

**INQUIRY INTO RECOGNITION FOR SERVICE
WITH 547 SIGNAL TROOP IN VIETNAM
FROM 1966 TO 1971**



Australian Government

Defence Honours and Awards Appeals Tribunal

**INQUIRY INTO RECOGNITION FOR SERVICE
WITH 547 SIGNAL TROOP IN VIETNAM
FROM 1966 TO 1971**

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LETTER OF TRANSMISSION

Inquiry into Recognition for Service with 547 Signal Troop in Vietnam from 1966 to 1971

The Hon Darren Chester MP
Parliamentary Secretary for Defence
Parliament House
Canberra ACT 2600

Dear Parliamentary Secretary,

I am pleased to present the report of the Defence Honours and Awards Appeals Tribunal on the *Inquiry into Recognition for Service with 547 Signal Troop in Vietnam from 1966 to 1971*.

The inquiry was conducted in accordance with the Terms of Reference approved by the previous Government on 4 May 2012.

Since that time, there have been changes to the Members of the Tribunal who conducted this inquiry. However, the panel of the Tribunal that concluded the inquiry arrived unanimously at the findings and recommendations set out in its report.

In accordance with the *Defence Honours and Awards Appeals Tribunal Procedural Rules 2011*, as amended, a copy of this report will be published on the Tribunal's website - www.defence-honours-tribunal.gov.au - 20 working days after the day this report is provided to you.

I would be grateful for advice on your response to this report when available.

Yours sincerely



Mark Sullivan
Chair
Defence Honours and Awards Appeals Tribunal

7 May 2015

TERMS OF REFERENCE

INQUIRY INTO RECOGNITION FOR SERVICE WITH 547 SIGNAL TROOP IN VIETNAM FROM 1966 TO 1971

The Defence Honours and Awards Appeals Tribunal (the Tribunal) is directed to inquire into and report on recognition for Australian military personnel who served with 547 Signal Troop in Vietnam between 1966 and 1971.

In particular, the Tribunal is to examine relevant evidence and consider whether it is appropriate that members of 547 Signal Troop who served with the unit between 1966 and 1971 be awarded the Meritorious Unit Citation or another form of medallic recognition for their service.

The Tribunal is to determine its own procedures, in accordance with the general principles of procedural fairness, when conducting its inquiry as set out in these Terms of Reference. In this regard the Tribunal may interview such persons as it considers appropriate and consider material provided to it that is relevant to these Terms of Reference.

The Tribunal is to report, in writing, to the Parliamentary Secretary for Defence on the findings and recommendations that arise from the inquiry.

In making its findings and formulating its recommendations the Tribunal is to arrive at a fair and sustainable response to current and future claims for recognition. It is to maintain the integrity of the Australian honours system and identify any consequential impact any finding or recommendation may have on that system.

EXECUTIVE SUMMARY

1. The Tribunal commenced its Inquiry on 4 May 2012. It received 46 written submissions from individuals, the Department of Defence and several ex-service organisations. The Tribunal held six hearings during the course of the Inquiry.

2. 547 Signal Troop was a small signals intelligence (SIGINT) unit which operated as part of the 1st Australian Task Force in South Vietnam between 1966 and 1971, providing the Task Force with tactical SIGINT. Until more recent times the role of the unit and its work in Vietnam was secret.

Eligibility Criteria for the Meritorious Unit Citation (MUC)

3. The MUC was instituted by Letters Patent on 15 January 1991 and is 'awarded to a unit only for sustained outstanding service in warlike operations'. The Regulations define 'unit' as a unit or sub-unit of the Defence Force or of the defence force of another country. The key requirements to be satisfied before an award may be recommended are that:

- the force was a 'unit' for the purposes of the Regulations;
- it was engaged in 'warlike operations'; and
- it provided 'sustained outstanding service'.

Belated Recognition (Retrospectivity)

4. Under its Terms of Reference the Tribunal was required in making its findings and recommendations to:

- (1) arrive at a fair and sustainable response applicable to other current and future claims for recognition; and
- (2) maintain the integrity of the Australian Honours System and identify any consequential impact any finding or recommendation may have on that system.

5. With these constraints, the Tribunal considered that it needed to determine whether it was both legally possible and appropriate to award an MUC to 547 Signal Troop more than 40 years after its service in Vietnam. The Tribunal described this as an issue of belated recognition.

6. The Tribunal noted that under the Amendment to the *Defence Act 1903* by which it was established it could recommend a belated award, and the Letters Patent for the MUC did not prevent the making of a belated award.

7. The Department of Defence argued strongly against belated awards, claiming that when the MUC was introduced in 1991 it was not intended that it be awarded retrospectively. Defence argued that because of the lack of full information about the performance of units many years ago, there would be an inequity if some units which served before 1991 received MUCs and others, through lack of evidence, did not. Further, Defence argued that an award to 547 Signal Troop would result in a flood of requests for other units to be recognised. This view was in harmony with

Defence's policy of not processing requests for the MUC from units for service that took place more than three years earlier.

8. The Tribunal did not accept all the arguments put by Defence, but recognised other problems associated with belated recognition. The first is that the operational context for awarding the MUC after 1991 is substantially different from that applying before 1991, noting that potentially applications might be received for recognition of units that served as far back as the First World War.

9. The second problem, associated with the first, is that for claims before 1991 the Tribunal would become the primary decision-maker, while for claims after 1991 the Department of Defence would be the primary decision-maker.

10. This leads to the third problem. Defence has produced no policy guidance to assist decision-makers in assessing whether a unit has achieved 'sustained outstanding service in warlike operations'. The Tribunal believes that the lack of policy guidance could lead to inconsistency in the awarding of unit citations and hence damage their integrity and standing.

11. The Tribunal concluded that to maintain the integrity of the Australian Honours System it would need to 'set the bar high' when assessing whether a unit had achieved 'sustained outstanding service in warlike operations' for service before 1991.

Summary of Conclusions with Regard to the Belated Award of the MUC for Service Before 1991

12. In considering the issue of belated awards the Tribunal reached the following conclusions:

- It is legally possible to award a citation to a unit for service before January 1991.
- In directing the Tribunal to conduct the inquiry the Government accepted that it would be possible to award a belated unit citation if the Tribunal recommended it.
- To maintain the integrity of the Australian Honours System it would need to 'set the bar high' when assessing whether a unit had achieved 'sustained outstanding service in warlike operations', for service before 1991.
- Unit citations were introduced in 1991 at the beginning of a new episode in the history of Australian military operations, in which the operational context was, and is, quite different from the preceding, stretching from the First World War to the Vietnam War. To award citations, intended for the present period, to units which served in earlier, quite different periods (going back to the First World War), would create a series of anomalies which could damage the Australian Honours System.
- A multiplication of belated applications for unit citations for actions or service before 1991 over the next decade or more, each to be recommended by the Tribunal, would threaten the integrity of the Australian Honours System, unless there were clear, Government-approved guidelines for the awarding of the citations.

- The Government could amend the Regulations to exclude eligibility for pre-1991 unit citations or to restrict such awards to exceptional circumstances.

Assessment of the Performance of 547 Signal Troop

14. The Tribunal recognised that irrespective of the conclusions it might draw about belated recognition, in accordance with its Terms of Reference it would need to examine the merits of 547 Signal Troop's claims to be recognised by the award of the MUC. In considering this issue the Tribunal was mindful of its conclusion that to maintain the integrity of the Australian Honours System it would need to 'set the bar high' when assessing whether 547 Signal Troop had achieved 'sustained outstanding service in warlike operations'.

15. The Tribunal found that there were conflicting interpretations as to whether 547 Signal Troop was a unit or a sub-unit, but concluded because of the lack of uniformity in Defence regulations and doctrine there were not strong grounds for excluding the Troop from consideration for the MUC on this issue. Further, service in Vietnam between 1966 and 1971 has been determined to be 'warlike' for the purposes of medallic recognition.

16. Submissions to the Tribunal included a range of arguments as to why the Troop should receive the MUC including the following:

- **Injustice.** It was argued that it was an 'injustice' that the Troop had not been adequately recognised. The Tribunal noted that three members of the Troop had been recognised with awards, and concluded that the claim of an injustice was not sufficient to warrant recommendation for the MUC.
- **Unique and special.** It was argued that special consideration should be made because 547 Signal Troop was unique and special. The Tribunal did not accept this argument.
- **Secrecy.** It was argued that the Troop had not received recognition because it and its work were secret. The Tribunal noted that members of the Troop had been given medallic recognition despite the secrecy of their work, and that the mere fact that its work was secret was not, in itself, reason why it should be awarded an MUC.
- **Intensity of Commitment.** It was argued that the Troop should receive an MUC because of the high intensity of the Troop's work and the dedication of its members. The Tribunal considered that this factor was not, in itself, reason why the Troop should be awarded an MUC.

17. The crucial question was to determine whether 547 Signal Troop provided 'sustained outstanding service'. The Tribunal found that the Department of Defence had no clear criteria for determining whether a unit had performed 'sustained outstanding service', but discovered that in 2006 the Chief of Army, Lieutenant General Leahy, had circulated criteria for the award of the MUC. These criteria were based on:

- 1) Operational Performance
- 2) Strategic Significance
- 3) Personnel Performance

- 4) Unit Administration and Operational and Security Performance
- 5) Other claims

These criteria were never formally adopted by Defence, but the Tribunal considered that they might provide a useful guideline while trying to assess 547 Signal Troop's performance.

18. Against criterion (1) the Tribunal found that 547 Signal Troop operated successfully against a highly capable enemy and fully achieved its mission. Against criterion (2) the Tribunal was unable to discern any immediate strategic significance in the Troop's operations, although its contribution at the tactical level helped the Australian Task Force to achieve its mission. When measured against criteria (3) and (4), the Troop's performance was successful. Under criterion (5), which included innovation, adaptability and new capabilities, the Tribunal found that the Troop displayed praiseworthy innovation and adaptability in initiating the introduction of experimental equipment, which proved to be of great value to its intelligence gathering function and hence to the Task Force.

19. The Tribunal carefully considered the performance of 547 Signal Troop and concluded that it was not 'sustained outstanding service' at the required standard and level to justify the award of the MUC.

20. The Tribunal would, however, like to place on record that 547 Signal Troop's performance should be highly commended. In particular the Tribunal recognises that for reasons of secrecy the Troop's contribution to the work of the Task Force was not recognised adequately in the decades following the end of Australia's commitment in South Vietnam. The Tribunal's decision not to award an MUC to the Troop should not be interpreted as a slight in any way on the performance of the members of the Troop.

Other recognition

21. The Tribunal considered other claims for recognition such as the Army Combat Badge, another badge, another medal, or an application for a United States unit citation. The Tribunal concluded that after further consideration, these proposals were not warranted, noting that members of the Troop are, subject to the qualifying criteria, eligible for the Army Combat Badge. While the Tribunal is unable to satisfy the request for further medallic recognition, the public nature of the inquiry, the release of hitherto classified material regarding the work of 547 Signal Troop and the publication of all the research material gathered by the Tribunal, may go a long way to satisfying their request for overall recognition.

Summary of Conclusions

22. The Tribunal reached the following conclusions:

- Unit citations were introduced in 1991 at the beginning of a new historical period, in which the operational context was, and is, quite different from the preceding, stretching from the First World War to the Vietnam War. To award citations, intended for the present period, to units which served in earlier, quite different periods (going back to the First World War),

would create a series of anomalies which could in the Tribunal's view, damage the Australian Honours System.

- A multiplication of applications for unit citations for actions or service before 1991 over the next decade or more, each to be recommended by the Tribunal, would threaten the integrity of the Australian Honours system, unless there were clear, Government-approved criteria for the awarding of the citations.
- The Tribunal concluded that to maintain the integrity of the Australian Honours System it would need to 'set the bar high' when assessing whether a unit had achieved 'sustained outstanding service in warlike operations', for service before 1991.
- The Tribunal concluded that the performance of 547 Signal Troop was not 'sustained outstanding service' at the required standard and level to justify the award of the Meritorious Unit Citation.

Recommendations

23. The Tribunal makes the following recommendations:

Recommendation 1

No action be taken by the Australian Government to award a Meritorious Unit Citation or any other form of medallic recognition to 547 Signal Troop for its service in South Vietnam between 1966 and 1971.

Recommendation 2

That the Minister consider directing the Chief of the Defence Force to introduce more guidance for the award of the Meritorious Unit Citation and the Unit Citation for Gallantry.

Recommendation 3

That the Minister consider an amendment to the regulations to restrict the award of the Meritorious Unit Citation and the Unit Citation for Gallantry to units that served after 1991. If the Minister rejects this recommendation, consideration should be given to the introduction of guidelines directing when applications for unit citations for service before 1991 would be considered.

REPORT OF THE TRIBUNAL

PART A – PRELIMINARY MATTERS

Introduction

1. The Defence Honours and Awards Appeals Tribunal (the Tribunal) was established under the *Defence Act 1903* (the Act). Section 110UA of the Act sets out the functions of the Tribunal which include inquiring into matters concerning Defence honours or awards for eligible service. Section 110W of the Act provides that the Minister may give the Tribunal a direction in writing to hold an Inquiry into a specified matter. The Tribunal then must hold an Inquiry into that specified matter and report with recommendations the Tribunal considers appropriate to the Minister.

2. On 4 May 2012, the former Parliamentary Secretary for Defence, Senator the Hon. David Feeney, directed the Tribunal to hold an Inquiry into the recognition for service by 547 Signal Troop in Vietnam from 1966 to 1971. The Terms of Reference for the Inquiry appear earlier in this report.

3. The Inquiry was commenced by the following members of the Tribunal:

- Mr Alan Rose, AO (Chair of the Tribunal and Presiding Member);
- Ms Sigrid Higgins; and
- Mr Kevin Woods CSC, OAM.

4. On 5 July 2014, Ms Higgins's term of appointment as a Tribunal member came to an end. In accordance with Section 110XB of the Act, which sets out the steps to be taken when a Tribunal member stops being available, Mr Rose appointed Dr Jane Harte, Professor David Horner AM, and Air Commodore Mark Lax OAM CSM (Retd) to complete the inquiry, together with himself and Mr Woods.

5. On 25 September Mr Rose's term of appointment as Chair of the Tribunal came to an end. While the Tribunal awaited appointment of a new Chair, Ms Christine Heazlewood acted in the position and nominated Professor Horner as the Presiding Member.

Conflict of Interest

6. No conflicts of interest were declared.

Steps Taken in the Inquiry

7. The Inquiry commenced on 4 May 2012 with a press release and advertisements being placed in major newspapers nationally giving notice of the Inquiry and calling for submissions by 1 June 2012. On 3 May 2012 the Tribunal wrote to the Department of Defence (Defence) and selected ex-service organisations requesting a submission.

8. By the closing date, the Tribunal had received 46 written submissions from members of the public and ex-service organisations. A list of submissions is at Appendix 1.

9. Defence provided written submissions on 10 July 2012, 6 September 2013 and 18 June 2014. A separate submission was provided by the Australian Signals Directorate (ASD) on 18 October 2013, together with extensive research material throughout the Inquiry.

10. The Tribunal conducted an initial meeting on 31 July 2012 to scope the task and request further research. A further 15 deliberative meetings were held and the details are set out at Appendix 2.

Hearings

11. The Tribunal held public hearings and heard 30 oral submissions over six separate days and these are also set out in Appendix 2.

Tribunal Research

12. In addition to material provided in submissions, the Tribunal and its Secretariat carried out extensive additional research. A bibliography is at Appendix 3.

Acknowledgements

13. The Tribunal acknowledges and thanks its Executive Officer, Ms Mary Bermingham and the Deputy Executive Officer, Mr Jay Kopplemann, for their considerable research assistance and administration during this inquiry. The Tribunal is grateful for the efforts made by ASD to make available to the Tribunal material that had not been previously released.

Structure of the Report

14. The report is presented in four parts. Part A – Preliminary Matters covers the administrative aspects of the inquiry. Part B – General Issues covers the Tribunal's consideration of the TORs, belated recognition (or retrospectivity) and arguments against belated recognition. Part C – Specific Case of 547 Signal Troop examines the Troop's claims and the counter-claims presented by various submitters. Part D – Conclusions and Recommendations.

PART B - GENERAL ISSUES

Tribunal's Understanding of Its Terms of Reference

15. The Terms of Reference of the Inquiry direct that the Tribunal is:
 - a. to *inquire into and report on recognition* of Australian military personnel who served with 547 Signal Troop (the Troop) in Vietnam between 1966 and 1971;
 - b. particularly to *examine relevant evidence* and consider whether it is *appropriate* for the Troop to be awarded the Meritorious Unit Citation (MUC); and
 - c. in making its *findings and recommendations* to:
 - i. arrive at a *fair and sustainable response* applicable to other current and future claims for recognition; and
 - ii. maintain the *integrity of the Australian Honours System* and identify *any consequential impact* any finding or recommendation may have on that system.
16. The Tribunal considered that taking account of the policy constraints set out in sub-paragraphs 15c(i) and 15c(ii) would have a major effect on the primary tasks referred to in sub-paragraphs 15a and 15b above, i.e. determining the merits of the Troop's claim to recognition through the award of an MUC.
17. The Tribunal therefore considered that it should first determine whether it was both legally possible and, in the context of maintaining the integrity of the Australian Honours System, appropriate to award an MUC to the Troop more than 40 years after its service in Vietnam. The Tribunal described this as an issue of belated recognition.
18. The Tribunal throughout this discussion has given each of the following key words used in the Terms of Reference their normal dictionary meanings;
 - a. *Appropriate*:
 - suitable or fitting for a particular purpose, occasion, etc. (Macquarie)
 - specially suitable, proper (Oxford)
 - b. *Fair*:
 - free from bias, just, proper under the rules (Macquarie)
 - equitably, impartially, just (Oxford)
 - c. *Sustain*
 - to keep up or keep going (Macquarie)
 - to keep in being; to cause to continue in a certain state; to keep or maintain at the proper level or standard (Oxford)
 - d. *Integrity*:
 - soundness of moral principle (Macquarie)
 - uprightness, honesty, unimpaired (Oxford)
 - e. *Impact*:
 - impinging, striking, collide (Macquarie)
 - press closely into, stamp, impress (Oxford)
19. The Tribunal recognised that irrespective of the conclusions it might draw about belated recognition, in accordance with its Terms of Reference it would need

to examine the merits of the Troop's claims to be recognised by the award of the MUC. The Tribunal's conclusions about the merits of the Troop's claims are set out in PART C of this report.

20. Before considering any of these issues, however, the Tribunal first needed to understand how the MUC evolved and the eligibility criteria for it to be awarded.

Meritorious Unit Citation – Background and Eligibility

21. The Meritorious Unit Citation (along with the Unit Citation for Gallantry) was instituted by the Queen through Letters Patent dated 15 January 1991. This was just before the Queen accepted advice from the Prime Minister (advice concurred with by all Premiers and both Houses of the Australian Parliament) in 1992 that from that time on Australia would no longer make recommendations for the recognition of any gallantry, bravery or service by an Imperial award.

22. Unit citations were not available in the Imperial system of medallic recognition. Unit Citations were instituted by Letters Patent on 25 January 1991 'for the purpose of recognising gallantry in action or outstanding service in warlike operations by units of the Defence Force and by units of defence forces of other countries'.¹ The Regulations setting out the requirements to be met to be awarded the MUC are attached to the Letters Patent. Regulation 3(2) provides 'The Meritorious Unit Citation shall be awarded to a unit only for sustained outstanding service in warlike operations'. There are no other conditions although the term 'unit' is defined in Regulation 2. The Regulations do not set out a prescribed procedure for making application for the award although Regulation 9 states that 'Awards of a citation shall be made by the Governor-General on the recommendation of the Minister'. The Minister is defined in Regulation 2 as the Minister for State for Defence. Therefore it would be appropriate for the Chief of the Defence Force (CDF) to develop policies that set out a process for applying for Unit Citations. The current policies with respect to Unit Citations can be found in Chapter 9 of the Defence Honours and Awards Manual (DHAM). Any such policies would need to be consistent with the Regulations.

23. One such policy in the DHAM states that 'Nominations for unit citations are to be submitted and considered no later than three years after the end of the conflict'. The Regulations do not refer to any limitation being imposed on when a nomination can be submitted. As noted above it is appropriate for policies to be developed to guide decision makers when considering nominations. However, in the Tribunal's opinion this policy is not consistent with the Regulations because there is no provision in the Regulations restricting when nominations can be made. The Tribunal concludes that unit citations may be awarded for service during the 'Imperial period' before 1975 when Imperial honours and awards were the only recognition available; during the 'mixed period' when both Imperial and Australian honours and awards were available (1975-1992); and now during the 'exclusively Australian' period (from 1992).

¹ *Commonwealth of Australia Gazette* No. S25, 4 February 1991.

24. Defence argue that because the Regulations are silent on limiting nominations for the citations, it was appropriate to develop a policy because there is no direction for decision makers.² The policy is not inconsistent because the regulation is silent on the issue. The Tribunal notes that the courts have settled the law with respect to the development and application of policy. Policy must be consistent with the legislation. Even if it is consistent the 'decision maker may not lawfully refuse to entertain applications inconsistent with the adopted policy ... He or she may adopt the approach that, in the absence of exceptional circumstances, the policy will be applied'.³ There is no such provision in the policy outlined in the DHAM and the Tribunal would recommend that if Defence continues to apply this policy, it make provision for exceptional circumstances.

25. There have been 25 MUCs awarded to date, all since 1991. A list of recipients is set out in Appendix 4. Four units have been awarded the Unit Citation for Gallantry (UCG); two of them, D Company 6 Battalion, The Royal Australian Regiment (6 RAR), and HMAS *Yarra*, were awarded for gallantry during the 'Imperial period', both as a result of Tribunal recommendations to the government.

26. As noted earlier, Regulation 3(2) of the *Unit Citations Regulations*⁴ states that the 'Meritorious Unit Citation shall be awarded to a unit only for sustained outstanding service in warlike operations'. No other eligibility criteria are stated. This means that the Tribunal must consider what is meant by 'sustained outstanding service in warlike operations'.

27. The Regulations define 'unit' as meaning a unit or sub-unit of the Defence Force or of the defence force of another country.

28. The key requirements to be satisfied, therefore, before an award may be recommended are that:

- the unit was a 'unit' for the purposes of the Regulations;
- it was engaged in 'warlike operations'; and
- it provided 'sustained outstanding service'.

29. In its submissions, Defence described its current procedure for the consideration of an MUC in the following terms:

Nominations for the Meritorious Unit Citation (MUC) are, in the first instance, considered by the Joint Operations Command (JOC) Honours, Awards and Rewards Board (also known as the HARD Board). Advice from JOC is that consideration will only be given to current nominations for unit citations and this would be in accordance with guidance provided in Chapter 9 of the Defence Honours and Awards Manual (DHAM). This is the only guidance/criteria used by JOC for considering or reviewing Meritorious Unit Citations for service in warlike operations.

² Public Hearings Canberra, 23 July 2013, 21 October 2013.

³ *Re: Peninsular Anglican Boys School v The Honourable Susan Ryan and Commonwealth Schools Commission* (1985) 7 FCR 415 Wilcox J.

⁴ *Commonwealth of Australia Gazette* No. S25 of 4 February 1991.

30. Whether 547 Signal Troop meets these requirements will be discussed in Part C of this report.

Belated Recognition (Retrospectivity)

31. As noted in paragraph 23, the Tribunal has concluded that there is no impediment in the Regulations to awarding an MUC for service before 1991. But also, as noted in paragraph 17, the key issue is to determine, in the context of maintaining the integrity of the Australian Honours System, whether it is appropriate to award an MUC to 547 Signal Troop more than 40 years after its service in Vietnam.

32. Section 110VB(2) of the *Defence Act 1903* gives the Tribunal jurisdiction with respect to reviewable decisions, back to the beginning of the Second World War. Clearly the Parliament's intention was that the Tribunal, in conducting a review, could recommend a belated Defence award to the Governor-General or belated Defence honour to the Minister. On the other hand, the Minister may direct an inquiry without any time constraints, and in those cases, such as the *Inquiry into Unresolved Recognition for Past Acts of Naval and Military Gallantry and Valour* (the Valour Inquiry), the Parliament clearly contemplated outcomes that could involve recommendations for new honours which, if agreed to by the Government and the Governor-General, would also have retrospective effect.⁵

33. The issue of determining eligibility for various Australian Defence honours where actions and service occurred before those particular honours were established has previously been considered by the Tribunal in a number of inquiries. The first case was in its *Inquiry into Unresolved Recognition Issues for the Battle of Long Tan*,⁶ when it recommended that D Company 6 RAR be awarded the UCG. The second case was in its Valour Inquiry, when it recommended that HMAS *Yarra* also be awarded the UCG. Both were belated awards for actions that occurred before January 1991.

34. Consideration of the merits of recognising each unit was, in these two Inquiries, subject to the same policy constraints as are included in the Terms of Reference of this Inquiry as set out in paragraph 15. On each occasion the Tribunal was required to balance the merits of the particular claims to belated (retrospective) recognition through a unit citation with the policy imperatives of maintaining the integrity, fairness and sustainability of unit citations.

35. In conducting these Inquiries the Tribunal took note of the reports of two previous Inquiries. The first was the *Report of the Independent Review Panel of the End of War List- Vietnam: August 1999*, chaired by N. J. Tanzer AC (the Tanzer Review). In its report, the Tanzer Review panel noted a number of issues had been raised in

⁵ Defence Honours and Awards Appeals Tribunal, *Report of the Inquiry into Unresolved Recognition for Past Acts of Naval and Military Gallantry and Valour*, Canberra, 21 January 2013.

⁶ Defence Honours and Awards Tribunal, *Report of the Inquiry into Unresolved Recognition Issues for the Battle of Long Tan*, Canberra, September 2009.

the course of the review, which fell outside its terms of reference.⁷ These included gallantry awards to individuals not previously nominated and gallantry awards to units not previously nominated. In regard to the former, the Tanzer Review concluded that ‘no equitable solution could be achieved so long after the events’. In regard to the latter, the Tanzer Review noted that Australia had not introduced such awards until well after the Vietnam War ended and concluded that ‘retrospective awards could not now be made to units in an equitable fashion, nor could they be confined to the Vietnam conflict’.

36. The second report noted by the Tribunal was the *Review of Recognition for the Battle of Long Tan: March 2008*, chaired by Major General Peter Abigail AO (Retd) (the Abigail Review). The Abigail Review panel was tasked to review the treatment of award recommendations stemming from the Battle of Long Tan in Vietnam in 1966 and recognition for the Royal Australian Air Force detachment at Ubon in Thailand between 1965 and 1968. In regard to the Battle of Long Tan, the Abigail Review concluded that the moderation of awards by the Commander of the Australian Force Vietnam (COMAFV) for the Battle, while legitimate, was influenced by a unique set of circumstances, and resulted in a mix of awards that did not adequately recognise the gallantry exhibited in the Battle. The panel therefore recommended that three officers be offered the opportunity to accept the contemporary Australian equivalent of the honour that was originally recommended to the COMAFV. These equivalents were the Star of Gallantry (replacing the Distinguished Service Order, Conspicuous Gallantry Medal and Distinguished Conduct Medal) and the Medal for Gallantry (replacing the Military Cross and Military Medal), which were also established on 15 January 1991 by Letters Patent.⁸

37. In approaching its task, the Abigail Review panel formulated the following principles as a guide to its consideration:

Principle 1

This Panel will seek, in recognising the service of some, not to overlook or degrade the comparable service of others.

Principle 2

Any decisions by the Panel to recommend further recognition must be based on official records or other compelling evidence.

Principle 3

To maintain the integrity of the system of honours and awards the Panel reaffirms its respect for the protocols of the operational awards system.

Decisions to recommend new or higher awards will only be made where a clear anomaly or manifest injustice can be established. In cases where the Imperial system did not provide recognition but where the Panel believes recognition is

⁷ Noel Tanzer, Major General Peter Phillips & Clive Mitchell-Taylor, *Report of the Independent Review Panel of the End of War List - Vietnam: August 1999*, Department of Defence, Canberra pp. 33-35.

⁸ Department of the Prime Minister and Cabinet, *Review of Recognition for the Battle of Long Tan: March 2008*, Barton, paragraph 5-6.

warranted, it should be made under the Australian system.

Principle 4

Recognising that access to Imperial awards is no longer possible, and that any new or higher awards recommended must be contemporary Australian awards, recommendations for them will need to satisfy the terms and conditions attached to those contemporary awards.

Principle 5

Normally only one medal within the Australian system of honours and awards should be given in recognition of a single period of service or action.

The Panel recognises that overseas service by Australian defence personnel in certain military operations may attract foreign awards or recognition. This should not affect the decision to award a medal or other form of recognition under the Australian system of honours and awards.

Principle 6

While the Panel has regard to previous decisions and interpretations on awards made by the Australian Government, military authorities, and previous reviews, it will not consider itself constrained by these in meeting its terms of reference. The Panel will take into account any new or additional information made available to it and will operate according to the normal standards of fairness.

Principle 7

The Panel will consider matters relating to honours and awards on their merits in accordance with the principles outlined above, and these considerations should not be influenced by the possible impact, real or perceived, on other potential claims for recognition.

38. The Abigail Review considered whether it was appropriate to recommend an Australian unit award to D Company 6 RAR, in an effort to ‘match’ the US Presidential Unit Citation that had been awarded to the Unit.⁹ The Abigail Review panel decided that it was not appropriate to make such a recommendation because: (a) there should be no expectation that foreign awards will be ‘matched’ by Australian awards, and (b) as the Australian unit citation was not available before 1991, to recommend the award now would be at odds with Principle 1.

39. Although the Defence Honours and Awards Tribunal (the old Tribunal¹⁰), in its Report on the *Inquiry into Unresolved Recognition Issues for the Battle of Long Tan*, adopted the Abigail Review principles, it was not persuaded by the reasoning outlined in paragraph 38.¹¹ It found that the decision to award Australian recognition to D Company 6RAR did not depend on a desire to ‘match’ a foreign

⁹ *Review of Recognition for the Battle of Long Tan: March 2008*, p 33.

¹⁰ In 2008, the Australian Government established the Defence Honours and Awards Tribunal (the old Tribunal) on an administrative basis. In 2011, the Defence Honours and Awards Appeals Tribunal (the Tribunal) commenced operation as a statutory body.

¹¹ Defence Honours and Awards Tribunal Report, *Inquiry into Unresolved Recognition Issues for the Battle of Long Tan*, September 2009, paragraph 96.

award. Rather, the old Tribunal sought to provide recognition to all those members of the unit 'whose gallant performance has not been able to be recognised with an individual award'. The old Tribunal believed that the continuing lack of Australian recognition of D Company 6 RAR's achievements at Long Tan was 'a greater injustice than that which might ensue from the award of the appropriate unit citation for the Company'.¹² This conclusion was despite the old Tribunal also concluding that there had been no 'clear anomaly or manifest injustice' with regard to D Company.¹³ The old Tribunal was convinced that D Company's performance satisfied the requirements and conditions for the award. In summary, although the old Tribunal found no instance of a clear anomaly or injustice it recommended the UCG because a large number of members of the Company had acted gallantly and had not been recognised.

40. The present Tribunal in its Report of the Valour Inquiry completed in January 2013 examined the old Tribunal's decision about D Company 6 RAR and concluded that the old Tribunal had conducted a merits review, not a process review. That is, the correct process had been followed with regard to awards for members of D Company in 1966 and the award of the UCG to D Company was based not on an injustice or anomaly in the process but on an assessment by the old Tribunal after a merits review. A recommendation based on a merits review in the course of an Inquiry was, of course, quite appropriate.

41. In its Valour Inquiry the Tribunal undertook a process review initially to determine whether due process had been followed. If the correct process had been followed and if there was no new evidence, the original decision remained unchanged. If there was a case of maladministration, or if compelling new evidence had been presented, the Tribunal then conducted a merits review. The Tribunal was also required to consider the impact on the integrity of the Australian Honours System. The Tribunal observed that the granting of a unit citation many years after the event carried with it the same risks to the integrity of the Honours system as granting retrospective honours to an individual poses to the system. Applying these guidelines, the Tribunal found that there had been a case of maladministration in handling recognition for members of HMAS *Yarra* amounting to injustice. The Tribunal was persuaded that members of HMAS *Yarra* had displayed great gallantry which, through maladministration, had not been recognised. Since it was no longer possible to determine what individual awards should have been given to these members, the Tribunal recommended the award of the UCG. The Tribunal was satisfied that although the UCG would be belated, the integrity of the Australian Honours System would be maintained and there would be no consequential adverse impact suffered by that system.

42. In summary, the cases of D Company 6RAR and HMAS *Yarra* provide examples in that it is possible to award a unit citation for an action before 1991. Although the cases are different, in general terms the Unit Citations were awarded to rectify an injustice in that clear acts of gallantry had not been recognised. Both

¹² Ibid, paragraph 98.

¹³ Ibid, paragraph 59.

awards were made in the context of considering individual awards. There is a difference when the start point for an inquiry is to consider a unit citation without reference to performances by individuals, such as the case with the present Inquiry. If the start point is individual awards, judgements will have already been made about performance and considerable evidence will be available; this is less likely to be the case with *de novo* consideration of unit citations.

43. It was argued in some submissions that the award of the MUC to the Force Communications Unit (FCU) on Australia Day 2014 for service in Cambodia from 15 March 1992 to 7 October 1993 was a 'belated award' and hence that the Department of Defence had disregarded its own policy of not awarding MUCs three years or more after the action. The Tribunal noted that the peacekeeping mission in Cambodia had initially been declared 'non-warlike', and hence the FCU was not eligible for consideration for the MUC. When the mission was later upgraded to 'warlike' the FCU could then be considered belatedly for the award. The award was considered by HQ JOC in the same context as other applications for the award. Since the mission took place after 1991, the Tribunal did not consider the award of the MUC to the FCU contributed substantially to its deliberations over awards to units before 1991, which are in a different category as described below. This is an example of Defence allowing an exception to the policy (see paragraph 24) by considering the exceptional circumstances of the case.

44. The unit citations established in January 1991 are novel when viewed from the perspective of the Imperial Honours and Awards System which Australia had participated in until 1992. The Imperial system did not provide for collective recognition of either gallantry or meritorious service. By contrast, the United States Military Honours System has long facilitated recognition of actions by units. The issues to be dealt with when considering whether belated individual Defence honours in the Australian Honours System should be made (whether for actions before or after 1992 as discussed at paragraph 21) are more straightforward than those for unit citations. In the case of individual awards the decision-maker is able to work on the presumption that the relevant military command structure at the time of the action or service under consideration would have already considered whether an individual serviceman or woman should have been recommended for an honour. Unless that presumption can be rebutted by relevant evidence, the approach taken by the Tribunal in its Valour Report (described in paragraph 41) was that on balance the risk of damage to the Australian Honours System would outweigh the value of belatedly recognising the individual.

45. In considering a unit citation, such as in the case of 547 Signal Troop, whose actions and service took place before 1991, the Tribunal in conducting its Inquiry becomes a decision-maker.¹⁴ In conducting its Inquiry the Tribunal is unable to

¹⁴ The term decision-maker has been used loosely. The Tribunal acknowledges that in an inquiry it makes recommendations to the Government which then accepts or rejects them. Similarly, with regard to certain contemporary honours and awards, the Department of Defence (through its military command structure) makes recommendations to the Government or the Governor-General.

presume that the military command structure in Vietnam and Canberra at the time gave any consideration to the merits of a unit citation because no such honour existed. The Tribunal would not be able to draw any connection between claims for a unit citation and claims to recognition for all the individual members of the Troop. Whether there was equitable treatment of individuals can say nothing about the performance of the unit to which those individuals belonged. This means that the evidence available to the Tribunal upon which it can base its decision is sparse because in all likelihood, few records were made at the time which would support the nomination for the MUC.

Arguments for Belated Awards

46. Most of the submissions in favour of awarding the MUC to 547 Signal Troop focussed on the performance of the Troop (discussed in Part C of this report), but several submissions dealt with the general issue of belated awards, as detailed below.

47. It was argued that the award of the UCG to D Company 6 RAR and HMAS *Yarra* and the MUC to the Force Communications Unit in Cambodia provide examples of belated awards. This argument was discussed in the previous section, where the Tribunal concluded that these awards did not set a precedent for further awards.

48. It was also argued that the award of service medals such as the Australian Active Service Medal 1945-75, the Australian Service Medal 1945-1975 and the Australian Defence Medal provide further examples of belated awards. The Tribunal noted that these service medals were introduced by the Australian Government with the intention that they be awarded belatedly, and according to specific criteria. No judgement is required about the nature or worth of the individual's performance. By contrast, for a unit to be awarded a citation it needed to be nominated through the command structure. As with other honours, unit citations are a 'gift of the sovereign'; they are not an entitlement. Hence the award of service medals does not set a precedent for awarding a unit citation.

49. It was further argued in a submission that the amending Act establishing the Tribunal empowers it to 'make recommendations about any form of medallic recognition for Australians in any military action, regardless of the passage of time'.¹⁵ The Tribunal notes that these words do not appear in the Act or explanatory memoranda, but acknowledges that under the Terms of Reference of this Inquiry, it is required to consider whether it would be *appropriate* to make an award as set out in paragraph 15.

Arguments against Belated Awards

50. A number of reasons have been proposed as to why it might not be appropriate to recommend a belated MUC to a unit for action or service before 1991. The case was particularly argued by the Department of Defence in its submissions

¹⁵ Submission 17D – LTCOL Steve Hart (Retd).

and at hearings.¹⁶ The Returned and Services League of Australia stated in its submission that it had a 'no retrospectivity' policy, but considered that former members of 547 Signal Troop could be awarded the Army Combat Badge (this is discussed later at paragraph 161).¹⁷ Lieutenant Colonel Harry Smith, SG, MC (Retd) stated that 'with considerable support', he was opposed to any award to 547 Signal Troop 'unless similar awards are made to many of the other units which gave "sustained outstanding service in warlike conditions"'.¹⁸ Some submitters were emotive in their language. For example, an artillery officer who served in the 1st Field Regiment during the Battle of Long Tan wrote:

*What a load of codswallop. The Gunners who worked their butts off in pouring rain and up to their knees in the gun pits have never asked and will never ask for any great recognition. All the gunners know is they did what was called for and saved some lives. The appreciation of the fellows of D Coy 6 RAR is sufficient.*¹⁹

The main arguments are discussed in the following paragraphs

51. **Operational context.** The MUC was introduced as a result of a recommendation of an Interdepartmental Committee in 1984 which was considering honours and awards to Australian Defence Force (ADF) personnel.²⁰ By coincidence or design, the MUC was introduced two days before the beginning of the Gulf War on 17 January 1991. This was the first occasion that the ADF had been involved in warlike operations since the end of the commitment to the Vietnam War in 1972. The MUC was therefore introduced at the beginning of a period in which the operational environment proved to be markedly different from the past. This is illustrated by the fact that the first three MUCs were awarded to units that served in the 1991 Gulf War and conducted operations that might have been considered routine in the Vietnam War.²¹ Since then, the ADF has conducted operations across a spectrum from low-level peacekeeping missions to intense combat. Some operations have been upgraded retrospectively from non-warlike to warlike when the conditions proved to be different from the ones originally contemplated. Thus the operational context for awarding the MUC after 1991 is substantially different from that applying before 1991, noting that potentially applications might be received for recognition for units that served in the First and Second World Wars, the Korean War, the Malayan Emergency, Confrontation and the Vietnam War.

52. **Defence intention and policy.** The Department of Defence has argued that when the MUC was introduced it was not intended that it be awarded retrospectively.²² The MUC was intended to be an award for future operations, and to be awarded soon after the relevant operations, in the same manner as individual

¹⁶ Submission No 28 and No 28a and hearings on 23 July and 21 October 2013.

¹⁷ Submission No 29 – Returned & Services League of Australia.

¹⁸ Submission No 13 – Lieutenant Colonel Harry Smith SG MC (Retd).

¹⁹ Submission No 6 – Mr Max Allen.

²⁰ Minutes of the Meeting of the Interdepartmental Committee on Honours and Awards for Defence Personnel, 26 March 1984.

²¹ This is not meant as a slight on the units that were awarded the MUC for operations in 1991.

²² Public hearing 23 July 2013.

honours. For this reason, Defence applies a policy of not considering recommendations for an MUC if they are submitted three years or longer after the end of the conflict. While this intention is spelt out in Defence policy, Defence has not argued that it would be unlawful to award an MUC retrospectively.

53. **Consistency.** Current recommendations for the MUC and for individual honours are made through the chain of command and are considered at Headquarters Joint Operations Command (HQ JOC). This system, which includes checks and balances, has been broadly in place since 1991. Although HQ JOC has only been in existence since 2004, its predecessor, Headquarters Australian Theatre (established 1996), fulfilled a similar function. Before that Headquarters ADF controlled operations through joint Maritime, Land and Air Commands, which were introduced in the 1980s. There was no comparable joint command structure during the Vietnam War. Thus since 1991 there has been some consistency in recommending and awarding the MUC and individual honours. By contrast, if Defence applies its policy and does not accept recommendations for unit citations before 1991 then disappointed applicants are likely to seek a review by the Tribunal. At this time the Tribunal does not have the power to review decisions relating to the award of the MUC. It is not included in the list of honours the Tribunal can review pursuant to regulation 93A and Part 1 of Schedule 3 of the *Defence Force Regulations* 1952. In that case, disappointed applicants might ask the Minister to direct that an inquiry be conducted. The Tribunal might then become the recommending authority to the Minister. The Tribunal may approach its consideration of the unit's claims in the pre-1991 period in a different manner to that of the military command structure in the post-1991 period.

54. **Practicality.** As with individual honours, there are practical difficulties in finding reliable evidence to support the award of an MUC many years after an operation. There might be a lack of documentary evidence about what a unit might have done or achieved, noting that potentially applications for unit citations could go back to the First World War. Memories of those who served at the time are not always reliable. Determining whether a unit's performance was 'outstanding' involves some degree of subjective judgement. In the Tribunal's opinion this judgement would be assisted by the informed views of superior commanders but they may no longer be alive. This will make the Tribunal's task of determining the merits of the unit's performance extremely difficult.

55. **Equity.** It has been argued, particularly by Defence, that the blanket acceptance and application of belated awards would introduce an element of inequity. There might be substantial documentary evidence about one unit's performance and this might be supported by superior commanders who are still alive. However, evidence about another unit's performance might be lacking, and its superior commanders may no longer be alive. Thus the first unit would receive the MUC and the second unit would not, even though its performance might have been equal, or even superior, to that of the first unit. This is not a case of comparing the performance of units, but of ensuring that all units have an equal opportunity to be considered. It is doubtful if this equal opportunity can be provided for units before 1991. The claim about lack of equity is also supported by Principle 1 of the Abigail Review.

56. With regard to equity, a contrary view has been presented. The Defence argument that retrospective individual or unit awards would be inequitable hinges on an assumption that if actions or service of one individual or unit is re-considered years after the action or service took place an inequity arises if and until the service or actions of all others engaged in the relevant campaign or conflict are also re-considered; an 'all-in or none-in' principle. This view in part is based on an assumption that to some extent all awards including unit citations are comparative or competitive exercises rather than ones focussing on the actual performance of one individual or unit judged as objectively as possible in terms of the law and established criteria and policies.

57. At hearings Defence agreed that such a comparative approach is not normally applied to individual or unit recommendations at the time of a campaign or operation. Neither the law, nor policies or procedures approved by Defence authorities require such a comparative or competitive approach. These views raise questions as to whether there is any actual inequity in considering and recommending awards belatedly. That is not to say there may not be difficult evidentiary hurdles to overcome in particular cases.

58. **Pandora's Box.** It has been claimed that if 547 Signal Troop were to be awarded an MUC this would open a 'Pandora's Box' or 'open the flood gates', and lead to never-ending claims for recognition by other units that served in Vietnam and elsewhere before 1991. This, it has been claimed, would damage the integrity of the Australian Honours System, and in particular the standing of the MUC. In its submission the Department of Defence argued that the award of the MUC would result in a 'flow-on affect to similar retrospective claims made on behalf of other Australian Defence Force units, particularly in the context of Vietnam Service'. Awarding the MUC to 547 Signal Troop:

...by way of retrospective review may be seen to dilute the value of the award and would create an unacceptable precedent that is likely to re-invigorate claims by veterans and ex-service organisations seeking to have their own units similarly recognised.²³

59. The Tribunal considered that this would not necessarily be the case. If 547 Signal Troop were awarded an MUC on clear and unequivocal merit, there would be no damage to the standing of the MUC if other units were also to be awarded the MUC on merit. Further, the changes made in 2010 to the *Defence Act 1903* were made because the Parliament recognised that significant injustices may have occurred in the past and that these could or should be remedied by recommending an Australian Defence honour or award where justified on the merits, regardless of how many there might be.

60. **Multiplication of Inquiries.** It is likely, however, that major problems might arise from the potential multiplication of applications for an MUC for service before

²³ Submission No 28, Department of Defence.

1991. If Defence were to maintain its present policy of not considering retrospective applications for the MUC, and if the Minister were to uphold this approach, disappointed applicants are likely to seek a review by the Tribunal. As noted in paragraph 53, the Tribunal does not have the power to review decisions relating to the award of the MUC, but disappointed applicants might ask the Minister to direct the Tribunal to conduct an inquiry. The Tribunal is aware that there are already two or three such applications for an inquiry stemming from the deliberations on matters raised in Part 3 of the Tribunal's Valour Report. That is the Tribunal would become a 'decision-maker' for all pre-1991 applications. The outcome could be an unhealthy development over the next decade or more where post-January 1991 applications were considered by the military command structure and pre-January 1991 applications were considered by the Tribunal. The Tribunal believes such a development could threaten the integrity of the Australian Honours System.

61. **Assessment guidelines.** Although the Regulations set out the key requirements for a unit to be awarded an MUC as described in paragraph 22, no other eligibility criteria are stated. Defence has produced no policy guidance to assist decision-makers in assessing whether a unit has achieved 'sustained outstanding service in warlike operations'. The DHAM sets out the procedures to be followed but does not provide further guidance. Relating to this issue, the Tribunal has been surprised and disappointed that its repeated requests for access to the assessments made of the merits of each of the 25 MUCs awarded on Defence recommendations have essentially drawn blanks, as very few file records have apparently been retained. In the latest response the since retired CDF, General Hurley said 'in respect to your 16 January request [for all records relevant to the MUC recommendation for the Force Communications Unit in Cambodia] I have been advised that the 7 February 2013 meeting of the Joint Operations Command Honours and Awards Board was not minuted and hence these cannot be provided'.²⁴ The Tribunal believes that the lack of policy guidance could lead to inconsistency in the awarding of unit citations and hence damage their integrity and standing.²⁵

62. Because it found that the DHAM did not provide sufficient guidance as to how it should assess whether a unit had achieved 'sustained and outstanding service', the Tribunal sought guidance from earlier work done for, and approved by a former Chief of Army, Lieutenant General Peter Leahy AC. These procedures and criteria are discussed further in paragraphs 114 and 115 and are set out in Appendix 5.

Tribunal Consideration

63. The Tribunal considered the cases for and against recommending belated awards. The Tribunal noted the argument that if an MUC were awarded belatedly to a unit that was recognised widely as having an exceptionally strong case, the award, in itself, would not cause damage to the Australian Honours System.

²⁴ Letter, General D. J. Hurley to Chair DHAAT, 18 June 2014

²⁵ After the Tribunal concluded its deliberations, it was advised that HQJOC is developing a more rigorous and transparent process for reviewing nominations for awards.

Further, the Tribunal recognised that if there were well-established guidelines for considering applications for unit citations consistent with the Regulations this would help ameliorate any potential damage to the Australian Honours System. The Tribunal was, however, persuaded by the argument that the MUC was introduced at the beginning of a new episode in Australian military history, and since then has been recommended for approval in the context of a new operational environment. The Tribunal also noted the potential problems if it were required to conduct a multiplication of inquiries or reviews into the merits of many units for belated unit awards.

64. The Tribunal is aware that in making its findings and recommendations it is to take into account the integrity of the Australian Honours System and identify any consequential impact. In the Tribunal's opinion the appropriate way to take into account the integrity of the Australian Honours System is in the interpretation of what is meant by 'sustained outstanding service in warlike operations'. Some units would provide outstanding service for short periods in warlike operations. Many units would provide sustained service in warlike operations. Only units that provided both sustained and outstanding service should be awarded the MUC. This sustained outstanding service distinguishes that unit from those units providing outstanding service at times and those units providing sustained service. The standard of service distinguishes that unit from other units providing service in warlike operations. By 'setting the bar high' and applying this standard rigorously, the Tribunal believes that the integrity of the Australian Honours System will be preserved and there will not be any consequential impact.

65. The preceding findings by the Tribunal explain how difficult it would be for the Tribunal or any decision maker to find that a unit's service before 1991 has met the standard for 'sustained outstanding service'. The evidence required to meet the standard would be difficult to locate and the recommendations that would usually be part of Defence files would not exist. The Tribunal concluded in paragraph 23 that there was no legal barrier to awarding a MUC for service before 1991 but that there would be evidentiary difficulties.

66. Whatever the Tribunal might decide with respect to 547 Signal Troop, the Tribunal considered that there was a strong case for the Government to amend the Regulations to exclude eligibility for pre-1991 unit citation awards. This would preclude outcomes such as were achieved for D Company 6 RAR and for HMAS *Yarra*. But similar cases are unlikely to arise again because both cases grew out of specific long-standing unresolved issues.

67. The Tribunal noted that the Government might not wish to exclude completely the possibility of awarding unit citations for activities before 1991, but considered the Government could amend the Regulations to state that such citations would not be awarded except in exceptional circumstances. In these cases applications would need to be supported by documentary evidence, witness statements and consideration of the historical circumstances at the time.

Summary of Conclusions with regard to the Belated Award of the MUC for service before 1991

68. It is legally possible to award a citation to a unit for service before January 1991.
69. In directing the Tribunal to conduct the inquiry the Government accepted that it would be possible to award a belated unit citation if the Tribunal recommended it.
70. The integrity of the Australian Honours System will be upheld if the standard for the award of the MUC is rigorously applied.
71. The award of the UCG to D Company 6 RAR and HMAS *Yarra*, and the MUC to the Force Communications Unit, Cambodia do not provide a precedent for awarding an MUC to 547 Signal Troop.
72. Defence policy is not to recommend a unit citation for actions before 1991, but this policy is not consistent with the Regulations.
73. If Defence rejects an application for a pre-1991 citation, and if the Minister supports this rejection, then disappointed applicants are likely to seek a review by the Tribunal. The Tribunal does not have the power to review these applications at this time and this may result in the matter being referred to the Tribunal by the Minister for an Inquiry. In that case the Tribunal becomes a 'decision-maker' for applications for unit citations before 1991.
74. Unit citations were introduced in 1991 at the beginning of a new episode in the history of Australian military operations, in which the operational context was, and is, quite different from the preceding, stretching from the First World War to the Vietnam War. To award citations, intended for the present period, to units which served in earlier, quite different periods (going back to the First World War), would create a series of anomalies which could damage the Australian Honours System.
75. A multiplication of belated applications for unit citations for actions or service before 1991 over the next decade or more, each to be recommended by the Tribunal, would threaten the integrity of the Australian Honours System, unless there were clear, Government-approved guidelines for the awarding of the citations.
76. The Government could amend the Regulations to exclude eligibility for pre-1991 unit citation awards or to restrict such awards to exceptional circumstances.

PART C - SPECIFIC CASE OF 547 SIGNAL TROOP

77. Before the Tribunal considered the case for 547 Signal Troop to be awarded an MUC as required by the Terms of Reference, some consideration of the historical background to signals intelligence and the establishment of 547 Signal Troop was necessary.

Historical Background to Australian Signal Intelligence

78. The Australian Special Wireless Group (ASWG) of the Australian Army was established during the Second World War to intercept enemy wireless transmissions, collect signals intelligence (SIGINT) and to monitor Allied wireless transmissions in a communications security (COMSEC) capacity. The ASWG grew to a force of over 1,000, including women from August 1942. Elements served in Egypt, Greece, Syria, Papua New Guinea, Morotai and the Philippines, including in the top secret intelligence unit, the Central Bureau, which reported directly to General Douglas MacArthur and General Thomas Blamey.

79. After the war the need for an Australian strategic SIGINT organisation was met by the establishment of the Defence Signals Bureau (DSB) which later became the Defence Signals Division (DSD) and is now the Australian Signals Directorate (ASD). Initially senior appointments to DSB came from ASWG. A number of strategic intercept stations were established to give DSB raw data for analysis. The remaining Army personnel from ASWG were transferred to the Cabarlah base in south-east Queensland to become part of a new unit, 101 Wireless Regiment, renamed 7 Signal Regiment in 1964.

80. A key function of the Cabarlah base was to train intercept operators for service in the strategic locations of Singapore and Hong Kong to work in association with British secret intelligence organisations. The Singapore Station was important in developing 7 Signal Regiment operators, especially in mastering Far East Morse Code and operating in the difficult South-East Asian atmospheric conditions. Operations in Singapore on some occasions brought operators into contact with Vietnamese Morse and language communications. The 547 Signal Troop was a sub-unit of 7 Signal Regiment and most of its operators in the first two years of service in Vietnam had already been posted to Singapore.

81. After the deployment of 547 Signal Troop in Vietnam (detailed below) the tactical capabilities of such units were better understood and the Australian Army began to embrace the additional capabilities provided by Electronic Warfare (EW). The first Army EW courses were conducted at 7 Signal Regiment in 1975 with the first operational EW Unit (72 Signal Squadron (EW)) being raised in June 1976 and placed under the direct command of HQ 1 Division in 1983.

82. In October 1989, 7 Signal Regiment was re-designated as an EW unit of Field Force Command completing the transition from a fully strategic SIGINT asset to a total operational EW unit. Today, 7 Signal Regiment is the centre of excellence for the Australian Army's EW capability. The 547 Signal Troop is still today a sub-unit of 7 Signal Regiment and has recently served on operations.

Establishment of 547 Signal Troop

83. Immediately after the Government's announcement in late February 1966 that Australia's contribution in South Vietnam would be increased to about brigade strength, planning began for the deployment of a SIGINT support unit with 1st Australian Task Force (1ATF). DSD proposed that this unit would intercept enemy communications, identify and locate radio transmitters through the use of direction-finding (airborne and ground-based) equipment and intelligence provided by US units, and provide tactical intelligence to the Commander 1ATF. Australia could also contribute to its Allied intelligence partners. At the time Australia had no airborne or terrestrial distance finding equipment available for deployment to Vietnam, and was initially reliant on US equipment.

84. The inclusion of a SIGINT capacity in 1ATF was initiated by DSD through liaison with the Directorate of Military Intelligence. After extensive discussions with US SIGINT authorities, especially the National Security Agency (NSA), arrangements were finalised with DSD's Liaison Officer at Fort Meade (where NSA is located). Under the agreement, in Vietnam 547 Signal Troop would be formally on the establishment and under the national command of 1ATF, but would be under the operational control of the United States Army Security Agency (USASA) 303rd Radio Research Battalion as a Direct Support Unit (DSU) to 1ATF.

85. Final agreement in principle was reached by the Australian Army Chief of the General Staff in mid-April 1966 that a half strength (15 members) Signal Troop would be deployed with 1ATF. The half-strength was agreed so as to fit within the total South Vietnam Australian force level set by the Prime Minister.

86. Captain Trevor Richards of 7 Signal Regiment was selected to lead the first contingent of 547 Signal Troop. It commenced deployment at the beginning of June 1966 and was on the ground in Vietnam at Nui Dat on 14 June 1966 located within 1ATF. It was agreed with the US authorities that while 547 Signal Troop would work as an integrated DSU with the Americans its direct support role to the Commander 1ATF would be pre-eminent.

87. The Army Headquarters instruction for the deployment of 547 Signal Troop (reproduced in Appendix 6) stated:

General Outline

3. a. Purpose of Operation is for the AMF to establish a comint cell at 1 ATF to receive and product materials from US ASA resources. In addition AMF personnel will conduct communications intercept, processing and reporting activities as agreed by US ASA, to meet the requirements of the Commander 1 Aust Task Force.
- b. Provision of Resources The AMF will provide 15 personnel from Australia i.e., Detachment 547 Signal Troop, 7 Signal Regiment. One additional linguist will be made available from the HQ AFV pool of linguists to support this detachment. The detachment will be known as the AMF Direct Support Unit (DSU) of 1 ATF in keeping with US Terminology for similar US ASA units. . .

7. Operational Deployment

*The actual deployment of AMF personnel in theatre will be subject to consultation with the responsible US ASA authority. The agreed deployment must at all times be in such manner to ensure maximum comint support for 1 ATF.*²⁶

88. By the end of June 1966 Captain Richards reported that good co-operative working relationships had been developed with the US 'parent' unit.

Summary of 547 Signal Troop's service in Vietnam

89. A full description of the composition of 547 Troop in Vietnam and a chronology of all significant actions and events in which it was involved are set out in Appendix 7. This section provides a summary of 547 Signal Troop's service in Vietnam. Until very recently with the publication of the official war histories, little was known, even to many Army officers in Vietnam and Canberra, about the activities and achievements of 547 Signal Troop. Such knowledge was limited to a very small group of appropriately briefed Australian and allied service personnel and officials. This was due to the very stringent protocols and processes that protected it and its work, and which constrained even senior officers, who had been briefed, from giving any publicity to the Troop's achievement. The submissions made to the Inquiry and the Tribunal's own research provide for the first time a record against which to judge whether the Troop should now, retrospectively, be formally recognised for its performance in South Vietnam.

90. The 547 Signal Troop started work in makeshift tent operations rooms at Nui Dat on 14 June 1966. Prior to departure it had had approximately two weeks to prepare. Although Captain Richards and all members of the Troop were highly experienced signals intelligence operators, no equivalent tactical SIGINT unit had been put into the field by 7 Signal Regiment or hosted by an Australian brigade-sized unit. Earlier detachments of Australian signals personnel had worked for British units principally in Singapore and Hong Kong but also at Labuan. These detachments had not worked directly for or under the operational command of Australian commanders and were, by and large, engaged in SIGINT work at the strategic level. The Troop also had no direct experience with Vietnam, the Vietnamese language or the North Vietnamese military signals capability; although some operators posted to Singapore from time to time had listened in to Vietnamese radio Morse traffic. There was no real experience of tactical SIGINT support at brigade level and below. In addition senior Australian officers had little exposure to, training, exercising or even doctrine on how to use an attached SIGINT unit such as 547 Troop. The Troop's attachment to 1ATF broke new ground. In Vietnam 547 Troop had both primary tactical SIGINT responsibilities and a requirement to fulfil to Australia's intelligence contribution to its Allies.

91. The Troop's attachment to the Task Force was, as was its arrival, characterised by the need for almost complete technical, logistic and administrative self-reliance.

²⁶ AHQ (DMI) Instruction No. 1/66: Comint Support for 1ATF Vietnam, 17 June 1966. AMF means Australian Military Forces and was a term used at the time.

For much of the time the Troop was responsible for technically supporting /improvising its own equipment, aerals, receivers, etc., which, in the case of airborne radio direction finding (ARDF) and terrestrial direction finding, relied heavily on non-production, completely experimental equipment with all the inherent difficulties and frequent maintenance issues that entailed.

92. Within two months of its arrival (during July and August 1966), the shortcomings of its equipment, establishment and deployment and the lack of preparedness of the Australian Army to use SIGINT operationally at the task force level became obvious when Viet Cong (VC) Regiments advanced on the 1 ATF base at Nui Dat in what now seems to have been a pre-emptive strike to eliminate the Australian presence.

93. Carrying out the requirements of its initial Directive and tasking from the Australian Army, the Troop had commenced developing close operational liaison with elements of the US 303rd Radio Research Company and the US 146th Aviation Company (Radio Research) at Tan Son Nhut, and through collaboration had received and analysed US aerial radio direction finding fixes in addition to its own signals intercepts. These pointed to the movement of several VC HQ radios (5th VC Division, 274th and 275th VC Regiments) towards Nui Dat. Around 29 July 1966 the analysis of available intelligence led Captain Richards to alert the Commander 1ATF to the real possibility of large scale offensive action. The meaning and significance of the warning was poorly understood. The Battle of Long Tan (18 August 1966) was precipitated by some of the Australian patrolling responses to preliminary mortar attacks by those VC units. It was not until the Commander 1ATF fully recognised the gravity of this developing action at Long Tan that Captain Richards and 547 Signal Troop's continuing radio intercept contact with those VC units were drawn into the on-going consideration of the ATF response.

94. In early and then again in late August 1966 Captain Richards reported to DSD and the Directorate of Military Intelligence on the less than adequate intelligence end product, especially ARDF fixes, being received from the USASA. In a lengthy letter Richards outlined what 547 Signal Troop had done in directly working with the Americans to enhance the intelligence available to 1ATF and what he was proposing by way of new equipment and additional personnel to improve the Australian capacity to produce intelligence reporting, drawing on a greater input of Australian materiel including its own ARDF. Before he arrived in Vietnam, Richards had knowledge of technical and experimental work on direction finding being undertaken at Weapons Research Establishment (WRE) in Adelaide.

95. His analysis led in a relatively short time to an acceleration of the project HIGH DIVINE ARDF work then underway at the WRE. Equipment (A model) was delivered to Nui Dat for trial in the middle of 1967. After initial problems were sorted out the original experimental equipment, which WRE had intended taking back to Australia for further development, was, as a result of the personal intervention by the Commander 1ATF, retained in Vietnam. It was flown daily by 161 Reconnaissance Flight (an Australian Army flight using Cessna and Pilatus Porter aircraft) with 547 Signal Troop personnel aboard. A second generation (B model) of experimental equipment with upgraded aerals was delivered in 1969.

By the middle of 1971 two Pilatus ARDF aircraft that replaced the Cessnas were being operated with B model equipment. The final production model of the WRE designed equipment with all the 'bugs' sorted out was not available until about the middle to late 1971 when the Australian commitment was about to end.

96. The ARDF mission crew consisted of a pilot and a trained 547 Troop ARDF operator. Normally the aircraft flew two sorties a day every day of about 2½ hours duration. The flights were based around known enemy target communications times. Each sortie achieved an average of twelve fixes. It has been estimated that between 1967 and 1971 161 Recce Flight and 547 Signal Troop flew 6000 hours of ARDF missions.

97. The HIGH DIVINE ARDF equipment had limitations. Its operation required the aircraft to fly in a straight line at a distance of about 5km from the targeted transmitter. Once a targeted transmitter moved or was silent for an extended period significant airborne time could be wasted trying to locate the 'ball park' in which it was now operating. To overcome this difficulty, WRE was tasked to find a solution and as a consequence through Project SHORT CELL (Short Range Signals Station Locator) (SSL), a terrestrial direction finding station was established employing WRE-modified German Second World War technology. This operated on the principle of vertical rather than horizontal triangulation thereby overcoming security and operational issues that were inherent in having at least two stations of a horizontal arrangement permanently outside the Nui Dat perimeter as was required if the US AN/PDR-1 direction finding equipment had been adopted. The Troop constructed a relatively large antenna farm just to the west of Nui Dat hill to accommodate the operation of the new direction finding equipment. The terrestrial SSL equipment, known colloquially as 'the cell', was acquired and operated successfully by the Troop from October 1968. Allied, especially US intelligence personnel, although initially sceptical, were, after demonstrations by the Troop and seeing the results produced, impressed by the total system concept and its effectiveness.²⁷

98. In addition to the Troop now having its own ARDF resource, by 1967 its complement was doubled to a full troop size of 30. These decisions were made by the Chief of the General Staff after inspections and reporting by his Deputy and consultation with relevant senior officers in Vietnam and Canberra.

99. When the Commander 1ATF began commanding operations outside the perimeter at Nui Dat, and fire support bases were established at various locations, personnel from 547 Troop were detached to undertake signals interception and attempt to provide intelligence on enemy radio positions to the Commander 1ATF at these forward locations. The Commander 1ATF recognised the unworkability of these communications arrangements, which led to proposals from the Troop for the development of a fully mobile SIGINT operation. In early 1969 the Commander 1ATF provided the Troop with a converted Armoured Command Vehicle (ACV)

²⁷ Submission 17 – LTCOL Steve Hart (Retd)

85D, which was then regularly deployed to fire support bases to provide SIGINT and secure communications to the Commander and on occasions to local commanders. The operation of the ACV allowed the Commander to move readily outside Nui Dat as a matter of course to command operations.

100. The Troop's size was progressively increased further, from 30 to 35 by the end of 1967 and later to 40 in recognition of the increased and more diverse workload that it was now being asked to perform, not only to support 1ATF but also to meet the growing requirements of a number of allied, especially United States units close to the Australian area of tactical responsibility in Phuoc Tuy Province. These American requests grew in number throughout 1969, 1970 and 1971.

101. By the middle of 1969, three years after the commencement of operations, 547 Signal Troop had become one of the integral elements in the performance of 1ATF, which particularly included Special Air Service (SAS) Squadron operations. It also provided intelligence product to a number of senior US commanders in the II Corps area of responsibility. The Troop's input became central to much of the decision making by the Commander 1ATF, with regard to many of the significant battles such as the Battle of Binh Ba in June 1969, Operation Townsville in April 1970, Gia Ray in May 1970, Operation Overlord in June 1971 and Operation Ivanhoe in September 1971.

102. During the whole of its 5½ year deployment the Troop developed and implemented a training, indoctrination and familiarisation program for new personnel as they were posted approximately every twelve months. Its parent unit, 7 Signal Regiment, provided new staff that had completed basic training and were proficient SIGINT operators. However, from about the middle of 1969 onwards the supply of 'Singapore hardened' staff had been exhausted. The Troop's staff in Vietnam therefore had additional responsibilities and work to ensure that new personnel became fully proficient in the Vietnam environment to the level of performance that the Troop had set itself.

Tribunal Consideration

103. With this historical background of the development of signals intelligence and the role of 547 Signal Troop, the Tribunal then turned to considering the performance of the Troop and whether that performance was at a standard to warrant the award of the MUC. In considering this issue the Tribunal was mindful of its conclusion in Part B that to maintain the integrity of the Australian Honours System it would need to 'set the bar high' when assessing whether 547 Signal Troop had achieved 'sustained outstanding service in warlike operations'.

Determining Eligibility of 547 Signal Troop for the MUC

104. As described in paragraph 28, the key requirements to be satisfied before an award may be recommended are that:

- the unit was a 'unit' for the purposes of the Regulations;
- it was engaged in 'warlike operations'; and
- it provided 'sustained outstanding service'.

105. **Was 547 Signal Troop a 'unit'?** The Defence Honours and Awards Manual states that for the purposes of unit citations, a 'unit includes sub-units, ships, squadrons etc'. The term 'unit' can have a very general or a quite specific meaning. *Australian Army Land Warfare Doctrine –Publication 3 – Operations* describes the differences between units, sub-units (combat teams) and sections/platoons (micro combat teams). These definitions suggest that 547 Signal Troop was at the lowest level (micro combat team). Nonetheless, Army Headquarters have advised that if 547 Signal Troop were deployed today it would be considered a unit or sub-unit.²⁸

106. This advice appears to be at complete odds with the *Defence Instruction (Army) Administration 38-3*, 'Administration of Australian Army Battle Honours, Theatre Honours, Honourable Distinctions and Honour Titles'. This policy document states:

For the purposes of the award of an Honour, a Unit is defined as an organisation normally commanded by a Lieutenant Colonel and is the equivalent of a Task Force/Battle Group. A Sub-Unit is an organisation normally commanded by a Major and is the equivalent of a Task Element/Combat Team.

107. A signal troop is normally commanded by a captain or lieutenant, and hence under the Army's own definition 547 Signal Troop was not a unit or sub-unit. At times in Vietnam 547 Signal Troop was commanded by a major. This was not because command of the unit required a major. It was because the commander of the Troop needed sufficient rank to enable his voice to be heard by the Task Force commander whose principal staff officers were all majors.

108. On balance, it seems that 547 Signal Troop was not a sub-unit, but rather a sub-sub-unit. However, in view of the lack of uniformity in Defence regulations and doctrine, the Tribunal concluded that it did not have strong grounds from excluding 547 Signal Troop from consideration for the MUC on this issue. The Tribunal considered that it would be helpful if Defence provided a clearer definition of a unit and a sub-unit.

109. **Was 547 Signal Troop engaged in 'warlike operations'?** The Tribunal was satisfied that 547 Signal Troop was engaged in warlike operations from 1966 to 1971.

110. **Did 547 Signal Troop provided 'sustained outstanding service'?** This question must be determined without much formal assistance from the Regulations. There are no criteria in the Letters Patent, Regulations or Governor-General's Determination (see paragraph 22) applicable to the award of the MUC to assist in deciding whether a Unit's performance amounted to 'sustained outstanding service'.

111. There is also little guidance either from Defence policy on the award of the MUC or from Defence practice which the Tribunal has been able to distil from examination of the material available on each of the 25 MUCs awarded so far. Unfortunately the records of decision-making in many of these cases are also incomplete. In most cases, consideration by Defence seems not to have followed any

uniform, approved analytical framework and each case's outcome seems to have resulted from a mixture of objective and subjective judgments made at a particular time by a specific group of senior officers.

112. This being the case, in trying to formulate assessment criteria the Tribunal looked first to the normal meaning of the words 'sustained outstanding service'. According to the Macquarie Dictionary to 'sustain' means 'to keep up or keep going', and the Oxford English Dictionary states its meaning is 'to keep in being; to cause to continue in a certain state; to keep or maintain at the proper level or standard'. Macquarie says that 'outstanding' means 'prominent, conspicuous, striking' and Oxford that it means 'standing out from the rest, conspicuous, eminent, striking'. i.e. 'outstanding' is a comparative judgement.

113. The Tribunal therefore sought to determine whether or not 547 Signal Troop during the whole or part of its five and half years of service in Vietnam delivered sustained outstanding service by comparison with what it was ordered to do and judged by the standards of Australian SIGINT personnel and units previously detached to British Army organisations since the Second World War and the United States units with which it operated in Vietnam. The Tribunal, however, also determined that it was not part of its task to compare the performance of 547 Signal Troop with that of any other Australian Naval, Army or Air Force unit that took part in the Vietnam campaign. In the same vein, it was also not part of the Tribunal's task in this inquiry to determine if objectively the performance of 547 Signal Troop could be determined as being, for example, excellent, very good, good, average or below average. The only legal test was 'sustained outstanding service' as judged by and reported on by its principal commanders (Australian and United States) and by its peer intelligence units in the field and at their headquarters in Canberra and Washington.

114. The Tribunal found that in January 2006 the Chief of Army (CA), Lieutenant General Leahy, issued a directive which outlined an analytical approach and criteria for determining what amounted to 'sustained outstanding service' for the purposes of considering whether to recommend an award of an MUC. A copy of that directive, CA Directive 03/06 – *Army Criteria for the Award of a Meritorious Unit Citation* (referred to in this report as the 2006 CA Directive), is included at Appendix 5. In the directive the Chief of Army stated:

The extant references governing these awards [MUC and UCG] do not provide guidance as to the criteria to be considered in the selection of units for receipt of unit citations, instead they rely on practices established for individual awards. The lack of guiding criteria may ultimately result in inconsistent applications of standards and lead to a devaluation of awards. The maintenance of the value of the UCG and MUC is essential given the enduring nature of the recognition.

The Chief of Army was making the same comment about devaluation of awards as the Tribunal concluded (see paragraph 62).

115. The criteria in the 2006 CA Directive (in outline) were as follows:

- (1) **Operational Performance**
 - a. Mission achievement
 - b. Higher than expected personnel and equipment availability
 - c. Force preservation
- (2) **Strategic Significance**
 - a. Strategic impact of unit performance
 - b. Positive engagement outcomes
- (3) **Personnel Performance**
 - a. Superior command and leadership leading to exemplary morale
 - b. Consistent excellence in unit administration across the unit
- (4) **Other**
 - a. Innovation
 - b. Adaptability
 - c. New capabilities
 - d. Reconstitution
 - e. Family support

116. This 2006 Directive sets out what the Chief of Army considered was required in submissions seeking the award of a MUC and provided detailed criteria for assessing what material should be provided. Enquiries by the Tribunal have confirmed that this Army approach has not been adopted by Defence nor has it been applied with respect to any MUC application made since 2006. The Tribunal noted, however, that the criteria are more suited to the current operational environment than to past operations. For example, under the heading 'Strategic Significance' the criteria states:

Operations in the 21st Century will be conducted under the scrutiny of multiple information gathering media. This information will be available to the Australian public almost instantly. The consequences of actions are profound.

It would be difficult for many units serving in the First or Second World Wars or even Vietnam, to satisfy this aspect of the criteria.

117. In the absence of any other guidance, the Tribunal determined that the 2006 CA Directive might be useful when it considered whether 547 Signal Troop met the criteria of 'sustained outstanding service'. The Tribunal's consideration against these criteria is set out in paragraphs 146 to 157.

Arguments for Awarding an MUC to 547 Signal Troop

118. The Tribunal received more than 30 submissions supporting the award of the MUC to 547 Signal Troop. Most of these were from former members of the Troop, some of whom sent multiple submissions. Further, several former members gave evidence at public hearings. The award of the MUC was supported by the Vietnam

Veterans' Association of Australia.²⁹ These submissions put forward the following arguments.

119. **Injustice.** Some submitters argued that it was an 'injustice' that the Troop's achievements and contributions during the Vietnam War have not been adequately recognised. However, the Tribunal noted that three members of the Troop were awarded decorations. No evidence has been presented to show that further medals were denied because of maladministration. There was a quota system for the allocation of medals which was the approved system at the time. Further, the Tribunal noted that while the work of 547 Signal Troop was given little or no public recognition at the time or soon after the war, the Troop did receive recognition in the Official History and in the history of the Signals Corps by John Blaxland, published in 1998.³⁰ The Tribunal concluded that the claim of an injustice was not sufficient to warrant recommendation for the MUC.

120. **Unique and special.** It was claimed that 547 Signal Troop was a unique and special unit and should be given special consideration. In fact Australian signallers served in other operational SIGINT units, such as 367 Signal Unit at Little Sai Wan (Hong Kong) and 693 Signal Troop in Borneo during Confrontation. In the context of Australian signals intelligence, 547 Signal Troop might have been unique in that it was focused on tactical rather than strategic intelligence. In the context of the Allied war effort, however, 547 Signal Troop was not unique – there were broadly similar US units operating elsewhere in South Vietnam. At the hearing on 23 August 2014, a representative from ASD stated that the material provided by 547 Signal Troop was 'one piece of the jigsaw, not the only piece' and that 547 was one of a number of such units that contributed to the SIGINT picture – 'they were not unique'.³¹

121. **Secrecy.** The main aspect of the Troop's work that made it unique and special was the fact that its work and role were secret and have remained so until relatively recent times. Some submitters argued that 547 Signal Troop could not have been previously considered for an award, including US citations, because it was engaged in activities with national security implications. This restriction did not apply to other units in the Task Force. The Tribunal noted, however, that since the Australian MUC was not introduced until 1991 it could not have been awarded to any unit in the Task Force at the time. Furthermore, three members of the Troop received awards, indicating that the secret work of the Troop did not prevent its members being recommended for awards. The mere fact that the Troop's work was secret or indeed was unique within the Australian contribution is not, in itself, a reason why it should be awarded an MUC.

122. **Nature of the intelligence.** Submitters claimed that 547 Signal Troop contributed strategic intelligence and hence its contribution to the Vietnam War was of considerable importance. However, the Tribunal received evidence from

²⁹ Submission No 30 – Vietnam Veterans' Association of Australia.

³⁰ John Blaxland, *Signals: Swift and Sure: A history of the Royal Australian Corps of Signals 1947-1972*, Royal Australian Corps of Signals Corps Committee, p 198.

³¹ Mr Rob Foot, ASD Historian, oral submission, 23 August 2014.

representatives of ASD that 547 Signal Troop was focussed almost totally at the tactical level. Its main task was to intercept communications between the VC regiments operating in or near Phuoc Tuy Province and the VC division headquarters. While the Troop was also interested in VC communications at lower levels these were harder to intercept because there were fewer of them.

123. SIGINT was just one of the many sources of intelligence available to Australian commanders. Intelligence was provided to the Commander 1ATF by units patrolling in the jungle and villages (including by the Australian SAS), by aerial photography, observation and airborne 'sniffers', by information from prisoners, informers and returnees, by captured documents, and by liaison officers with South Vietnamese units. More broadly, the SIGINT provided by the Australians was complemented by that provided by Allied SIGINT units. Further, the work of 547 Signal Troop was controlled by the US collection management authority.

124. The Tribunal accepts that 547 Signal Troop provided valuable intelligence to the Commander 1ATF, but that is what the Troop was deployed to do. The Tribunal was advised that when the Troop was deployed to Vietnam its higher authority in Canberra, namely DSD, expected it to perform well and indeed expected that it would perform better than its American counterparts. The Troop met DSD's expectations. In other words, 547 Signal Troop did what was expected of it.

125. **Intensity of the Troop's Commitment.** The Tribunal received a considerable number of submissions which stated that the members of the Troop worked 24 hours per day, 365 days per year for 5½ years. It was further stated that members were willing to work well beyond their rostered times, and of their own volition worked without rest when they perceived this was necessary to achieve the Troop's mission. The Tribunal acknowledged that all these claims were likely correct and that the members of the Troop should be commended for their effort.

126. The Tribunal noted, however, that the level of commitment shown by members of 547 Signal Troop could be found elsewhere in the Task Force. For example, members of an infantry company patrolling in the jungle in close proximity to the enemy were on duty for 100 per cent of the time that they were on patrol and such patrols could last for 30 days or more. Even while 'off-duty' in Nui Dat, members of infantry companies were called to action immediately at various times. While 547 Signal Troop served in Vietnam for 5½ years, its members served for 12 month tours of duty, the same as those in other 1ATF units.

127. **Sustained outstanding service.** More generally, many submitters argued that 547 Signal Troop undertook 'sustained outstanding service'. This argument was supported by detailed explanations of the Troop's work and achievements, and was supported by a number of letters and messages of commendation. This argument went to the heart of the criteria for the award of the MUC and the Tribunal spent much time investigating this claim which is discussed further beginning at paragraph 133.

Arguments against Awarding an MUC to 547 Signal Troop

128. Not many submissions provided specific arguments against 547 Signal Troop being awarded an MUC, but rather argued against the award on the basis of retrospectivity which was discussed earlier in this report.

129. **Arguments from the Department of Defence.** The Tribunal received three submissions from Defence and heard from a number of Defence officials in public hearings. Defence was opposed to the MUC for the following reasons:

- 1) Members of 547 Signal Troop all received the campaign medals to which they were entitled. Three members received individual recognition. No evidence has been found to suggest that the Troop was recommended for a US unit award. The Tribunal considered this issue at paragraph 131 below.
- 2) Four Australian Army units received unit citations for their service in South Vietnam. 1 RAR received a US Meritorious Unit Citation; D Company 6 RAR received the US Presidential Unit Citation and the Australian UCG; the Australian Army Training Team received the US Meritorious Unit Commendation and the Republic of Vietnam Gallantry Cross with Palm Unit Citation; and 8 RAR received the Republic of Vietnam Gallantry Cross with Palm Unit Citation. All these units were actively engaged in combat operations against enemy forces. The Tribunal noted that this argument underlined the fact that if the Troop were to be awarded the MUC belatedly it would create a precedent.
- 3) The published histories covering the work of 547 Signal Troop suggest that members of the Troop 'performed their duties diligently, but they do not provide a sufficient weight of evidence to present a strong argument in favour of awarding' the MUC to the Troop. The Tribunal, however, has been presented with considerably more evidence about the performance of 547 Signal Troop than has been previously available in published histories, and did not give great weight to the claim by the Department of Defence.
- 4) Defence also consider the implications of awarding the MUC on the Australian Honours System which was discussed earlier in this report (paragraphs 50-67).

130. **Doing what it was tasked to do.** Another argument heard by the Tribunal was that 547 Signal Troop did just what it was tasked to do. It was suggested that a unit could not be found to have delivered 'sustained outstanding service' if it did what it was deployed to do. This is discussed in the Tribunal's analysis of the 2006 CA Directive in paragraphs 146-157.

131. **Medallic recognition.** Two members of 547 Signal Troop were awarded a Mention in Dispatches (MID) during the Vietnam War. A further member was recommended for an MID and subsequently received a Commendation for Distinguished Service in the Vietnam End of War List. Evidence was presented that the Commander 1ATF had high regard for the work of 547 Signal Troop and understood the secret nature of its work. The Tribunal noted that with so many personal commendations and thanks provided by both Australian and US senior officers (at Appendix 8), none deemed it appropriate to recommend further awards

at the time. Successive commanders chose not to recommend any more than the three MIDs. The Tribunal conducted research to determine whether 547 Signal Troop was awarded, proportionally, more or fewer decorations than other units in the Task Force. This analysis indicated that members of the Troop received decorations in the mid-to lower-range of those awarded to other units. Although the application of the quota system might have reduced the chances of members of the Troop receiving awards, that was the approved system at the time. The fact that some members of the Troop received decorations indicated that the Troop had not been overlooked, but that successive commanders had made a judgement about where the Troop's performance and its work sat in relation to the other units and members of the Task Force.

132. **Other Units could have an Equal Claim.** It was argued that other Australian Army units that served in South Vietnam could have an equal or even superior claim for recognition. This argument was discussed at paragraphs 55-57, where the Tribunal concluded that each individual case needed to be considered on its merits.

Assessment of the Performance of 547 Signal Troop

133. As noted in paragraph 110 the key issue in assessing whether 547 Signal Troop met the requirements for the MUC is to determine whether it undertook 'sustained outstanding service'. This requires an assessment of the performance of the Troop.

134. The Tribunal was provided with a number of messages of appreciation and commendation about the service of 547 Signal Troop and these are reproduced at Appendix 8. In particular, in November 1971, at the end of 547 Signal Troop's tour in Vietnam the Director of the US National Security Agency commended the Troop for 'its outstanding performance'. He continued that the Troop had 'consistently demonstrated the highest professional capability and [had] achieved exceptional results in their air and ground cryptologic attack against enemy comms'.³² Australian Army Headquarters replied:

We too are proud of the contribution made by 547 SIG TP but realise that without the help and guidance always so freely given by NSA and ASA members our efforts would not have been so successful.³³

135. Army Headquarters followed this with a signal to DSD, which stated:

Please ensure all ranks are made aware of our appreciation of the work carried out by 547 Sig Tp over the past five years. The professional manner in

³² Signal DIRNSA, DIR-157-71, 30 November 1971, in research material provided by ASD to the Tribunal on 11 July 2013.

³³ Signal, Army Canberra to DSD, 6 December 1971, in research material provided by ASD to the Tribunal on 11 July 2013.

which you have approached this task not only earned the appreciation of all Australian Army commanders, but also won the respect of our allies.³⁴

DSD then sent a signal to 547 Signal Troop in which it commended the troop:

for a job well done over the past five years . . . the record of achievement reflects great credit on the troop in all its SIGINT endeavours, in ARDF/SSL operations as well as intercept/processing activities, and not only in direct support of 1 Aust Task Force but also as a valuable part of the wider US SIGINT effort in Vietnam over the years.³⁵

The Tribunal noted that DSD considered that 547 Signal Troop had completed 'a job well done', but that there was no mention of 'sustained outstanding service'.

136. The Troop managed to adapt and through innovation meet the demands of 1ATF, and to an extent, demands of the American allies in and around its area of tactical responsibility. This was through each of the three phases of the Australian commitment – the establishment and consolidation from May 1966 to January 1968; the 'main force' out-of-province operations from January 1968 to June 1969; and the pacification and withdrawal phase from July 1969 to November 1971.

137. The 547 Signal Troop gained the confidence of the Task Force commander after the Battle of Long Tan in 1966 and not only held that confidence for the full 5½ years, tour by tour, but also built respect for reliability to the point where its intelligence product was acknowledged as a vital part of the operational planning at the tactical level. According to a number of Task Force senior operational staff officers and intelligence officers, whose evidence was provided to the Tribunal, these views were shared by successive Task Force commanders.³⁶ Three Task Force Commanders, S.C. Graham, R.L. Hughes and C.M.I Pearson, confirmed this, and Hughes stated that 547 Signal Troop was 'a wonderful source of intelligence'.³⁷ Graham recommended one member of the Troop for a Mention in Despatches, and Pearson recommended two members.³⁸ Graham and Pearson were former Directors of Military Intelligence.

138. The Tribunal's findings on the standing of the Troop and its performance are based on its analysis of the submissions it has received and its own research. Submissions provided by the Australian Signals Directorate (Submission 32) and Mr Blair Tidey (Submission 23) including interviews with a number of staff officers

³⁴ Signal, Army Canberra to DSD, 10 December 1971, in research material provided by ASD to the Tribunal on 11 July 2013.

³⁵ Ibid.

³⁶ Oral submission from T.C. Bannister and M. Peters (hearing 21 October 2013); evidence from J.O. Furner (Submission 16); and evidence from G.C. Cameron (Transcript of Interviews from ASD with Messrs Furner, Graham, Cameron and Peters).

³⁷ Graham and Hughes in Submission 17B; Pearson in Submission 9.

³⁸ One of the members recommended by Pearson was denied his Mention in Dispatches because of the quota system and received a Commendation for Distinguished Service in the Vietnam End of War List.

of the Task Force Headquarters who had intimate knowledge of the Troop's work at various periods, were taken as confirmation of the quality of the Troop's performance from the start to the finish of its time in Vietnam.

139. These Australian opinions were complemented by those of the most senior US commanders over the period from General William Westmoreland (Operation DODO - August 1966) through to General Bruce Palmer Jr. (1968) to a number of very senior officers of HQ II Corps and its US field units right up until the end of the Troop's deployment in Vietnam.

140. In addition to the opinions held by US military commanders in Vietnam was the judgments made at the top of the relevant intelligence agencies in the United States. 547 Signal Troop's first twelve months and particularly the performance of Captain Richards was lauded by the Director of the National Security Agency (NSA) in May 1967. On 30 November 1971 the then Director of the NSA, in writing to the Chief of the General Staff and DSD, commended the Troop on its outstanding performance over 5½ years' service in Vietnam. The NSA museum at its headquarters at Fort Meade dedicated to commemorate the USASA performance in Vietnam includes a separate panel specifically devoted to the service of 547 Signal Troop. Despite this, the Tribunal could find no evidence that the USASA or US Army ever wrote up 547 Signal Troop for a US unit citation as some submitters alleged.

141. The Tribunal asked submitters to assist it in forming a judgement of the value of these achievements and tributes by addressing the question – how good was the enemy that the Troop was operating against? In brief, the answer the Tribunal has been given by those with relevant knowledge and experience in Australia and the United States at the time is – 'among the best in the business'.³⁹ The NVA and Viet Cong radio communications equipment was limited and generally available only at battalion level and above. Their operators were carefully selected, well-trained and extremely disciplined. Their communication by radio was almost exclusively in Morse Code on the high frequency band and for very limited transmission windows.

142. The NVA and Viet Cong operators used a number and combination of methods to enhance their communications security and make more difficult the task of the Troop in intercepting their signals and locating their radios. The methods included: discrete radio nets for one level of command with its immediate sub-units only and located away from the unit's HQ base; communications only on pre-arranged schedules with transmissions split between two frequencies; changing signal operating methods (call signs, frequencies, etc.) regularly; keeping transmission times to a minimum; and using low power settings with aerials configured to direct sky-wave transmissions.

143. As far as the Tribunal was able to discover, there was only one short period in 5½ years when the Troop lost contact with its targeted enemy, the radio communications units of the 5th VC Division, the 274th and 275th VC Regiments and

³⁹ See for example Submission 1A – Mr Adrian Bishop PSM.

the D445 Battalion, the main combat units opposed to 1ATF. At all other times the Troop had contact with its targeted enemy radio transmitters.⁴⁰

144. The Tribunal's research did not bring to light any criticism of the Troop's performance at any time during its 5½ year deployment.

145. Submitters advised the Tribunal that as a result of the success of the Troop in Vietnam, the Army recognised the value of having an EW capacity available to commanders on the battlefield.

Performance of 547 Signal Troop against '2006 CA Directive'

146. Having gathered information about 547 Signal Troop as described above, the Tribunal then analysed the Troop's performance in accordance with CA Directive 03/06 (see Appendix 5) – the 2006 CA Directive.

Criterion 1 - Operational Performance

147. **Mission Achievement.** The Tribunal believes that 547 Signal Troop fully achieved its mission, and it was achieved despite three limiting factors (as required by the 2006 CA Directive).

(1) **Physical and Climatic Conditions.** The Troop operated, as all other elements of 1ATF did, in the difficult tropical conditions of Vietnam, including adapting to the serious interference to radio communications caused by the tropical atmospheric conditions. The Troop experimented with various forms of aerials and antennae of its own design to overcome limitations to its interception and terrestrial direction finding of enemy radio communications.

(2) **Capacity of the Enemy.** As discussed in paragraphs 141-143, 547 Signal Troop operated successfully against a highly capable enemy which made every effort to thwart its work.

(3) **Support substantially above Unit's normal capacity.** Throughout its deployment the Troop built on the basic skills of its personnel in SIGINT operations to meet the emerging requirements of providing an accurate and timely product to the Commander 1ATF. Members of the Troop extended those skills to aspects of terrestrial and aerial direction finding using 'the cell' and established the superiority of their SSL DF system. They embraced the use of the armoured command vehicle and the challenges of mobile real time SIGINT operations.

148. **Higher than expected personnel and equipment availability.** To ensure the availability of its equipment at all times, the Troop carried out much of its own technical maintenance and repairs. This was particularly challenging at times with the WRE experimental ARDF equipment for which there were no readily available spare parts or operating manuals.

⁴⁰ LTCOL Steve Hart (Retd), public hearing, 21 October 2013.

149. The Troop's training and familiarisation program in Vietnam ensured that after the 'pool' of very experienced specialist SIGINT operators had been exhausted, new personnel posted from 7 Signal Regiment with normal training and skills and some experience were quickly productive. This 'finishing' training could only be done in Vietnam because some of the equipment and systems being used (especially for direction finding and mobile operations) were not available for training at 7 Signal Regiment in Australia.

150. **Force Preservation.** During their time in Vietnam, the Troop lost no personnel, including those who served in ARDF flights and ACV operations.

151. On the other hand, the timely warnings and accurate fixes on VC/NVA main force HQ radios provided by the Troop on occasions saved Australian and other allied servicemen's lives. Although some of the information available to the Tribunal is anecdotal, other contemporary reports from commanders at the time or immediately after the particular engagement are more specific. Particular examples were:

- A report from a Thai unit in mid-June 1969 in the Long Thanh District of Bien Hoa Province that was alerted through US HQ II Field Force, Vietnam of the Troop's intelligence that a major 274th VC Regiment assault on its position was imminent. Being prepared, the Thais not only suffered only minor casualties but also managed to inflict heavy casualties on 274th VC Regiment estimated to be in excess of 200 killed;⁴¹ and
- On 22 May 1970 the Troop alerted a US infantry company (C-3/17) of the 199th Light Infantry Brigade moving in convoy that it was approaching a VC ambush in the vicinity of Gia Ray in the Long Thanh District. In the subsequent contact the VC suffered 27 killed which the US brigade commander acknowledged with thanks to the ATF commenting 'instead of a US body count we were able to do a VC body count'.⁴²

Criterion 2 - Strategic Significance

152. The Tribunal considered that despite making a contribution at the tactical level which assisted the Task Force to perform well, it was unable to discern any immediate strategic significance of the Troop's operations. This was discussed at paragraph 122. The Troop did make a major contribution at the tactical level. The quality of the Troop's intelligence product and the confidence built with successive Australian, and from time to time, US senior commanders, allowed those commanders to plan and execute operations in the knowledge that they knew (with some degree of certainty) where their main force enemy units were located. By the end of the Australian commitment in Phuoc Tuy Province, Australian commanders knew that the VC also knew that the Troop was tracking the movements day by day of each of their radio transmitters and that the relevant main force headquarters was likely to be close by. Given the otherwise adequate ability of 1ATF and US support to respond to VC incursions into the province, the SIGINT tool gave Australian

⁴¹ Submissions No 1 – Mr Adrian Bishop PSM and No 17B – LTCOL Steve Hart (Retd).

⁴² Submission No 21 – MAJ Steve Tizzard OAM (Retd) and 17B LTCOL Steve Hart (Retd).

commanders a tactical edge over the VC opponent in Phuoc Tuy Province to the end in December 1971.

Criterion 3 - Personnel Performance

153. Initially the Troop's performance and morale was a product of professional, experienced leadership and a team of highly-trained and experienced signallers who had the common background of service in Singapore in particular. This was maintained by successive contingents over the following years.

Criterion 4 - Unit Administration and Operational and Security Performance

154. Over the period the Troop was in Vietnam it grew from 15 to about 40 personnel and was responsible for its own administrative, logistic, technical maintenance and security support. These functions were carried out by members of the Troop in addition to their normal specialist responsibilities.

Criterion 5 - Other Claims

155. The elements of the Troop's performance referred to above were attested to by both senior Australian and United States commanders. The details are set out in Appendix 8.

156. The assessments referred to above also confirmed the Troop's ability in five other categories (as required by the 2006 CA Directive):

- **Innovation.** 547 Signal Troop moved from just receiving end product intelligence from the USASA to a position of contributing directly to targeting US ARDF missions and regularly took over the land-based control functions of those missions, 'steering' the aircraft as it searched for enemy radio signals. It initiated the acceleration of the provision of an Australian ARDF system to meet the deficiency it saw in the US facilities; participated in the WRE trials in Vietnam and operated very successfully the experimental WRE equipment in one 161 Recce Flight Cessna or Pilatus aircraft for approximately four years (with two aircraft operating in 1971) – flying in the aircraft and 'steering' from its base. It configured and operated from 1969 onwards mobile intercept and secure communications equipment in a purpose modified armoured command vehicle, allowing the 1 ATF Commanders to command operations outside the Nui Dat perimeter and to provide SIGINT support to commanders at fire support bases.
- **Adaptability.** As indicated in the previous paragraph, 547 Signal Troop was highly adaptable in using ARDF to meet emerging demands.
- **New Capabilities.** From the end of 1968 547 Signal Troop operated terrestrial SSL DF equipment known as 'the cell', developed by WRE modelled on original German equipment. In addition, operation of 'the cell' was necessary as a complement to the results achieved through the ARDF system in ensuring the greatest accuracy of SSL fixes. The Troop proved the SSL DF system it pioneered and applied in its use of the Australian aerial and terrestrial direction finding equipment which produced an enhanced, multi-faceted intelligence collection capability.

- **Reconstitution.** The Troop developed training and familiarisation and a 'buddy' system to ensure that all of the special skills needed in Vietnam that could not be gained in Australia were efficiently and effectively inculcated into new personnel with the first few weeks of starting at Nui Dat.
- **Family Support.** As far as the Tribunal was able to discover neither the Army nor the Troop had any particular/special family support programs in place at the time of the Vietnam campaign.

Tribunal Conclusion from the '2006 CA Directive'

157. Based on this assessment, particularly noting Criterion 5, it could be argued that the Troop's work was 'sustained, outstanding service'. But it could equally be argued that while certain aspects of the Troop's performance were outstanding, other parts of its performance were exactly what it was tasked to do. That is, it was inherent in the role of 547 Signal Troop that it was expected to be innovative. Further, the Tribunal had difficulty in finding that the Troop's work had strategic significance.

Tribunal Broader Consideration

158. The Tribunal considered that many of the arguments for awarding the MUC to 547 Signal Troop, such as 'injustice', that the unit was 'unique and special', that its work was 'secret', and the intensity of the Troop's commitment, were not sufficient to cause it to recommend the award of the MUC. The Tribunal gave due consideration to the analysis of the Troop's performance against the 2006 CA Directive, noting that against some of the criteria the Troop performed very well, but in particular that while it provided valuable intelligence at the tactical level, it had no discernible strategic significance. The Tribunal took note of evidence from ASD that 547 Signal Troop was not unique and that its work was just 'one piece of the jigsaw'.⁴³ On balance the Tribunal therefore concluded that the performance of 547 Signal Troop was not 'sustained outstanding service' at the required standard and level to justify the award of the Meritorious Unit Citation.

159. The Tribunal would, however, like to place on record that 547 Signal Troop's performance should be highly commended. In particular the Tribunal recognises that for reasons of secrecy the Troop's contribution to the work of the Task Force was not acknowledged adequately in the published accounts in the decades following the end of Australia's commitment in South Vietnam. This has since been rectified. The Tribunal's decision not to recommend the award of an MUC to the Troop should not be interpreted as a slight in any way on the performance of the members of the Troop.

Other Recognition

160. A number of submitters recommended that the Tribunal consider other forms of recognition for 547 Signal Troop. Under its Terms of Reference for this Inquiry, the Tribunal was asked to consider other forms of recognition, and these are discussed below.

⁴³ Mr Rob Foot, ASD Historian, Hearing on 22 August 2014.

161. **Army Combat Badge or another badge.** In its submission to the Tribunal, the Returned and Services League of Australia stated that 'an application for the retrospective issue of the Army Combat Badge to former members of 547 Signal Troop in recognition of their hazardous service in Vietnam has merit'.⁴⁴ The Tribunal noted that some members of 547 Signal Troop may already have been awarded the Army Combat Badge, but others who have not should make application to the Chief of Army. One submitter suggested 'a gilt badge of some sort or a cross to be worn around the neck or above service ribbons would be appropriate'.⁴⁵ The Tribunal did not consider this as a viable option.

162. **Another Medal.** Several submitters suggested the Tribunal consider another medal. Proposals included the Australian Service Medal 1945-75 with clasp 'SPECIAL OPS' (ASM 45-75 with Clasp 'SPECIAL OPS')⁴⁶ or a new medal.⁴⁷ The ASM 45-75 is issued for prescribed non-warlike operations. The ASM 45-75 with Clasp 'SPECIAL OPS' is for prescribed non-warlike operations as specified by the CDF. Members of 547 Signal Troop who served in Vietnam already have the Australian Active Service Medal 1945-75 with Clasp 'VIETNAM' in recognition of the warlike nature of their service. As per the Declaration and Determination under the ASM 1945-75 Regulations, persons who render active service attracting a separate award of the AASM are not eligible for an award of the ASM 1945-75.⁴⁸ The Tribunal did not consider it appropriate to recommend an amendment to the Regulations to allow the ASM 1945-75 with clasp 'SPECIAL OPS' to be awarded to 547 Signal Troop. Other submitters suggested the Tribunal recommend a new medal specifically for their service. The Tribunal was not persuaded that a new medal is warranted and recommends no new medal be created to recognise 547 Signal Troop.

163. **Application for a US MUC.** One submitter stated in a follow-up submission that 'we believe the US government would be receptive to a suggestion for the retrospective award of a US Meritorious Unit Citation for 547 Signal Troop if requested by the Australian authorities'.⁴⁹ The Tribunal was not persuaded that the Australian Government should approach the United States Government to seek such an award.

164. **Simple Recognition.** The great majority of submitters just sought 'recognition' without specifying what form this should take. While the Tribunal is unable to satisfy the request for medallion recognition, the public nature of the inquiry, the release of hitherto classified material regarding the work of 547 Signal Troop and the publication of all the research material gathered by the Tribunal, may go a long way to satisfying their request. The Tribunal acknowledges the considerable work of Mr Bob Hartley and others and encourages the Troop to publish the work.

⁴⁴ Submission 29 - Returned & Services League of Australia.

⁴⁵ Submission 22 - Mr Jehosphat Potter.

⁴⁶ Submission 20 - Dr Robert Maher.

⁴⁷ Ibid.

⁴⁸ *Commonwealth of Australia Gazette* No. S102, 27 March 2001.

⁴⁹ Submission 17A - LTCOL Steve Hart (Retd).

PART D - CONCLUSIONS AND RECOMMENDATIONS

Conclusions

165. The Tribunal is enjoined by its Terms of Reference in making its findings and in formulating its recommendations to maintain the integrity of the Australian Honours and Awards System and to identify any consequential impacts that any finding or recommendation might have on that System.

166. Unit citations were introduced in 1991 at the beginning of a new episode in the history of Australian military operations, in which the operational context was, and is, quite different from the preceding, stretching from the First World War to the Vietnam War. To award citations, intended for the present period, to units which served in earlier, quite different periods (going back to the First World War), would create a series of anomalies which could, in the Tribunal's view damage the Australian Honours System.

167. A multiplication of applications for unit citations for actions or service before 1991 over the next decade or more, each of which is likely to be determined by the Tribunal, would threaten the integrity of the Australian Honours system, unless there were clear, Government-approved criteria for the awarding of the citations.

168. The Tribunal concluded that to maintain the integrity of the Australian Honours System it would need to 'set the bar high' when assessing whether a unit had achieved 'sustained outstanding service in warlike operations', for service before 1991.

169. The Tribunal concluded that the performance of 547 Signal Troop was not 'sustained outstanding service' at the required standard and level to justify the award of the Meritorious Unit Citation.

Recommendations

170. The Tribunal makes the following recommendations:

Recommendation 1

No action be taken by the Minister to award a Meritorious Unit Citation or any other form of medallic recognition to 547 Signal Troop for its service in South Vietnam between 1966 and 1971.

Recommendation 2

That the Minister consider directing the Chief of the Defence Force to introduce more guidance for the award of the Meritorious Unit Citation and the Unit Citation for Gallantry.

Recommendation 3

That the Minister consider an amendment to the regulations to restrict the award of the Meritorious Unit Citation and the Unit Citation for Gallantry to units that served after 1991. If the Minister rejects this recommendation, consideration should be given to the introduction of guidelines directing when applications for unit citations for service before 1991 would be considered.

APPENDICES

Appendix 1 - List of Submissions Received

- Submissions 01, 01A and 01B – Mr Adrian Bishop PSM (for)
- Submission 02 – Mr Barry Gratwick (against)
- Submission 03 – Lieutenant Colonel Richard Catlett United States Army
(Retired) (for)
- Submissions 04 and 04A – Mr Barry Hampstead (for)
- Submission 05 – Mr Peter Jones (against)
- Submission 06 – Mr Max Allen (against)
- Submission 07 – Mr Kevin Lever (for)
- Submission 08 – Mr Robert Harland (for)
- Submission 09 – Mr Daryl McPhee (for)
- Submissions 10, 10A and 10B – Major Phillip Rutherford (for)
- Submission 11 – Major C A Foster (retd) (for)
- Submission 12 – Brigadier-General Joseph Ulatoski United States Army (Retired)
(for)
- Submission 13 – Lieutenant Colonel Harry Smith SG MC (Retd) (against, unless
other awards are made)
- Submission 14 – Mrs J R Rodgers (for)
- Submission 15 – Mr Barry Nisbet (for)
- Submissions 16 and 16A – Brigadier E P Chamberlain CSC (Retd) (for)
- Submissions 17, 17A, 17B, 17C, 17D and 17E – Lieutenant Colonel Steve Hart (Retd)
(for)
- Submission 18 – Lieutenant Colonel Peter Murray (Retd) (for)
- Submissions 19, 19A and 19B – Major John Edward Fenton (Retd) (for)
- Submissions 20, 20A, 20B and 20C – Dr Robert Maher (for)
- Submission 21 – Major Steve Tizzard OAM (Retd) (for)
- Submission 22 – Mr Jehosophat Potter (for)
- Submission 23 – Mr Blair Tidey (for)
- Submission 24 – Mr James Danskin (for)
- Submission 25 – Mr Glenn Adamson (for)

List of Submissions Received (*continued*)

Submission 26 – Mr Denis John Dean (for)

Submission 27 – Mr Jon Swayze (for)

Submissions 28, 28A and 28B - Department of Defence (against)

Submission 29 – Returned & Services League of Australia

(support for the award of the Army Combat Badge)

Submission 30 – Mr Bob Elworthy, on behalf of the Vietnam Veterans'

Association of Australia (for)

Submission 31 – Mr Bob Hartley AM (for)

Submission 32 – Defence Signals Directorate (no stated position)

Submission 33 and 33A – Major Phil Rutherford (for)

Appendix 2 - List of Hearing Dates and Submitters

Hearing days

23 July 2013 - Canberra

Tribunal Members

Chair: Mr Alan Rose (Chair)
Members: Ms Sigrid Higgins
Mr Kevin Woods

Submitters

Department of Defence, represented by:

- Mrs Helen Gouzvaris, Director, Honours and Awards, Department of Defence
- Major John Tilbrook, Australian Army History Unit
- Mr Rob Foot, Australian Signals Directorate

The Returned & Services League of Australia, represented by:

- Mr John King, National Secretary
- Mr Herbert Michaelis, Projects Officer

Dr John Blaxland

Lieutenant Colonel Ian Bowen (Retd)

Lieutenant Colonel Steve Hart (Retd)

24 July 2013 - Canberra

Tribunal Members

Chair Mr Alan Rose (Chair)
Members: Ms Sigrid Higgins
Mr Kevin Woods

Submitters

Mr Adrian Bishop

The Vietnam Veterans Association of Australia, represented by Mr Bob Elworthy

Major Stephen Tizzard

25 July 2013 - Brisbane

Tribunal Members

Chair Mr Alan Rose (Chair)
Members: Ms Sigrid Higgins
 Mr Kevin Woods

Submitters

Major John Fenton (Retd)

Mr Barry Hampstead

Mr Kevin Lever

Dr Robert Maher

Mr Blair Tidey

21 October 2013 - Canberra

Tribunal Members

Chair Mr Alan Rose (Chair)
Members: Ms Sigrid Higgins
 Mr Kevin Woods

Submitters

Department of Defence, represented by:

- Major General Peter Gilmore AO DSC, Deputy Chief of Army
- Air Commodore Hayden Marshall – for Deputy Chief of Joint Operations
- Ms Helen Gouzvaris, Director Honours and Awards
- Mr Pat Clarke, Honours and Awards

Lieutenant Colonel Colin Bannister (Retd)

Lieutenant Colonel Steve Hart (Retd)

Lieutenant Colonel Peter Murray (Retd)

Dr Robert Maher

Colonel Mike Peters (Retd)

12 August 2014 - Canberra

Tribunal Members

Chair Mr Alan Rose (Chair)
Members: Dr Jane Harte
 Professor David Horner
 Air Commodore Mark Lax (Retd)
 Mr Kevin Woods

Submitters

Lieutenant Colonel Steve Hart (Retd)

Mr Bob Elworthy

Mr Bob Hartley

Mr Ian Bowen

22 August 2014 - Canberra

Tribunal Members

Chair Mr Alan Rose (Chair)
Members: Dr Jane Harte
 Professor David Horner
 Air Commodore Mark Lax (Retd)
 Mr Kevin Woods

Submitter

Mr Rob Foot, Australian Signals Directorate

Sitting days

Tribunal Members 2012 - 6 July 2014

Chair Mr Alan Rose (Chair)
Members: Ms Sigrid Higgins
 Mr Kevin Woods

The Tribunal (as constituted above) sat on the following days:

- 7 December 2012
- 31 July 2012
- 16 May 2013
- 23-25 July 2013

- 21 October 2013
- 3 December 2013
- 11 March 2014
- 5 May 2014

Tribunal Members 7 July 2014 – 25 September 2014

| | |
|----------|-------------------------------|
| Chair | Mr Alan Rose (Chair) |
| Members: | Dr Jane Harte |
| | Professor David Horner |
| | Air Commodore Mark Lax (Retd) |
| | Mr Kevin Woods |

The Tribunal (as constituted above) sat on the following days:

- 23 July 2014
- 12 August 2014
- 22 August 2014

Tribunal Members 26 September 2014 to 2015

| | |
|-------------------|-------------------------------|
| Presiding Member: | Professor David Horner |
| Members: | Dr Jane Harte |
| | Air Commodore Mark Lax (Retd) |
| | Mr Kevin Woods |

The Tribunal (as constituted above) sat on the following days:

- 12 November 2014
- 9 December 2014
- 13 January 2015
- 18 February 2015
- 2 March 2015
- 18 February 2015
- 2 March 2015

Appendix 3 - Bibliography of Research Materials

Acts

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AWM119, 611 Part 1, Operational Awards Vietnam - List 11

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The Defence Honours and Awards Manual, Department of Defence, 2012.

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Blaxland, J, *Listening to the Enemy*, War Time, Australian War Memorial, Issue 57.

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<http://www.vvaa.org.au/endofwar.htm>, accessed 14 April 2014

Australian Honours Database
http://www.itsanhonour.gov.au/honours/honour_roll/index.cfm

Appendix 4 – Meritorious Unit Citation Recipients

HMAS Brisbane

For meritorious operational service in the Persian Gulf during enforcement of sanctions in support of United Nations Security Council Resolutions and the subsequent period of hostilities against Iraq to liberate Kuwait in 1990-91.

Awarded 4 November 1991

HMAS Sydney

For meritorious operational service in the Persian Gulf during enforcement of sanctions in support of United Nations Security Council Resolutions and the subsequent period of hostilities against Iraq to liberate Kuwait in 1990-91.

Awarded 4 November 1991

Royal Australian Navy Clearance Diving Team 3

For meritorious service in clearing Kuwaiti ports of mines, explosive devices and ordinance during the period 27 January to 11 May 1991.

Awarded 4 November 1991

3 Squadron, Special Air Service Regiment

For sustained outstanding service in warlike operations of the Response Force for Operation WARDEN (East Timor).

Awarded 25 March 2000

No. 2 Airfield Defence Squadron

For sustained outstanding service in warlike operations in support of the International Force for East Timor on Operations Operation WARDEN and Operation STABILISE.

Awarded 25 March 2000

Task Group 645.1.1

For sustained outstanding service in warlike operations in support of the International Force for East Timor during Operation STABILISE.

Awarded 25 March 2000

10th Force Support Battalion

For sustained outstanding service in the provision of logistic support to warlike operations in East Timor.

Awarded 26 January 2002

No. 84 Wing Detachment Manas

For outstanding service during warlike operations over the Afghanistan area of operation from March to September 2002 during Operation Slipper.

Awarded 29 September 2002

No. 3 Squadron Royal New Zealand Air Force

For sustained outstanding service in the support of the peacekeeping operations whilst deployed in East Timor.

Awarded 15 November 2002

Special Air Service Regiment

For sustained outstanding service in warlike operations in Afghanistan in support of the International Coalition against Terrorism.

Awarded 19 December 2002

HMAS Anzac

For sustained outstanding service in warlike operations in the Middle East Area of Operations between February and May 2003 whilst deployed on Operation Falconer.

Awarded 27 November 2003

HMAS Kanimbla

For meritorious service in warlike operations in the war against weapons of mass destruction, Iraq, during Operation Bastille and Operation Falconer between February and May 2003.

Awarded 27 November 2003

No. 75 Squadron

For sustained outstanding service during warlike operations, in the Middle East Area of operations, over Iraq during Operation Falconer.

Awarded 27 November 2003

No. 1 Combat Communications Squadron

For sustained outstanding service in warlike operations in providing expeditionary communication and information systems support during Operations Bastille and Operation Falconer.

Awarded 27 November 2003

Clearance Diving Team 3, Royal Australian Navy

For sustained outstanding service in warlike conditions during Operations BASTILLE and FALCONER against Iraq between February and May 2003.

Awarded 27 November 2003

Task Group 633.4.2

For sustained outstanding service in warlike operations in providing air traffic control at Baghdad International Airport during Operation Falconer and Operation Catalyst.

Awarded 14 September 2004

Australian Medical Detachment (Balad)

For meritorious service and outstanding professional competency in the provision of health care in support of the United States Air Force Theatre Hospital, Balad, Iraq during Operation Catalyst between 4 May 2005 and 28 September 2005.

Awarded 12 June 2006

HMAS Parramatta

For meritorious operational service in the Northern Arabian Gulf during Operation Catalyst from 1 November 2005 to 25 March 2006 while conducting maritime security operations in support of the Australian Government's contribution to the rehabilitation and rebuilding of Iraq.

Awarded 26 January 2007

Australian Medical Detachment (Balad)

For sustained outstanding service and professional competency in the provision of health care in support of the United States Air Force Theatre Hospital, Balad, Iraq during Operation Catalyst from 1 September 2004 to 3 May 2005 inclusive and from 29 September 2005 to 31 December 2005 inclusive.

Awarded 26 January 2007

5th Aviation Regiment

For sustained meritorious service during warlike and peace support missions in support of Operation Warden, Operation Tanager and Operation Slipper.

Awarded 27 November 2007

Mentoring Task Force-1

For sustained outstanding service in warlike operations on Operation Slipper in Uruzgan Province, Afghanistan, between 20 January and 30 October 2010.

Awarded 13 June 2011

92 Wing

For sustained and outstanding warlike operational service in support of Operations FALCONER, CATALYST and SLIPPER in the Middle East Area of Operations from January 2003 until December 2012

Awarded 26 January 2013

Force Communications Unit, Australian Defence Force

For sustained outstanding service in warlike operations through the provision of communications support to the United Nations Transitional Authority in Cambodia from 15 March 1992 to 7 October 1993.

Awarded 26 January 2014

1st Joint Movement Group

For sustained and outstanding warlike operational service in the Middle East Area of Operations over the period November 2001 to June 2014.

Awarded 26 January 2015

Task Force 66 (Special Operations Task Groups IV – XX)

For sustained and outstanding warlike operational service in Afghanistan from 30 April 2007 to 31 December 2013, through the conduct of counter insurgency operations in support of the International Security Assistance Force.

Awarded 26 January 2015

Appendix 5 - Chief of Army (Leahy) Directive

RESTRICTED



Army Headquarters
R1-4-B003
CANBERRA ACT 2600

Telephone (02) 626 54311
Facsimilie: (02) 626 55446

CA DIRECTIVE 03/06

See Distribution

ARMY PROCEDURE FOR THE AWARD OF A MERITORIOUS UNIT CITATION

References:

- A. DI(G) PERS 31-3 Australian Gallantry and Distinguished Service Decorations, dated 30 Nov 92
- B. CDF Directive 7/2004: CDF Directive on Unit Citation for Gallantry and Meritorious Unit Citation Streamers

INTRODUCTION

1. Unit Citations were established with the authority of the Governor General in 1991 as part of the ongoing development of the Australian Honours and Awards system. Since then one Unit Commendation for Gallantry (UCG) and 12 Meritorious Unit Citations (MUC) have been awarded to ADF units. Of these, four have been awarded to Army elements – three to the SASR or its sub units and one to 10 FSB. In accordance with reference A, I am responsible for forwarding Meritorious Unit Citation nominations to the CDF.
2. The extant references governing these awards do not provide guidance as to the criteria to be considered in the selection of units for receipt of unit citations, instead they rely on practices established for individual awards. The lack of guiding criteria may ultimately result in inconsistent application of standards and lead to a devaluation of awards. Maintenance of the value of the UCG and MUC is essential given the enduring nature of the recognition.
3. The criteria provided in this directive are intended to provide a general framework against which to assess sustained outstanding service on warlike operations for combat, combat support and combat service support units. The criteria seek some objective assessment, where such measurement is possible but they continue to require the judgement of a group of senior Army leaders to determine where performance is exceptional, based on the context of an operation, in more subjective areas.
4. Gallantry Citations are not suited to the application of a prescribed set of criteria and are not the subject of this directive.

AIM

5. The aim of this directive is to provide guidance on the process and criteria to be used by the Army to nominate and assess units for Meritorious Unit Citations for sustained outstanding service on warlike operations.

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EXECUTION

CA Intent

6. **Purpose.** To establish a simple, robust process for considering unit award nominations and develop consistent standards against which to test a unit's performance, in order to maintain the value of the award by quantifying relative sustained outstanding service.

7. **Method.** The process for consideration of unit awards is to be separate to that used for consideration of individual awards. It is to be developed and staffed in Army's chain of command as an operations matter, rather than through the personnel management framework. It is to be a sponsor driven process in which the formation headquarters of the unit being nominated will develop a detailed submission addressing the criteria outlined in this directive. The sponsor will collect corroborating evidence, draft a detailed written nomination and finally provide a supporting verbal brief to the Consideration Committee. This committee will in turn advise me on the relative merits of the nominations. I will then decide on a recommendation to CDF.

8. **Endstate.** Army will have a process for recognising units for sustained outstanding service on warlike operations which is transparent and trusted by the Army.

Nomination Process

9. The nomination process is as follows:

| Ser. | Action | Responsibility | Remarks |
|------|--|---|---|
| 1. | Supporting material gathered | Formation HQ / DSOCAUST / Division HQ/JTF HQ | Reports from superior and supported HQ; Safety Management audits; Equipment management agencies; Health support agencies; and General staff advice on command and legal issues. Submissions will require a nominal roll of eligible personnel. |
| 2. | Nomination raised to Functional Commands | Formation HQ / DSOCAUST / Division HQ/JTF HQ through JOC | Written nomination drafted using the criteria listed in annex A to this Directive. JTF HQs seeking to recognise sustained outstanding service in warlike operations in Army units are requested to submit nominations through JOC direct to the Lead Army Command for the operation (Land or Special Operations Command). |
| 3. | Written nomination staffed through Functional Command to | Functional Commands | Nomination covered by AD-104, Nomination for Honours |

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| | | | |
|----|--|-----|--|
| | Army Headquarters (for attention DCA). | | and Awards, and including support for nomination by Functional Commander. |
| 4. | Convene Unit Commendation Committee | DCA | Where practical the Committee will convene immediately following ACMC. Members as follows: Chair – DCA; Chiefs of Staff of Functional Commands; DGPP-A; DGPers-A; Principal Chaplain – Army; RSM-A; and Head Army History Unit. The proposal is to be presented to the board by the COS of the Command or the Formation Commander. |
| 5. | Consideration | DCA | Written submission tabled. Supporting evidence briefed verbally by presenting officer. DCA chairs vote and prepares advice for CA. |
| 6. | Army Decision | CA | CA decides on recommendation to CDF and directs any amendments / staff action through DCA. |
| 7. | Submission. | DCA | Nomination submitted to Director Honours and Awards for presentation to CDF. |

Submission Structure

10. Submissions for the MUC are part of a formal process and are not required to be limited to the current conventions designed for individual honours and awards, which for example limit submissions to a single page. Submissions are to address the Army criteria in a succinct but comprehensive manner. They should provide factual examples to support the nomination against as many criteria as possible. Where possible, submissions should be staffed in accordance with the deliberate bi-annual award process milestones. Submissions should reach AHQ by 15 April and 15 September of each year in order to allow time to be considered and briefed to CA. The sequencing of cases for consideration will be determined by DCA on advice from Functional Commanders.

11. Annex A to this directive provides the format for Army submissions.

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COORDINATION

12. The sponsor for this Directive is DGPP-A. The point of contact for feedback and enquiries is DOPS-A on (02) 626 54836.



P.F. LEAHY
Lieutenant General
Chief of Army

R1-4-B003
Tel: (02) 6265 4311

25 January 2006

Annex:

A. Format – Submission for Meritorious Unit Citation

Distribution:

LCAUST
SOCAUST
COMD TC-A

For Information:

CDF
VCDF
DGPP-A
DGPERS-A
DGFLW
PRINCHAP
RSM-A

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ANNEX A

FORMAT – SUBMISSION FOR MERITORIOUS UNIT CITATION

1. Submissions for the MUC are not bound by the current conventions designed for individual honours and awards, which for example limit submissions to a single page. Submissions are to address the Army criteria in a succinct but comprehensive manner. They should provide factual examples to support the nomination against as many criteria as possible.
2. This annex provides the format for Army submissions. As a guide submissions should not exceed six typed A4 pages unless they relate to particularly protracted or complex operations.
3. The content of the submission is to be structured as follows:

COVER

4. Covered by AD-104, nominations for Honours and Awards and including support for nomination by Functional Commander.

INTRODUCTION

5. **Two line precis citation.** For example – 7th XX Regiment to be awarded the Meritorious Unit Citation for sustained outstanding service during Operation XXXXX from (date) to (date).
6. Brief history of the unit's involvement in the operation.
7. Synopsis of the major operations conducted by the unit.
8. The main body of the submission should be evidence addressing the award criteria, where possible endorsed by supporting comments from higher headquarters, peer units, supported units and governance components of higher HQs.
9. The criteria listed below are intended to provide a framework against which to evaluate the unit's sustained outstanding performance on warlike operations. They are intended to be considered in the context of the operation and seek to provide a broad representation of a unit's performance during warlike operations. Where criteria are not applicable they should be excluded.

OPERATIONAL PERFORMANCE

10. **Mission achievement** - Mission accomplishment is the primary measure of the performance of all units. Units with sustained outstanding performance will achieve their mission:
 - a. despite the most adverse physical and climatic conditions;
 - b. despite the actions of a determined and capable enemy; and

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- c. when required to provide support substantially above the units' normal capacity for extended periods of time.
- 11. **Higher than expected personnel and equipment availability** – Exceptional personnel and equipment availability resulting in very high operational tempo being attained and sustained. Performance should be supported by examples and quantitative measures.
- 12. **Force Preservation** Exceptional force preservation through effective operational risk management whilst achieving the mission. Performance should be supported by examples and quantitative measures.

STRATEGIC SIGNIFICANCE

- 13. Operations in the 21st Century will be conducted under the scrutiny of multiple information gathering media. This information will be available to the Australian public almost instantly. The consequences of actions are profound.
- 14. **Strategic impact of unit performance** - unit performance on highly sensitive operations should be more heavily weighted.
- 15. **Positive engagement outcomes** – regional engagement / coalition support.

PERSONNEL PERFORMANCE

- 16. Despite the increasing use of equipment and technology in Army units, excellence will be based on the performance of the officers and soldiers of the unit. Some of the criteria in this section should be objective and based on measurable statistics however all measurements must be placed in context by the review panel.
- 17. **Superior command and leadership leading to exemplary morale:**
 - a. As indicated by unit disciplinary record.
 - b. As indicated by unit health records.
 - c. As indicated by high standards of safety. A clear risk assessment process should be evident and the risk should be accepted at the appropriate level.
- 18. Amplify personnel performance where the unit has achieved high standards despite limitations caused by:
 - a. Manning limitations.
 - b. Repeated operational deployments.
 - c. Requirement to deploy within readiness to move notice.

UNIT ADMINISTRATION AND OPERATIONAL SECURITY PERFORMANCE

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19. **Consistent excellence in unit administration across the unit.** This criteria must be assessed in the context of conditions and operational pressures but must also balance that fact that each element enables the capability for ongoing operations:

- a. Performance in stores and financial governance.
- b. Maintenance of unit equipment.
- c. Operational security breaches or loss of weapons and controlled equipment.

OTHER

20. **Innovation** – the unit devised new or adopted creative practices to more effectively achieve its mission;

21. **Adaptability.** Ability to cope with major changes to mission, mandate and ROE in stride.

22. **New Capabilities.** Ability to introduce new capabilities while deployed on operations.

23. **Reconstitution.** Ability to reconstitute and be ready for subsequent operations at the completion of a mission.

24. **Family Support.** Effectiveness of family support provided to dependents whilst unit is on operations.

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Appendix 6 - AHQ(DMI) Instruction No. 1/66 COMINT Support for 1ATF Vietnam 17 June 1966

SECRET

INDOCTRINATED RECIPIENTS ONLY

AUSTRALIAN MILITARY FORCES

MILITARY BOARD
(Chief of the General Staff)

Directorate of Military Intelligence
Army Headquarters
Russell Offices
CANBERRA, A.C.T.

17 Jun 66

AHQ (DMI) INSTRUCTION No. 1/66
COMINT SUPPORT FOR 1 ATF VIETNAM



Introduction

1. Approval has been given for the employment of the AMF personnel, in conjunction with the US ASA organisation, in Communication Intelligence (Comint) operations in South Vietnam in direct support of 1 ATF.

Aims of this Instruction

2. The aim of this instruction is to formally implement the proposals that have been agreed by the Australian and United States national authorities.

General Outline

3. a. Purpose of Operation is for the AMF to establish a comint cell at 1 ATF to receive end product material from US ASA resources. In addition AMF personnel will conduct communications intercept, processing and reporting activities as agreed by US ASA, to meet the requirements of the Commander 1 Aust Task Force.

b. Provision of Resources The AMF will provide 15 personnel from Australia i.e., Detachment 547 Signal Troop, 7 Signal Regiment. One additional linguist will be made available from the HQ AFV pool of linguists to support this detachment. The detachment will be known as the AMF Direct Support Unit (DSU) of 1 ATF in keeping with US terminology for similar US ASA units.

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Control of AMF DSU

4. Command and Control

The AMF DSU will be under the command and control of the Commander 1 ATF.

5. Operational Control

The AMF DSU will be under the operational control of US ASA organisation for operational tasking instructions and technical support.

6. National Control

As all matters effecting Signal intelligence are controlled at the national level in Australia and USA, any changes in role of the AMF DSU must be referred to AHQ (DMI) for discussion between the National Authorities.

7. Operational Deployment

The actual deployment of AMF personnel in theatre will be subject to consultation with the responsible US ASA authority. The agreed deployment must at all times be in such a manner to ensure maximum comint support for 1 ATF.

Communications

8. Exclusive comint communications between the AMF DSU and the appropriate US ASA organisation will be provided by the US ASA unit supporting 2 FFV. These communications channels will be used for the passage of all comint material i.e., policy, steerage instructions, raw materials and end product material between the AMF DSU, US Authorities and AHQ (DMI) Canberra.

9. Administrative traffic will be passed on normal AMF channels provided from within 1 ATF resources.

Provision of Personnel

10. The following AMF personnel will be provided for this operation:

a. From Australia

Officer Commanding Captain 1

Warrant Officer Class 2:

Operator Signals 1

Processor 1

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- 3 -

Staff Sergeants:

| | |
|-----------|---|
| Processor | 1 |
|-----------|---|

Sergeants:

| | |
|-----------------|---|
| Operator Cipher | 1 |
|-----------------|---|

| | |
|------------------|---|
| Operator Signals | 1 |
|------------------|---|

| | |
|-----------|---|
| Linguists | 1 |
|-----------|---|

Corporals:

| | |
|------------------|---|
| Operator Signals | 3 |
|------------------|---|

Signalman:

| | |
|------------------|---|
| Operator Signals | 5 |
|------------------|---|

| | |
|-------|----|
| Total | 15 |
|-------|----|

b. From HQ AFV Language Pool

Sergeants:

| | |
|-----------|---|
| Linguists | 1 |
|-----------|---|

Provision of Technical Stores and Equipment

11. The AMF will be responsible for the provision of the technical stores, vehicles and equipment required for the AMF DSU from Australia.

12. Where specialist stores are not available from Australia, arrangements will be made on the National level for the US ASA organisation to provide these stores in theatre.

Timings

13. The AMF DSU will arrive in Vietnam by 14 Jun 66. A period of three weeks training will be required after arrival to ensure the personnel are familiar with US ASA methods of operation. The target date for the AMF DSU operations at 1 ATF is 1 Jul 66.

Terms of Reference

14. The terms of reference for the Officer Commanding the AMF DSU are attached as Annex A to this instruction.

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INDOCTRINATED RECIPIENTS ONLY

- 4 -

Personal Security

15. Indoctrinated personnel only will be employed in or with the AMF DSU.
16. All AMF DSU personnel will be briefed on a cover story to cover the operations of the DSU. This cover story will be based on Radio Research which is the similar cover story applied to US NSA operations in Vietnam.
17. The AMF DSU will follow security instructions issued for US NSA organisations when using or handling items of equipment of US origin.

Physical Security

18. The following minimum security precautions will be taken:
- a. A wire security fence will be erected around the operational area of the DSU.
 - b. Only indoctrinated personnel will be allowed within the DSU compound.
 - c. Security containers will be provided for all sensitive material. Such material when not in use will be stored in these containers.
 - d. All waste material will be destroyed by fire.
 - e. An armed guard will be on duty within the DSU compound 24 hours daily.
19. Detailed security instructions are contained in the terms of reference for the OC AMF DSU attached as Annex A.

Hazardous Operations

20. No person with a detailed comint knowledge will be used on hazardous operations where his capture or interrogation could be a substantial risk to the security of comint.

Administration

21. Responsibility for Administration
- a. The AMF DSU is NOT a self contained unit and therefore must be administered by a unit within 1 ATF.

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- 5 -

b. In the interests of security it is suggested that this responsibility be given to 103 Signal Squadron.

17 Jun 66

McCarroll Colonel
Director of Military Intelligence

Distribution

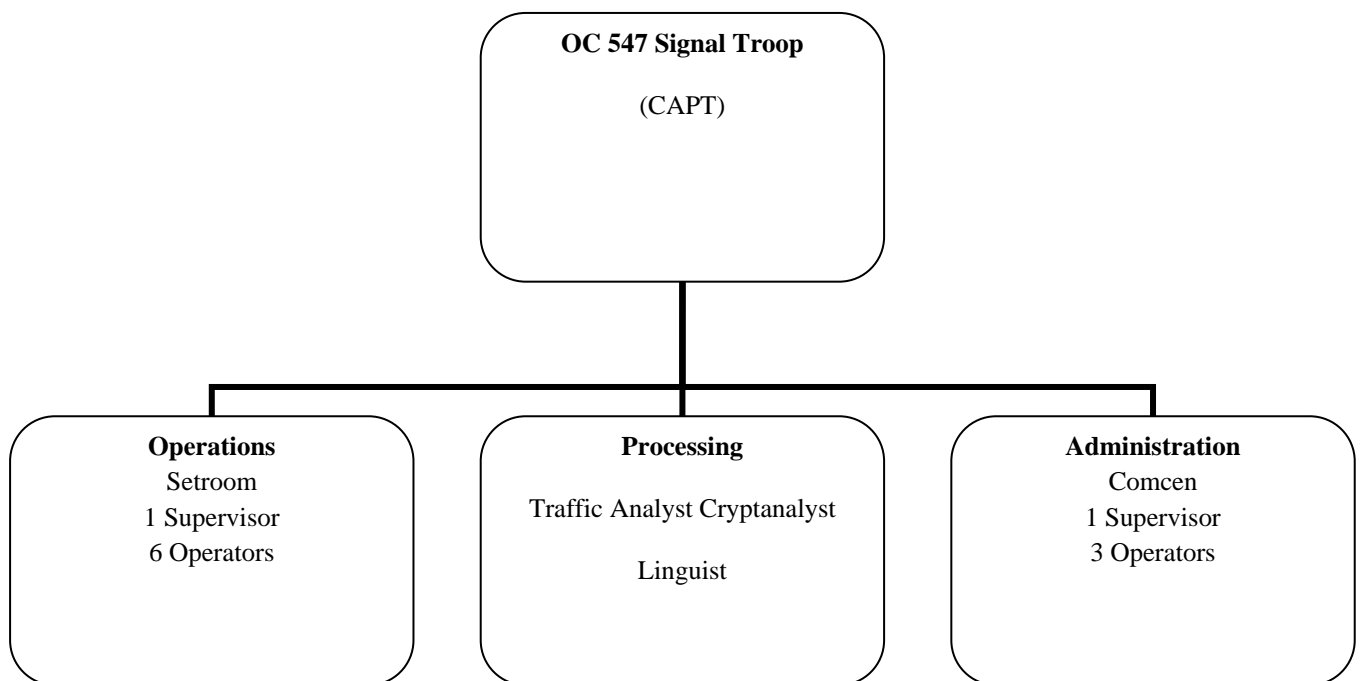
Copy No.

| | |
|-------|------------------------------------|
| 1 | Commander 1 Aust Task Force |
| 2 | OC Detachment 547 Sig Tp |
| 3 | CO 7 Signal Regiment |
| ✓ 4-6 | Director, Defence Signals Division |
| <hr/> | |
| 7 | Director of Signals AMF |
| 8 | Director of Military Intelligence |
| 9-10 | Spare (Held by DMI(MIS)) |

INDOCTRINATED RECIPIENTS ONLY
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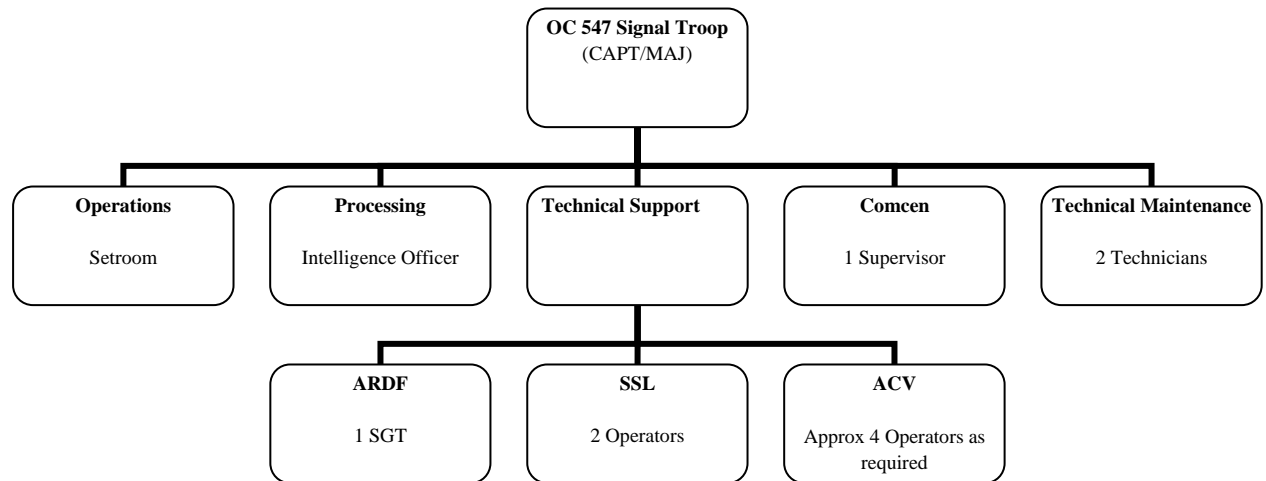
Appendix 7 - 547 Signal Troop Composition, Chronology of Landmark Events and Notable Achievements 1966 – 1971

On commencement of operations in June 1966, 547 Signal Troop consisted of 15 personnel, organised into three sections: operations, processing and administration. The operations section was responsible for operating the 'Setroom', where the radio monitoring equipment was located. The Setroom operated 24 hours a day, initially by three shifts of two operators. The processing section was responsible for the three functions of translation, traffic analysis and cryptanalysis, as well as disseminating the resulting intelligence. The administration section provided a number of support functions, primarily, the communications centre, as well as a limited number of support and logistics functions.



An increase in demand for the troop's product and various developments over time (see below chronology) saw a corresponding increase in its workload. Increased demand for the Troop's product in early 1967 resulted in a doubling in the Troop's strength, but even after this had occurred, in mid-1967 another proposal was agreed for the allotment of a further five operators. In March 1967 it was recorded that Setroom personnel were working on average 63 hours per week with a rest day in every sixteen, subject to operational considerations, which would later expand to Airborne Radio Direction Finding (ARDF) control responsibilities, Single Station Location (SSL) Direction Finding and use of an Armoured Command Vehicle (ACV).

The complement of 35 would continue to be the Troop's approximate strength for the final three years of operations (in late 1970 the complement had reached 40). Often numbers would vary due to exchanges with 104 Signal Squadron and its counterpart American unit, the 303rd Radio Research Battalion. The composition of the Troop as at December 1968 is shown below:



Chronology of Landmark Events and Notable Achievements 1966 – 1971

| Date | Action/Event |
|--------------------|--|
| 14 June 1966 | 547 Signal Troop arrived in Vietnam with an initial complement of 15, under the command of Captain Trevor Richards. |
| 17 June 1966 | Colonel C.M.I. Pearson, the Director of Military Intelligence (DMI), Army Headquarters (AHQ), and later Commander 1 st Australian Task Force, signed AHQ (DMI) Instruction No. 1/66 <i>COMINT support for 1 ATF Vietnam</i> . ⁵⁰ |
| 24 June 1966 | 547 Signal Troop became operational as the DSU at the 1 ATF base at Nui Dat. |
| July – August 1966 | During July 1966, prior to the Battle of Long Tan, 547 Signal Troop identified the radios of HQ 5 th Viet Cong (VC) Division, 274 VC Regiment and 275 VC Regiment in Phuoc Tuy province. The units were in a rest and retraining cycle, which was indicated by routine radio schedules and confirmed by corroborating intelligence. Around 29 July 275 VC Regiment started sending more traffic and longer messages, indicating a change in their activity. This combined with the movement of the radio tracked through direction finding, resulted in a report by Captain Richards of possible preparation for offensive action, however Captain Richards' warning was poorly put to use. ⁵¹ |
| July – August 1966 | In late July 547 Signal Troop began picking up powerful VC radio transmissions from the Nui Dinh hills. With the aid of a US ARDF aircraft the troop began taking fixes on the location of the station. Captain Richards alerted Major J. Murphy, OC 3 SAS Squadron who sent out patrols, but without success. Later, General Westmoreland, the overall commander of the Free World Military Assistance Command in Vietnam, became aware of the radio from his own intelligence sources and sent word personally to the task force to 'take it out'. The station had been given the codename 'Dodo'. Captain Richards was instructed to pinpoint the station so patrols could capture it. Captain Richards decided to obtain a more accurate fix using ground triangulation procedures rather than rely on the US aircraft. For this he obtained two Second World War vintage electronic 'black boxes'. With these he was able to narrow the location of the radio down to 200 metres, which led to the eventual capture of the VC radio operator, To Thi Nau. ⁵² |

⁵⁰ Australian Signals Directorate *Narrative on the Deployment of 547 Signal Troop*, 18 October 2013.

⁵¹ Ian McNeill, *To Long Tan, The Australian Army in the Vietnam War 1950-1966*, pp 307-310, Australian War Memorial, Canberra, 1993.

⁵² McNeill, *To Long Tan*, pp. 395-8.

| Date | Action/Event |
|--------------|---|
| August 1966 | <p>On 2 August 1966, Captain Richards bluntly reported to DSD his view that the overall allied Signals Intelligence effort lacked direction, professionalism and steerage.</p> <p>Later in August, Captain Richards expanded on this theme in a handwritten letter to DMI. He reported that since his unit had introduced the idea of strict tasking for ARDF missions, the US results were improving, but Captain Richards reported that standards had been such that Brigadier Jackson and his staff were 'very disenchanted' with ARDF. Captain Richards also reported that the unit would also require augmentation if Jackson's requirements for timely intelligence were to be met. In the same letter, Captain Richards requested that the experimental ARDF work being carried out by the Weapons Research Establishment be trialled in Vietnam. This was agreed to in September, on the basis of 547's success with the US ARDF capability.⁵³</p> |
| January 1967 | <p>The US view of 547's performance was reported as having 'demonstrated a professional competence beyond that which is normally predictable for initial operations in deployment of a given DSU.'⁵⁴</p> |
| March 1967 | <p>A senior DSD visitor to the unit commented that the unit 'was still very highly regarded by [US Sigint authorities] and very good liaison and support both ways. Station is being used as a guinea pig for various new concepts and believe experiences of station largely instrumental determining new policy proposed for other DSUs.'</p> <p>The Troop's experiments with briefing and steerage of US ARDF aircraft had led to better results against high-value targets and US stations were following its example.</p> <p>547 Signal Troop's expertise and success was also brought to the attention of General Westmoreland.⁵⁵</p> |
| March 1967 | <p>In light of further demand for 547 Signal Troop product, Captain Richards requested a further five operators. This was endorsed by CO 1ATF on 18 July 1967 and agreed to by AHQ in mid-September 1967.⁵⁶</p> |

⁵³ ASD Narrative, 18 October 2013.

⁵⁴ Ibid.

⁵⁵ ASD Narrative, 18 October 2013.

⁵⁶ Ibid.

| Date | Action/Event |
|--------------|--|
| Mid 1967 | Weapons Research Establishment Project HIGH DIVINE (ARDF) equipment successfully trialled in Vietnam by 547 Signal Troop. ⁵⁷ |
| August 1967 | Mr Clive Luckman of DSD is appointed as a liaison officer and integrated with the US 175 th Radio Research Company. Mr Luckman effectively re-organised and re-vitalised their analytic effort against the Viet Cong along lines derived from 547's experience. DSD maintained liaison officers in theatre until 547 Signal Troop was withdrawn from South Vietnam. All maintained the high standards of support established by Mr Luckman. ⁵⁸ |
| May 1968 | A detachment of 547 Signal Troop personnel operated at the battle of Fire Support Base Coral. This experience in part led to the allocation of an AVC to carry out SIGINT collection and provision of classified material to the Task Force Commander on deployment to FSBs. |
| October 1968 | The Single Station Locator (SSL) 'cell' arrived at Nui Dat. |
| Early 1969 | It became normal practice for the Task Force Commander to move to an operational FSB, necessitating the establishment of a tactical HQ. In order to pass classified information to the GSO2 INT, the Troop initiated the acquisition of an ACV to permit the installation of a secure teleprinter circuit. This was approved. ⁵⁹ |
| April 1969 | The location of the suspected area of VC Military Region 7 had been fixed by 547 Signal Troop, based on intercepts of enemy transmissions. ⁶⁰ |
| Mid 1969 | 547 Signal Troop operated in direct support of the US 175 th Radio Research Company in identifying a complex VC network, which to that time had not been identified by other units. ⁶¹ |
| 6 June 1969 | 547 Signal Troop tracked the movement of 33 NVA Regiment in Phuoc Tuy province prior to and during the Battle of Binh Ba. ⁶² |

⁵⁷ Submission 17, LTCOL Steve Hart (Retd).

⁵⁸ Ibid.

⁵⁹ Submission 17, LTCOL Steve Hart (Retd).

⁶⁰ Ashley Ekins with Ian McNeill, *Fighting to the Finish: The Australian Army and the Vietnam War 1968-1975*, Allen & Unwin, Crows Nest 2012, p897.

⁶¹ Submission 20A, Dr Robert Maher.

⁶² Submissions 16, 16A, Brigadier Ernest Chamberlain (ret), Submission 17, LTCOL Steve Hart (Retd). The Tribunal notes that there are discrepancies in recorded histories about 547 Signal Troop operations prior to the Battle of Binh Ba.

| Date | Action/Event |
|---------------------------|--|
| June 1969 | 547 Signal Troop provided continuous Sigint support throughout Operation Lavarack, an ambush and reconnaissance operation carried out by 6 RAR. ⁶³ |
| June 1969 | 547 operators recognised the radio transmitter of the Headquarters of the VC's 274 Regiment. The Regiment was subsequently located near a Thai Fire Support Base by an ARDF mission flown by the 161 st Independent Reconnaissance Squadron and crewed by a 547 operator. Deciphering and translation of the intercepted radio messages by 547 Signal Troop operators resulted in the defences of the Fire Support Base being hardened. The subsequent attack by two VC Battalions was successfully beaten off. ⁶⁴ |
| September - December 1969 | The VC D445 Battalion had been constantly harassed and had broken up into company groups. Based on 547 Signal Troop Reports on the locations of enemy headquarters' radio transmissions, as well as other intelligence, the task force suspected that at least part of the battalion was headed for the May Tao base. Out of these suspicions, Operation Marsden was born. Throughout that operation, 547 Signal Troop was able to intercept and monitor the VC commander's radio transmissions and provided useful information on the enemy reaction to the Australian incursions. ⁶⁵ |
| October - November 1969 | The Troop provided notable successful Sigint support to American units. ⁶⁶ |
| March - April 1970 | For two weeks, during Operation Townsville, task force signals intelligence monitored the enemy headquarters radio transmissions and fixed the location accurately in dense jungle. On 8 April 1970, a Morse key was seized together with several enemy one-time cipher pads. Brigadier Weir recognised the value of this find and had the pads delivered directly to the intelligence section of MACV headquarters in Saigon. Several days later, General Abrams, COMUSMACV, told him personally that their capture was a 'real intelligence coup' that was providing valuable information about the enemy. ⁶⁷ |

⁶³ See Article: Len Johnson, *Operation Lavarack*, Australian Army Journal, Volume VII, Number 2, 2010, pp89-113.

⁶⁴ Submission 1, Mr Adrian Bishop PSM, Submission 17, LTCOL Steve Hart (Retd).

⁶⁵ Ekins with McNeill, *Fighting to the Finish*, pp. 332, 336, 340.

⁶⁶ Submission 1, Mr Adrian Bishop PSM, Submission 20A, Dr Robert Maher.

⁶⁷ Ekins with McNeill, *Fighting to the Finish*, pp. 402-3.

| Date | Action/Event |
|----------------------|---|
| January – March 1970 | On 23 January 1970, 547 Signal Troop fixed the location of a VC D445 Battalion Radio in the northern central region of the Long Hais, just two kilometres east of FSB Isa. However, as recorded in the official history, this information was unaccountably not reported in the weekly intelligence summary until 19 February and was apparently not passed on to 8RAR before Operation Hammersley began. ⁶⁸ |
| 22 May 1970 | A 547 Signal Troop ARDF mission observed that a VC ambush had been set in an area over which the aircraft was flying in the vicinity of Gia Ray. A company of American infantry was moving in convoy towards the enemy ambush. The HQ of the company were immediately informed. In the subsequent contact, 27 VC were KIA with one US casualty. The Troop was subsequently thanked by the Company Commander, who said that ‘instead of an American body count, we were able to do a VC body count.’ ⁶⁹ |
| 11 August 1970 | During Operation Cung Chung II, A platoon of C Company 8 RAR established a night ambush one kilometre south-west of Hoa Long. The site was chosen on the basis of (547) ⁷⁰ signals intelligence. After a radio transmission from the headquarters of the Chau Duc District Company was intercepted by 547 Signal Troop, the area was reconnoitred to identify the most likely enemy routes into the village. ⁷¹ |
| June 1971 | In June 1971, 547 Signal Troop tracked the movement of NVA 3 Battalion, 33 Regiment, estimated at 185 strong, into the north of Phuoc Tuy province. The Task Force Commander mounted Operation Overlord (a task-force sized operation) to locate and destroy 3 Battalion, 33 Regiment. ⁷² This operation was mounted entirely on 547 Sigint (primarily ARDF) and subsequent SAS patrols. ⁷³ |
| June 1971 | 547 Signal Troop reports from this time confirm that ARDF was still the most useful intelligence source available to Commander 1ATF – confirming the reputation that had been speedily established under Captain Richards’ leadership as far back as October 1966 was maintained throughout the whole period of 547 Signal Troop’s deployment. ⁷⁴ |

⁶⁸ Ibid pp. 972.

⁶⁹ Submission 17, LTCOL Steve Hart (Retd).

⁷⁰ Submission 17A, LTCOL Steve Hart (Retd).

⁷¹ Ekins with McNeill, *Fighting to the Finish*, p 546.

⁷² Ekins with McNeill, *Fighting to the Finish*, p 562.

⁷³ Signal, 547 Signal Troop, SIGS 510, 13 July 1971, in research material provided by DSD to the Tribunal on 11 July 2013.

⁷⁴ ASD Narrative, 18 October 2013

| Date | Action/Event |
|----------------|--|
| July 1971 | 547 Signal Troop located VC D445 Battalion in the Long Hai hills in July 1971 following Operation Hermit Park. ⁷⁵ |
| September 1971 | In the second week of September 1971, signals intelligence soon indicated that 33 Regiment was moving from southern Long Khanh into the northern part of Phuoc Tuy. Brigadier McDonald knew the task force had to respond. On 19 September the task force mounted Operation Ivanhoe, south of the Courtenay plantation. This operation was mounted on the basis of 547 intelligence, primarily ARDF. ⁷⁶ |
| September 1971 | 547 Signal Troop relocated to Vung Tau. Operational activity continued during that month, and ARDF fixes and intercepted messages allowed Commander 1ATF to position SAS patrols between the Viet Cong's 274 Regiment HQ and subordinates, resulting in a clash which resulted in seven enemy killed, including 274's assistant chief of staff. ⁷⁷ |
| October 1971 | Task Force relocation from Nui Dat to Vung Tau. To ensure continued surveillance of enemy radio activity, intercept operations were commenced in Vung Tau before cessation in Nui Dat. The 547 Signal Troop APC was the last vehicle to leave Nui Dat. |
| 13 Dec 1971 | 547 Signal Troop ceased operations. |
| 23 Dec 1971 | 547 Signal Troop personnel physically left Vietnam. |

⁷⁵ Ekins with McNeill, *Fighting to the Finish*, p 585.

⁷⁶ Signal, 547 Signal Troop SIGS684, 8 October 1971, in research material provided by DSD to the Tribunal on 11 July 2013.

⁷⁷ ASD Narrative, 18 October 2013

Appendix 8 – Commendations of 547 Signal Troop in Vietnam

Colonel C.M.I. Pearson MC
Director Military Intelligence
15 November 1966

This small independent capability has been so successful that both the commanders AFV and 1ATF have stressed that this unit is providing the most, and in many cases the only reliable intelligence and that any means that can be found to increase the capability would be greatly appreciated and fully supported.⁷⁸

Lieutenant-General Marshal Carter

Director of the United States National Security Agency (DIRNSA)
May 1967

Following the withdrawal of Captain Richards, the Troop was lauded by Director of the United States National Security Agency for their ‘professional approach, exceptional expertise and outstanding performance of a difficult task’ in a complex and adverse environment. DIRNSA judged Richards to have demonstrated ‘exceptional performance as a commander and a liaison officer’, a judgement which DSD whole-heartedly agreed.

It was noted that Captain Richards and 547 had earned the highest respect of the US intelligence authorities in South Vietnam.⁷⁹

Commanding Officer

303rd Radio Research Battalion (United States)
5 June 1967

I consider the technical contribution provided by your unit, in support of Operation Paddington, of the highest calibre.

The data provided to...DIRNSA on the 5th VC Division significantly contributed to the supported commands having all available COMINT prior to and during the aforementioned operation.

The cooperation extended, and the technical proficiency exhibited by the personnel of your command and the make our professional relationship both a privilege and a pleasure.⁸⁰

⁷⁸ Letter: *AMF Signal Intelligence Support of 1ATF*, 15 November 1966, in research material provided by DSD to the Tribunal on 11 July 2013.

⁷⁹ ASD Narrative, 18 October 2013.

⁸⁰ Signal: *Appreciation of support rendered*, 6 June 1967, in research material provided by DSD to

Commanding Officer

303rd Radio Research Battalion (United States)

5 June 1967

I consider the technical contribution provided by your unit, in support of Operation Paddington, of the highest calibre.

The data provided to...DIRNSA on the 5th VC Division significantly contributed to the supported commands having all available COMINT prior to and during the aforementioned operation.

The cooperation extended, and the technical proficiency exhibited by the personnel of your command and the make our professional relationship both a privilege and a pleasure. ⁸¹

Commander

9th Infantry Division (United States)

22 December 1967

I would like to express my appreciation for the outstanding COMINT support provided to the 9th Infantry Division by your 547th Signal Troop. As you probably know, we rely on the 547th for support in the entire eastern portion of our TAOR. Their work in conjunction with our 335th Radio Research Company has been outstanding.

I have been most impressed by the professionalism displayed by the unit as well as the spirit of teamwork they have demonstrated in dealings with my staff. The efforts of the Troop to satisfy 9th Division EEI requirements during Operations Paddington, Akron, Riley and Santa De are particularly worthy of praise.

I extend my sincere thanks for your efforts in this critical area of intelligence collection. I look forward to our continued close cooperation in all areas and in the field of communications intelligence in particular. ⁸²

the Tribunal on 11 July 2013.

⁸¹ Signal: *Appreciation of support rendered*, 6 June 1967, in research material provided by DSD to the Tribunal on 11 July 2013.

⁸² Signal: *80 Intel*, 22 December 1967, in research material provided by DSD to the Tribunal on 11 July 2013.

DSD Liaison Officer, Washington D.C.
August 1968

[Its] intercept efforts are primarily directed against stations serving the VC 5th Division and its subordinates, COSVN [North Vietnam's Central Office for South Vietnam] rear services group 8A, and unidentified communications believed to serve these entities...[547] has actively developed many of these communications and is responsible for about 60 per cent of the total intercept. [547] traffic is normally complete and is highly accurate. Material provided by [547] is accurately prepared and generally reflects all pertinent activity. ARDF results provided by [547] account for about 60 per cent of the total fixes provided on entities under their purview.⁸³

Colonel Kyle W. Bowie
Commanding Officer
2nd Brigade
1st Infantry Division (United States)
15 February 1970

As the 1st Infantry Division is about to redeploy to the United States, I wish to take this opportunity to express my appreciation for the outstanding support that the members of the 547th Signal Troop have provided to this brigade.

The men of the 547th demonstrated extraordinary tenacity, proficiency, and dedication in providing the timely intelligence that has materially enhanced the accomplishment of the brigade mission. The determined and intrepid support that you rendered on all combat missions resulted in the highest possible achievement of tactical objectives by the supported ground units.

Your many accomplishments have been a material contribution to the counter-insurgency effort in 'AO Dagger'. I again extend my sincere appreciation and wish you all the best in all future endeavours.⁸⁴

⁸³ ASD Narrative, 18 October 2013.

⁸⁴ Submission 17C, LTCOL Steve Hart (Retd)

Bob Botterill

Assistant Director, DSD

May 1970

The Sigint material produced by [547] has provided 1ATF and the US authorities with regular information on identification, location movements and usual activities of Viet Cong units down to regimental and sometimes battalion level. It has been used in planning and carrying out all Task Force operations and has, on occasion, furnished fairly precise foreknowledge of VC intentions, leading for example to the avoidance of a major ambush. The value of Sigint (which is of course available to 1ATF from both [547] and US sources) has been acknowledged by each Task Force Commander.⁸⁵

Director

National Security Agency (United States)

30 November 1971

As the 547 Signal Troop prepares to stand down from Sigint operations in Vietnam, I wish to acknowledge and commend that organisation for its outstanding performance in support of free world forces in Vietnam.

Since the original elements of the 547 Signal Troop arrived in Vietnam more than five years ago, the officers and men have consistently demonstrated the highest professional capability and have achieved exceptional results in their air and ground cryptologic attack against enemy comms. In spite of hardships in the battle area and a complex technical problem, the 547 Signal Troop repeatedly displayed exceptional skill and resourcefulness as a member of the allied cryptologic community in South Vietnam.

Please extend my personal appreciation to the 547 Signal Troop for its outstanding performance and accomplishments over the past five years in support of our cryptologic programs. ⁸⁶

⁸⁵ ASD Narrative, 18 October 2013

⁸⁶ Signal, DIRNSA, *DIR-157-71*, 22 December 1967, in research material provided by DSD to the Tribunal on 11 July 2013.

Lieutenant General Sir Mervyn Brogan KBE CB
Chief of General Staff
December 1971

547 Signals Troop provided a 24 hour a day operational contribution of immeasurable value to the First Australian Task Force in its planning and successful execution of its operations in and around Phuoc Tuy province. ⁸⁷

Major General S.C. Graham AO DSO OBE MC
Commander 1ATF 1967
December 1971

The enemy was largely inhibited from widespread use of radio by his knowledge that our intercept capability and technical expertise in the difficult field of communications intelligence were just too good to take risks with. Even when enemy messages could not be decoded, invaluable information was still obtained from them. Task Force Signalmen were tireless in their ingenuity in keeping one jump ahead of their opposite numbers. ⁸⁸

Army Headquarters (Canberra)
6 December 1971

Would you please convey to Director NSA the Australian Army's sincere appreciation for his kind remarks made to mark the conclusion of 547 SIG TP activities in Vietnam.

We too are proud of the contribution made by 547 SIG TP but realise that without the help and guidance always so freely given by NSA and ASA members our efforts would not have been so successful. ⁸⁹

⁸⁷ John Blaxland, *Signals: Swift and Sure, A history of the Royal Australian Corps of Signals 1947 to 1972*, Royal Australian Signals Corps Committee, Victoria, p 251.

⁸⁸ Ibid.

⁸⁹ Signal, Army Canberra, *Withdrawal of 547 Sig TP*, 6 December 1971, in research material provided by DSD to the Tribunal on 11 July 2013.

Army Headquarters (Canberra)

10 December 1971

Please ensure all ranks are made aware of our appreciation of the work carried out by 547 SIG TP over the past five years. The professional manner in which you have approached this task has not only earned the appreciation of all Australian Army commanders, but has also won the respect of our US allies.

We are of course very conscious of the support given to the troop by our US Sigint friends, WRE and DSD. Without such support you could not have carried out your role in support of Commander 1 Aust Task Force.

Both RA sigs and Aust Int Corps have gained added status from the results of the Troop's efforts and now that you have completed your mission we wish you all a safe return and a merry Christmas with your families. ⁹⁰

Defence Signals Directorate

10 December 1971

We take this opportunity on the eve of 547 Signal Troop's departure from Vietnam to commend and thank all ranks for a job well done over the past five years and, now that it is completed, to wish you all a safe and happy return to Australia. The record of achievement reflects great credit on the troop in all its Sigint endeavours, in ARDF/SSL operations as well as intercept/processing activities, and not only in direct support of 1st Aust Task Force but also as a valuable part of the wider US Sigint effort in Vietnam over the years. ⁹¹

DSD Liaison Officer

175th Radio Research Company (United States)

12 December 1971

With the imminent withdrawal of your troop I would like to record my appreciation of the fine effort achieved by all personnel.

Indeed from past association with the regiment the excellent results, professionalism, dedication and cooperation were as I expected.

In the ARDF effort I would be pleased if you would convey congratulations for a job well done to 161 Recce Flight. I am proud to have served with you. May God bless you all. ⁹²

⁹⁰ Signal, Army Canberra, *Withdrawal of 547 Sig TP from Vietnam*, 10 December 1971, in research material provided by DSD to the Tribunal on 11 July 2013.

⁹¹ Signal, Army Canberra, *Withdrawal of 547 Sig TP from Vietnam*, 10 December 1971, in research material provided by DSD to the Tribunal on 11 July 2013.

⁹² Signal, 175 Radio Research Coy, *Withdrawal of 547 Sig Troop*, 12 December 1971, in research material provided by DSD to the Tribunal on 11 July 2013.

Brigadier R.L. Hughes DSO
Commanding Officer 1ATF
October 1967 – October 1968
June 1975

The intercept unit at Nui Dat was a wonderful source of intelligence and it achieved its greatest success when, as a result of their wonderful information, I was able to send an SAS patrol to destroy a VC logistics element which had been on a rice buying expedition. ⁹³

LTCOL Richard W Catlett (Retd)
Former Commander, SSG IIFFV
1 May 2012

I take great pleasure in recognizing the meritorious achievement of the officers and men of the 547th Signal Troop during the period July 1969 through July 1970.

As the Commanding Officer, II Field Force, Special Security Detachment, United States Army Special Security Group (SSG), Assistant Chief of Staff for Intelligence Department of the Army, attached to the United States Military Assistance command, Vietnam, I was in daily communications contact with the Troop via the special communications network. Due to the identical nature of our sensitive and highly classified missions it was necessary to conduct numerous intelligence liaison and coordination meetings.

During this period, Major Brian Doyle and Captain Errol Poultney and their men demonstrated the highest degree of professional competence, initiative and devotion to duty in execution of all assigned II Field Forces tasks while achieving exceptional results in accomplishing greatly expanded operations missions during this period.

The unit's collection and dissemination of critical intelligence was vital to information needed by ground commanders on a day to day basis for conducting operations. The outstanding performance of duty by the officers and men for extremely long periods each day under particularly trying condition significantly contributed significantly contributed to the curtailment of enemy aggression in the Nui Dat area and elsewhere in the Republic of Vietnam. The distinguished performance of duty by all members of the 547th Signal Troop represents great and outstanding achievement and selfless dedication which brings great credit to upon all the officers and men of the unit, the Australian Armed Forces and the people of Australia.

It was a distinct honor and pleasure to have worked with the 547th Signal Troop. I heartily recommend for the award of honors to the 547th Signal Troop. ⁹⁴

⁹⁴ Submission 3, LTCOL Richard W. Catlett.

Major General C.M.I. Pearson AO DSO OBE MC

Commander 1 ATF

October 1968 to September 1969.

8 May 2012

I had the privilege of commanding the 1st Australian Task force in Vietnam for almost 12 months in 1968/1969. I was therefore well aware of the importance of and the great results achieved by 547 Signal Troop during that time.

Although there was a strong restriction as to the use of the information given to us by 547 Troop, we managed to advise our operational troops of the location, impending moves and so on, of the enemy. This allowed our combat troops to carry out operations successfully, particularly night ambushes.

Following the successful routing of the enemy at the battle of Binh Ba in 1969, 547 Troop continued to monitor the withdrawal of the enemy which showed them heading directly towards one of our units to the north. Although the information regarding the retreat of this large force was passed to the unit in the usual way, the enemy were able to side step them as they were occupied dealing with a smaller enemy group. This as the only occasion I can recall not using the information provided by 547 Troop properly.

As a general observation, I would say that 547 Troop played an outstanding role in the Vietnam War. Their reports caused many enemy casualties and saved the Australian Forces many lives. It played a large part in accounting for the high degree of success of our operations.⁹⁵

⁹⁵ Submission 17, LTCOL Steve Hart (Retd).

Brigadier-General Joseph Ulatoski (retd)
12 May 2012

During my third tour in Vietnam, I was commander of the 2nd Brigade, 25th Infantry Division...As our friendship with the Australian Task Force developed, we discovered the sort of intelligence information the 547 Signal Troop could produce and how it was able to help us do our job of more effectively finding, attacking and destroying the enemy. While the passage of time has erased the details and specific results of the intelligence information provided, strong recollections of its very significant value remain. In fact, on realizing their capabilities, I insisted that my Brigade intelligence section collect and analyze everything the 547 Signal Troop produced. As a result, not only was my Brigade able to operate more effectively in its AO, it also enabled my Brigade and the Australian Task Force jointly to bring more effective pressure on the enemy. Further, it facilitated closer cooperation and enhanced results in operations with our other major neighbors, the Thai Division and local South Vietnamese units. ⁹⁶

⁹⁶ Submission 12 – Brigadier-General Joseph Ulatoski.