



Australian Government

Defence Honours and Awards Appeals Tribunal

**INQUIRY INTO UNIT RECOGNITION FOR THE ROYAL
AUSTRALIAN NAVY HELICOPTER FLIGHT VIETNAM**

LETTER OF TRANSMISSION

Inquiry into Unit Recognition for the Royal Australian Navy Helicopter Flight Vietnam

The Hon Darren Chester MP
Minister for Defence Personnel
Parliament House
Canberra ACT 2600

Dear Minister,

I am pleased to present the report of the Defence Honours and Awards Appeals Tribunal on the *Inquiry into Unit Recognition for the Royal Australian Navy Helicopter Flight Vietnam*.

The Inquiry was conducted in accordance with the Terms of Reference approved by the Government on 24 April 2017.

The Members of the Tribunal who conducted this inquiry arrived unanimously at the findings and recommendation 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, AO
Chair
Defence Honours and Awards Appeals Tribunal

3 April 2018

EXECUTIVE SUMMARY

1. On 5 March 2015 the Parliamentary Secretary for Defence asked the Tribunal to conduct individual reviews of a number of submissions which had been provided to the 2011 Valour Inquiry and inquire into and report on unit recognition for the Royal Australian Navy Helicopter Flight Vietnam (RANHFV). Terms of Reference for the RANHFV Inquiry (the Inquiry) were released on 24 April 2017 and are included in the attached Report of the Inquiry.

2. **History.** In July 1967 the Australian Government announced that a detachment of Royal Australian Navy Fleet Air Arm personnel would join a United States Army aviation company to provide airborne support for allied forces operating in South Vietnam. This new flight, known as the RANHFV, was integrated with the US Army 135th Assault Helicopter Company (135th AHC) flying helicopters in both utility and gunship configurations.

3. The First RANHFV Contingent became fully operational on 3 November 1967. During its tenure of almost four years, over 200 Fleet Air Arm personnel rotated through the RANHFV in four contingents of approximately one year's duration. Five Navy personnel died whilst serving with the RANHFV and 22 were wounded in action. 42 individuals were decorated for their service.

4. **Submissions.** The written submissions received by the Tribunal all argued strongly for an Australian Unit Citation to recognise the service of the individuals who served with the RANHFV. There were no submissions seeking other forms of recognition and no submissions in the negative.

5. The written and oral submissions identified that, whilst many individual members of the RANHFV were decorated for gallantry, paradoxically many were not recognised and it was claimed that, without these individual contributions, those who were recognised may not have been able to do what they did. Arguably, the unit also would not have achieved its mission.

6. The RANHFV was a unique unit drawn from a ship-based helicopter organisation raised and trained to conduct submarine detection over water but utilised in Vietnam to conduct land based airmobile operations whilst embedded within a foreign organisation. The RANHFV's operations were sustained over a four-year period and they flew 30% of the total hours flown by the 135th AHC. The RANHFV averaged 750 flying hours each month continuously for nearly four years. This was only possible through the dedication and work ethic of the maintenance and support personnel who were able to keep the aircraft operable despite battle damage and fatigue.

7. The RANHFV was continuously engaged in offensive operations throughout its four-year deployment to Vietnam and aircraft could expect to be fired at on every second mission.

There were also additional dangers from booby-trapped landing zones and blue-on-blue fire from the Army of the Republic of Vietnam (ARVN) who were the principal supported group.

8. None of the members of the RANHFV had previous operational service and none of them had been under fire. A significant number of the maintenance and support personnel were also required to perform additional critical roles for which they were not trained, with many of these sailors also employed as aircrew and as door-gunners.

9. The RANHFV carried out roles and tasks that bore no relationship to those of any other Navy air squadron. Its personnel were fully integrated into a unit from another country and they were required to perform tasks for which they had limited specific training, at levels often well above their worn rank and experience, and in continuously hazardous combat circumstances. The Royal Australian Navy personnel tended to be more experienced than their US colleagues and subsequently they filled critical leadership, training and support roles and provided example, knowledge and dedication in the performance of their duties. They provided the stable core of the 135th AHC and infused maturity, professionalism, dedication to duty and 'sorely needed leadership in many vital areas of the command structure'.

10. Pilots and aircrew worked considerably more hours in combat than was expected and as a result received the vast amount of individual recognition. The RANHFV accumulated a formidable total of flying hours. Their overall individual average was assessed as being more than 50% greater than that of the pilots of 9 Squadron of the Royal Australian Air Force over the same period – setting them apart from other similar units. The number of personnel actually cited for individual gallantry was well above what would be normally expected in a unit.

11. The RANHFV did the 'extraordinary' in comparison to the 'ordinary'. While the aircrew flew substantial hours in direct support of land operations, security of their bases was provided by the administrative and maintenance staff in addition to their normal duties. Many of these sailors were also employed as door-gunners and Crew Chiefs – jobs they did bravely and in many cases gallantly. The aircrew spent most days flying combat assaults frequently assisted by non-aviator aircrew, and these groups were 'shot at on every other day'.

12. Regardless of role and responsibility, many individuals were actually required to fly and - on average - at least 40 of the 48 individuals in each contingent performed flying duties, particularly as door-gunners. Some who were required to act as Crew Chiefs, flew for 'several hundred hours'. The duties they performed were beyond what was expected of individuals in these roles but were absolutely necessary to ensure mission achievement. There was no expectation that personnel would be employed in these additional roles and none were trained prior to deployment.

13. Significantly, the concept of air-mobile insertions was 'quite new' and none of the RANHFV had more than very limited training in this type of operation before deployment.

Additionally, the vast majority of tasking was in direct support of the ARVN increasing the complexity, risk and danger to the aircraft and aircrew.

14. **The Defence Position.** The Chief of Defence Force submission reiterated advice tendered to previous Inquiries that Defence did not support the retrospective awarding of unit citations for units which served prior to 1991. The Navy stated that the performance of the RANHFV 'had merit' and that battle honours and group commendations were inappropriate recognition. Navy's position was that the Tribunal was best placed to ascertain what, if any, recognition was appropriate and Navy stated that it would support the Tribunal's recommendation.

15. The Director of Honours and Awards reiterated the Defence view regarding retrospectivity but conceded that a Meritorious Unit Citation was 'what they deserve' and said that, 'if the Tribunal was to recommend the Meritorious Unit Citation or the Unit Citation for Gallantry, then Defence would support that decision'.

16. **Findings.** The Tribunal found that:

- a. the integrity of the Australian honours system would not be impacted by a retrospective recommendation for recognition;
- b. the RANHFV was a 'unit' as defined in the Unit Citation Regulations and therefore for the purposes of the Inquiry;
- c. the award of the Battle Honour VIETNAM 1967-71 did not appropriately recognise the performance of the RANHFV as a unit or the performance of its personnel, nor is it appropriate to retrospectively consider the award of a Battle Honour to the unit;
- d. the award of a Defence Group Commendation would not suitably recognise the performance of the RANHFV as a unit or the individuals who served in the unit;
- e. the RANHFV provided sustained outstanding service during its four-year deployment to Vietnam; and
- f. the RANHFV meets the conditions for the Unit Citation for Gallantry and, in the view of the Tribunal, this award is the most appropriate form of unit recognition for its performance.

17. **Recommendation.** The Tribunal recommends that the Royal Australian Navy Helicopter Flight Vietnam be awarded the Unit Citation for Gallantry for acts of extraordinary gallantry in action in South Vietnam from October 1967 to June 1971 and that the citation be also offered to the United States Army's 135th Assault Helicopter Company.

REPORT OF THE TRIBUNAL

Background to the Inquiry

1. **Introduction.** The Defence Honours and Awards Appeals Tribunal (the Tribunal) was established on 5 January 2011 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 matter and report to the Minister with recommendations the Tribunal considers appropriate.

2. **The Valour Inquiry.** In April 2011, a Ministerial media statement was released announcing the commencement of the Tribunal's *Inquiry into unresolved recognition for past acts of naval and military gallantry and valour* (the Valour Inquiry), and calling for submissions. The Terms of Reference for the Valour Inquiry included that:

*... the Tribunal is also directed to receive submissions supporting the recognition of acts of gallantry or valour by other members of the Defence Force ... the Tribunal is to report to the Parliamentary Secretary for Defence on the detail of the additional submissions received in order for the Government to determine whether a proposal for recognition should be referred to the Tribunal for review.*¹

3. On 23 May 2011 the Fleet Air Arm Association of Australia (FAAAA) provided a submission to the Valour Inquiry recommending that the Royal Australian Navy Helicopter Flight Vietnam (the RANHFV) be recognised for their 'unique service' by the award of the Meritorious Unit Citation (MUC).² The submission was supplemented by a supporting statement from Rear Admiral Neil Ralph, AO, DSC, RAN (Retd), the FAAAA Patron and Commander of the First RANHFV Contingent. He contended that 'the scale of awards [in Vietnam] did not permit recognition of every deserving case' with the result that 'many deserving feats of bravery and outstanding performance went unrewarded'. Admiral Ralph submitted that 'the unit citation better meets the need for recognition than selective individual awards'.³ Captain Robert Ray, MBE, RAN (Retd), a veteran of the RANHFV and a member of the FAAAA also submitted to the Valour Inquiry that the preferred option was 'an award collectively recognising the whole of the RANHFV for their bravery, dedication and achievement over almost four years of active service.'⁴

¹ Defence Honours and Awards Appeals Tribunal, *Report of the Inquiry into unresolved recognition for past acts of naval and military gallantry and valour*, 2013, (known as the Valour Inquiry) p. ix-x.

² Fleet Air Arm Association of Australia, letter to the Tribunal dated 23 May 2011, later referred to as Submission 35 to the Valour Inquiry dated 5 December 2011.

³ Valour Inquiry 2013, Submission 35A.

⁴ Ibid. Submission 35B.

4. At the conclusion of the Valour Inquiry the Chair of the Tribunal conveyed to the Government a number of submissions seeking ‘a unit citation or group award’ and recommended that the matters ‘be formally and separately referred to the Tribunal for Inquiry including the FAAAA submissions’.⁵ In March 2013 the Parliamentary Secretary for Defence referred the group submissions to the Chief of Defence Force (CDF), seeking his advice on whether respective Service Chiefs thought the Tribunal should conduct Inquiries.⁶

5. On 29 April 2014 the Deputy Chief of Navy signed a brief which indicated that, following a review of the RANHFV group submission by the Sea Power Centre – Australia, Navy assessed that the submission ‘provides no case for maladministration, nor does it include new and compelling evidence’.⁷ On 5 March 2015 the Parliamentary Secretary for Defence advised the Tribunal that:

*‘... the Chief of Navy has completed initial reviews of the nine cases and is of the firm view that the Tribunal is best placed to conduct a review ... where retrospective awards are a possibility ... I ask the Tribunal to conduct further reviews of the submissions for ... RANHFV’.*⁸

6. Since receiving this advice from the Parliamentary Secretary, the Tribunal has completed five reviews relating to Navy submissions including four individuals who served with the RANHFV.⁹

7. **This Inquiry and the Terms of Reference.** In accordance with the Parliamentary Secretary’s advice of 5 March 2015, the Tribunal was directed to inquire into and report on unit recognition for the RANHFV. The Terms of Reference for the Inquiry were released on 24 April 2017:

INQUIRY INTO UNIT RECOGNITION FOR THE ROYAL AUSTRALIAN NAVY HELICOPTER FLIGHT VIETNAM

Terms of Reference

The Defence Honours and Awards Appeals Tribunal (the Tribunal) is directed to inquire into and report on unit recognition for the Royal Australian Navy Helicopter Flight Vietnam (the RANHFV).

In particular, the Tribunal is to examine relevant evidence and consider whether it is appropriate that the RANHFV be awarded an Australian unit decoration or another form of recognition for its service in South Vietnam from October 1967 to June 1971.

⁵ DHAAT /OUT/2013/039 letter to the Parliamentary Secretary for Defence dated 6 February 2013.

⁶ Parliamentary Secretary for Defence letter to the Chief of Defence Force dated 14 March 2013.

⁷ Decision Brief for Chief of Navy SPC-A/OUT/2014/108.

⁸ Parliamentary Secretary for Defence MA14-001989 letter to the Chair of the Tribunal dated 5 March 2015.

⁹ DHAAT 037/16 - Curran, DHAAT 007/17 - Kyle and Perrott, DHAAT 006/17 - Perry, DHAAT 029/16 - Band, DHAAT 028/16 - MacRobert.

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 Minister for Defence Personnel on the findings and recommendations that arise from the inquiry.

In making its findings and formulating its recommendations the Tribunal is to maintain the integrity of the Australian honours system and identify any consequential impact any finding or recommendation may have on that system.

8. The Chair of the Tribunal appointed the following members of the Tribunal to conduct the Inquiry:

- Brigadier Mark Bornholt, AM (Retd), (Presiding Member);
- Rear Admiral James Goldrick, AO, CSC, RAN (Retd); and
- Ms Jane Schwager, AO.

9. No conflicts of interest were declared.

Conduct of the Inquiry

10. **Outline.** The Inquiry commenced with a media release by the Minister for Defence Personnel seeking public submissions to the Inquiry.¹⁰ The media release was supported by approaches to Ex-Service Organisations giving notice of the Inquiry and calling for submissions by 16 June 2017.

11. The Tribunal received 23 written submissions from members of the public. A list of written and oral submitters is at Appendix 1 and a synopsis of the positions taken in the submissions is included in the body of this report.

12. The Tribunal wrote to the CDF seeking the Department of Defence view on unit recognition for the RANHFV and to the Chief of Navy also seeking his view.

13. The Tribunal held an initial meeting on 28 April 2017 to scope the task and identify areas which would require further research. The Tribunal also noted that five individuals

¹⁰ <https://www.minister.defence.gov.au/minister/dan-tehan/media-releases/inquiry-military-honours> Accessed 1 May 2017.

who had served with the RANHFV had been the subject of previous gallantry reviews and the reports of these matters were examined as part of the Tribunal's research.¹¹

14. The Tribunal met on 2 June 2017 to discuss matters relating to the Terms of Reference and again on 31 August 2017 to review written submissions. On 11 October 2017 the Tribunal visited the Fleet Air Arm Museum at HMAS *Albatross* and was briefed on the history of the RANHFV, its origins, operations and parent unit.

15. **Hearings.** The Tribunal held public hearings on 12 and 13 October 2017 in Nowra where it heard oral submissions from veterans of the RANHFV, as well as a submission from the President of the FAAAA and submissions from Defence and Navy. Submitters who attended were invited to speak to their written submissions, provide additional views and respond to the Tribunal's questions. A synopsis of the positions taken in the oral submissions is included in the body of this report.

16. **Tribunal Research.** In addition to material provided in submissions, the Tribunal carried out extensive additional research. A bibliography is at Appendix 2.

Analysis of the Terms of Reference

17. The Tribunal notes that the specific requirement of the Terms of Reference is to 'report on unit recognition' for the RANHFV and in particular to 'consider whether it is appropriate that the RANHFV be awarded an Australian unit decoration or another form of recognition for its service in South Vietnam from October 1967 to June 1971'. The Tribunal, having analysed the Terms of Reference, determined that its Inquiry should consider what, if any, unit recognition had already been provided to the RANHFV and the appropriateness of such recognition, and then consider whether the performance of the RANHFV met the conditions for the award of Australian unit decorations or another form of unit recognition.

18. The Tribunal also noted that in making its findings and formulating its recommendations it was required to 'maintain the integrity of the Australian honours system and identify any consequential impact any finding or recommendation may have on that system'.

History of the RANHFV ¹²

¹¹ Valour Inquiry 2013 – LACM N.E. Shipp, DHAAT 037/2016 – Mr A. Curran, DHAAT 006/2017 – SBLT A. Perry, DHAAT 007/2017 – SBLT M. Perrott and SBLT R. Kyle.

¹² The narrative which follows is derived from a number of sources, official and unofficial, which are listed in the bibliography. Given the length of time involved and the operational tempo which prevailed, space does not permit the coverage of every incident. The intent is to provide a flavour of the RANHFV's experience and achievements rather than a comprehensive account.

19. In July 1967 the Australian Government announced that a detachment of Royal Australian Navy Fleet Air Arm personnel would join a United States Army aviation company to provide airborne support for allied forces operating in South Vietnam. This new flight, known as the RANHFV, was integrated with the US Army 135th Assault Helicopter Company (135th AHC) flying helicopters in both utility and gunship configurations.¹³

20. Assault Helicopter Companies comprised multiple platoons of Iroquois UH-1D (eventually replaced by the improved UH-1H model) troop carrier aircraft supported by a platoon of UH-1C gunships. These gunships carried forward firing mini-guns and rocket pods attached to the aircraft skids. Each aircraft, whether troop carrier or gunship, also carried M60 machine guns fired by hand from the side doors. Assault Helicopter Companies generally flew three types of mission: troop lift, combat assault and general support. In addition, aeromedical evacuation and search and rescue flights were frequently undertaken at little or no notice. During troop insertions and extractions, the gunships usually provided direct aerial fire support to the troop carriers before and as they landed. The helicopter aircrew comprised a pilot who commanded the aircraft, a co-pilot, a Crew Chief or load-master (who was also a door-gunner) and a second door-gunner.

21. The first RANHFV contingent became fully operational on 3 November 1967. During its tenure of almost four years, over 200 Fleet Air Arm personnel rotated through the RANHFV in four contingents of approximately one year's duration.

22. **The First Contingent.** A reconnaissance visit was conducted to Vietnam in August 1967 by the Officer in Charge (OIC) designate, Lieutenant Commander Neil Ralph. This settled some, but not all of the issues involved in the full integration of Royal Australian Navy (RAN) personnel into a US Army aviation company that was now envisaged. In the meantime, personnel were selected and began pre-deployment training. This included a period of Army field training as well as familiarisation with the UH-1 for aircrew, with limited associated flying training in the battlefield role. This effort became more extensive for the succeeding three rotations. The field training appears from the first to have assisted in preparing personnel for the novel challenges ahead and in creating a team spirit within each newly formed contingent.

23. The RANHFV deployed to Vietnam in two waves in October 1967. Its members were initially dispersed to operational US aviation units to familiarise themselves with the operating conditions. With this experience, they joined the newly arrived 135th AHC, which became operational on 3 November 1967 at Vung Tau. The company initially consisted of 31 helicopters and 290 personnel. The 48 Australians were at first additional to this establishment, but external demands soon reduced US numbers in proportion.

24. From the outset, the experience, seniority and operational and technical expertise of the RAN members made a significant difference to the performance of the 135th AHC (soon also termed the EMU or 'Experimental Military Unit').¹⁴ The OIC of the RANHFV became

¹³ Valour Inquiry 2013, p.18-5 to 18-8.

¹⁴ The exact origin of the term 'EMU' remains debatable. The original name may have been a conceit based on the Australian native bird and devised by US personnel of the 135th AHC before its deployment from the United

the executive officer of the formation, other RAN pilots assumed key subordinate command roles, while Observer qualified officers undertook ground based operational planning and intelligence duties. Although overland troop-carrying work was very new to the Australian aviators, all came into theatre with many more hours flying experience than their American colleagues. This experience showed in the speed with which the Australians adapted to their new environment and assumed command roles in the air. The ground-based officers and sailors also found that their greater length of service, flying experience and staff skills meant that they soon assumed additional responsibilities, including service in superior formation headquarters.

25. The RAN technical and support personnel rapidly became integral to the maintenance effort. As long service volunteers with the benefit of deep technical training, they also possessed much greater individual expertise than their American equivalents. Many junior RAN maintainers took on supervisory roles several levels higher than their worn ranks and performed the duties involved extremely effectively. The challenges became progressively greater with each contingent as the aircraft aged, particularly as the 135th AHC would be one of the last units to make the transition to the new UH-1H, and the US logistics system came under increasing strain.

26. Non-technical personnel also took on responsibilities well above what might have been expected from them. This ranged from medical staff to cooks. A key additional element was the fact that many personnel in addition to the handful of aircrewmembers in the RANHFV undertook air gunner duties in the helicopters. While this included the Observer specialisation officers who had deployed in the expectation of undertaking non-flying duties, it also encompassed many junior technical and support sailors who had no previous flying experience or formal RAN flying training. They were individually familiarised in the 135th AHC with the weapons that they were required to operate, but this represented the sum of the in-country training that they received for what soon proved to be a hazardous and demanding role.

27. The EMU began operations in early November 1967, suffering its first aircraft losses in the same month. In one incident, downed aircrew were forced to fight off Viet Cong attacks before they could be rescued. The unit undertook its first night operation in December. Notably, the OIC, Lieutenant Commander Ralph, was already qualified and serving as an air mission commander. A few weeks later, the unit undertook its first base relocation, moving to Camp Blackhorse, a base closer to the main operational areas, but more often subject to ground attack. With no let-up in operations, the maintainers and support staff

States to recognise the RAN element that would join them, but the term came to mean 'Experimental Military Unit' and became an additional designation for the aviation company. See Jeffrey Grey, *Up Top, The Royal Australian Navy and Southeast Asian Conflicts 1955-1972*, Allen & Unwin, Canberra, 1998, p. p. 242; The Australian Naval Aviation Museum, friends and volunteers, *Flying Stations: A Story of Australian Naval Aviation*, Allen & Unwin, Sydney, 1998, p. 181; and Neil Ralph, 'An Aviator's History of Vietnam' in Max Speedy & Bob Ray (Eds), *A Bloody Job Well Done: The History of the Royal Australian Navy Helicopter Flight Vietnam 1967-1971*, Woollahra, 2011, p. 21.

were required to continue their maintenance and repair work at the same time as they shifted to the new location where there were practically no facilities for people or aircraft. Nevertheless, the availability of the 135th AHC did not decrease and the new workshops were functioning within three weeks.

28. 1968 saw an increase in operational intensity. Eight helicopters were hit by enemy fire on 8 January during an operation for which US Army Specialist Fourth Class Gary Wetzel was later awarded the US Congressional Medal of Honor and Lieutenant B.C. Crawford, RAN, the Imperial Distinguished Service Cross. Naval Airman K.R. Wardle and Leading Mechanic K.J. French were injured when their helicopter was forced down on 12 January. The intensity did not let up in February with the start of the North Vietnamese and Viet Cong's Tet offensive. Lieutenant Commander P.J. Vickers, the Second in Command of the RANHFV, was fatally wounded on 22 February.

29. Enemy attacks in the area of Camp Blackhorse put pressure on supplies and spare parts and sometimes forced the shift of aircraft over night to safe havens in Vung Tau. Even though the enemy operations eventually reduced in scale and intensity, Camp Blackhorse was often subjected to mortar attack and on 9 March 1968, one RAN senior sailor narrowly escaped injury when his vehicle was hit by a land mine.

30. Fighting continued throughout April and May 1968, with the EMU providing key support to the Army of the Republic of Vietnam's (ARVN) 18th and 25th divisions. No less than ten aircraft were hit in this period, two being completely written off in an ambush on 18 May. Three members of RANHFV were injured on 13 June when their helicopter crashed after a control failure. In another insertion on 25 July, six aircraft were hit by entrenched Viet Cong snipers as they inserted troops of the 25th Division. On 21 August, the RANHFV suffered its heaviest losses in a single day when a gunship flown by Lieutenant A.A. Casadio was hit by a rocket propelled grenade while flying at low level. All onboard were killed, including another RAN member, Petty Officer O.C. Phillips.

31. **The Second Contingent.** The Second Contingent of personnel under the command of Lieutenant Commander G. Rorsheim arrived in the area of operations on 9 September 1968 and immediately began to take over from the First Contingent. At the same time 135th AHC was transferred to under command of a new aviation battalion and on 23 November, moved from Camp Blackhorse to the Bear Cat base, north-east of Saigon in Bien Hoa province. As with the first move to Blackhorse, Bear Cat was an undeveloped site which required the unit to employ much self-help to create adequate accommodation and maintenance facilities with no let-up to operations. The base itself was hit by mortar attacks in January and February 1969. Later in the year, the frequency of such attacks forced the dispersal of the unit's aircraft to Camp Blackhorse on a number of occasions, further complicating maintenance and repair work.

32. In the meantime, the 135th AHC's helicopters had been heavily engaged and in late October two aircraft were shot down and seven damaged by enemy fire. The Second Contingent suffered its first loss on 3 January 1969 when a helicopter piloted by Sub Lieutenant A.J. Huelin hit power lines in low visibility and crashed, killing all onboard.

33. In the months that followed, 135th AHC worked largely in support of the ARVN's 7th and 9th Divisions. The focus on operating with South Vietnamese forces would increase further with the progressive withdrawal of units of the US 9th Division. A helicopter flown by Sub Lieutenants T.F. Supple and W.E. Symons was shot down on 2 February in Vinh Long province. The crew were rescued by another aircraft flown by Sub Lieutenants M.A. Perrott and R.J. Kyle after a running fight with the Viet Cong on the ground. On 22 February, Sub Lieutenant Symons was wounded during a night operation, requiring his return to Australia.

34. In 1969 the 135th AHC's operations extended to smaller scale search-and-destroy operations in conjunction with the ARVN in response to the Viet Cong's breaking down into smaller formations as the South Vietnamese offensives had their effect. The unit played an important role in a number of encounters, but suffered further losses. Leading Aircrewman N.E. Shipp was killed when his helicopter crashed after the pilot was hit by enemy fire. Shipp, who was serving as a door-gunner, was seen to be firing at the enemy until his helicopter hit the ground. Naval Airman C.C. St Clair was seriously wounded on 16 June when his helicopter was one of three shot down in the process of rescuing ARVN wounded. He was returned to Australia for treatment.

35. **The Third Contingent.** The first element of the Third Contingent, under the command of Lieutenant Commander David Farthing, arrived in Vietnam on 10 September 1969, with the remaining personnel following on 8 October. January 1970 saw the inception of 'night hunter-killer' operations which involved hazardous low-level formation flying in darkness. Day operations in support of the 7th ARVN Division also took on a new dimension with a change in command of the Vietnamese formation and a much more aggressive approach to patrolling and remaining in the field. These demands placed the 135th AHC under great pressure as not all US personnel were being replaced at the end of their tour and there were accompanying shortages of replacement aircraft and spare parts.

36. The 135th AHC was involved in the initial phases of a new offensive across the Cambodian border, but restrictions on the use of Australian personnel forced the reallocation of the unit to operations in the Mekong Delta where it was required to take on much of the tasking divested by the aviation units which were still deployed to the new offensive. The long transit distances involved eventually forced another change of base, this time to Dong Tam base on 6 September 1970. Yet again, the facilities available at the new location were inadequate, forcing the transfer of building materials, particularly plumbing equipment, from Bear Cat using the 135th AHC's own resources.

37. The Third Contingent suffered a number of casualties. These included Lieutenant R.K. Marum, who had already had a bullet ricochet off his flying helmet, Lieutenant R.T. Giffen, who was shot in the leg and hit by shrapnel, as well as Leading Air Mechanic E. Shelley who was hit in the neck when the truck he was driving was attacked by the Viet Cong. Marum and Shelley were able to remain in country, while Giffen was evacuated to Australia. The latter, however, returned to the RANHFV as soon as opportunity offered. Lieutenant D.B. Gibson was seriously wounded on 6 March when a booby trap exploded at his helicopter's landing site. His wounds required his return to Australia.

38. **The Fourth Contingent.** The Fourth Contingent, whose OIC was Lieutenant Commander W.P. James, arrived in Vietnam in two groups in September and October 1970. It also operated in the recently designated Military Region 4 but in addition to cooperating with the ARVN 7th Division, began to work with the more distant 21st and 9th ARVN Divisions, which once more involved lengthy flying times.

39. The Dong Tam base was subjected to repeated mortar attacks, while there were continuing engagements between ARVN units and the Viet Cong. On 3 December, Lieutenant J.C. Buchanan succeeded in towing a disabled river patrol boat out of range of enemy fire by hooking his aircraft's skids into the boat's superstructure. Offensive operations continued later the same month and in January 1971 a number of helicopters were damaged and forced down. On 16 January Naval Airman J.V. Shaw was amongst the crew of a crashed aircraft pinned down by enemy fire and forced to remain in position overnight before they could be rescued.

40. The high tempo of operations was maintained into 1971. The Flight's maintainers came under considerable strain as heavy losses of helicopters restricted the number of replacement machines that could be issued to each unit, forcing repair teams to 'make do' in order to maintain the required availability. With the cover of the monsoon, Viet Cong attacks on Dong Tam itself resumed. The base was mortared once more on 30 May and four perimeter guards were killed by sniper fire. The intensity of flying operations did not decrease until 8 June 1971 when the RAN commitment was formally ended and the transition of the 135th AHC to a US-only unit commenced.

41. **Conclusion.** Five Navy personnel died whilst serving with the RANHFV and 22 were wounded in action. The Valour Inquiry report records that 42 individuals were decorated for their service with 25 receiving the Mention in Despatches, eight receiving the Distinguished Service Cross and five the Distinguished Flying Cross. Three individuals were appointed as Members of the Order of the British Empire and one received the British Empire Medal.¹⁵

Submissions to the Inquiry for Unit Recognition

42. **General.** The written submissions received by the Tribunal all argued strongly for an Australian Unit Citation with the majority seeking the MUC for what was claimed to be sustained outstanding service by the four contingents of the RANHFV.

43. **Other Recognition.** There were no submissions seeking other forms of recognition and no submissions in the negative. During the public hearing, Navy stated that the Defence Group Commendation was not suitable for the RANHFV and that, although the Battle Honour VIETNAM 1967-71 had been awarded to 723 Squadron, the RANHFV's parent unit, this was not appropriate recognition of the RANHFV. Whilst Navy did not have a view on what recognition would be applicable, it did believe the performance of the RANHFV had

¹⁵ Valour Inquiry 2013, p.18-26.

‘merit’ and it was satisfied that the Tribunal was best placed to ascertain what if any recognition should be recommended.¹⁶

44. **The Defence Position.** The CDF submission reiterated advice tendered to previous Inquiries that ‘Defence does not support the retrospective awarding of unit citations ... for units which served prior to 1991’. The CDF stated that:

*... It would be inappropriate to apply contemporary criteria to military activities which occurred almost half a century ago. Furthermore, examining the activities of individual units or battles in isolation, as opposed to their role within the context of the wider conflict, may result in unequal recognition.*¹⁷

45. At the public hearing, the Director of Defence Honours and Awards reiterated the Defence view regarding retrospectivity and added in relation to what recognition may be appropriate:

*... I too have sat here for a day and half listening to the accounts of these incredibly brave men, as with my Navy colleague, whether you can say that the whole of 135 AHC were equally gallant across a sustained period of time is worthy of consideration, whether a MUC could apply to a four-year sustained period, I think is very clear to me personally that at the very least that’s what they deserve.*¹⁸

Synopsis of the Written Submissions for Unit Citations

46. 23 written submissions were received, many of them were duplications of other submissions or direct reiterations of chapters of books on the history of the RANHFV. Rather than repeat the submissions, the following is a synopsis of relevant themes common to most written submissions.

47. **Unique Nature of the Unit.** It was stated that the RANHFV was formed from the Fleet Air Arm to provide trained Navy helicopter aircrew and maintainers to the United States Army at a time when the US training pipeline was struggling to meet its combat requirements in Vietnam.¹⁹ In comparison, 9 Squadron of the Royal Australian Air Force (RAAF) was a helicopter company raised and trained to conduct helicopter support operations for the Army on the ground. The RANHFV was drawn from a ship-based helicopter organisation raised and trained to conduct submarine detection over water.

¹⁶ Commodore D. Greaves, Oral submission, Public Hearing Nowra, 13 October 2017.

¹⁷ CDF/OUT/2017/734 to the Tribunal dated 1 September 2017.

¹⁸ Director of Defence Honours and Awards, Oral submission, Public Hearing, Nowra, 13 October 2017.

¹⁹ Commander G. Cooper, Submission No. 01/2017.

48. It was therefore submitted that not only was the RANHFV unique as it was deployed to conduct operations for which it had not been trained, it was also required to perform these operations whilst embedded within a foreign organisation – the US 135th AHC.

49. **Sustained Operations.** It was stated that over the four-year period of deployment, the pilots of the RANHFV flew 30% of the total hours flown by 135th AHC. It was asserted that ‘averaging 750 hours per month continuously for 45 months was only possible through the dedication and work ethic of the maintenance and support personnel who were able to keep the aircraft operable despite battle damage and fatigue’.²⁰

50. A number of submissions indicated that many of the RANHFV maintenance and support personnel also performed additional critical roles for which they were not trained. The evidence suggested most of these sailors were also employed as aircrew and many were used as door-gunners; in some instances, for up to 1100 hours during their individual deployments. It was submitted that this unfamiliar and unexpected duty was performed in addition to their ‘normal’ duties placing a significant but essential burden upon the individual:

*... many junior maintainers flew regularly as Crew Chief or Gunner and a number were in helicopters shot down on operations.*²¹

51. In relation to the tempo and intensity of operations it was submitted that:

*... The strain placed on all company members was enormous. Aircrews were regularly operating seven days a week and spending an average of twelve hours a day in the field. The latter figure does not account for aircrew briefing/debriefing or in the case of the crew chief and door gunners, the pre and post flight maintenance on the aircraft and weapons.*²²

*... For aircrew the routine meant rising at 0430, eating breakfast before beginning the day’s flying which not infrequently would end 12 or more hours later. The unit flew hundreds of offensive operations, placing great strain on both men and machines and with the exception of the Australian Army Training Team Vietnam, was involved in the most intense combat experienced by Australians in the war.*²³

*... RAN pilots were in the air on operations almost every day of their deployment, they were in the thick of every combat operation and generally set the standards.*²⁴

52. **Outstanding Service and Responsibility.** It was submitted that the RANHFV carried out roles and tasks that bore no relationship to those of any other Navy air squadron.

²⁰ Ibid. Attachment A.

²¹ Ibid. p.11.

²² Lieutenant Commander R. Godfrey, Submission No. 14/2017.

²³ Commodore D. Farthing, Submission No. 17/2017.

²⁴ Ibid.

Its personnel were fully integrated into a unit from another country and they were required to perform tasks for which they had limited specific training, at levels well above their worn rank and experience, and in continuously hazardous combat circumstances. Additionally, the Australian contingent's contribution to the operations of the 135th AHC was significant. Personnel filled critical leadership, training and support roles and provided example, knowledge and dedication to their lesser experienced colleagues.²⁵ All this contributed to making the 135th AHC an exceptionally effective unit within the US Army's order of battle.

53. Able Seaman Frank Eyck who served as a maintainer with the RANHFV stated in his submission that:

*... I found myself leading the Unscheduled Maintenance Team – a team of 15 American maintainers including two civilians, I found myself directing this team responsible for the unscheduled maintenance of an American Aviation company with 30 aircraft flying an average of 20 per day pretty much every day.*²⁶

54. **The 'Stable Core'.** It was submitted that the Australian contingent provided the 'stable core' of the 135th AHC as the United States rotated its personnel through the unit individually, resulting in an almost continuous turnover of personnel, whereas Australia rotated by contingent, thus providing an experienced and stable core of expertise. It was claimed that this stability allowed the 135th AHC to absorb the inexperienced American airmen it was being forced to rotate as numbers in the theatre increased. It was further claimed that the 135th AHC could therefore rely on the Australian contingent to provide stability to the unit.²⁷

55. The United States Executive Officer of 135th AHC from 1969 to 1970, Colonel Thomas Staadt submitted that:

*... the Australian Navy personnel provided us with the continuity and unit cohesion that was desperately needed, also the majority of the Navy personnel were vastly more experienced than the average US Army aviator who was typically very junior ... this Navy experience proved invaluable in combat and other aviation support situations.*²⁸

56. Another American commander, Major Paul Raetz who commanded the 135th AHC from 1968 to 1969 wrote:

... probably the greatest importance was the enormous benefit of having a contingent of the Australian Navy as an integral part of our unit. They infused maturity, professionalism and dedication to duty into a unit largely made up of young

²⁵ Commander G. Cooper, Submission No. 01/2017, p.8.

²⁶ Able Seaman F. Eyck, Submission No. 13/2017.

²⁷ Commander G. Cooper, Submission No. 01/2017, p. A/01.

²⁸ Commodore D. Farthing, Submission No. 17/2017, Attachment G.

*conscripts and provided sorely needed leadership in many vital areas of the command structure, both officer and enlisted ...*²⁹

57. **Maintenance Support.** It was submitted that aircraft availability levels with the 135th AHC 'were among the highest achieved by any US Army helicopter company in Vietnam'.³⁰ Working and living conditions were poor and there was a constant threat of enemy attack and indirect fire, yet the maintenance team, led by the RANHFV who were embedded into the US maintenance platoon, shouldered the bulk of responsibility. The 7 June 1968 edition of *Navy News* reported:

... the Australian maintenance crews are recognised by all similar US Army units as being the best maintenance people available, and the very high aircraft availability figure their AHC has attests to this fact.

58. The Maintenance Platoon Commander for the First Contingent submitted that:

...the ability to fly a full complement of aircraft for combat duties was met on almost all occasions, the exceptions were on days immediately following heavy casualties and battle damage ...

59. He further submitted that:

*... the maintainers quickly settled into the routine of running the maintenance section from Blackhorse. This required very long hours of night time maintenance, often by flashlight, and day time heavy repair work, test flights and support for the combat activities. On some occasions test flights had to be conducted at night just so the daily schedule could be maintained ...*³¹

60. One submission highlighted the additional responsibilities the Australian maintainers assumed:

... we also had experience with all facets of the helicopter where the Americans, who were more specialised in their knowledge so were restricted as to what they could accomplish. This resulted in many of our Naval Airman soon becoming supervisors and leaders in maintenance crews.

... my job on night shift was to ensure all work had been carried out in accordance with the appropriate service manual and then I had to organise test flights prior to assessing the aircraft serviceable, this was a very stressful part of the operation

²⁹ Lieutenant Colonel F. Dunaway, Submission No. 19/2017.

³⁰ Fleet Air Arm Association of Australia, Submission No. 05/2017, p.11.

³¹ Lieutenant Commander S. Lowe, Submission No. 12/2017.

*because on the one hand I was mindful of ensuring the aircraft was safe to fly and also of the Battalion's requirements the next day.*³²

61. **Unit versus Individual Recognition.** It was stated that the implication in the Valour Inquiry and other individual reviews that 'the RANHFV was the most awarded unit in the Navy' was not agreed. The contention was that awards to the rest of the Navy during the Vietnam War 'were almost exclusively for non-combat related events ...'. The submitter stated that:

*... the aircrew who were awarded the bulk of the medals are not the ones who are seeking recognition ... the proposals being put forward are for the largely unsung other members of the RANHFV.*³³

62. It was suggested that pilots and aircrew worked considerably more hours in combat than was expected and concomitantly received the vast amount of individual recognition. The Tribunal noted that, by any measure, the unit accumulated a formidable total of flying hours. During the RANHFV's 43 complete calendar months of service, the average hours per month flown by each pilot fell below 80 on only five occasions. The lowest, of 58 hours, occurred in the handover month between the Second and Third Contingents. For twenty months the average exceeded 100 hours, while for seven months it exceeded 110 with January 1969 seeing a peak of 126 hours.³⁴ Their overall average was assessed by the historian Jeffrey Grey as being more than 50% greater than that of the pilots of 9 Squadron RAAF over the same period.³⁵ The evidence suggests that a 'virtuous circle' came into being, a remarkable maintenance effort allowing the 135th AHC to operate at a higher tempo than equivalent units. This in turn meant greater levels of combat exposure for the aircrew.

63. Despite this, most submissions claimed that these flying hours failed to recognise the sustained and in many cases gallant efforts of the supporting sailors:

... Aircrewmen probably worked more hours.

*...because of their greater experience generally, RAN sailors provided the EMUs with a full measure of leadership in combat operations and demonstrated a successful blend of courage and professionalism. The situation which resulted in valour awards for some were shared by all and, as always happens in war, many outstanding performances were not recognised.*³⁶

64. **The Ordinary versus the Extraordinary.** One submission by Commander Max Speedy examined the requirement that to be awarded the Unit Citation for Gallantry (UCG)

³² Petty Officer W. Barlow, Submission No. 08/2017.

³³ Commander M. Speedy, Submission No. 03A/2017, p.17.

³⁴ Denis Fairfax, *The Royal Australian Navy in Vietnam: A record of the Royal Australian Navy in the Vietnam War 1965-1972*, Department of Defence, Australian Government Publishing Service, 1980, pp. 228-229.

³⁵ Grey, *Up Top*, p. 279.

³⁶ Australian Naval Aviation Museum, *Flying Stations*, p. 199.

there needed to be a demonstration of 'extraordinary gallantry'. Commander Speedy pointed to the number of personnel from the RANHFV who had been cited for individual gallantry as being well above what would be normally be expected in a unit. He suggested that:

*... it would be reasonable to expect that a significant number of the unit's personnel had one time or another displayed or been involved in some extraordinarily gallant matter.*³⁷

65. Commander Speedy claimed that by using the term 'extraordinary', there was an expectation that any consideration would include a comparison to the 'ordinary'. After reviewing various dictionary definitions, he asserted that 'the ordinary' to the RANHFV was what they did in Australia, and these duties, particularly for the support and maintenance sailors were normally within the scope of their training and under a formal supervisory regime. For the aircrew their ordinary duties 'for the most part entailed hovering over a sonar ball out at sea' having launched from and being able to return to a safe and secure home base, be it afloat or ashore.

66. It was suggested that, even in Vietnam, it was still expected that the non-aircrew would be performing 'ordinary' jobs albeit in a war zone but from 'a relatively safe base' and that they would not be required to 'go outside the wire to face the enemy in an actual combat role'.

67. Commander Speedy claimed that the expectation by the Navy's senior command chain was that the Australians would fly in American aircraft with Americans in command and that the maintenance and base support including security would be provided by others in a similar fashion to the way support was provided in Vung Tau for RAAF helicopter crews and their support staff.

68. Commander Speedy asserted that what the RANHFV did was 'extraordinary' in comparison to the 'ordinary'. The aircrew flew significantly greater hours in direct support of land operations, the security of the base was provided by the administrative and maintenance staff in addition to their normal duties. Many of these sailors became aircrew, employed as door-gunners and Crew Chiefs – jobs they did, in his view, bravely and in many cases gallantly.

69. It was asserted that aircrew spent most days flying combat assaults frequently assisted by non-aviator aircrew, and that these groups were 'shot at on every other day'. It was concluded by Commander Speedy that the RANHFV's performance of duty was 'extraordinary' by any measure. They performed duties they were not trained for in addition to their normal duties and performed to a consistently high standard. He said that aircraft maintenance levels were beyond reasonable expectations and hours flown well above what was mandated – all in the interests of getting the job done. His submission concluded:

³⁷ Commander M. Speedy, Submission No. 03A/2017, p.18

... All of the 200 members individually and the RANHFV as a whole, have displayed and been most courageous in battle, exhibited exceptional and extraordinary gallantry and done so with great skill and heroic dedication. These are all extraordinary acts of great gallantry and heroism and are far removed from the Navy's expectations of the ordinary and the RAN/USA Agreement that sent them all to Vietnam in the first place.

70. **Intensity of Combat.** It was submitted by the FAAAA that the RANHFV was continuously engaged in offensive operations throughout its four-year deployment to Vietnam.³⁸ It was stated that a RANHFV aircraft carrying soldiers into an operation could expect to be directly engaged by the enemy on every second mission. There were also additional dangers from booby-trapped landing zones and blue-on-blue fire from the infiltrated ranks of the ARVN who were the principal supported group.

71. The FAAAA submitted that the RANHFV had been identified in the Official History as having seen 'the most intense combat of any personnel in the war'.³⁹ The Tribunal noted that this was not an accurate quote, although the intensity was significant. The actual quote by the historian Jeffrey Grey in the Official History states:

*... the naval aviators who flew with the Americans and in support of the South Vietnamese unquestionably saw the most intense combat of any **RAN** personnel in the war.*⁴⁰ (emphasis added by Tribunal)

Oral Submissions

72. During the public hearings there was a noticeable shift in sentiment towards awarding a UCG with arguments relying on the fact that sustained outstanding service was a given, but that the unit was unique and every member, regardless of mustering or employment, either performed their duties with demonstrable gallantry or were used in roles for which they were not trained and still performed bravely.

73. The submissions identified that many individual members of the unit were decorated for gallantry either by Australia, the United States or the Government of the Republic of Vietnam. Paradoxically, many were not recognised and it was claimed that, without their individual contributions, those who were recognised may not have been able to do what they did and the unit arguably would not have achieved its mission.

74. The following is a synopsis of the themes which were presented during the oral submissions. Where the oral evidence has not added significantly to the written submissions it has not been repeated.

³⁸ Fleet Air Arm Association of Australia, Submission No. 05/2017, p.15.

³⁹ Ibid. p. 16.

⁴⁰ Grey, *Up Top*, p. 279.

75. **Recognition of the Individuals Who Enabled the RANHFV.** Commodore D. Farthing, DSC, RAN (Retd) who was the Commander of Contingent Three submitted that although many of the pilots and commanders of the RANHFV were recognised, the many individuals who enabled the RANHFV, such as aircrew and support and maintenance staff, were not. Commodore Farthing stated:

... I have been incredibly concerned since the decorations for my Flight were announced that the younger members, particularly the aircrew have not been properly recognised ... in my view just about everyone in the Flight performed above and beyond what we would regard as the normal call of duty.

... It's about recognition of the unit - if everyone hadn't contributed it wouldn't have happened.

76. Commodore Farthing submitted that Navy has a tradition of being the 'silent service' and as a result had developed a culture of not recognising individual excellence or bravery. He said:

... not long after I returned I went to see Admiral Smith [CNS] and I put the case to him about recognition, he said that 'they went to do what they were trained to do and what they were paid to do' ... they're Naval officers and that's how they are expected to behave.⁴¹

77. Commodore Farthing also submitted that a disproportionate number of United States Air Medals were awarded to members of the RANHFV which of itself indicated that the unit's performance was far superior to any other similar unit. The Tribunal's own research noted that of the 197 individuals who deployed to the RANHFV, approximately 50 received the Air Medal with 15 of these being for 'valor'.⁴² The Tribunal noted that many of the medals were awarded to non-aircrew including cooks, photographers and maintainers, thus confirming that these individuals were employed beyond their normal duties and placed into positions of responsibility in action as aircrew.

78. Commander Speedy in his evidence suggested that there was a significant inequity in the way in which awards were processed wherein many individuals were either not nominated, as there was an expectation that they would not be recognised due to the quota; or the level of award was downgraded in some cases from gallantry to 'Naval Board Commendations' for ostensibly the same reason. Commander Speedy also pointed to the large number of other foreign awards that were recommended and in many cases either not approved or failed to be presented, which he opined all pointed to the gallantry of the entire Flight. He said:

⁴¹ Commodore D. Farthing, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁴² Tribunal Research – RANHFV Awards Table, compiled from various records by the DHAAT Secretariat.

*... there were any number of awards being made by the Commanders of the Helicopter Flight which were not subsequently approved in the course of events.*⁴³

79. Commodore Farthing asked the Tribunal to note that a large number of individuals were presented with 'Naval Board Commendations' for their services to the RANHFV and these certificates, as identified in the Tribunal's individual review of Naval Airman Curran's recognition, were insignificant and 'treated with derision'.⁴⁴ Commodore Farthing stated that most of the recipients of these commendations were non-aircrew, which in his view pointed to the fact that the entire unit contributed to the overall outcome but these sailors were not adequately recognised.

80. The Tribunal's research indicated that approximately 34 individuals received Naval Board Commendations with the majority being non-aircrew. In *Curran* the Tribunal recommended that the 'Naval Board Commendation', which was essentially a letter of appreciation, be replaced by the contemporary 'Service Commendation Badge', a recommendation which was supported in principle by Navy at the time.

81. **Additional and Unexpected Roles.** It was submitted that, regardless of role and responsibility, many individuals were actually required to fly. On average at least 40 of the 48 sailors in each contingent performed flying duties, particularly as door-gunners.⁴⁵ The exact numbers and quantity of hours flown by these 'volunteers' were unknown as log books were only retained by actual aircrew, however many received the United States Air Medal in recognition of their additional responsibilities in the air (25 hours) or the Air Gunner's Brevet. It was claimed that some who were required to act as Crew Chiefs, flew for 'several hundred hours'.

82. Commander Speedy and Admiral Ralph pointed to the hours flown by the six sailors who deployed as Armourers for each contingent as being extremely high.⁴⁶ Commander Speedy provided evidence that two of these individuals (T.E. Brooks and G.E. Ralph) flew 1400 hours each in combat assaults and one (J. McIntyre) flew 1700 hours.⁴⁷ It was submitted that this was well beyond what would have been normally expected of individuals in their normal roles but was absolutely necessary to ensure mission achievement.

83. Commander Speedy stated that there was no expectation that people would be employed in these additional roles and none were trained prior to deployment. He said that only 12 individuals from each contingent expected to be engaged in actual combat duties as aircrew; yet the reality became that almost everyone had to fly through necessity because of absences, sickness and injury, particularly amongst the American aircrew. Commander Speedy said there was also a lack of qualified aircrew in the Navy which necessitated at one

⁴³ Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁴⁴ *Mr A. Curran*, DHAAT 037/2016.

⁴⁵ Commodore D. Farthing, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁴⁶ Rear Admiral N. Ralph and Commander M. Speedy, Oral submissions, Public Hearing, Nowra, 13 October 2017.

⁴⁷ Commander M. Speedy, Submission No. 3A/2017, p.23.

time the attachment of infantry machine-gunners from 2nd Battalion, the Royal Australian Regiment to the RANHFV to be door-gunners. Lieutenant Commander W.S. Lowe, MBE, RAN (Retd) who commanded the Maintenance Platoon in the First Contingent indicated that there was no expectation that non-aircrew would be required to fly prior to deployment.

84. Commander Speedy said that at the start of the deployment there was an expectation that Air Mission Commanders for tasks would be drawn from the senior staff of the 135th AHC yet the reality became that the majority of junior Australian officers actually became Air Mission Commanders due to their experience, skill and ability to assume extra responsibility. He suggested that this provided the Company with significant additional and unexpected capacity but also increased the risk, pressure and requirement to perform well beyond their usual rank responsibilities.⁴⁸

85. It was also suggested that, at the time, the concept of air-mobile insertions was 'quite new' and none of the RANHFV had been formally trained to conduct this type of operation before deployment as there were no supported forces to call upon for training.⁴⁹ Not only was the concept new, it was completely alien to Australian naval helicopter operations.

86. Commander Speedy asked the Tribunal to note the submission by Leading Sick Berth Attendant (LSBA) A.G. Hutchings.⁵⁰ He said that LSBA Hutchings assumed responsibility for the Combat Aviation Battalion's medical section and performed duties that were well beyond his experience and rank but did so with great distinction.⁵¹ For his efforts LSBA Hutchings received a letter of appreciation, demonstrating, in Commander Speedy's view, the lack of recognition of the junior non-aircrew members of the Flight who performed 'above and beyond' all expectations in areas with significant additional responsibility.

87. Commander Cooper submitted that there were numerous instances of gallantry by non-qualified aircrew:

*... many if not most of whom flew on a voluntary basis for which they received no recognition or additional pay and for which there was no official record. They did not have log books and did this in addition to their already demanding roles in the maintenance and support side of the unit.*⁵²

88. Lieutenant Commander Lowe described his experiences as the Maintenance Platoon Commander and emphasised the significant quantity of equipment that the Platoon was responsible for - including over 80 aircraft and up to 50 vehicles. He said maintainers worked 12 hour shifts and sometimes up to 15 hours to ensure aircraft availability for the next day. He stated that the unit attained 81% availability, which he considered to be excellent given the age of the aircraft and the significant battle damage which occurred regularly.

⁴⁸ Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁴⁹ Commodore D. Farthing, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁵⁰ Leading Sick Berth Attendant A. Hutchings, Submission No. 04/2017.

⁵¹ Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁵² Commander G. Cooper, Oral submission, Public Hearing, Nowra, 13 October 2017.

89. He also described the recovery operations which the maintainers mounted to return aircraft which had been shot or forced down. He said this required the maintainers to go into the area of operations, frequently under enemy threat to assess and ready the downed aircraft for recovery.⁵³

90. Lieutenant Commander Lowe said that every day at least two of his people were flying as either a Crew Chief or a gunner in addition to their individual requirement to maintain and repair aircraft to support major flying operations.

91. **Official Records Understated.** A number of submissions pointed to the monthly Reports of Proceedings (ROP) being largely understated. Commander Speedy recalled numerous ‘incidents’ including aircraft being shot down and crews being rescued which were not reported in the ROP.⁵⁴

92. The prevailing view amongst the Commanders and the officers who drafted the reports at the time was that they should be kept as brief as possible so as to only draw attention to matters of significance. It was asserted by Commander Speedy that, for this reason, the Tribunal should not place too much weight upon whether or not the sum of action could be relied upon from the official history and records. It was claimed that the quantity of hours flown, the number of engagements and the unreported incidents pointed to an operational tempo for the RANHFV which was extremely high and sustained for the duration of the deployment.

93. **Constant Threat, Risk and Additional Responsibilities.** The Tribunal noted that, prior to their individual deployments, none of the members of the RANHFV had previous operational service and none of them had been under fire. Despite this lack of operational experience, it was submitted that most sailors performed roles with responsibilities which were well above those required of their worn rank in the integrated Company.⁵⁵

94. Submissions indicated that a large number of the non-aircrew were required to participate in ongoing guard duties to protect the remote bases they occupied from enemy infiltration. These ‘berm duties’ required up to a dozen sailors to man machine gun and sentry positions on the perimeter of their bases through the night. These scheduled duties were in addition to their normal daily responsibilities, and in many cases, nightly duties, and placed most individuals well outside their ‘comfort zones’. It was suggested that whilst this may have been a normal occurrence for an infantry soldier in a patrol base, it was most unusual for these sailors who, despite this, became preferred for these roles due to their reliability.

⁵³ Lieutenant Commander W.S. Lowe, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁵⁴ Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁵⁵ Commander G. Cooper, Oral submission, Public Hearing, Nowra, 13 October 2017.

95. It was suggested that this was another example of the ‘extraordinary’ as it was not done at home and involved a much higher degree of risk than would be involved in the protection of a ship in harbour against saboteurs or swimmers. Commander Cooper submitted that these ‘berm duties’ at an air base ashore were usually performed in Australia by specialists such as Airfield Defence Guards, so for the sailors it was a challenging and significant additional responsibility with associated risk to the security of their remote bases.⁵⁶

96. The Tribunal noted that the various bases that the RANHFV operated from were under constant threat of ground attack, for example:

*... enemy activity was not confined to engaging aircraft when airborne. On 22 February Bear Cat was subjected to sporadic 82mm mortar and 107mm rocket attacks; a total of 99 rounds was received in six days, not heavy by standards elsewhere but resulting in seven killed and 23 wounded among the American and Thai personnel. On six occasions that month, the crews were required to evacuate to Black Horse as a counter-measure against rocket and mortar attack ...*⁵⁷

97. The Tribunal also noted that the majority of flying support tasks were with the ARVN. The official history records this as:

*... operating in support of the ARVN was both challenging and interesting, and it was usually intense ... there were obvious problems of language and operational assumptions ... the RANHFV personnel had more to do with the ARVN field units than did any other unit or formation in the Australian force. This gave them a different perspective on the war and meant that, like the AATTV, they often took risks which other elements of the Australian force in Vietnam did not encounter.*⁵⁸

98. Commander Speedy noted that it was the non-aircrew non-commissioned officers who were in positions of leadership within the 135th AHC. He said that these individuals were constantly required to go out into the field in circumstances of great hazard to do their jobs and keep the aircraft in the air, yet few of them were recognised.⁵⁹

99. **Collective Gallantry.** Both Admiral Ralph and Commodore Farthing addressed the issue of ‘collective gallantry’. Admiral Ralph indicated that dictionary definitions of gallantry were not helpful and that in his view gallantry as a concept required a higher standard than simple bravery. Commodore Farthing said that:

⁵⁶ Ibid.

⁵⁷ Grey, *Up Top*, p. 256.

⁵⁸ Ibid. p. 261.

⁵⁹ Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

*... every one of us was aware of the danger and risk and every day we flew it was inherently very dangerous, danger was constant but every time you went into a landing zone under fire it was just the luck of the draw.*⁶⁰

100. Commodore Farthing said that as the deployment developed they became more aggressive and commenced night assaults which ‘required a fair degree of courage’. He said that at night they were more alert as the threat was greater and required better concentration and situational awareness. Admiral Ralph said that they were collectively gallant because of a combination of qualities including loyalty to the embarked soldiers, empathy for the challenges facing these troops on the ground and the fact that they all jointly shared the significant threat and associated risk of low level flying operations in hazardous conditions. Commodore Farthing said that the ANZAC heritage and traditional qualities of Australian servicemen also set a benchmark of gallantry that they all aspired to uphold.

101. Commodore Farthing said that none of the non-aircrew volunteers ever refused to fly. Admiral Ralph said those who weren’t nominated as aircrew felt that they were part of the team. In relation to gallantry he said that the non-aircrew were particularly gallant as they were ‘clearly performing above the level for which they were trained and were in action constantly’. He said:

*... it wasn’t their permanent job, it was something that they felt obliged to do and they were good enough to do the job ... they did the job well and we didn’t hear anything negative from them ... they didn’t have to keep doing it ... they wanted to contribute.*⁶¹

102. Lieutenant Commander R.J. Godfrey, RAN (Retd) said that recognition had traditionally been granted to units through the individual award to its Commanding Officer, ‘the theory being that an award to the Commanding Officer reflects on the professionalism of the crew’. He stated that this did not provide actual recognition of the individual and in his view:

*... what a unit citation does achieve is to show the unit as a whole is the sum of the individuals and allows the crew to have a personal representation of their efforts.*⁶²

103. Rear Admiral M. Campbell, AM, CSC, RAN (Retd), the FAANA President, provided an oral submission wherein he concluded that:

*... the MUC is awarded for ‘warlike operations’ – the RANHFV was in combat, much more intense than warlike operations so the UCG is more appropriate as they performed extraordinary acts of gallantry in action.*⁶³

⁶⁰ Rear Admiral N. Ralph and Commodore D. Farthing, Oral submissions, Public Hearing, Nowra, 13 October 2017.

⁶¹ Ibid.

⁶² Lieutenant Commander R. Godfrey, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁶³ Rear Admiral M. Campbell, Oral submission, Public Hearing, Nowra, 14 October 2017.

104. **Teamwork.** Commander Speedy submitted that the unit should receive the UCG because they had performed the ‘extraordinary’ in comparison to the ‘ordinary’. He stated that whilst the aircrew frequently demonstrated individual gallantry during their deployments, the non-aircrew also were exposed and ‘many of them came with us frequently’. He said there was still ‘a swag of Air Medals still outstanding that should have been awarded’.⁶⁴

105. Commander Speedy also made comparisons to the contemporary award of the MUC to the Special Air Service Regiment in 2004 for ‘those in the rear with the gear’ and those of the unit who ‘were in the sharp end and received the UCG’.⁶⁵ He said that in that case it was easy to make a distinction between the combat and support elements and recognise each with a different award. In the RANHFV this was not as easy as the entire contingent contributed to the combat outcome.

106. Admiral Ralph indicated that the relationship with the Americans ‘couldn’t have been better’. He said there was mutual respect and a good sense of the value of each other to the team. He said it ‘became second nature to do a mission well’.⁶⁶

107. **History, Pride and Mission Achievement.** It was clear that the veterans of the RANHFV did not consider that the unit made a strategic impact on the outcome of the Vietnam War, but all considered that they did make a difference to the 135th AHC. Further, the 135th AHC as a whole had a record of operational achievement which outmatched that of any equivalent unit. Commodore Farthing suggested that, whilst they may not have made a strategic difference, they did make a great deal of difference in their area of operations, particularly when they commenced night operations, thus denying the enemy the freedom of movement they had previously enjoyed. The strong contention was that a combination of teamwork, dedication and a ‘can-do attitude’ set the unit up for success. The leadership and gallantry of all in the team who bravely did more than was expected over a four-year period, regardless of employment set the conditions for success.

108. Commander Cooper submitted that the Contingent did things they were not trained to do and in many cases, their duties were unique to the deployment and not learned until the individuals arrived in country. He said that ‘we all felt pressure to perform as a unit because in a very real way we were looking after the reputation of the Fleet Air Arm and more broadly the Navy’. He said:

*... we were all trying to prove that we were more than capable of doing this strange task we had been given and morale and esprit de corps came from being in such a unique environment, totally divorced from the rest of the Australian effort.*⁶⁷

⁶⁴ Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁶⁵ Ibid.

⁶⁶ Rear Admiral N. Ralph, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁶⁷ Commander G. Cooper, Oral submission, Public Hearing, Nowra, 13 October 2017.

Tribunal Consideration

109. **Retrospectivity and Maintenance of the Integrity of the Australian Honours System.** The Tribunal noted the CDF view that Defence did not support retrospective recognition but considered that this view had been examined and refuted in previous Inquiries. The Tribunal decided that there was little utility in repeating the arguments of those previous Inquiries. The Tribunal noted that, in relation to maintenance of the integrity of the Australian Honours system, previous Inquiries had extensively examined retrospectivity and concluded that the honours system would not be threatened by the award of a unit citation for an action before 1991, particularly where the start point for an inquiry is to consider a unit citation without reference to performance by individuals.⁶⁸

110. The Tribunal also noted that Government had effectively drawn a conclusion to the examination of further retrospective unit recognition following this Inquiry and the Inquiry into recognition for units who served at the Battles of Fire Support Base Coral and Balmoral.⁶⁹

111. The Tribunal also noted that Navy stated at the hearing that it remained of the view it had previously expressed in individual reviews that:

... the Tribunal, as an impartial body was best placed to judge the relative merits of the actions and recognition, and

*... in order to get all of the evidence on the table and to achieve impartiality whilst preserving the integrity of the process, this [the Tribunal] is currently the best forum to do that in...*⁷⁰

112. Similarly, Defence also indicated at the hearing that it would support retrospective recognition when the Director of Defence Honours and Awards stated:

*... if the Tribunal was to make a recommendation to the Minister about recognition of the RANHFV, my understanding is that Defence would be very happy to support that decision if it was about retrospective recognition. If the Tribunal was to recommend the MUC or the UCG then Defence would support that decision.*⁷¹

⁶⁸ Report of the Inquiry into Recognition for Service with 547 Signal Troop in Vietnam from 1966 to 1971 dated 7 May 2015, p.42.

⁶⁹ Ibid. 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...’; and Minister for Defence Personnel MA16-002605 received by the Tribunal on 22 November 2016 ‘I am pleased to inform you that the second and third recommendations were also accepted by Government to ... develop amendments to the regulations to restrict the award of the MUC and UCG to units that served after 1991’.

⁷⁰ Commodore D. Greaves, Oral submission, Public Hearing, Nowra, 14 October 2017.

⁷¹ Director of Defence Honours and Awards, Ms M. Kopinsky-Myers, Oral submission, Public Hearing, Nowra, 13 October 2017.

113. Accordingly, the Tribunal, whilst acknowledging the CDF's position regarding retrospectivity, was of the view that there was no impediment to making a recommendation which may include retrospective recognition and that the integrity of the Australian honours system would not be impacted by a retrospective recommendation for recognition.

114. **Was the RANHFV a 'Unit' for the Purposes of Recognition?** The Tribunal considered that the first step in its deliberations was to make a determination as to whether or not the RANHFV was a 'unit' for the purposes of recognition.

115. The Tribunal noted that a Memorandum of Understanding (MOU) between the Commanding General, United States Army Vietnam and the Chief of Naval Staff (CNS) was signed on 9 November 1967.⁷² The MOU established the purpose and command relationships for the RANHFV:

1. (C) General:

- a. *The Royal Australian Navy will provide a helicopter flight consisting of personnel capable of manning and maintaining UH-1 type aircraft to assist the Republic of Vietnam to defeat Communist-inspired insurgency and aggression in order to restore peace and security.*
- b. *The flight will be attached to the United States Army 135th Assault Helicopter Company.*

2. (C) Command Relationships:

- a. *Members of the Flight will be integrated into the 135th Assault Helicopter Company and function under its operational control.*
- b. *Administrative command of the members of the flight will be retained by the Commander, Australian Force Vietnam.*

...

116. The CNS also issued a Directive to the 'Officer In Charge RANHFV'.⁷³ This Directive confirmed the role of RANHFV and command status of all Royal Australian Navy assets allocated by 'the Government of the Commonwealth of Australia ... to provide additional military assistance to the Government of the Republic of Vietnam'. The Directive stated that:

2. *The Clearance Diving Team and the helicopter flight (RANHFV) form the Royal Australian Navy component of the Australian Force, Vietnam.*

117. The Directive further refers to the:

⁷² *Memorandum of Understanding Between Commanding General, United States Army Vietnam and Chief of Naval Staff, Royal Australian Navy* dated 9 November 1967.

⁷³ *Directive to Officer in Charge Royal Australian Navy Helicopter Flight Vietnam* dated September 1967 (provided by R.G. Ray on 30 October 2017).

administration of all matters concerning RAN units in South Vietnam. (emphasis added by the Tribunal)

118. During the hearing Navy advised the Tribunal that it considered the RANHFV to be a ‘unit’ for the purposes of the Unit Citation Regulations. Navy stated that it had reviewed documentary evidence which indicated that during the planning for the deployment, the RANHFV ‘had been referred to as a unit’, it was ‘deployed with an Officer in Charge as its head and in accordance with Navy’s view of commissioned establishments or commissioned ships, it was a unit’. Navy also stated that ‘on 14 June 1967 a decision was taken that the unit would be known as the RANHFV’.⁷⁴

119. The Tribunal noted that the Australian Unit Citation Regulations define ‘unit’ as being:

*... A unit or sub-unit of the Defence Force or of a defence force of another country.*⁷⁵

120. The Tribunal also noted that the Defence Honours and Awards Manual provides a definition of ‘unit’ as including:

*... sub-units, ships, squadrons etc.*⁷⁶

121. The Tribunal was satisfied that the term ‘Flight’ is commonly used in the air force, fleet air arm and army air corps to describe a grouping of aircraft and people and is similar to a sub-unit. Relying on the MOU and Directive to the Officer in Charge of the RANHFV which uses terminology such as ‘unit’, and noting that the Regulations define a unit as being a ‘unit or sub-unit of the Defence Force’, the Tribunal was satisfied that the RANHFV was created and utilised as a unit of the RAN and can therefore be considered to be a ‘unit’ for the purpose of this Inquiry.

122. **Options for Unit Recognition.** Having determined that the RANHFV was a unit for the purposes of recognition, the Tribunal then proceeded to examine what options were available to bestow recognition upon a unit.

123. The Tribunal noted that the Terms of Reference required it to examine ‘another form of recognition’ or an ‘Australian unit decoration’ for the RANHFV. Before examining the case for an Australian unit decoration, the Tribunal conducted an assessment of what other forms of recognition were feasible to recognise the performance of the RANHFV. Noting that unit recognition in an Australian context was a relatively new phenomenon, the Tribunal’s research indicated that the only other potential forms of unit recognition were either Battle Honours or group commendations under the Defence Commendation Scheme.

⁷⁴ Commodore D. Greaves, Oral submission, Public Hearing, Nowra, 14 October 2017.

⁷⁵ Commonwealth of Australia Gazette No. S25 – *Unit Citation Regulations* - dated 4 February 1991.

⁷⁶ Defence Honours and Awards Manual 9.3.d.

124. **Battle Honours.** The Australian Defence Force has a system of battle honours, theatre honours, honour titles and honour distinctions to recognise exemplary service by units in combat and combat related roles. The Australian War Memorial states that Battle Honours are a form of public commemoration of a campaign, battle, action, or engagement and recognise the presence of a unit at and its contribution towards the outcome of a particular battle.⁷⁷ In the Army, only infantry, armoured and cavalry regiments are entitled to Battle Honours.

125. In the RAN, individual ships bearing the same name carry the Battle Honours of all previous ships of that name. Army Battle Honours are normally emblazoned on the Regimental Colour whilst Navy Battle Honours are ‘displayed on a Battle Honour Board displayed in a suitable position in the ship or establishment’. The Navy policy on the award of Battle Honours states that they are ‘intended to foster esprit de corps among ships companies’ and that ‘battle honours may be awarded for certain campaigns as a whole rather than for individual actions during those campaigns’.⁷⁸

126. The Tribunal noted that on 7 May 1971 the Director of Naval Aviation Policy (DNAP) wrote to the CNS in relation to the withdrawal of the RANHFV from Vietnam. The DNAP made recommendations including in relation to battle honours wherein it was noted that ‘RANHFV has been part of the RAN Iroquois helicopter effort and this is represented in the RAN by 723 Squadron’. The DNAP proposed to the CNS that:

*... the inscription ‘RAN Helicopter Flight Vietnam 1967-1971’ be placed as a battle honour on 723 Squadron battle honours.*⁷⁹

127. All Her Majesty’s Australian Ships and Fleet Air Arm Squadrons allotted for duty in the Vietnam Operational area were subsequently awarded the campaign battle honour ‘VIETNAM 1967-71’, including to the RANHFV’s parent unit – 723 Squadron. During the hearing, Navy stated that the name RANHFV could not be placed on battle honour boards as policy dictated that only ship’s names were to be recognised. Navy also stated that battle or campaign honours were different in intent to unit citations and did not recognise sustained meritorious service or extraordinary gallantry. Navy also stated that battle honours ‘did not provide recognition of the individuals who served in the unit’ at the time the honour was awarded.⁸⁰

128. Navy stated that, despite the recommendation of the DNAP that the RANHFV receive an honour specifically for their operations, it was likely that this recommendation was not accepted by the CNS. The decision may have been taken to recognise the parent unit in accordance with the aforementioned policy that battle honours be only awarded for certain campaigns as a whole. It was further suggested by the Navy Historian that, as battle honours

⁷⁷ www.awm.gov.au – Colours and Battle Honours – Backgrounder No 78 Issue #2 January 2012.

⁷⁸ Defence Instruction (Navy) Admin 8-2 dated 31 December 1982.

⁷⁹ DNAP Minute to CNS *Withdrawal of RANHFV* dated 7 May 1971.

⁸⁰ Commodore D. Greaves, Oral submission, Public Hearing, Nowra, 14 October 2017.

were most usually awarded to ships or platforms, it would have been difficult to recognise a unique unit such as the RANHFV as it was created for a specific purpose, albeit drawn from the parent unit.⁸¹

129. Commander Speedy who subsequently commanded 723 Squadron shortly after the Vietnam War also gave evidence that he was in command when the Battle Honour Board had arrived in the unit. He said that there was no formal presentation of the honour and ‘no-one made any suggestions of a parade or divisions to mark the award’. He said that the Board arrived in the Quartermaster’s Store and was subsequently displayed at the entrance to the establishment but it was, in his opinion, not appropriate recognition of the RANHFV as a unit.⁸²

130. At the hearing, Navy summarised its position regarding battle honours as a form of recognition by stating that the Battle Honour VIETNAM 1967-71 was ‘not satisfactory recognition’ of the RANHFV as a unit. Navy also advised that it would not now consider retrospective battle honours for the unit as the RANHFV no longer exists.

131. The Tribunal gave significant weight to the Navy position regarding the award of battle honours and great weight to the fact that the subsequent Battle Honour VIETNAM 1967-71 did not specifically identify or recognise the RANHFV. The Tribunal also gave weight to the policy in relation to the award of battle honours that they were usually awarded to platforms or ships and that, as the RANHFV was not a platform, it was in all likelihood at the time precluded from such an award.

132. **Finding in Relation to Battle Honours for the RANHFV.** The Tribunal therefore finds that the award of the Battle Honour VIETNAM 1967-71 does not appropriately recognise the performance of the RANHFV as a unit or the performance of its personnel, nor is it appropriate to retrospectively consider the award of a Battle Honour to the unit.

133. **Defence Group Commendations.** The Defence Commendation Scheme formally recognises outstanding/exceptional achievement, or specific acts of bravery for which awards from within the Australian Honours System are not an appropriate medium of recognition.⁸³ Defence Commendations are a part of the Defence system of recognition and are of lower precedence than awards within the Australian Honours System. Group Commendations may be awarded to groups, units or teams only by the Secretary, CDF or a Principal Awarding Authority. Group Commendations consist of a certificate only; no badge is issued and individual certificates are not normally provided, although members may be given a copy of the original certificate by local authorities.

134. At the hearing Navy stated that, whilst units could be awarded a group commendation under the contemporary Group Commendation scheme, the defined policy stated that it was

⁸¹ Mr J. Perryman, Oral submission, Public Hearing, Nowra, 14 October 2017.

⁸² Commander M. Speedy, Oral submission, Public Hearing, Nowra, 13 October 2017.

⁸³ Defence Honours and Awards Manual Vol 1, Chap 39.

for recognising superior, excellent, high or noteworthy achievements for which other forms of recognition were not appropriate.⁸⁴ Navy indicated that it was possible for commendations to be awarded for this [RANHFV] type of service, however Navy viewed commendations as being appropriate for internal Defence recognition but not suitable as a form of recognition by the broader Australian public. Navy also stated that it was unlikely that these contemporary commendations were suitable for retrospective application.

135. The Tribunal agreed with the Navy position that the Defence Group Commendation was part of an internal award process which failed to provide recognition of individuals within the unit or to provide public recognition of a unit's achievements.

136. **Finding in Relation to a Group Commendation for the RANHFV.** The Tribunal therefore finds that the award of a Defence Group Commendation would not appropriately recognise the performance of the RANHFV as a unit or the individuals within the unit.

Australian Unit Citations

137. **Purpose.** Australian Unit Citations were created for the purpose of 'officially recognising occasions when a unit as a whole and each member individually performs to an outstanding degree either in a single action or operation or over time'.⁸⁵ The UCG and the MUC were introduced into the Australian honours system in 1991. Unlike awards for individuals, recognition of group endeavour has little history in honours systems around the world. The relatively recent tradition of unit citations was introduced by the United States in 1942 and has subsequently prompted broader recognition of collective endeavour.

138. The Australian UCG and MUC were established by Letters Patent on 15 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.*⁸⁶

139. **Regulations.** The honours are governed by Regulations set out in the Schedule which provides the conditions for the award of a citation:

3. (1) *The **Unit Citation for Gallantry** shall be awarded to a unit only for acts of extraordinary gallantry in action.*

(2) *The **Meritorious Unit Citation** shall be awarded to a unit only for sustained outstanding service in warlike operations.*

⁸⁴ Commodore D. Greaves, Oral submission, Public Hearing, Nowra, 14 October 2017.

⁸⁵ Department of Defence DM 87/38684 to PM&C Honours and Awards Interdepartmental Committee dated 13 October 1987.

⁸⁶ Commonwealth of Australia Gazette No. S25 – *Unit Citation Regulations* - dated 4 February 1991.

140. **Guidance for the Award of Australian Unit Citations.** Neither the UCG or the MUC are listed or defined in the *Defence Act 1903*. Defence provides guidance on the nomination process and eligibility for citations in the Honours and Awards Manual. Neither ‘extraordinary gallantry’ nor ‘sustained outstanding service’ are explained. The guidance defines ‘in action’ as the engagement between opposing forces involving direct conflict and ‘warlike and non-warlike operations’ being those declared by the Governor-General.

141. The guidance states that:

... the UCG may be awarded for a single action or for multiple acts over time;

... the individual eligibility criteria for award of the UCG will be determined on occurrence, according to the merits and circumstances of each particular action; and

... the MUC may be awarded for sustained outstanding service.

142. The Tribunal considered the Defence guidance to be largely unhelpful and in previous Inquiries has commented on the lack of policy guidance and the potential damage this may have upon consistency and the integrity of the assessment process.⁸⁷

143. The Tribunal noted that, despite Defence being directed by the Minister to introduce more guidance ‘for implementation in 2017’, this has still not been completed.⁸⁸ Additionally, at the hearing into this matter Navy stated:

*... a senior committee within Defence has endorsed the principles of the recommendation which focusses on limiting retrospectivity and is currently refining the project implementation schedule for this work which it is anticipated will take another 18-24 months to complete due to the need for collaboration between agencies and departments*⁸⁹

144. In the absence of adequate policy guidance, and noting that the conditions for the award of the UCG and MUC are broad, the Tribunal determined that it was critical for it to examine the conditions and decide what elements should be considered in making an assessment of a unit’s performance.

145. It was noted that Army guidance for the MUC had been developed in 2006 and used previously and by several submitters. The Tribunal, however, considered that this guidance, whilst perhaps applicable to Army, would be difficult to apply to Navy and, in any case, there was no similar guidance for the UCG.

146. **Background to the Creation of Australian Unit Citations.** The Tribunal noted that Australian Unit Citations were under consideration by an Interdepartmental Committee (IDC)

⁸⁷ Report of the Inquiry into *Recognition for Service with 547 Signal Troop in Vietnam from 1966 to 1971* dated 7 May 2015, p.61.

⁸⁸ Minister for Defence Personnel MA16-002605 received by the Tribunal on 22 November 2016.

⁸⁹ Commodore D. Greaves, Oral submission, Public Hearing, Nowra, 14 October 2017.

as part of the Australian system of honours and awards in 1984. In a letter from Defence to the Department of Prime Minister and Cabinet, Defence stated:

...

98. *The nature of military combat is such that some members of a unit in action are more conspicuous and at risk, and are more likely to attract individual awards for gallantry in action or for distinguished service, than others whose duties make them less conspicuous.*

99. *Each member of a unit is assigned and is trained to perform specific duties and success in action and in operations depends largely on all members performing these duties. Not infrequently, for any number of reasons, a member will also take on the duties of others.*

100. *Gallantry in action and distinguished service in operations do not always result from members acting in isolation. As often as not, acts of gallantry could not have been performed and distinguished service in particular could not have been rendered without the full support of other members of the unit.*

101. *There are occasions when a unit as a whole and each member individually performs so outstandingly, either in a single action or operation or over a period of time, that some form of official recognition of all members of the unit is warranted. In such situations, while individual awards for gallantry in action or for distinguished service in operations might be completely justified, given the mutual interdependence basic to any unit it would be inappropriate if all members were not recognised.*

102. *The Defence view is that there would be considerable merit in having the facility within the Australian system of honours and awards for citing a unit as a whole for outstanding service and for such a citation to entitle members of the unit at the time to wear distinctive insignia. Two citations are proposed:*

a. the Australian Unit Citation for Gallantry for extraordinary gallantry in action; and

b. the Australian Meritorious Unit Citation for outstanding service over a period in operations.⁹⁰

147. The Tribunal considered that this background provides a useful starting point to develop conditions for the award of what became in 1991 the Australian Unit Citations – the MUC and UCG. The Tribunal also observed that the IDC in 1987 noted that it had been agreed that:

⁹⁰ *Defence Position Paper on Honours and Awards*, DOD DM84/8966 to the Department of Prime Minister and Cabinet dated 26 March 1984.

*... the new unit citations ... should be awarded only rarely for the most outstanding acts or series of acts of gallantry or service and great care would need to be exercised to maintain the status of the awards.*⁹¹

The Meritorious Unit Citation

148. What is ‘Sustained Outstanding Service in Warlike Operations’ by a Unit?

Since 1991, 25 MUCs have been awarded. They vary between units for a single deployment, to a unit for multiple deployments on multiple operations. Recent requests to Defence to examine the criteria and assessment of these awards have been resisted or declined as records were apparently not retained.

149. The aforementioned 2006 Army guidance for the MUC developed suggested criteria which called for an assessment of a unit’s operational performance focussed on mission achievement, equipment and personnel availability and force preservation; strategic significance including strategic impact and international engagement; personnel performance; administration and security; and other qualities including innovation, adaptability, reconstitution and family support. These criteria provide useful benchmarks but are arguably unsuitable for retrospective analysis, for example, back to the Vietnam War, and may not be applicable to other Services.

150. The Tribunal considered that, for a unit’s performance to be ‘sustained’, it would need to demonstrate that it had maintained its performance continuously; that it had created an enduring and conspicuous impact on the operation of which it was a part; and that it had successfully completed its mission in warlike operations.

151. The Tribunal considered that a unit’s operations would need to be continuous and without break. Whilst individuals may have been rested, the unit would need to be continuously engaged in the operation. Removal of the unit to a rest area would negate such continuous engagement.

152. The Tribunal considered that ‘outstanding’ should remain a subjective and discretionary test with the governing consideration focussed on whether a unit could be seen to have performed with distinction or been conspicuous. Most significantly, a unit would need to demonstrate that its performance set it apart from other similar units or units engaged on the operation, or the unit created an effect and achieved results which were clearly beyond what was expected when the unit deployed.

153. Evidence of high levels of equipment and personnel availability throughout the operation would provide support to the assessment of ‘sustained’ outstanding service.

⁹¹ Department of Prime Minister and Cabinet 84/050 PO5 f.144.

154. **Conditions for the Award of the MUC.** The Tribunal decided that to be eligible for the award of the MUC a unit should normally have met most of the following conditions:

- a. the unit was engaged in warlike operations and achieved its mission;
- b. the unit had an enduring and conspicuous impact on the operation or campaign;
- c. equipment and personnel availability were assessed as high throughout the operation or campaign;
- d. the unit's operations were sustained, and
- e. the unit's performance was clearly outstanding and set it apart from other similar units.

The Unit Citation for Gallantry

155. **How Does a Unit Achieve 'Acts of Extraordinary Gallantry in Action'?** Since 1991 four UCGs have been awarded, two of these retrospectively as a result of Inquiries – D Company, 6th Battalion, the Royal Australian Regiment for the Battle of Long Tan in 1966 and HMAS *Yarra* for actions in 1942. Neither Inquiry analysed the actions against the conditions for the award. In the case of Long Tan, the Panel preferred to conclude that D Company's performance 'fully satisfies the requirements and conditions for the award of the UCG'. The Tribunal notes that a not insignificant number of individual gallantry awards were made to members of D Company.

156. 1 Squadron of the Special Air Service Regiment received the UCG in 2004 for its collective gallantry during the war in Iraq in 2003. The Regiment and 4th Battalion (Commando) received the award for unit gallantry in Afghanistan in 2005-2006 when they undertook 100 missions in 309 days in the field, including 139 combat engagements. In this latter case, it appears that the benchmark used was the number of missions and engagements, noting that no high level individual gallantry decorations were made during the tour, although a number of Medals and Commendations for Gallantry were awarded.

157. **Defence Guidance.** As previously stated, there is no formally endorsed Defence guidance on the criteria for the award of the UCG. The Tribunal noted that dictionary definitions of 'extraordinary' are largely unhelpful – 'exceptional, unusually great, remarkable' etc. The Tribunal considered that a comparison of the ordinary to the extraordinary, as submitted to this Inquiry, had appeal as one factor in identifying conditions for a unit's collective gallantry, particularly where 'ordinary' was seen as a unit doing what it was trained to do and 'extraordinary' could be demonstrated as setting the unit apart from others and going well beyond what it was expected or trained to do.

158. **Precedent.** The Tribunal noted that the United States Presidential Unit Citation (PUC), originally called the Distinguished Unit Citation, is awarded to units:

for extraordinary heroism in action against an armed enemy ...

and the unit

*must display such gallantry, determination, and esprit de corps in accomplishing its mission under extremely difficult and hazardous conditions so as to set it apart from and above other units participating in the same campaign.*⁹²

159. The Executive Order establishing the PUC states that:

*'the collective degree of valor (combat heroism) against an armed enemy by the unit nominated for the PUC is the same as that which would warrant award of the individual award of the Distinguished Service Cross ... in some cases, one or more individuals within the unit may have also been awarded individual awards for their contribution to the actions for which their entire unit was awarded a PUC.'*⁹³

160. **Individual and Collective Gallantry.** The Tribunal was of the view that there was a direct correlation between individual gallantry and collective gallantry – particularly as it relates to a unit performing 'extraordinary acts of gallantry'. The Tribunal noted the PUC guidance that linked individual awards to unit recognition but preferred not to be so prescriptive.

161. The Tribunal considered that for a unit to be recognised for collective gallantry it was likely, but not essential, that some individuals in the unit may have been recognised for their gallantry. The Tribunal further considered that where individual gallantry, performed on multiple occasions, combined with unit determination to achieve its mission and delivered to a standard which would set the unit apart from other units, a case could be made for collective recognition for gallantry.

162. **Shared Level of Risk.** The Tribunal considered that, in the context of unit gallantry, the majority of the unit should be shown to have been exposed to a similar level of threat and demonstrated bravery in the face of that threat. For example, where a unit's support, administrative and headquarter sub-units are all exposed to a similar enemy or environmental threat and they contribute directly to the denial of the enemy's intentions. Thus, it could be expected that administrative staff also shared the threat, for example, by patrolling, providing security and/or performing additional duties beyond their training.

163. **Extraordinary Gallantry and the Linkage to Individual Acts of Gallantry.** The Tribunal noted that the 1987 guidance in relation to the creation of unit citations stated that they should only be awarded rarely and for the 'most outstanding acts or series of acts of gallantry'. The Tribunal considered that in establishing conditions for award of the UCG, this guidance and use of the term 'extraordinary gallantry' should be examined in conjunction with the criteria for the highest of the Australian individual gallantry awards which are also only awarded rarely. Significantly these criteria require 'the most conspicuous gallantry',⁹⁴

⁹² US Army Regulation 600-8-22 'Military Awards' dated 11 December 2006

⁹³ Ibid. p.7-13.

⁹⁴ Commonwealth of Australia Gazette No. S25 – *Victoria Cross Regulations*– dated 4 February 1991.

and ‘acts of great heroism in action in circumstances of great peril’⁹⁵. The Tribunal therefore concluded that the award of the UCG should correlate with these eminent standards and that in making the decision to recommend a UCG, the nomination should be considered to be at a level commensurate with the highest individual Australian awards for gallantry. By taking this approach, the Tribunal was of the view that this would maintain the extremely high standard and status of the award of the UCG as envisaged by the IDC in 1987.

164. **Conditions for the Award of the UCG.** The Tribunal decided that to be eligible for the award of the UCG a unit should normally have met all of the following conditions:

- a. operations were conducted in dangerous and hazardous circumstances;
- b. most members of the unit were exposed to or threatened by the enemy;
- c. the unit was in action for the duration of the campaign, operation or battle;
- d. individuals from the unit are likely to have been recognised for their gallantry during the campaign, operation or battle;
- e. the unit’s performance was extraordinary, where ordinary constitutes doing what the unit was trained, tasked and expected to do as part of its role and responsibility; and
- f. the unit’s collective gallantry and overall performance noticeably set it apart from other units.

Does the Performance of the RANHFV Warrant the Award of a Unit Citation?

165. **Summary of Claims and Submissions.** The RANHFV was a unique unit drawn from a ship-based helicopter organisation raised and trained to conduct submarine detection over water but utilised in Vietnam to conduct land based airmobile operations whilst embedded within a foreign organisation. The RANHFV’s operations were sustained over a four-year period and they flew 30% of the total hours flown by the 135th AHC. The RANHFV averaged 750 flying hours each month continuously for nearly four years. This was only possible through the dedication and work ethic of the maintenance and support personnel who were able to keep the aircraft operable despite battle damage and fatigue.

166. The RANHFV was continuously engaged in offensive operations throughout its nearly four-year deployment to Vietnam and aircraft could expect to be fired at on every second mission. There were also additional dangers from booby-trapped landing zones and blue-on-blue fire from the ARVN who were the principal supported group.

167. None of the members of the RANHFV had previous operational service and none of them had been under fire. A significant number of the maintenance and support personnel were also required to perform additional critical roles for which they were not trained, with most of these sailors also employed as aircrew and as door-gunners.

⁹⁵ Commonwealth of Australia Gazette No. S25 – *Gallantry Decorations Regulations* - dated 4 February 1991.

168. The RANHFV carried out roles and tasks that bore no relationship to those of any other Navy air squadron. Its personnel were fully integrated into a unit from another country and they were required to perform tasks for which they had limited specific training, at levels well above their worn rank and experience, and in continuously hazardous combat circumstances. The Royal Australian Navy personnel tended to be more experienced than their US colleagues and subsequently they filled critical leadership, training and support roles and provided example, knowledge and dedication in the performance of their duties. They provided the stable core of the 135th AHC and infused maturity, professionalism, dedication to duty and 'sorely needed leadership in many vital areas of the command structure'.⁹⁶

169. Aircraft availability levels with the 135th AHC 'were among the highest achieved by any US Army helicopter company in Vietnam'.⁹⁷ Many relatively junior sailors became supervisors and leaders in maintenance crews.⁹⁸ Most non-aircrew were required to participate in ongoing guard duties to protect the remote bases they occupied from enemy infiltration. These duties were in addition to their normal daily responsibilities, and in many cases, nightly duties, and placed most individuals well outside their 'comfort zones' as these were tasks normally allocated to airfield defence guards at major bases or soldiers trained for this type of work.

170. The various bases that the RANHFV operated from were under constant threat of ground attack and on many occasions, were actually attacked or mortared. The ground lines of communication to the bases were also frequently interdicted, posing threats to the administrative and support staff.

171. Pilots and aircrew worked considerably more hours in combat than was expected and as a result received the vast amount of individual recognition. The RANHFV accumulated a formidable total of flying hours. Their overall individual average was assessed by the Official Historian as being more than 50% greater than that of the pilots of 9 Squadron RAAF over the same period – setting them apart from other similar units.⁹⁹ These flying hours failed to recognise the sustained and in many cases gallant efforts of the supporting sailors who at one time or another were involved in some form of gallantry. The number of personnel actually cited for individual gallantry was well above what would be normally expected in a unit.

172. The RANHFV did the 'extraordinary' in comparison to the 'ordinary'. The aircrew flew significantly greater hours in direct support of land operations, the security of their bases was provided by the support staff and maintainers in addition to their normal duties. Many of the support staff were also employed as door-gunnery and Crew Chiefs – jobs they did bravely and in many cases gallantly. The aircrew spent most days flying combat assaults frequently assisted by non-aviator aircrew, and these groups were 'shot at on every other day'.

⁹⁶ Lieutenant Colonel F. Dunaway, Submission No. 19/2017.

⁹⁷ Fleet Air Arm Association of Australia, Submission No. 05/2017, p.1.

⁹⁸ Petty Officer W. Barlow, Submission No. 08/2017.

⁹⁹ Grey, *Up Top*, p. 279

173. Regardless of individual role and responsibility, many individuals were actually required to fly and on average at least 40 of the 48 individuals in each contingent performed flying duties particularly as door-gunners.¹⁰⁰ Some who were required to act as Crew Chiefs, flew for ‘several hundred hours’. The duties they performed were beyond what would have been normally expected of individuals in these roles but were absolutely necessary to ensure mission achievement. There was no expectation that people would be employed in these additional roles and none were trained prior to deployment.

174. The concept of air-mobile insertions was ‘quite new’ and none of the RANHFV had been fully trained to conduct this type of operation before deployment. Additionally, the vast majority of tasking was in direct support of the ARVN, increasing the complexity, risk and danger to the aircraft and aircrew.

Assessment of the Performance of the RANHFV against the Conditions for the MUC

175. The Tribunal having previously established the conditions for the award of the MUC turned to an assessment of the performance of the RANHFV against these conditions.

176. **Was the RANHFV engaged in warlike operations and did the unit achieve its mission?** The RANHFV was in action for nearly four years continuously. They conducted airmobile operations on an almost daily basis and on average, 40 of the 48 sailors in each contingent were required to crew aircraft. There is no dispute that the unit was in warlike operations, indeed the Tribunal considered that they were in fact continuously ‘in action’. The RANHFV’s mission was to ‘man and maintain UH-1 type aircraft to assist the Republic of Vietnam to defeat Communist-inspired insurgency and aggression in order to restore peace and security’.¹⁰¹ There is no dispute that the unit achieved its mission to assist the Republic of Vietnam and that they made a significant impact upon the unit to which they were attached – the 135th AHC.

177. **Did the RANHFV have an enduring and conspicuous impact on the campaign?** RANHFV personnel filled critical leadership, training and support roles and provided the stable core of the 135th AHC over a four-year period. They were recognised by their US superiors as having provided an enduring and conspicuous impact and were commended and decorated by the US on multiple occasions.

178. **Was the RANHFV’s equipment and personnel availability high throughout the campaign?** Aircraft availability levels with the 135th AHC were among the highest achieved by any US Army helicopter company in Vietnam and the majority of key maintenance

¹⁰⁰ Commodore D. Farthing, Oral submission, Public Hearing, Nowra, 13 October 2017.

¹⁰¹ *Memorandum of Understanding Between Commanding General, United States Army Vietnam and Chief of Naval Staff, Royal Australian Navy* dated 9 November 1967.

positions were occupied by Australians who supervised and created conditions for the high availability.

179. **Were the RANHFV's operations sustained?** The RANHFV sustained their operations with 135th AHC for nearly four years without break and whilst relocating their base on three occasions. Airmobile operations were conducted on an almost daily basis even whilst contingents were changing over. This sustained performance was conducted in the presence and direct threat of the enemy for the duration of the deployment.

180. **Was the RANHFV's performance clearly outstanding and did this performance set the unit apart from other similar units?** In the view of the Tribunal, the RANHFV's performance by any measure was outstanding – aircraft availability, number of hours flown, number of combat engagements, number of individuals cited for their performance of duty and additional responsibility. All of these set the unit apart from other similar Australian and coalition units.

181. **Finding in Relation to the MUC.** The Tribunal finds that the RANHFV provided sustained outstanding service during its four-year deployment to Vietnam and therefore meets the conditions for the MUC. The Tribunal notes that the MUC requires service to be in 'warlike operations' and considers that this description of the environment understates the situation that the RANHFV was in. The unit was continuously engaged in combat operations on a daily basis and all members of the unit were exposed to highly dangerous threat levels. Accordingly, whilst the Tribunal finds that the RANHFV meets the conditions for the MUC, it considers that it should also review the performance against the conditions for the UCG, a higher-level award which may be more appropriate in comparison to the MUC.

Assessment of the Performance of the RANHFV against the Conditions for the UCG

182. The Tribunal having previously established the conditions for the award of the UCG turned to an assessment of the performance of the RANHFV against these conditions.

183. **Were operations conducted in dangerous and hazardous circumstances?** The very nature of the operations the unit conducted were dangerous and hazardous. Airmobile operations required aircraft insertions into insecure landing zones often occupied by enemy groups with small arms, medium machine guns and rocket propelled grenades who were able to engage the aircraft as they approached, whilst landing and when on the ground. Numerous aircraft were shot down, necessitating extremely hazardous recovery and rescue operations often under direct enemy fire. The bases from which the RANHFV operated were remote and subjected to direct and indirect attack and lines of communication were exposed and easily interdicted. Operations were conducted on a continuous daily basis and undisputed evidence suggested that aircraft were directly fired upon on at least every other day. The physical environment was also hazardous with extremes of weather and little protection from the elements.

184. **Were most members of the unit exposed to or threatened by the enemy?** There is no dispute that each and every member of the RANHFV was exposed to and threatened by the enemy. Most significantly 40 of the 48 members of each contingent were employed as aircrew and as previously established, aircraft were exposed to the enemy on a daily basis and fired upon every other day. Non-aircrew and those not actually flying were all exposed to the enemy when required to perform additional duties to protect the base from ground attack. This was a significant and unexpected responsibility not usually experienced by other Naval units during the campaign in Vietnam.

185. **Was the unit in action for the duration of the campaign, operation or battle?** The RANHFV sustained their operations with 135th AHC for nearly four years and without break. Airmobile operations were conducted on an almost daily basis in the presence and direct threat of the enemy for the duration of the deployment. Aircrew were in action against the enemy during most insertions and directly engaged every other day. The unit was undeniably 'in action' for the duration of the campaign.

186. **Were individuals from the unit recognised for their gallantry during the campaign, operation or battle?** A significant number of aircrew were recognised for their individual gallantry during the campaign, however the many support staff and maintainers who enabled the aircrew operations were not. Additionally, many of those who deployed originally as non-aircrew became door-gunners and Crew Chiefs, jobs that were essential but for which they were not trained or expected to perform. The Tribunal considered that these individuals were arguably more gallant than the trained aircrew as they bravely performed duties that were completely above and beyond what would ever have been expected of them. The Tribunal was satisfied that the high number of commendations and recommendations for non-aircrew who actually performed flying duties, when combined with the high number of aircrew who were decorated, was a clear indicator of collective gallantry.

187. **Was the unit's performance extraordinary?** The Tribunal considered that the RANHFV's performance was extraordinary in comparison to what was expected to be the ordinary. Their aircrew flew significantly greater hours in direct support of land operations, they physically contributed to the security of their bases in addition to their normal duties, and many support staff were also employed in offensive roles as door-gunners and Crew Chiefs. What the RANHFV did for nearly four years was beyond what it was trained, tasked and expected to do as part of its role and responsibility. When considered collectively, the Tribunal was satisfied that many individuals demonstrated the most conspicuous gallantry and some performed acts of great heroism in action in circumstances of great peril. Most others performed their duties and additional higher duties with bravery and dedication which in the view of the Tribunal could only be described collectively as an extraordinary performance.

188. **Did the unit's collective gallantry and overall performance noticeably set it apart from other units?** The RANHFV accumulated a formidable continuous number of flying hours. Their overall individual average was assessed as being more than 50% greater than that of a similar Australian unit and they contributed 30% of the rate of effort of their parent

unit which in itself was set apart from other aviation companies during the campaign. The number of personnel actually cited for individual gallantry was proportionally greater than other Australian units during the campaign, thus noticeably setting it apart from them. The Tribunal was therefore satisfied that the RANHFV's collective gallantry and overall performance set it apart from other units.

189. **Finding in Relation to the UCG.** The Tribunal noted the IDC advice that gallantry in action does not always result from members acting in isolation and that often, acts of gallantry could not have been performed without the full support of other members of the unit. The Tribunal considered that the performance of the RANHFV is a clear example where the unit as a whole, and every member individually, performed so outstandingly through the entire campaign that official recognition of all members of the unit is warranted. In this instance, whilst individual awards for gallantry in action were completely justified, given the mutual interdependence specific to the RANHFV, the Tribunal considered it would be inappropriate if all members were not recognised for their extraordinary gallantry.

190. For the reasons given above, the Tribunal finds that the RANHFV meets the conditions for the UCG and that it is appropriate that the unit be awarded the UCG for its service in South Vietnam from October 1967 to June 1971.

Other Matters

191. **Individual Entitlement to the UCG.** Having found that the RANHFV met the conditions for the UCG, the Tribunal for completeness examined individual entitlement to wear the insignia of the citation. The Tribunal noted that the Defence policy for an individual's entitlement to receive the insignia of the MUC provides for individuals who are posted to and served in a unit and in the particular area of operations for the specified citation for at least 30 days during the cited period.¹⁰² There is no such restriction on the individual entitlement to the UCG. The guidance in the Defence Honours and Awards Manual for the UCG states:

9.6 Individual eligibility. Individuals who were involved in the act of gallantry being recognised are eligible to wear the insignia of the citation with the Federation Star. Entitled individuals are identified on a nominal roll submitted with the award nomination.

9.7 The individual eligibility criteria for award of an emblem of the UCG will be determined on occurrence, according to the merits and circumstances of each particular action.

¹⁰² DHAM Vol 1 Chap 9

192. The Tribunal recommends that any individuals who rendered service within the prescribed area of operations whilst posted as a member or allotted for duty to the RANHFV between 3 November 1967 and 8 June 1971 be entitled to and awarded the emblem of the UCG.

193. **Foreign Entitlement to the UCG.** The Tribunal noted that the RANHFV enabled the operations of the 135th AHC and provided the stable core of the unit. It further noted that the record of the 135th AHC was outstanding amongst equivalent American units, with a very high degree of serviceability allowing it to provide each day a greater number of aircraft than other AHCs. This created the basis for an extraordinarily high operational tempo and thus even more frequent exposure to combat conditions for the helicopter crews concerned than was the case for their opposite numbers in other units. This remained the case for the four years in which the RANHFV was part of the 135th AHC. The Letters Patent for Australian Unit Citations recognise gallantry in action by ‘units of the defence forces of other countries’. 135th AHC was established as a unit on 1 February 1967 at Fort Hood, Texas and deployed shortly thereafter to Vietnam. The unit’s initial role was to support the Australian Task Force and other free-world units. The RANHFV was integrated into the unit from the outset and remained with it until October 1971. 135th AHC was deactivated in January 1972.

194. The Tribunal was of the view that, whilst the award of the UCG to the RANHFV is appropriate recognition for those Australian sailors who were posted to the 135th AHC, the collective gallantry displayed by the entire Assault Helicopter Company should also be acknowledged. Accordingly, the Tribunal recommends that the Australian Government consider offering the UCG to the United States Army’s 135th AHC in recognition of the extraordinary gallantry of the unit in support of the Army of the Republic of Vietnam between 1967 and 1972.

Conclusion

195. The RANHFV was a unique unit and every member, regardless of mustering or category, either performed their duties with demonstrable gallantry or were used in roles for which they were not trained and still performed bravely. Their sustained performance and collective gallantry was extraordinary.

196. The final comment on the performance of the RANHFV is best left to Commander Max Speedy:

... All of the 200 members individually and the RANHFV as a whole, have displayed and been most courageous in battle, exhibited exceptional and extraordinary gallantry and done so with great skill and heroic dedication. These are all extraordinary acts of great gallantry and heroism and are far removed from the

*Navy's expectations of the ordinary and the RAN/USA Agreement that sent them all to Vietnam in the first place.*¹⁰³

Recommendation

197. The Tribunal recommends that the Royal Australian Navy Helicopter Flight Vietnam be awarded the Unit Citation for Gallantry for acts of extraordinary gallantry in action in South Vietnam from October 1967 to June 1971 and that the citation be also offered to the United States Army's 135th Assault Helicopter Company.

¹⁰³ Commander M. Speedy, Submission No 03A/2017, p.27.

APPENDICES

Appendix 1 – Individuals and Organisations Who Provided Submissions and Evidence to the Inquiry

Barlow, Petty Officer Air Mechanic William, RAN (Retd)

Campbell, Rear Admiral Mark, AM, CSC, RAN (Retd)

Cooper, Commander Guy, RAN (Retd)

Cronin, Commander David, RAN (Retd)

Da Silva, Chief Petty Officer Mechanician Jacques, RAN (Retd)

Dunaway, Lieutenant Colonel Fred, US Army (Retd)

Dunstan, Mr Kim

Eyck, Able Seaman Naval Aircraft Mechanic, Airframes and Engines Frank, OAM, RAN (Retd)

Farthing, Commodore David, DSC, RAN (Retd)

Fleet Air Arm Association of Australia

Fraser, Mr Kenneth, Vietnam Veterans of Australia Association

Godfrey, Lieutenant Commander Raymond, DSC, RAN (Retd)

Greaves, Commodore David, RANR, Chief of Staff Navy Strategic Command

Harris, Mr Graham, RFD, Navy League of Australia

Hutchings, Leading Sick Berth Attendant Alan, RAN (Retd)

James, Commander Winston, MBE, DSC RAN (Retd)

Kopinsky-Myers, Ms Margot, Director Defence Honours and Awards

Lowe, Lieutenant Commander Stafford, MBE, RAN (Retd)

Miles, Petty Officer Second Class Frank, USN (Retd)

Petrie, Leading Airman Leo, RAN (Retd)

Perryman, Mr John, Director of Strategic and Historical Studies, Navy Sea Power Centre

Ralph, Rear Admiral Neil, AO, DSC, RAN (Retd)

Ray, Captain Robert, MBE, RAN (Retd)

Ryan, Petty Officer Brenton, RAN (Retd)

Speedy, Commander Ian, DSC, RAN (Retd)

Stadt, Colonel Thomas, US Army (Retd)

Wynberg, Commander Theodore, RAN (Retd)

Appendix 2 - Bibliography of Research Materials

Reports

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

Defence Honours and Awards Appeals Tribunal, Report of the *Inquiry into Recognition of Service with 547 Signal Troop in Vietnam from 1966 to 1971* dated 7 May 2015

Defence Honours and Awards Appeals Tribunal, Report of *Curran and the Department of Defence [2016] DHAAT 037* (25 October 2016)

Defence Honours and Awards Appeals Tribunal, Report of *Farthing, Ray, Bell and the Department of Defence Re Perry [2017] DHAAT 006* (6 March 2017)

Defence Honours and Awards Appeals Tribunal, Report of *Speedy, Ray, Bell and the Department of Defence Re Perrott and Kyle [2017] DHAAT 007* (1616 March 2017)

Government Documents

Australian War Memorial

AWM 78 389-1 Report of Proceedings 1967-1969 RANHFV

AWM 78 389-2 Report of Proceedings Jan 1970 – Jun 1971 RANHFV

AWM 85 7/2/40 Australian Army Commanders' Diaries, Vietnam, Infantry Units 2RAR 7 May to 30 June 1967

AWM 98/R723/1/13 Vol 2 HQAFV Australian Forces Vietnam, Reports Monthly, October and November 1967

AWM 98/R723/1/13 Vol 3 HQAFV Australian Forces Vietnam, Reports Monthly, December 1967, January and March 1968

AWM 98/R723/1/13 Vol 4 HQAFV Australian Forces Vietnam, Reports 1968

AWM 98/R723/1/13 Vol 5 HQAFV Australian Forces Vietnam, Reports 1969

AWM 389/1, Reports of Proceedings of HMA Ships and Establishments, RAN Helicopter Flight Vietnam October 1967-December 1969

AWM 389/2, Reports of Proceedings of HMA Ships and Establishments, RAN Helicopter Flight Vietnam June 1970-June 1971

AWM – Colours and Battle Honours – Backgrounder No 78 Issue #2 January 2012

National Archives of Australia

NAA A18133 1605/201/52 Memorandum of Understanding Between Commanding General, United States Army Vietnam and Chief of Naval Staff, Royal Australian Navy dated 9 November 1967.

NAA M62 13 –*Personal Papers and Royal Warrant for Awards to RAN Nov 1969-Jan 1971* - Ministerial Correspondence between Malcolm Fraser Minister for Department of Army and the Prime Minister JG Gorton.

Parliament

Hansard, House of Representatives, 135th Assault Helicopter Coy, speech 4 June 2002 page 3104

Gazettes

Commonwealth of Australia Gazette S25 4 Feb 1991, *Royal Warrant for the Victoria Cross of Australia*

Commonwealth of Australia Gazette S25 4 Feb 1991, *Royal Warrant for the Unit Citation for Gallantry and the Meritorious Unit Citation*.

Commonwealth of Australia Gazette S297 4 Nov 1991, *Determinations made under Regulations 4 and 5 of the Royal Warrant for the Unit Citation for Gallantry and the Meritorious Unit Citation*.

Department of Defence

Army Standing Instructions (Pers) Army Honours and Awards, Defence Commendations and Medallions, Part 11, Chap 1, The Defence Honours and Awards System – Guiding Principles and Participant Roles and Responsibilities dated May 2015.

CA Directive 03/06 - *Chief of Army Directive, Army Procedure for the Award of a Meritorious Unit Citation* dated 25 January 2006

CDF Directive 7/2004 - *CDF Directive on Unit Citations for Gallantry and Meritorious Unit Citation Streamers*

CJOPS Directive 05/1 - *Chief of Joint Operations Directive Honours and Awards* dated 16 February 2017

CJOPS Directive 23/15 – *Operational Honours and Awards* dated 6 April 2015

DCAF Directive 02/14 - *Directive by Deputy Chief of Air Force – Director of Honours and Awards Development – Air Force Implementation of Hons and Awards Development Support Across Air Force* dated 28 October 2014

DI(A) 38-3 - *Administration of Australian Battle Honours* dated 4 May 2012

DI(Navy) Admin 8-2 - *Royal Australian Navy on Administration of Award of Campaign and Battle Honours* dated 24 September 2015

DI(Navy) Admin 8-2 - *Royal Australian Navy on Administration of Award of Campaign and Battle Honours* dated 31 December 1982

DIG(P) 31-3, *Australian Gallantry and Distinguished Service Decorations* dated 30 November 1992

DGPERS-A-10660/00 *Army Unit Commendations, Award of Unit Gallantry and Meritorious Service Commendations – Policy* dated 9 November 2000

Defence Honours and Awards Manual

RAN AF Memo 26/14 *Honours and Awards for Fleet Personnel* dated 3 November 2014

Directive to Officer in Charge Royal Australian Navy Helicopter Flight Vietnam dated September 1967

Department of Defence *Position Paper on Honours and Awards*, DOD DM84/8966 to the Department of Prime Minister and Cabinet dated 26 March 1984

Department of Defence *Honours and Awards Interdepartmental Committee* DM 87/38684 to Prime Minister and Cabinet dated 13 October 1987

Department of Prime Minister and Cabinet 84/050 PO5 f.144

Director Naval Aviation Policy Minute to Chief of Naval Staff *Withdrawal of RANHFV* dated 7 May 1971

United States Government

US Department of Army Pamphlet 672-3 1988 *Unit Citation Registers*

Books

Australian Naval Aviation Museum *Flying Stations: A Story of Australian Naval Aviation*, Allen & Unwin, Sydney, 1998

Chinnery, Philip D. *Vietnam: The Helicopter War*, Shrewsbury, England, 1991

Eather, Steve *Get the Bloody Job Done, The Royal Australian Navy Helicopter Flight –Vietnam and the 135th Assault Helicopter Company 1967-1971*, Allen & Unwin, Sydney, 1998,

Fairfax, Denis *The Royal Australian Navy in Vietnam: A Record of the Royal Australian Navy in the Vietnam War 1965-1972*, Department of Defence, AGPS, Canberra, 1980

Grey, Jeffrey *Up Top: The Royal Australian Navy and Southeast Asian Conflicts 1955-1972*, Allen & Unwin, Canberra, 1998

Perryman, John & Mitchell, Brett *Australia's Navy in Vietnam: Royal Australian Navy Operations 1965-72*, Silverwater, NSW, 2007

Ray, Bob & Speedy, Max (Eds.) *A Bloody Job Well Done, The History of the Royal Australian Navy Helicopter Flight Vietnam 1967-1971*, 3rd Edition, Woollahra, NSW, 2011

Articles and Conference Papers

Godfrey, Ray 'Beachball', *The Machine Gunners of B Coy 2 RAR and the 135th AHC 'EMUS'*,

Speedy, Commander M. 'A Bloody Job Well Done; the Royal Australian Navy and Helicopter Combat Assault Operations in the US Army, Vietnam, 1967 – 1971' <http://mhhv.org.au/wp-content/uploads/A-bloody-Job-well-done-Max-Speedy.pdf>

Speedy, Max 'Choppers: Helicopters in the Vietnam War', 2013 Military History & Heritage Victoria, Conference paper *The Proceedings of the Conference held at the National Vietnam Veterans' Memorial Museum, Phillip Island, by Military History and Heritage Victoria*, 20 April 2013

Stewart, Elizabeth, 'The EMU: getting the bloody job done', *Wartime*, Issue 51, 2010