indonesian experience.

A list of international operations undertaken by the Corps is attached as Annex H. Many of the operations listed fall well outside the Terms of Reference of the Review.

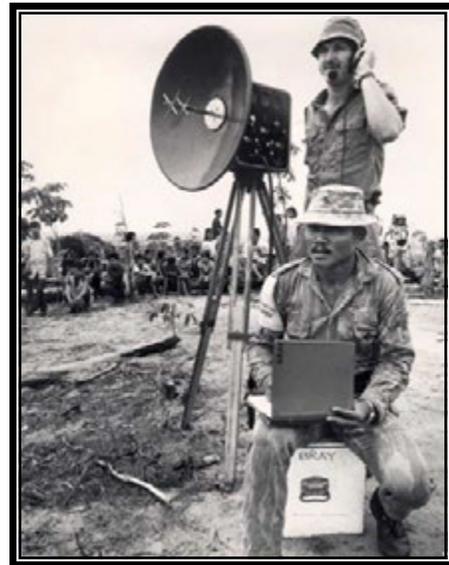
### **Conclusion**

It is my opinion that the claims appear to warrant a full re-examination of this service especially the Indonesian segment of the claim.

### **Recommendation**

It is recommended that the matter of recognition of Army survey tasks be referred to Army for consideration.

*SURVEYING IN THE FIELD*



## **'MEDALS FOR ALL' POLICY**

### **The Anomaly**

The Review received two submissions recommending that the eligibility base for campaign medals be broadened. Both submissions were no doubt made in good faith, but it is my opinion that they were not well considered.

### **Background**

The first came to notice after some discussion of the position of service personnel and certain diplomatic personnel who proceeded on duty overseas. The contention was that all such personnel should receive a medal in recognition of that fact.

The second concerned awarding a medal to those national servicemen who were conscripted during the Vietnam War but who remained in Australia. During the Public Hearing, the presenter amended his submission to propose that all members of the ADF who were required to stay in Australia during the Vietnam War should receive a medal.

It is my opinion that not only was no anomaly demonstrated in either case but that no action should be taken on either submission.

### **Recommendation**

It is recommended that no further action be taken of these issues.

## **MERCHANT NAVAL SERVICE – PNG & KOREA**

### **The Anomaly**

Members of the Merchant Marine perceive that their service in and around PNG and Korea during periods of tension should receive similar recognition to ADF personnel.

### **Background**

This service on all the evidence available was normal peacetime merchant marine service. The ships involved carried cargo in the general area of PNG and to Korea.

It is my opinion that nothing has been presented to this Review that would warrant any award of medals and/or repatriation benefits.

## **Recommendation**

It is recommended that no further action be taken on this issue.

## **MINE DISPOSAL POST WORLD WAR II**

### **The Anomaly**

Personnel employed in and around New Guinea on mine disposal activities post WW II perceive that the ASM 45-75 with Clasp 'PNG' does not properly recognise the hazardous nature of their activity and seek an individual clasp.

### **Background**

Those making these submissions have been awarded the ASM with Clasp 'PNG' and perceive that this does not recognise the hazardous nature of their work.

These activities were outside the time limit for the award of Clasp 'Bomb and Mine Clearance' to the NGSM or GSM, but within the period covered by this Review.

### **Conclusion**

I do not consider the function of this Review is to initiate a new clasp to the ASM in these circumstances and further, it is my opinion that the clasp 'PNG' which covers a multitude of activities adequately covers the matter.

## **Recommendation**

It is recommended that no further action be taken on this issue.

## **NORTH WEST INDIAN OCEAN DEPLOYMENTS**

*HMAS PERTH*

### **The Anomaly**

Personnel deployed on ships to the Indian Ocean in the early 1980's, during the Iran/Iraq war, perceive that this service should be recognised through the award of the ASM.



## **Background**

The submission relates to the period when Iran and Iraq were at war. The ships were given tasks in cooperation with both the Royal Navy and United States Navy. The tasks spoken of in the submissions received were of an intelligence gathering nature, entailing sailing close by the Russian naval base at Socotra to identify ships present there.

It is also said that the ships were regularly overflown by Russian aircraft and shadowed by Russian intelligence gathering ships. The Australian ships were put to defence watches for extended periods.

## **Conclusion**

As the time period in question is well outside the Terms of Reference of this Review I have not had this perceived anomaly researched. However it is my opinion that the NWIO deployment is worthy of further investigation.

## **Recommendation**

It is recommended that this issue be referred to the Department of Defence for further consideration as it is outside the Terms of Reference of the Review.

## **RECOGNITION OF SERVICE BY AUSTRALIAN NATIONALS WHO ENLISTED IN AND SERVED WITH BRITISH UNITS DURING WORLD WAR II BY THE AWARD OF THE AUSTRALIAN SERVICE MEDAL 1939-1945**

### **The Anomaly**

Australian civilians who were residing in the United Kingdom at the outbreak of WW II and subsequently joined units of the British Defence Force perceive that they should also be eligible for Australian awards for their service.

### **Background**

This submission was made on behalf of Australian citizens who enlisted in and served in the British Armed Forces during WW II.

Although the submission related to time outside the Terms of Reference of the Review it has been noted and considered.

This question was earlier considered by CIDA who decided that to include Australians who served in other armed forces would be contrary to the original intent of the award, which is to identify and recognise those who served under Australian colours. It was referred to the then Minister for Defence Industry Science and Personnel who agreed with the CIDA recommendation.

The Royal Warrant for the ASM plainly restricts the award to those who served in the Australian Armed Forces plus those who served with the Australian Merchant Marine and certain designated civilians.

### **Conclusion**

It is my opinion that the perceived anomaly provides no basis for the issue of the medal in the circumstances of the submission.

### **Recommendation**

It is recommended that no further action be taken on this issue.

### **OTHER WORLD WAR II ISSUES**

All of these submissions related to activities which occurred well outside the Terms of Reference of this Review and no action has been taken on them suffice to say that they have been referred to the Department of Defence for any action deemed necessary.

### **ISSUES RELATING TO SHIPS AND AIRCRAFT DURING THE PERIOD 1954 TO 1955 OPERATING IN SINGAPORE, KOREA, VIETNAM & MALAYA**

A number of submissions were received relating to service during the period which is outside the Terms of Reference and no action has been taken. They have been referred to the Department of Defence for any action deemed necessary.

### **SUNDRY SUBMISSIONS OUTSIDE THE TERMS OF REFERENCE**

The following list sets out submissions which were outside the Terms of Reference of the Review and on which no action has been taken.

The submissions are listed so that those making them will be aware that their submission was noted by this Review:

- a. RAAF service in Singapore 53-54, Ground Staff.
- b. RAAF 78(F) Wing Deployed to Malta 52-54 during the Suez Emergency.
- c. Service during atomic testing.
- d. ADF service during 45-48 in support of Dutch forces in Dutch East Indies during conflict between Dutch forces and Indonesian Independence Forces.
- e. Gold Card. A number of submissions were received relating to the Gold card. This matter is clearly outside the Terms of Reference of this Review and no further action has been taken.

## **SERVICE OVERSEAS – EXERCISES – PEACETIME DEPLOYMENT**

A number of submissions were received seeking some form of recognition for:

- Deployments overseas to take part in exercises in one sort or another not connected with any warlike activity nor involving any hazard outside those associated with normal peacetime training in Australia.
- Deployments for extended periods of garrison type duty with associated training, again, not involving any hazard outside normal peacetime training in Australia.

In these circumstances, it is my opinion that no action is called for.

### **Recommendation**

It is recommended that no further action be taken on these issues.

ADF DEPLOYMENTS AND OPERATIONAL AREAS\* IN SE ASIA 1950 -1975

ANNEX I

(Excluding KOREA)

REPATRIATION ACT COVER

FESR ACT COVER

SPECIAL OVERSEAS SERVICE ACT COVER

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31/7

11/1

8/12

30/9

28/5

19/4

1/9

27/5

12/1

29/4

29/6

17/8

30/9

Malayan emergency

Ubon

Far East Strategic Reserve

Confrontation

Vietnam

Items 4 (land) and 8 (waters) Vietnam

Item 6 Borneo

Item 5 Thai/Malaya Border

Vietnam Warlike Service

Embassy Guards and RAAF Evac.

(VEA Coverage)

Item 2 Malaya + 18.5kms seaward

Item 3 Malaya/Singapore

Item 7 Malaya/Singapore

\*Operational areas as detailed in Schedule 2 of the Veterans' Entitlement Act 1986

**ALPHABETICAL LISTING OF SUBMISSIONS  
RECEIVED**

Abbey R  
MODBURY NORTH SA

Armstrong DM  
FOREST LAKE QLD

Adams H CDRE RAN Rtd  
KINGSTON ACT

Ashby RH  
GREENFIELDS WA

Adams KC  
BARDWELL VALLEY NSW

Ashley PW  
AVONDALE HEIGHTS VIC

Allen M  
KINGSLEY WA

Ashton HL  
ZILLMERE QLD

Allpress M  
ASQUITH NSW

Askey-Doran PJ  
ALLIGATOR CREEK QLD

Alwyn JES  
LINCOLNSHIRE ENGLAND

Austin AR  
ETTALONG BEACH NSW

Ames RS  
NEW TOWN TAS

Auston R  
BOX HILL NSW

Anderson RJ  
VERMONT VIC

Bailey LW  
NORTH RINGWOOD VIC

Andrews N  
PENRITH NSW

Baker BD  
SILKWOOD QLD

Andrews GB  
SOUTHPORT QLD

Balcombe FWR  
MANDURAH WA

Andrews MP M  
WOY WOY NSW

Ballamy EW  
POINT CLARE NSW

Andrews MP K  
DONCASTER VIC

Balsillie AJ  
BENDIGO VIC

Angell D  
SORRENTO VIC

Bannister C  
PENRITH NSW

Annett DG  
LATHAM ACT

Barnes M  
MT WARREN PARK QLD

Barnes KL  
INGLEWOOD QLD

Bartlett KR  
COTTESLOE WA

Baskett C  
BRISBANE QLD

Bastion DA  
MOORABBIN VIC

Baxter RG  
CAMP HILL QLD

Bean MHG  
SPRINGWOOD QLD

Bell C  
MAROOCHYDORE QLD

Bell J  
THE ENTRANCE NSW

Bell WJ  
KILCOY QLD

Binge BW  
INGLEBURN NSW

Birch JD  
DUNWICH QLD

Black JH  
PORT MACQUARIE NSW

Bladen K LtCol Rtd  
PERTH WA

Bladin A  
ARCADIA QLD

Blanche H  
WAROONA WA

Bolden HD  
GREENSBOROUGH VIC

Bonett MA  
MERIMBULA NSW

Bourke K  
INGLEBURN NSW

Breakspear R  
STRATFORD VIC

Bridger D  
GERALDTON WA

Brooks DC  
HOPE VALLEY SA

Brough MP M  
CABOOLTURE QLD

Brown M  
VICTOR HARBOUR SA

Brown F  
DROMANA VIC

Brown N  
NTH BALWYN VIC

Brown L  
BETIO TARAWA KIKIBATI  
CENTRAL PACIFIC

Brown  
SJ BOONDALL QLD

Browning AR  
DEVONPORT TAS

Brown-John K  
MOORABBIN VIC

Bryant DJ  
RIDGEHAVEN SA

Bryson C  
AITKENVALE QLD

Buchanan DJ  
BLACKSMITHS NSW

Buchanan D  
LINDISFARNE TAS

Buckham GP  
RACEVIEW QLD

Buick RS  
RED HILL QLD

Burns R  
CRANE BROOK NSW

Burns E  
STH HURSTVILLE NSW

Burns A  
OSBORNE ST SA

Butler R  
YERRA QLD

Buttel RJ  
WOORI YALLOCK VIC

Button DW  
SOMERSET TAS

Byles PL  
RYDE NSW

Byrne J  
SALISBURY SA

Callon L  
BRADDON ACT

Calvert PJ  
WOOTTON NSW

Cameron GC  
BERMAGUI NSW

Campbell K  
STAWELL VIC

Cannan G  
DUNCRAIG WA

Cantwell A  
APPLECROSS WA

Carlton RJ  
URALLA NSW

Carlyon JR  
LAWNTON QLD

Carroll JR Dr.  
HEATHMONT VIC

Carroll DM  
MURRUMBATEMAN NSW

Carter D  
DEAKIN ACT

Cartwright J  
THE GAP QLD

Case TE  
MARKS POINT NSW

Charlton J  
CONINGHAM TAS

Cheers AM  
TORQUAY QLD

Christie D  
MILL PARK VIC

Church L  
COOGEE NSW

Clare R  
BELMONT WA

Clark P  
BONDI NSW

Clark D  
CREMORNE NSW

Clarke MA CDRE RAN Rtd  
MAWSON ACT

Clarke RG  
OCEAN REEF WA

Cleary JW  
GISBORNE SOUTH VIC

Close RD  
METFORD NSW

Comino E  
CALOUNDRA QLD

Connor L  
GREENSBOROUGH VIC

Cook KH  
KOROIT VIC

Cook-Russell P CMDR RAN Rtd  
CANBERRA ACT

Cooper D  
BLAIR ATHOL SA

Cooper JJ  
MOOROOLBARK VIC

Cooper DM  
LONDONDERRY NSW

Cooper LJ  
CURRUMBIN QLD

Coote KA  
BRIDPORT TAS

Copping RN  
GOROKAN NSW

Corkhill TR  
HAMILTON HILL WA

Cox R  
LOTA QLD

Cramp C  
BUNDABERG QLD

Crawford I RADM RAN Rtd  
RED HILL ACT

Cross R  
SWANBOURNE WA

Cross R  
ALDERLY QLD

Crotty SG  
BLI BLI QLD

Crowe RT  
HUNTINGDALE WA

Cruwys W  
FAIRFIELD NSW

Cuddy PA  
PANANIA NSW

Culbertson M  
SADDLEWORTH SA

Cumming PM  
RUSSELL NZ

Curran AJ  
SOUTH FREMANTLE WA

Curran P  
BAYSWATER VIC

Currie J  
HOPE VALLEY SA

Dall B  
NANANGO QLD

Daniel AW  
BONGAREE QLD

Davidson K  
DONCASTER VIC

Davis A  
LAVERTON WA

Davy N  
ARDROSSAN SA

de Lisle R  
CARNEGIE VIC

de Turt JF  
PADBURY WA

Dean RM  
REDCLIFFE QLD

Dick N  
JAN JUC VIC

Dobson JB  
PALM BEACH QLD

Doessel I  
CRESTMED QLD

Donald JR  
CHITTAWAY BAY NSW

Donnan J  
MOSMAN PARK WA

Donnelly J  
BLACKTOWN NSW

Donnelly K  
ALSTONVILLE NSW

Douglas A  
WINMALIE NSW

Downey H  
TOOMBUL QLD

Drum MJ  
YOUNG NSW

Drummond F  
CALOUNDRA QLD

Drummond F  
LANDSBOROUGH QLD

Dudley R  
EAST FREEMANTLE WA

Duffey K  
NOWRA NSW

Duffield CJ  
GAWLER SA

Duke B  
WANGARATTA VIC

Dunn B  
HAWTHORN VIC

Durman K  
CABOOLTURE QLD

Durnford P  
HYDE PARK QLD

Dwyer L  
NELSON BAY NSW

Eagles J  
NORTH WARD QLD

Eastley K  
BEAUMARIS TAS

Eberle J  
KAREELA NSW

Edgerton R  
BATTERY POINT TAS

Edgerton BT  
OURIMBAH NSW

Edwards TW  
FINISS TAS

Elley RJ  
EVANS HEAD NSW

Emberson K  
WOODVALE WA

Fenner E  
MARIAN-HAMPDEN VALLEY QLD

Fenton T  
GRENFELL NSW

Fernie BL  
NOWRA NSW

Flatters C  
Maroubra NSW

Fogarty J  
WESTON ACT

Fordyce J  
MALONEYS BEACH NSW

Forrest M RADM RAN RTD  
RUSSELL ACT

Foster A  
ALBURY NSW

Fraser A  
NORTH RYDE NSW

Fulton K  
BELMONT VIC

Gallagher P  
SHAILER PARK QLD

Garrett B  
KENMORE QLD

Gash MP J  
NOWRA NSW

Gerzina A  
WANTIRNA VIC

Geyer TK  
UNDERDALE SA

Gibbons E  
THIRROUL NSW

Gibbs B  
LILYDALE VIC

Gibson J  
TORONTO NSW

Gist D  
MOUNT MARTHA VIC

Glew RJ  
KALLANGUR QLD

Goble JD  
TERRY HILLS NSW

Godley D  
EDENS LANDING QLD

Gordon EA  
ROCHEDALE SOUTH QLD

Gordon IR  
RICHMOND NSW

Gould C  
EVERTON PARK QLD

Grace R  
BROADBEACH WATERS QLD

Gratwick A  
ATTADALE WA

Gray IG  
VINCENTIA NSW

Greenaway K  
VINCENTIA NSW

Grey A  
LAKES ENTRANCE VIC

Griffiths GR  
SYDNEY NSW

Grigsby JD  
GOWRIE ACT

Gude P  
CAMBERWELL VIC

Hackwood L  
EVERTON PARK QLD

Halley GH  
BERRY NSW

Halton DG  
SORELL TAS

Hamilton TH  
HERITAGE PARK QLD

Hannaforf SL  
NANANGO QLD

Hannan RJ  
CHAPMAN ACT

Hansson SE  
BICTON WA

Hardie T  
MADDINGTON WA

Harding SL  
MOOLOOLABA QLD

Hardwicke RA  
HEPBURN HEIGHTS WA

Harris P  
GORDON NSW

Harrison H  
TANILBA BAY NSW

Harrison A  
EIGHT MILE PLAINS QLD

Hassall RF  
MANNUM SA

Hawkins TJ  
GOONELLABAH NSW

Hay G  
BINDOON WA

Heinrich B  
MODBURY NORTH SA

Heinze G  
WINNELLIE NT

Hellier AD  
HOLLAND PARK QLD

Henley JC  
ZILLMERE QLD

Heugh I  
FADDEN ACT

Heuke M  
FIREFLY CREEK NSW

Hobba R  
MOOROOKA QLD

Hogan B  
TOOWOOMBA QLD

Holloway RJ  
ARMIDALE NSW

Holloway MG  
WALLU QLD

Holmes R  
QUEENSTOWN TAS

Hooper G  
ALIGATOR CREEK QLD

Horton RJ  
SOUTH YARRA VIC

Hudson MW ADM RAN Rtd  
CANBERRA ACT

Hunt JW  
SEVILLE VIC

Hunter GJ  
SEAFORD VIC

Hunter J  
ALBERT PARK VIC

Hutchison DR  
CHITTAWAY BAY NSW

Hutson PJ  
PEARCE ACT

Huxtable N  
MT WARREN PARK QLD

Ireland T  
WAVERLY NSW

Iselin BC  
GLENHAVEN NSW

Itchins R  
WEST BURLEIGH QLD

Jansz CI  
HEATHMONT VIC

Jarman W  
TWO WELLS SA

Jarzabkowski P  
ORANGE NSW

Jeeves A  
WEST BEACH SA

Jeisman G  
ALBERT PARK SA

Jenkins WD  
WADALBA NSW

Jennings JAR  
GERALDTON WA

Jenvey JE  
VALLA NSW

Johns BL  
DARWIN NT

Joicey RD  
NIDDRIE VIC

Jones D  
MARYBOROUGH QLD

Jordan KJ  
PORT MAQUARIE NSW

Kane KE  
CRANBROOK QLD

Kearns R  
QLD

Kellett P  
MUNDIJONG WA

Kelly MJ  
BANORA POINT EAST NSW

Kendrick A  
LINDISFARNE TAS

Kennedy D  
YANDINA QLD

Kennedy KT  
MERMAID WATERS QLD

Kennewell K  
MILDURA VIC

Kernot MP C  
PARLIAMENT HOUSE ACT

Keynes LC  
CLOVERDALE WA

Kindness J  
SALISBURY QLD

King KN  
DROMANA VIC

King JA  
BONGAREE QLD

Kirk RP  
CREMORNE TAS

Knox MJ  
SOUTH WEST ROCKS NSW

Laidlow NM  
GREENSBOROUGH VIC

Lancaster J CAPT RAN Rtd  
CLAREMONT WA

Lane ET  
POINT VERNON QLD

Lane AJ  
FAIRFIELD NSW

Langby B  
TUCHEKOI QLD

LeBoydre LK  
BENOWA QLD

Lee K  
KEILOR EAST VIC

Lewis GN  
MADDINGTON WA

Lieberman L  
WANGARATTA VIC

Linaker GJ  
WOLFDENE QLD

Linn F  
MT WARRIGAL NSW

Lister BFG  
WURTULLA QLD

Loftus T  
PARRAMATTA NSW

Lonergan N  
POINT VERNON QLD

Love GE  
BENOWA QLD

Lowe C  
TTAMWORT NSW

Lucas EF  
CAMBERWELL VIC

Lynam DF  
MAROUBRA NSW

Madden GA  
SORRENTO VIC

Manners DT  
PARADISE POINT QLD

Manning R  
JAN JUC VIC

Marrinon KP  
TULLY HEADS QLD

Marshall JD  
MELVILLE WA

Martin R  
Mt TARCOOLA WA

Martin R  
CHELSEA HEIGHTS VIC

Martin R  
PORT HEDLAND WA

Maslen M  
GOWRIE JUNCTION QLD

Masson R  
ELIZABETH EAST SA

Matthews C  
WARWICK QLD

Matthews BM  
UMINA BEACH NSW

Mayne B  
KALLAROO WA

McAuliffe W  
INALA QLD

McClellan A  
TAIGUM QLD

McColl A  
BURLEIGH WATERS QLD

McCormack R  
BURRILL LAKE NSW

McCoy J  
ROKEBY TAS

McDonald R  
MARION SA

McDonald DJ  
OAKLANDS PARK SA

McFarlane MP J  
SCARBOROUGH WA

McGowan WJ  
WANGI WANGI NSW

McGrath R  
NORWOOD TAS

McGrath L  
WEST FOOTSCRAY VIC

McGrath WK  
COOROY QLD

McGregor CW  
GEORGETOWN NSW

McGurgan BP  
PARKDALE VIC

McKay P  
FARRER ACT

McKenzie CJ  
HASTINGS VIC

McLean MI  
PARA HILLS SA

McLellan I  
FOREST HILLS VIC

McMahon G  
WYNNUM QLD

McPhie AC  
ROWES BAY QLD

Meehan J  
NOBLE PARK VIC

Meekings BS  
SOUTH PENRITH NSW

Michell K  
DECEPTION BAY QLD

Mildren PJ  
KIRWAN QLD

Millar AL  
AITKENVALE QLD

Moffatt AD  
TOONGABBIE NSW

Moore DD  
SAFETY BEACH VIC

Moorhouse ML  
ST MARYS NSW

Moran R  
WILLINGTON POINT QLD

Morris K  
WANTIRN VIC

Morris R  
KANGAROO POINT QLD

Morris N  
BAROOGA VIC

Morris A  
CHERMSIDE QLD

Morrison J  
BARRACK POINT NSW

Morrissey M  
FRANKSTON NORTH VIC

Mulhan K  
BALLAN VIC

Murray K  
ROBERTSON NSW

Napier JB  
WESTMEAD NSW

Nelli DR  
BUSSELTON WA

Nelmes R  
NILDOTTIE SA

Nelson B  
LINDFIELD NSW

Nelson K  
SHOALHAVEN HEADS NSW

Nicholls A  
LAIDELY QLD

Nicholson WJ  
SOUTHPORT QLD

Nicol D  
FERNTREE GULLY VIC

Norman D  
PARA VISTA SA

Nott RT  
KENMORE QLD

O'Brien KN  
CAMPBELLTOWN NSW

O'Brien B  
MOOROOKA QLD

O'Donnell L  
NEW NORFOLK TAS

O'Hara M  
MARYLANDS NSW

O'Keefe MS  
MACQUARIE FIELDS NSW

Opray GW  
BRISBANE QLD

Packham I  
EMPIRE BAY NSW

Paine R  
MUDGEES NSW

Palframan P  
HIGHETT VIC

Palmer R  
ARMIDALE NSW

Parrott P  
MCGREGOR ACT

Paterson W  
MILLGROVE VIC

Pavier JS  
NAMBOUR QLD

Payne N  
NERANG QLD

Payne L  
BATEAU BAY NSW

Pears MB  
ISLE OF CAPRI QLD

Peek R Sir, VADM RAN Rtd  
DEAKIN ACT

Perkins R  
CARINDALE QLD

Perkins E  
DEVONPORT TAS

Peskett R  
DONNY BOON WA

Pettit GJ  
BANORA POINT NSW

Phillips JW  
SOUTHPORT QLD

Phillips P MAJ GEN Rtd  
CANBERRA ACT

Pickett K  
PALM BEACH QLD

Pitchford J  
LENNOX HEAD NSW

Pollard LGG  
CHADSTONE VIC

Reid A  
KINGSLEY WA

Pontin G  
PORT MACQUARIE NSW

Reilly J  
MORAYFIELD QLD

Powe PA  
CHELSEA VIC

Richards SW  
STH MISSION BEACH QLD

Pregnell F  
GLENORCHY TAS

Riley K  
KALEEN ACT

Pregnell M  
GLENORCHY TAS

Ringe RB  
TALLAI QLD

Price GJ  
BITTERN VIC

Roberts BJ  
WHEELER HEIGHTS NSW

Priest GE  
SYDNEY NSW

Robertson  
ILUKA NSW

Pring-Shambler AR  
RAYMOND TERRACE NSW

Rodger MG  
CABOOLTURE QLD

Prior S  
WORONORA NSW

Routledge J  
TWEED HEADS NSW

Pritchard B  
BLACKSMITHS NSW

Rowe A  
RAVENSWOOD VIC

Quick RG  
CANBERRA ACT

Rowe A  
YANGAN QLD

Raddatz KN  
BABINDA QLD

Rundell K  
PYMBLE NSW

Rampant CD  
HAMMERSLEY WA

Ruston D  
MORAYFIELD QLD

Ray L  
GOODNA QLD

Rutter HJ  
DUFFY ACT

Rayner M  
SEAFORD SA

Ruwoldt K  
KIPPA-RING QLD

Reardon J  
ST CLAIRE NSW

Ruxton B  
MELBOURNE VIC

Reeves JL  
EAST LAKES NSW

Ryan G  
CITY BEACH WA

Sabben D  
Mt Eliza VIC

Sainsbury SJB  
LATHAM ACT

Sanderson JC LT GEN Rtd  
BUDGEWOI NSW

Sapelli C  
GREENWOOD WA

Sargent TC  
LATHAM ACT

Sargent RE  
CESSNOCK NSW

Savage D  
AUCHENFLOWER QLD

Scanlon K CMDR RAN Rtd  
BRUNSWICK HEADS NSW

Schluter I  
BRAY PARK QLD

Schultz AM  
LOGAN HEIGHTS QLD

Scott B  
CHARMHAVEN NSW

Scott J  
EAST BALLINA NSW

Secker P  
MT GAMBIER SA

Selkirk CA  
KAMBAH ACT

Sergeant WS  
WEATLAKE QLD

Sforcina V  
FREMANTLE WA

Shaw KW  
WATSONIA VIC

Shea D  
DEVONPORT TAS

Shepherd G  
CANBERRA ACT

Shiner P  
NELSON BAY NSW

Shrubb WH  
WOLLONGBAR NSW

Siegrist UJH  
KANGAROO FLAT VIC

Simons B  
GOOVIGAN QLD

Sirett A  
ALEXANDRA HILLS QLD

Skimin AW  
WEETANGERA ACT

Skitch RF  
BOONDALL QLD

Slatter DJ  
HOLLAND PARK QLD

Slatyer W  
MORPETH NSW

Small J  
CHARNWOOD ACT

Smith R  
CASTLE HILL NSW

Smith AJ  
OXENFORD QLD

Smith NC  
SALISBURY QLD

Smith CA  
GREENSBOROUGH VIC

Sullivan N  
TOORAK VIC

Smith DM  
FRANKSTON VIC

Sutton E  
BAGARA QLD

Smith DA  
STAFFORD QLD

Swanson RJM  
WARRADALE PARK SA

Smith DA  
HOBART TAS

Taber I  
WAGGA WAGGA NSW

Smithurst BA  
HERVEY BAY QLD

Taylor N  
CLEVELAND QLD

Spencer J  
ADELAIDE SA

Taylor G  
DUNTROON ACT

Spicer M  
SCORESBY VIC

Taylor A  
ARTARMON NSW

Spooner R  
AALEXANDRA HILL QLD

Teare EG  
TACOMA NSW

St George TD  
CHAPEL HILL QLD

Thomas D  
KINGSLEY WA

Staff K  
STH TWEED HEADS NSW

Thorogood FE  
MUDGEERABA QLD

Stall R  
MOSMAN PARK WA

Tilley G  
TRINITY GARDENS SA

Stone R  
FADDEN HILLS ACT

Tite D  
LEITH TAS

Stone J  
SOUTH COOGEE NSW

Toner JG  
CEDARVALE QLD

Stone G  
DUNTROON ACT

Townsend K  
COOLANGATTA QLD

Strachan J  
WEETANGERA ACT

Treloar KJ  
VINCENTIA NSW

Stretton A MAJ GEN  
BATEMANS BAY NSW

Trent K  
EAST PERTH WA

Styles BJ  
WELLINGTON NSW

Turnbull NW  
REVESBY NSW

Turner B  
MAROOCHYDORE QLD

Twyford DW  
DARWIN NT

Tydell T  
DECEPTION BAY QLD

Upton ML  
ALDERLY QLD

Veal NB  
BLACKBURN VIC

Verwayen B  
MOOLOOLAH QLD

Vesper CC  
TINGIRA HEIGHTS NSW

Waddingham DA  
BUNDABERG QLD

Walker G  
MACKAY QLD

Walker M  
GOLDEN SQUARE VIC

Walker EC  
STONEVILLE WA

Walsh JE  
STAFFORD QLD

Ward S  
GLADSTONE QLD

Watchman A  
TOWNSVILLE QLD

Waters M  
BROADBEACH WATERS QLD

Waters D  
BRAHMA LODGE SA

Watson B  
RACEVIEW QLD

Watson G  
MT GAMBIER SA

Watson DB  
LARGS NORTH SA

Watters B  
SPEERS POINT NSW

Waugh AB  
BENTLEIGH EAST VIC

Webber R  
GOLDEN BEACH QLD

Webster L  
MORNINGTON VIC

Wellington H  
FRANKSTON VIC

Wells AN  
MINNAMURRA NSW

Wertheimer J  
MELBOURNE VIC

West A  
WESTLEIGH NSW

West S  
TIN CAN BAY QLD

Wheeler RL  
PARAP NT

White AJ  
DECEPTION BAY QLD

Whitehouse MJ  
WATERFALL NSW

Whybrow A  
MOSMAN NSW

Wickson RA  
MORWELL VIC

Williams W  
TUROSS HEAD NSW

Williams G  
NUNAWADING VIC

Williams JE  
ROCKHAMPTON QLD

Williams GL  
MITCHAM VIC

Witt R  
UPPER MT GRAVATT QLD

Woolrych RH  
WOOMBYE QLD

Wright WJ  
TREVALLYN TAS

Wurtz C  
GEEBUNG QLD

Yeilding R  
EATONS HILL QLD

Young A  
WARANA QLD

Zahra C  
MOE VIC

Zemek BGH  
SARATOGA NSW

## **The Following Organisations responded to requests for submissions**

2<sup>nd</sup>/17<sup>th</sup> Battalion the Royal NSW Regiment  
Air Dispatch Association of Australia  
Canberra Survey Corps Association  
Ex Australian Army Medical Women's Service of NSW Incorporated  
FESR Association  
Fleet Air Arm Association of Australia  
Fourth Battalion the Royal Australian Regiment Association South QLD  
HMAS ANZAC Association  
HMAS SYDNEY and Vietnam Logistic Support Veterans Association  
HMAS SYDNEY, Escorts and Vietnam Logistic Support Veterans Association  
Incapacitated Servicemen and Womens Association  
Korea and South East Asia Veterans Association  
Lake Macquarie Vietnam Veterans Association  
National Executive – Australian Army Training Team Vietnam Association  
National Malaya and Borneo Veterans Association (Australia) Incorporated  
Naval Association of Australia  
New Guinea Volunteer Rifles and Papua New Guinea Volunteer Rifles Ex Members Association Incorporated  
RAAF Ubon Reunion-Recognition Group  
RAASC Vietnam Association Incorporated  
Royal Australian Engineers  
Royal Australian Navy Band Association  
The Australian Merchant Navy Awards Council  
The Australian Veterans and Defence Services Council  
The RAAF Ex-Apprentice Committee  
The Royal Australian Regiment Association WA Branch  
Ubon Branch RAAF Association (SA Division)  
Vietnam Logistical Support Veterans Association

## **ANNEX B**

### **MAJOR GENERAL THE HON BOB MOHR RFD ED RL**

**The Hon Bob Mohr was educated in South Australia at Millicent High School and St Marks College, prior to attending the University of Adelaide.**

**Born in 1925 Mr Mohr joined the Royal Australian Naval Reserve in October 1942 seeing war service on HMAS ARUNTA as a Stoker during WWII. In 1945 he trained as a radar mechanic and was discharged in 1947 as a Petty Officer Radar Mechanic.**

**Following the war, Mr Mohr completed his education, qualifying as a Barrister and was admitted to the Bar in 1957.**

**Mr Mohr joined the Army Reserve as a Legal Officer in 1959 and served until his retirement in 1987.**

**Mr Mohr had several legal appointments during his career culminating with his appointment as a Judge to the Supreme Court of South Australia in 1978. Mr Mohr was appointed Judge Advocate General to the Australian Army for the period 1982-85, and Judge Advocate General to the Australian Defence Force for the period 1984-87. Mr Mohr retired from the Supreme Court of South Australia in 1995.**

**Mr Mohr is married and lives with wife Nerine in Adelaide.**

## ANNEX C

### **REAR ADMIRAL PHILIP KENNEDY AO RAN (RTD)**

Following in his father's footsteps, Philip Kennedy joined the Royal Australian Navy in 1949. He undertook much of his training in England with the Royal Navy at Greenwich and Portsmouth, serving in HM ships **DEVONSHIRE, SWIFTSHIRE, MYNGS, RHYL**. During this period Admiral Kennedy also served in the Royal Naval Rhine Squadron in Germany in an ex-German E-Boat.

On return to Australia, he served in HMAS **CONDAMINE, SHOALHAVEN, ARUNTA, VAMPIRE, BRISBANE**, the Aircraft Carrier **MELBOURNE** as Fleet Operations Officer, and was the Commanding Officer of HMAS **PARRAMATA** and **HOBART**. As the Commanding Officer of HMAS **HOBART** Admiral Kennedy was also Commander, First Australia Destroyer Squadron.

Again posted overseas, Admiral Kennedy lectured in tactics in Portsmouth England, San Diego California, and, on return to Australia at HMAS **WATSON** in Sydney. He also served as Executive Officer at HMAS **CRESWELL**, the Naval College at Jervis Bay NSW.

When a Commodore Admiral Kennedy was appointed as Commandant of the Joint Services Staff College in Canberra for three years, following which he was appointed as the Deputy Fleet Commander. On promotion to Rear Admiral he was appointed as the Chief of the Naval Operational Requirements, Policy and Plans, where he was responsible for the formulation of Naval Strategy and Tactics, and for initiating the procurement of the new ships and fighting equipment.

Rear Admiral Kennedy retired in 1987 and lives with his wife in Western Australia. They have five children. He is now President of the Australian National Flag Association, Chairman of the Council for the National Interest and is Patron of a number of Veteran's Associations.

# ANNEX D

## AUSTRALIAN DEFENCE FORCE REVIEW OF SERVICE ENTITLEMENT ANOMALIES IN RESPECT OF SOUTH- EAST ASIAN SERVICE 1955-75 CALL FOR SUBMISSIONS

The Australian Government recently announced the intention to review possible anomalies in service entitlements affecting those members of the Australian Defence Force who served in South-East Asia during the period 1955-75. An independent Committee headed by the Honourable Bob Mohr RFD ED, former Judge of the Supreme Court of South Australia, has been formed to undertake the review. Mr Mohr will be assisted by Rear Admiral Phillip Kennedy AO Rtd.

The Committee are now calling for submissions from interested individuals and groups. Submissions should relate to the terms of reference for the review outlined below and be forwarded to reach the secretary by no later than 13 August 99 at the following address,

The Secretary  
South East Asia 1955-75 Review  
Department of Defence  
Russell Offices R1-1-D030  
Canberra ACT 2600

It is anticipated that the Committee will conduct a series of Public Hearing days in each State. Full details of these will be advertised in the media and through the State RSL organisations closer to the time.

### TERMS OF REFERENCE

1. The Australian Government intends to review possible anomalies in service entitlements affecting those members of the Australian Defence Force who served in South-East Asia during the period 1955 to 1975.
2. This review will provide advice about relevant matters that should be taken into account for subsequent assessment by the Government of entitlements to repatriation benefits and service medals flowing from service during this period.
3. The review will produce a written report which will have regard to:
  - RAAF Ubon in Thailand;
  - service with the naval component of the Far East Strategic Reserve (comparing the conditions prescribed for the naval contingent with those personnel from the other two Services);
  - RAAF Butterworth in Malaysia;
  - service in Malaysia during the period of Confrontation with Indonesia; and
  - other service in South-East Asia during the period 1955-75, where prima facie evidence is presented to the review of possible anomalies regarding this service.
4. The review will report to the Government by 29 October 1999.



**DEPARTMENT OF DEFENCE**

***Review of Service Entitlement  
Anomalies in respect of South East  
Asian Service 1955-75***

***Public Hearing Days***

The independent body appointed to undertake this Review, the Honourable Mr Bob Mohr RFD ED, assisted by Rear Admiral Phillip Kennedy AO RAN Rtd, will hold Public Hearings at the Port Macquarie RSL Club (Rushcutter Room 1), Settlement City, 1 Bay St, Port Macquarie, commencing at 9.00am on Friday 24 September 1999.

Interested veterans are invited to present their submissions.

All enquiries should be directed to the Review Secretariat on (02) 6265 3193.

**DEPARTMENT OF DEFENCE*****Review of Service Entitlement  
Anomalies in respect of South East  
Asian Service 1955-75******Public Hearing***

The independent body appointed to undertake this Review, the Honourable Mr Bob Mohr RFD ED, assisted by Rear Admiral Phillip Kennedy AO RAN Rtd, will hold a further public hearing in Canberra on Thursday 28 October 1999 at the National Convention Centre, Sutherland Theatre, 27-31 Constitution Avenue, Canberra City.

Submissions will be taken from representatives of the Department of Defence and the Department of Veterans' Affairs. The Department of Defence submission will be taken from 9.00am. The submission from the Department of Veterans' Affairs will follow immediately there after.

Interested persons are invited to attend.

All enquiries should be directed to the Review Secretariat on (02) 6265 3193.





**SURVEY CORPS INTERNATIONAL**  
**OPERATIONS 1970-94**

(*Note:* Excluded from this listing are operations conducted in the Territory of Papua New Guinea by Australian-based units prior to the granting of independence in 1975, and those of 8 Field Survey Squadron from 1971 until 1995.)

<b>Date</b>	<b>Title of Operation</b>	<b>Location</b>
<b>Indonesia</b>		
17 Apr-15Aug 1970	MANDAU	Kalimantan Barat
15Apr-7Jul 1971	GADING 1	Sumatra
26Apr-27Aug 1972	GADANG 2	Sumatra
26 Apr-9Sep 1973	GADANG 3	Sumatra
21Apr-9Aug 1974	GADANG 4	Sumatra
6May-22Aug 1975	GADANG 5	Sumatra
122Jul-21Nov 1976	CENDERAWASIH 76	Irian Jaya
9May-10Oct 1977	CENDERAWASIH 77	Irian Jaya
4Apr-20Sep 1978	CENDERAWASIH 78	Irian Jaya (Biak)
2Jul-15Oct 1979	PATTIMURA 79	Maluku
20Apr-30Jul 1980	PATTIMURA 80	Maluku
19Oct-22Dec 1980	CENDERAWASIH 80	Irian Jaya (Timuka)
6Jan-6Mar 1981	CENDERAWASIH 81	Irian Jaya (Timuka)
29Apr-10Jun 1981	PATTIMURA 81	Maluku
31Aug-15Nov 1981	CENDERAWASIH 81	Irian Jaya (Sentani)
12Nov-17Dec 1982	NUSA TIMUR 82	Islands in South China Sea
9May-14Aug 1983	NUSA TIMUR 83	Islands in South China Sea
2Jun-3Aug 1984	NUSA BARAT 84	Islands W of Sumatra

## South West

### Pacific

25Jun-2Jul 1978		Solomon Islands (Ontong Java Is.)
18Apr-21Jun 1979	SPEARLINE	Fiji
15Sep-4Dec 1980	SPEARLINE	Solomon Islands
**Jul-**Sep 1981	ASSURV 81	Fiji
1Sep-20Dec 1981	TONGA 81	Tonga
11 Sep-10Oct 1982	ALGUM	Vanuatu
5Dec-25Dec 1982	ASSURV 82	Tonga/Western Somoa
18Jun-29Oct 1984 PF	ANON 84	Tonga/Tuvalu/Kiribati/Naura
30Jun-22Sep 1984 PF	ALGUM 84	Vanuatu
20Jun-12Sep 1985	ANON 85	Kiribati (Phoenix & Line Is.)/Cook Islands
15Jun-29Sep 1985 PF	ALGUM 85	Vanuatu
22Jun-14Nov 1986 PF	ALGUM 86	Vanuatu
31Mar-28May 1989 PF	KUMUL 89	Papua New Guinea
90Oct-28Nov 1990	KUMUL 90	Papua New Guinea
** *** - ** *** 1991	KUMUL 91	Papua New Guinea
5Apr-31May 1992	BELAMA 92	Solomon Islands/Vanuatu
1Jun-14Sep 1992	KUMUL 92	Papua New Guinea
30May-17Jun 1993	NASIKO 93	Vanuatu
8Jul-27Aug 1993	KUMUL 93	Papua New Guinea
28Aug-8Oct 1993	BELAMA 93	Solomon Islands/Vanuatu
4Jun-24Oct 1994	KUMUL 94	Papua New Guinea
31Jul-14Sep 1994	BELAMA 94	Solomon Islands/Vanuatu