

Defence Sub-Committee

Oral evidence: [Military exercises and the duty of care](#) HC 598

Wednesday 10 February 2016

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Members present: Mrs Madeleine Moon (Chair); Richard Benyon; Mr. James Gray; Johnny Mercer;

Questions 278-326

Witnesses: **Air Commodore (Retd) Stephen Anderton**, former Commandant-General, RAF Regiment, and **Brigadier (Retd) Matthew Porter**, Royal Marines, gave evidence.

Q278 Chair: Good morning, and thank you for joining us. I would like to say at the start that we tried to have sitting alongside you a witness from the Army, but unfortunately, for a multiplicity of reasons—the date, the time and all sorts of things—we were unable to get an Army witness. Thank you, gentlemen, for making yourselves available today. Will you both give a brief outline of your background and experience?

Air Commodore Anderton: Air Commodore was my final rank in the Air Force. I am a career RAF Regiment officer. As far as this Committee is concerned, I commanded RAF Honington, which is the home of the RAF Regiment—the RAF Regiment training depot where we train all of our recruits, officers and NCOs. My final appointment was as Commandant-General of the RAF Regiment, where I was also responsible for the delivery of all RAF Regiment military commitment and training, but I was also responsible for the standards of training for the rest of the Royal Air Force.

I have considerable operational experience of operating with the rest of the Air Force in a training environment. I spent a lot of time with the Harrier force in Germany, in the days when we were putting 5,000 men into the field in quite difficult circumstances. So I think I have probably got something to offer in terms of how training is run and organised in both the RAF Regiment and the Royal Air Force.

Brigadier Porter: I joined the Marines in 1990. I qualified as a weapon training officer—a training specialist within the Royal Marines—and I was the training officer for the Royal Marines Reserve in Scotland. I took a recruit troop through training. I was the officer command in command training for the Royal Marines for a period of time, and I was also directing staff on a staff course. The rest of my career has mostly been spent in operational units—I have spent the majority of my career in operational units.

Q279 Chair: It would be helpful if you could outline your general perception and experience of the effectiveness of the MoD and the Armed Forces' application of the duty of care to service personnel on training exercises and selection events.

Air Commodore Anderton: May I just say that I believe that the British Army—the infantry—set a benchmark standard in terms of their delivery of operational capability and training on a worldwide basis? I have personal experience of that, because I was widely trained by the Army. I attended the platoon commanders division battle course, which was my first training course after I left the RAF college at Cranwell. That was followed pretty quickly by the support weapons wing mortar officers course at the School of Infantry at Netheravon. I returned there later in my career to do the company commanders course.

That is atypical of many RAF Regiment officers who I grew up with. We have taken the very high benchmark standard that the British infantry set and applied it in the appropriate manner to fit how the Air Force meets its own challenges in terms of operational training and delivery, which in many respects is quite different from the other two services.

If you will allow me one historical quote—I promise I won't repeat myself—it is that all Air Force personnel “ought to be armed with at least something—a rifle, a tommy-gun, a pistol, a pike, or a mace”. And it should be known that “all ranks” should be willing to “fight and die in the defence of their airfields.” That is a relevant quote, but it goes back to Winston Churchill in June 1941. The Air Force had just suffered some pretty horrendous defeats during the early part of the war because nobody in the Air Force in those days was either armed with any sort of weapon or trained in any sort of ground defence. The enemy had simply walked into Air Force bases and captured places like Crete, and so on and so forth.

That led to the War Cabinet approving on Christmas day 1941 the formation of the Royal Air Force Regiment. The royal warrant to form that was signed by the King on 6 January 1942 and the RAF Regiment was raised as a corp on 1 February. It was raised by officers and NCOs of the Guards Division, which was the primary infantry organisation of its day and set some very high benchmark standards for the Royal Air Force Regiment, both to deliver units that were capable of defending Air Force stations and to train the rest of the Royal Air Force to fight and, if necessary, die in defence of their airfields. We have taken those benchmarks forward to today.

How you organise and defend an airfield, which is quite a complex and vulnerable organisation, is quite different from where you train, say, an Army parachute unit to undertake operations behind enemy lines by parachute, or train colleagues next to me, who were perhaps commandos, to storm beaches that were heavily defended. The techniques and the challenges are quite different.

I believe that the standards we set ourselves in the Royal Air Force are quite different from those in the Army and the Navy. Even within the Air Force, the standard you set for training RAF Regiment personnel is quite different from the one you set for your technicians. From that point of view, I think there are differences, and you ought to explore some of that in your considerations.

Q280 Chair: The question was not about the rigorousness of the training; it was about the duty of care. Do you find a difference in the duty of care, rather than in the rigorousness of

the training? I think we all accept that training varies and that the risks associated with the training vary. The question was about whether or not the duty of care and the responsibilities that that implies vary between different sections of the Armed Forces. That was what I was looking for.

Air Commodore Anderton: I am struggling to recognise that there is a difference in duty of care in the delivery of training. To deliver any sort of successful training, it has to be properly structured and properly thought through, with the proper assessment of risks and safety involved. I would regard that as all part of the same package. I deliberately chose to associate myself with the rigorous training that I have seen the British military infantry do. I think there are common standards. What is different is the delivery. I do not recognise that there is any difference in terms of duty of care.

Brigadier Porter: I feel that duty of care is an intrinsic part of officership and leadership, as taught within all three services. As a young officer, I was told very much that my leadership depended on my ability to empathise with my people, to have their welfare at the top of my concerns and to always put them first in everything I did. It goes down to things like making sure they are fed before you yourself get fed. I feel that duty of care is an intrinsic part of officership. I not only recognise that in the Royal Marines officer training, but I have seen the same documentation and approach to leadership in the Army, and I presume it is very similar in the RAF. I would say it is less a difference between the services, from my perspective, than a difference between good and bad officers and good and bad leadership.

Q281 Johnny Mercer: Mr Anderton, can I ask for clarification? What, in your view, are the unique standards and challenges within the RAF Regiment that are different from those required within the Army or the Marines?

Air Commodore Anderton: It is a question of the role. You are asking an infantry-type unit—an RAF Regiment squadron, which is the size of an infantry company—to defend a huge area around the outskirts of an airbase. An airbase has a perimeter of anything over 10 miles, and you have a 5 km TAOR—tactical area of responsibility—around it. That is a huge area to defend, so the sorts of technique required for that in terms of locating a special forces enemy, tracking them covertly, containing them and then doing swift and rapid ambushes is—

Q282 Johnny Mercer: Forgive me, but how is that uniquely different from what we ask our gunners, our marines or our paratroopers to do?

Air Commodore Anderton: In terms of the basic skill of an individual, there is no difference, but once you start to move into the tactical and unit-type delivery, they are quite different in terms of response and surveillance techniques, the ability to move rapidly in vehicles and so on. There is a unique difference.

Q283 Chair: You both have had long and distinguished careers within the forces. Have you seen a change in the implementation of the duty of care? Has there been a greater focus? Has it grown? Has it become more rigorous? Could you comment on that?

Brigadier Porter: I think there has been a much clearer articulation of who is responsible for any aspect of training through the duty holder process. That has made it much clearer,

certainly at the high levels, in terms of who holds responsibility for various aspects of training. Personally, I don't think it has made a lot of difference at the lower levels—by that, I mean up to unit command—because it has always been very clear that if you are running a bit of training, you are responsible for it and for the welfare of the people below you. I think the duty holder concept really applies at the higher levels and gives two star, in particular, accountability for certain aspects of training.

Other aspects of training have become better over the years. I went through my training officer training back in '93. Since then there has been huge improvement in the way that training is designed and delivered. The whole DSAT—defence systems approach to training—process is far more efficient and rigorous. There has also been a much stronger cultural shift towards “training people in” rather than “selecting people out”, if that makes sense. Years ago our basic training establishments were looking to separate the wheat from the chaff. Now much more attention is paid to trying to get the best out of everybody.

The prevalence of coaching techniques, for example, in basic training establishments is an indicator of that. People are trying to bring people on and get the best from them, rather than trying to crush them and separate the wheat from the chaff.

Q284 Chair: That is very helpful. It reiterates much of the evidence that we have seen. There are a number of joint service protocols—you are smiling, Air Commodore—that cover training exercises and events. How useful are they? Are they user friendly or are they just bogging people down with paper work?

Air Commodore Anderton: I have been retired for 10 years and the system I operated in was still single service. In the Air Force, we had a strike command and a personnel and training command. All my policy documents were not JSPs; they were APs, air publications. We operated a single service approach, so I can't comment on the new joint service documents, which I understand have replaced that. Certainly the direction that we were getting in my day, when I was station commander at RAF Honington, in delivering training at that level, was relatively clear, but set at quite a high level. It was up to me, as the equivalent of the duty holder—I can discuss that more when we come to it, if you like—to get on with it and deliver it. I was never under any illusion of what was required of me to deliver that. I felt my instructions were quite clear.

Brigadier Porter: I think it is fairly indicative that the principal individual training JSP—I think it is 898—very early on references well over 25 other associated joint service publications. Instantly, that gives an indication that it is not all in one place; you have to spread yourself wider. Some of those are directly involved in training, and some are tangential—alcohol misuse and substance misuse—which you would have to know if you were a commander training troops, but it is all in the publications.

There are several hundred JSPs. They sit at the top, and underneath them you have single service instructions, and below that there are probably unit and establishment standing orders. For example, when I was working at Lympstone, it had its own set of standing orders, and each wing would have its own specific guidance for what it was trying to train. That is just the governance instructions, let alone the subject knowledge of what you are trying to train people in. If you are training people in troop attacks, that comes with its own doctrine that you have to understand and learn.

What I am trying to get across is that there is a plethora of written stuff out there. It is debatable, but personally I doubt whether our young leaders, who are pretty busy anyway, have the time or inclination to read all of it. There is a comfort in knowing that you have published instructions as a joint service publication, because now you can think, “I’ve done my bit; I’ve published a JSP and it’s all in there”. To my mind, that is less important than creating a culture within your organisation that follows the letter of the publications. It is not enough to publish something, you have to inculcate it into your training and into the way you do business at all levels of command.

Q285 Chair: Could you say a little about how you ensured that inculcation? How was that whole focus and attention promulgated? How do you feel that could be improved?

Brigadier Porter: I can only point to my experience in Lympstone CTCRM, where I felt they had got this right. They had an induction process so that any new instructor coming into CTC was taken to one side, which is a bit of luxury, because generally in appointing terms you do not have that overlap between someone leaving a post and someone coming in. However, they try and generate that so that there is a little bit of spare time, and then they have this induction process, which is a combination of going round and seeing how that training is delivered, and also videos showing what can go wrong in training scenarios—“This is the wrong way to do it. This is the right way to do it.” On top of that, there is constant engagement by the seniors in that organisation with training at all times to try and make sure that culture continues into training.

I would say, from my perspective, that focusing too much on Lympstone perhaps misses some of the wider training going on across the forces. Yes, that is a training establishment where you have your basic training, your command training and your specialist training, but an awful lot of training is happening out there in operational units, run on a day-to-day basis by the sections, troops and companies. Quite often it is a way of bringing on junior aspirant leaders by having them design a bit of training and deliver it, and it is part of their personal development.

What I am trying to say is that in a training establishment such as Lympstone, you have an awful lot of effort to try and make sure that everybody maintains this proper, cultural approach to training. I would say that we probably carry more risk out in the operational units, where people are further removed from training excellence and the best approaches, if you like. Going back to my earlier point about officership, there is a possibility of less duty of care being applied, I guess, in some of those scenarios. I am hoping not, but there is, if you like, more risk being held there, I would suggest.

Air Commodore Anderton: May I just add something? In terms of how the Air Force is organised and does its training, the RAF Regiment is very much like an infantry unit. It has squadrons and wings and so on, with officers and NCOs, but separate from that, many would probably argue that the most important role of the RAF Regiment is to train the rest of the Royal Air Force in military skills. To that effect, each RAF unit has attached to it an RAF Regiment training team of officers and NCOs. Therefore, all those officers and NCOs are, from the very beginning, trained in instructional techniques, the duty of care and the delivery of training. That is refreshed at each stage that they go through in terms of their qualifications for promotion. They are also refreshed in that when they go through the particular instructor courses to deliver the specific types of training, whether it be first aid instructor training or nuclear defence training, and so on and so forth. So there is a

culture there of people being trained at every stage of their career to deliver the training that is required, but in a format that also provides the appropriate risk analysis for the training that is taking place and the duty of care.

I go back to my original quote about operating with the Harrier force. It is a little dated now, but it is quite true that that was putting 5,000 men in the field with 36 jets in 15 locations and with 1,000 vehicles. We used to do crash deployments at night because we were simulating Soviet attacks, and so on and so forth. If you did not know what you were doing, it is one of the scariest places to be involved in, but it was very carefully rehearsed and very carefully controlled. To my knowledge, we never once ran somebody over in the umpteen years that I was with the Harrier force, because it was so carefully choreographed and put together. That just indicates the time and effort we put into it.

Q286 Mr Gray: You didn't run them over, but what about other injuries? You are talking about an enormous amount of training. Are you telling me that there were no injuries of any kind at all throughout that entire period?

Air Commodore Anderton: No, we had minor injuries—of course we did. There were vehicle accidents, when a vehicle would run into another one, but to my knowledge we never had a death. You got the odd sprained ankle, but nothing that I would deem to be serious.

Chair: We have a lot of questions to get through, so we need to keep the answers fairly focused if we can.

Q287 Richard Benyon: I think you have both refocused our inquiry a bit. Partly because three of us attended Lymington last week and partly for other reasons, we are thinking about recruit training and selection events. Of course, you are right: the vast majority of training in its totality happens in units and we have to remember that. What both your organisations seem to do is get people off the street, wrap your organisation around them, and train them hopefully into becoming Marines or members of the RAF Regiment. In the Army it was a bit like that 30 years ago. It is now much more streamlined. Recruits go to Catterick and break out into their regiments at a later date. Your respective organisations have the whole package of officer and recruit training, specialisms and all the rest of it, in the respective training centres. Is that something we should recommend for other parts of the Armed Forces to go back to or to rediscover? Because you can have so much more control and understanding of the individuals concerned.

Air Commodore Anderton: That is an interesting question. I won't speak about Lymington, but I understand the Lymington model, which you will have seen.

RAF Regiment training is largely conducted at RAF Honington. All RAF officers, including RAF Regiment officers, first go through the officer training centre at Cranwell, so they are all trained as mainstream RAF officers first. They then go to RAF Honington to do their junior officers' course, in the same way that you would go to the School of Infantry or wherever, as I did initially.

The RAF Regiment currently has all its men arrive at Honington straight off the street to do recruit training. I understand that is about to change. From 1 April we are to revert to the system you have just spoken in respect of the Army. All RAF recruits will go to a

single school at Halton. Then they will move on to RAF Honington to do their specialist RAF Regiment training.

That will change a regime that has been in operation for more than 30 years. The reason it came into operation 30 years ago—and I was closely involved—was that the RAF Regiment was the only part of the RAF that was issued with the SA 80, the new rifle of its day. There were 4,000 rifles given to the RAF Regiment. The other 96,000 people in the RAF had to stay with the SLR. There was no point continuing to train RAF Regiment gunners through Swinderby, as it then was, in the SLR, only to be retrained six weeks later into the SA 80. That was the prompt to put the training into the one location at Honington.

The Air Force in its wisdom now, supported by the RAF Regiment, has decided to go back to the single track, where everybody is trained to the same culture first and then you do your specialist training separately. That mirrors what we have been doing with officers since time immemorial.

Brigadier Porter: I personally like the CTC model. I would say that, wouldn't I? I come from the Royal Marines. In terms of the advantages, I see the principal one as being that everybody is treated as part of the organisation. You have an establishment that is training lance corporals to be corporals; they are going on the junior command course. It is the same with the senior command course and late-entry officers. There are non-commissioned officers becoming officers. They are all, along with mortarmen, assault engineers and snipers, trained alongside young officers and recruits in the same establishment.

There is no sense that these are people outside the gate waiting to get in, that these are potential recruits but they haven't made it yet. They have already been welcomed into the organisation because they are part of Lympstone and are training alongside all these other ranks. There is a sense that they are already training Marines, if that makes sense, rather than dealing with people outside who are trying to get in.

That sounds slightly disparaging but I can see that potentially in other systems, if you have an establishment just about people who are not yet part of the organisation trying to get in, you might have a slightly different approach to the duty of care. It is a bit awkward to say that because I am not sure, having not worked there, what those cultures are.

In terms of disadvantages, I could anticipate people saying, "You are treating quite young recruits and perhaps there is a tendency to treat them in the same way as you would your corporals and sergeants who have had a lot longer to mature and are more physically robust." I personally don't see that as a problem because Lympstone is separated into different wings. There is one wing that deals with young recruits and another wing for command training and another for specialist training. So the staffs become quite proficient in the sort of candidates they have.

The overall main advantage as I see it is the business of training excellence. You have one place in the Royal Marines, one go-to place where the best possible practice is exemplified in training and it does the induction. In my experience, there isn't anyone at CTC who doesn't understand what their responsibilities are for delivering good, effective, safe training. The level of expertise is so high because it is concentrated in one place.

Q288 Richard Benyon: We were all incredibly impressed by what went on and the precautions taken, but I have one question about it. Some people hold the view that people have changed. Our ability to fight is just as good as it ever was, and we have seen some remarkable things in recent years. But there is an uncompromising side of CTC, which manifests itself, for example, in the 30-miler—you must remember yours in 1990. Do you think young men are still able to do such rigorous training? You hear people say, “Well, of course they all wear trainers now.” They are not trainers; they are the boots they are given when they join the Army. They are 18, and have never taken any exercise except for playing the occasional game of football. Do you think that young people have changed, and that training and selection into the Armed Forces should change as a result?

Brigadier Porter: I think the nature of society has changed. I don’t know the statistics—there must be statistical evidence for this—but we certainly found that we had to break people into wearing boots over a much more gradual period. It was very progressive. We had the luxury of having long training periods for our Royal Marines recruits and officers—longer than anywhere else in the forces. There was definitely that. I would say that there are much wider aspects as well. The number of our people who had never spent a night outside a building was quite shocking. People say, “When I was a kid, we used to play in the woods”, and all that sort of thing, but it is definitely there. The youth of today spend more time on computer games and things like that than they do running around outside, and I think that has an effect.

That said, I think the product we get at the end of our training is still good. We are making up for it in the training we deliver. Another factor on the Royal Marines side, which is probably slightly distorting this, is that we have the luxury of very high application rates, so we are able to turn down an awful lot of people who apply. The potential recruits course and potential officers course act as a good filter of the people we think are the most robust and able to complete training successfully.

Air Commodore Anderton: I would endorse that. I don’t think the character and quality of our youngsters has changed per se, but their exposure to outdoor activity has certainly changed. We introduced a similar process to the Marines. We invite everyone who wants to join the RAF to come on a four-day visit to RAF Honington. It is a quasi-information/selection process. They are shown what is going to be required of them and what the RAF Regiment is all about. They are given the opportunity to take part in some of the physical activity, such as the fitness standards they are expected to achieve. We can then tell those who are still keen to join at the end of it whether they would meet the immediate physical training standards, or whether they ought to go away, get fit first and come back six months later. That’s enormously important. If you don’t arrive at the correct physical standard on day one, you’re going to struggle from the very beginning. It’s better that you go away for six months and get yourself physically fit beforehand.

I agree that the wearing of boots is a major issue for the Armed Forces. Even with the modern footwear that is now on issue, changing out of sneakers and finding yourself in heavy boots and heavy kit is still a major issue. That takes us on to something you will perhaps come to later. Minor injuries during recruit training is the bane of any trainer’s life. There are sprained ankles and those sorts of injuries because people aren’t used to wearing that sort of equipment.

Q289 Richard Benyon: We were really impressed with Hunter company, and that whole concept. I want to ask you about risk assessments and the processes within the MoD and the Armed Forces for training exercises and selection events. Do you think there is a lack of uniformity in the application of risk assessments across the services and in different chains of command? Have you any experience of that?

Brigadier Porter: I can't claim to have enough exposure at the low levels to the governance of training across all three services to know. All I can say is that within my own service—the Royal Marines—I have seen good and bad application of risk assessments. A bad application of risk assessment is rerunning the risk assessment that you ran for that exercise last year—pulling it off the printer, changing the dates and going with it without really thinking about it. Good risk assessment is going back over that, just to refresh yourself on what the key risks are.

Even more than that, it is about having that openness of mind to adjust on the day because something crops up that you hadn't expected—whether that is that some farmer starts spraying chemicals in a field next to your training area, or the weather turns nasty or is too hot or whatever. It is about that flexibility, that rolling risk assessment, which should be natural to military personnel because at the end of the day war is chaos and operations never go the way we expected. The enemy has a vote, and we always have to adapt our plans all the way through the conduct of our operations, so it really should be part of good leadership.

I'm afraid I haven't seen any examples of people changing the dates, printing and thinking they have done it because they have a risk assessment that goes into their pack as part of the exercise instruction—that is not what it is about.

Air Commodore Anderton: I concur on the issue of leadership. What is important is that you get a suitably qualified individual who knows that he is in charge of whatever the event is going to be and has personal responsibility for it, but also that around him he gathers a sufficiently well-trained team to provide him with advice to be able to conduct risk assessments as the training is put together and developed. There are therefore a series of checks and balances as the process is articulated, before it is delivered.

Some of the most potentially dangerous training I have ever been involved in is live firing, in which you put squads of men on the hills of the Brecon beacons or on Salisbury plain and engage with live weapons. You are getting men to run under machine-gun fire in static lines and so on. That is potentially quite a risky business, but, as the officer in charge, when you put that package together, you will go through it in some considerable detail, and you will have all your appropriate safety supervisors with you. That team will advise, at each stage of it being put together, whether the appropriate risk assessment has been done for that particular event. On several occasions my team have come up to me and said, "No, we need to rethink that one. It just won't work, because of x, y and z." If you have a properly trained and responsible commander backed by a suitable team, the risk assessments should be done for each individual event on each individual occasion.

Q290 Richard Benyon: I think that answers my next two questions. I think the words that Brigadier Porter used were "good officership". There is in the system the ability to amend and apply a degree of autonomy in how you do risk assessments.

I want to talk about the difference between training recruits in a place like CTCRM and selection events. Last week we were impressed with the complete knowledge that exists around the recruits by the time they are getting on to really arduous things like the 30-miler. The DS know that somebody might have a dodgy ankle, or has problems at home, or all the other things that could compile problems for that individual. On a selection event, however, when people are coming in to do a specialism, they are coming from a unit. Do you think there is enough demand on the system and on the individual unit to provide all the facts that are needed for that selection event? I am not just talking about special forces here—deliberately not. Surely you cannot provide the kind of envelope around the individual that you can for a recruit coming through the system who is there for several weeks.

Brigadier Porter: There are two risks. The one you have identified is that the staff will generally be less familiar with those individuals and so less able to read, from how they are acting, when they are approaching their point of fracture, if that makes sense. The other aspect is that you are positively encouraging people to push themselves to their limits. That is generally what we are looking for in selection events: people who are willing to throw themselves at problems absolutely and totally and who fix themselves on getting into that unit—particularly with the specialist units, but in other areas as well. For example, people want to do sniper training, because it is a big badge of honour and they want to throw themselves at it. In your regime, you have to compensate for the fact that people themselves will not say, “This is getting too difficult, too hard or too arduous.” They will keep going until somebody else takes them off.

Q291 Richard Benyon: Air Commodore, would you recognise the same?

Air Commodore Anderton: I have never been involved with any form of selection training as such; all my training has been delivering what you would call normal training for normal recruits, and so on and so forth. Although, a lot of men who have worked for me have gone on to apply for selection in either the parachute units or special forces, and yes, they are desperately keen to win in those circumstances. But we, as the sending unit, are also very keen to make sure our people are properly prepared for that, and we always do as much as we possibly can with the units that are receiving them for selection, and those that are doing their probation training before they go for selection, to try and make sure that they are as successful as they can be when they turn up. So there is quite a degree of pre-training that can be done before you get to selection.

Q292 Mr Gray: Is there not a difference, that any kind of selection event is at the beginning of the training, whereas things like the 30-miler at Lympstone, for example, are at the end of the training, so you have had the people for six months? That is quite different. Isn't there also a difference—or can you tell me from your experience if there is such a difference—because Lympstone is basically done as a squad, so you are doing it as 10 or 15 men together with instructors at the beginning and the end of the squad, except on the 30-miler, as we experienced last week, whereas in most selection procedures you are doing it as an individual soldier, including doing the navigation and everything else? Are there differences there?

Brigadier Porter: Absolutely. If you look at SERE training—survival, evasion, resistance and escape training—that is very much done as: you start off as groups, but very often the groups are split up and people are surviving under quite arduous conditions, sometimes, with minimum equipment and no communications. I suggest that the risks there are

particularly high, because they are individuals and they have no way of contacting anybody else.

Q293 Mr Gray: How do you mitigate those two things? That is the point, really. Given that there is that difference and that you are not doing it as a squad, on one hand, but also the second thing, that you are doing the arduous selection at the beginning of your training rather than the end, how do you mitigate the dangers?

Brigadier Porter: I suggest that has to be down to the ratio of supervisors; the insistence on having procedural checks in place. For example, on that SERE training generally they would have people get to certain RVs by a certain time every evening. If somebody doesn't turn up then you ring alarm bells. There are technological approaches. For example, in specialist unit selection they have beacons that they carry in their rucksacks, which allow people to monitor them, although not always successfully—they don't always work well—but the technology is out there. So I think there are technological and procedural things that can be done, and on ratios of supervisors, and probably encouraging those supervisors to apply a little bit more rigour in their scrutiny of the people in their observations. They are not familiar with them; therefore they have got to be all the more acutely aware of the tell-tale signs that people are approaching their last—

Q294 Mr Gray: One final thing on this particular line, if I may, Madam Chairman. Is there a difference in all this between Regular training and Reserve forces?

Brigadier Porter: I think Reserve forces are a particular area of risk, because, again, generally the people running the courses they appear at do not know them as well as they know their own recruits. For example, there is commando course run for reservists. If you had the Regulars running that—and the Regulars do have a role, but they don't actually run it—then those Regular staff do not know those candidates very well. They have done all their preparation back in their home Reserve units, and they just come to Lympstone for the actual tests. That is why at Lympstone they have the Reservist staff involved in the commando tests themselves. You are making sure that somebody who knows them is part of the process.

But the other aspect is that, just by the nature of the Reserve approach, those personnel will not all have had the same consistent build-up training to that event. So they will have tried to do the necessary preparation over the course of several weekends in the run-up to their commando tests, and not all of them will have been able to attend all weekends. The quality of preparation, therefore, is much more variable, whereas recruits at Lympstone are part of the system, and the system delivers them to the start of the tests in the best possible shape. I would suggest there is not that consistency with Reserves. My understanding of part of the tragedy with the Brecons was related to the fact that the Reservists were not—

Q295 Chair: We are not looking at that in particular. Before I go to Johnny Mercer, you talked about the ratio of instructors to students. Is there particular guidance about that ratio? Is there discretion to alter it?

Brigadier Porter: I would not like to comment on what CTC or any establishment is doing right now. I know that there were, for example, different ratios for field firing, as was discussed earlier. There is a set down number of instructors and supervisors that you have to have per recruits if they are not trained. Once they have completed training, you have a

smaller ratio, and you can get by with fewer safety supervisors per firer. As for the Reservists versus the Regulars, I would not like to comment now on what is happening, but I would not be surprised if they had a higher ratio.

Q296 Chair: I just wondered whether there was any discretion to reduce or increase the ratio.

Brigadier Porter: You can always increase a ratio if you have people available, but certainly there are laid down ratios. In the example of the CTC, that is specified within standing orders.

Q297 Johnny Mercer: At our evidence session with solicitors we were told that there was a blasé attitude to attrition rates, particularly in training. You alluded to that earlier, Brigadier, when you spoke of beacons not working and that that was known practice and so on. Is it a fair assessment to suggest that at times training safety could be quite blasé?

Brigadier Porter: Not in my experience. I can't put my finger on any time when I thought that an approach to training was lackadaisical or blasé.

Johnny Mercer: In terms of troop safety, not in terms of achieving the aim of the training that you were engaged in. I mean in terms of attrition rates.

Brigadier Porter: I would not say that there was. From my experience of working at CTC, we were judged on how successful we were in getting our people through our course. We were looking to be as successful as possible and to get as many people through as possible. Recruit troops and their teams are judged on how many recruits they can get out of it at the end, and they are not expected to whittle them down to the minimum possible. There is no acclaim in selecting people out any more. It is very much the case of, "You have been given some very good people. Get them all through." I do not recognise that what you suggest has happened. There are frustrations, and the business with beacons is one such frustrating thing. It is like "comms" never work—you work and train through it. I would not say that it is part of a lackadaisical approach

Air Commodore Anderton: That is my experience as well. The concept of training personnel through RAF Honington was to train to succeed. The aim was to get the maximum amount of training done to get these young men through intellectually and physically demanding courses. That worked quite well and I don't think we ever compromised by cutting corners to the effect that has been suggested. I do not recognise that statement to be honest.

Johnny Mercer: That is clear.

Q298 Mr Gray: We are talking about a balance between the need to enlarge the training and selection and to drive people to their ultimate, because that is what is going to happen in warfare, and the need to give them the option to put up their hands and say, "Enough's enough. Get me out of here." In all three services, is that balance currently correct? Do we get it right, so that we do drive people as far as we possibly can, but at the same time give them the opportunity, with honour and holding their heads high, to stop doing whatever it is they are doing?

Brigadier Porter: Personally, I do not believe that there is a better way for selection, because you are looking for people who will drive themselves to the limit. I don't see a

way that you can compromise on that. Yes, they can always put their hands up, and they will be treated with honour, but they will not get in. If you are looking to try to find people who are absolutely 100% committed, you are going to take them to their limits. The responsibility is not on the individual to ensure that, in doing so, they do not put their lives at risk; it is on the training environment around them.

Q299 Mr Gray: I do not have the statistics in front of me, but over the past few years there have been 200 and something deaths in training, have there not? Anyhow, there has been a large number of deaths in training over recent years. Is that not evidence of driving our young men too far? These are adrenalin-filled, keen-to-succeed young men. Is that not evidence that we are saying, “If you dip out you’re a wimp. Get on with it you useless individual.”? Is it not evidence that that balance is incorrect and that we should swing it slightly more towards the health and safety angle?

Brigadier Porter: I agree. I think that the system should protect people. I would be interested in breaking those all down into different categories of training and what the causes of those accidents were.

Mr Gray: People are at the moment.

Brigadier Porter: I suspect an awful lot of it was people not doing what they were instructed to do or human error, or a lack of ability to anticipate what could go wrong and do something about it—the rolling risk-assessment process.

It has got to be unacceptable. The degree of risk we should accept will vary between when we are training people for operations and when we are training people in peacetime. There should also be a difference between training units that are of a very high readiness to move, who could be expected to deploy at very short notice and go and do stuff, and units that have a much longer lead-in time.

I remember that for the first Gulf War, some of the field firing that took place in the desert before they went across the border into Iraq was some of the toughest field firing that has ever been done. Some of the existing safety constraints were given waivers to allow people to fire much closer to where people were manoeuvring and that sort of thing, because there was knowledge that these guys were going to be putting their lives at risk. The degree of risk that can be taken in training had to be raised to prepare them for operations.

But I suspect that a lot of the casualties you have talked about are in scenarios where they are not selection events and not training people for imminent operations, and therefore a much lower risk tolerance should properly have been applied to those cases.

Q300 Mr Gray: Before I go on to the types of death and risk, you make an interesting distinction that I have not really heard from any armed service; that the level of acceptable risk or danger is higher when you are doing pre-deployment training, or where you know someone is going to be deployed, than in routine, peacetime training or selection. Surely the argument used to be that you were ready for anything at any time, and therefore that levels of training and risk should be the same.

Brigadier Porter: I think you can always be better trained and you can always take training further and further. I am not saying that training is always riskier in pre-

deployment, but if there is room to accept more risk, it has to be in those scenarios where you are either training troops that are at very high readiness to deploy or when you are just about to deploy into operations.

Q301 Mr Gray: For both of your services, can you give us a flavour of the kind of injuries and/or deaths that have occurred during routine training or selection arduous training?

Air Commodore Anderton: I was interested in your figures, because obviously I did a bit of reading before I came here and was interested to note that there were 131 deaths since 2000, which I find quite surprising. When you dig down, of course, you find that 35% of those were due to traffic accidents and 20% were due to natural causes. The number of deaths directly attributable to training events is much smaller than those headline figures suggest, and there is quite a difference between the services.

I go back to the beginning: training the 36,000 men in the RAF to defend an airbase, which is a complex, static organisation, requires a whole different set of skills and training techniques from those required for training an assault unit from the Parachute Regiment to go in at night and take a bridge behind enemy lines. The level of technicality and arduousness of those two training mechanisms is quite different, so you would perhaps expect a different set of statistics to come out.

Q302 Mr Gray: Of course, so in the RAF Regiment, in your experience, to what were the deaths attributable, given that it is a different sort of training, as you correctly describe? These were the people you were involved in helping to train. What were the causes of injuries or deaths?

Air Commodore Anderton: Of the statistics that I have seen, although I was not serving during most of the latter part, only two of those deaths were RAF Regiment. I think one was the result of a traffic accident, and I am told that the other one is under investigation as a potential suicide. I am reluctant to say that any of those were directly a result of training.

Q303 Mr Gray: In your time, you were not aware of any deaths as a result of arduous training.

Air Commodore Anderton: I do not recall that, on my watch, we have lost anybody to training in the past 15 years.

Mr Gray: In the Royal Marines?

Brigadier Porter: While I have been at Lympstone—so, while I was going through training myself, while I was a recruit troop officer and while I was OC Command Wing—there were no fatalities at Lympstone. The most common injuries were lower limb injuries, all the time—shin splints and various issues. Other injuries were infected blisters, various infections. Heat injuries were quite common, but that was pretty much it, really.

Q304 Mr Gray: Can I ask about live firing? The statistic that there have been no live firing deaths at Lympstone was given to us when we were there, and no one could remember there ever being any such thing. Would that apply to training that Royal Marines would be doing elsewhere in the world, such as in Kenya, BATUS or—

Johnny Mercer: Sorry, but the statistic that there were no live firing deaths at Lympstone is not true.

Mr Gray: Is it not? Okay, that is interesting.

Chair: Let's not have this discussion across the room.

Mr Gray: No, it is quite interesting, because that is absolutely what we were told—100%—when we visited Lympstone, so if it is incorrect, I would be quite interested to know from the Brigadier whether that is his experience or not.

Brigadier Porter: I can't remember one personally, but that doesn't mean there weren't. I would not like to say that there weren't. In the operation units, I can think of four or five casualties in units that I have served with. They varied from a driver in Norway skidding on a road in a truck, going into an ice-filled riverway and drowning; one of the—

Q305 Mr Gray: Live firing, we are talking about.

Brigadier Porter: No, I have not experienced live firing fatalities in the Royal Marines at all.

Mr Gray: Not at all, that you can think of?

Brigadier Porter: No.

Mr Gray: And can you speak for—

Brigadier Porter: I am aware of them in the Army while I have been serving, but the Army is a much bigger organisation and statistically it is bound to happen more.

Q306 Mr Gray: And the RAF is presumably the same?

Air Commodore Anderton: In my memory of the past 15 years, I do not think we have shot anyone on a live firing range, no.

Q307 Mr Gray: Okay. Neither of you can speak for the Army, obviously, but none the less, in their absence, can you say why there is a significant number of deaths and injuries from live firing accidents in Army training? You are both saying that there are none or an insignificant number, whereas we understand that there are a reasonable number of live firing incidents in the Army. Is that simply because there are more of them?

Brigadier Porter: It has got to be a factor. There are a lot more people in the Army than in the Royal Marines.

Chair: If you feel unable to give a clear answer, I am perfectly happy for you to say that you prefer not to answer.

Brigadier Porter: I can't.

Air Commodore Anderton: I would not wish to comment on the Army.

Q308 Johnny Mercer: How did you balance the need when you were serving for service personnel to undertake realistic training to prepare for operational duties?

Air Commodore Anderton: I am sorry?

Johnny Mercer: How did you balance the need for service personnel to undertake realistic training to prepare for operational duties—the balance that everybody is trying to attain between making training as challenging as possible and pushing the envelope as far as you can, while retaining our duty of care to young men and women who are coming into the services to train, ensuring their safety? What specific measures did you take during your service to ensure that balance?

Air Commodore Anderton: In all the pre-deployment training I have been involved in, from the Northern Ireland training advisory teams—I served in Northern Ireland on a number of occasions, and that was run at the NITAT training centre down in Lympstone—to the more recent application of pre-deployment training for Afghanistan and so on, we all went through the same system as our Army and Royal Marine colleagues. We went through some very rigorous, testing and well run training. I have always been inordinately impressed with the NITAT staff and so on by whom we were trained for Northern Ireland, in terms of the preparation we were offered. I felt very confident when I took my troops out to Northern Ireland, having gone through that system, that we were fully prepared. I was always very impressed with that. The same is true of what has gone on for the training of units that deploy to Afghanistan.

Brigadier Porter: I would question the premise of that question, because it is generally not in our hands when we are talking about pre-deployment training for a specific enduring deployment. That is generally, pretty early on in the campaign, handed over to a specialist organisation that prepares people for that operation. It is generally less in the powers of the commanders at a low level and more and more invested on specific operational preparation teams.

One of the good things about that training, which is to be sought after, is that you have the continuous progressive build up. One problem you always face in an operational unit is that you get new people coming into your teams all the time, and therefore you do not have a consistent start point. You never have a start point. You are continually trying to reinvent the wheel by taking some people from a fairly new level to integrate them in the team and build up team competence.

One of the good things about pre-deployment if it happens—it doesn't always—is that you have your team from the outset. You start your pre-deployment and it is progressive, gradual and builds up. That is really important in training safety, because you're starting with a base level and you're able to keep consistency all the way through. You're not looking for that one weak link in the chain when you have somebody who has just joined. Unfortunately, so many different specialist courses had to be added on towards the end of Afghanistan that your people were quite often taken away to do those specialist courses, which meant that they missed out on some of the progression and joined a bit late. That is a risk to training safety.

Q309 Johnny Mercer: May I interrogate a couple of those points? On training safety, at the beginning of the Herrick campaign or Jacana in Afghanistan in 2002, there were no specific training teams in place at that time to conduct what we would call MST or anything like that. In fact, you were having people coming straight out of training and going into operations. That happened in the Army, and in 45 Commando in the Marines as well. What we are

looking at is how seriously commanders take their duty of care towards individuals who are going through the training system. It is difficult to accept that that is just taken away and given to a separate organisation because it is running the MST or the PDT or whatever it may be. As a junior commander, if you are taking your men through a live firing serial or whatever it may be, pre-Herrick, it is your responsibility. That is why all Army officers are range-qualified and all the rest of it. That duty of care isn't passed off to a specialist organisation to take the risk assessment. Do you see what I mean?

Brigadier Porter: I am not saying that the duty of care is in any way abdicated. You never abdicate your duty of care.

Johnny Mercer: Or the attitude towards risk.

Brigadier Porter: No, I would dispute that, because the design of the ranges and the progressive training programme was not in the hands of the tactical commanders in charge of those units. Yes, they might have been dragged in to say, "Right, we need you to help organise this range," but the training programme would have been designed by somebody else.

Going back to Op Jacana, yes, there was no central MST, but that is almost certainly the reason why 45 and the brigade commander at the time, whose name escapes me, were not happy with their state of training going into that operation. There was a delay before they were deployed, which was quite unusual—

Q310 Johnny Mercer: There was also no PDT pre-Herrick IV or Herrick V. There was no specific training mission to get these guys up to speed.

Brigadier Porter: Yes, in those circumstances. Once the campaign is established, then it is taken away.

Johnny Mercer: Then it is a different matter—I accept that. On the deaths at Lymptone, do you recall the corporal who—

Chair: Can I stop you there? We are not looking at individual deaths.

Johnny Mercer: It is just a question of recording whether or not there has been a death at Lymptone, or a shooting incident. There was a guy who blew his BFA off when walking through a—

Q311 Chair: Johnny, I am going to stop you there, because we can seek that information through a question to Lymptone, rather than asking the witnesses.

I appreciate that your service was some time ago, but can I ask you both about the Defence Safety Authority, which was established in April last year to pull together the Ministry of Defence's health and safety responsibilities? What is your view on that? Is it a positive move forward? How could it be improved?

Air Commodore Anderton: I think it is a very positive move. It is essentially built on quite a successful background in aviation safety—I think that is what it is mirroring. I think the current director general is an air marshal.

Chair: Air Marshal Garwood.

Air Commodore Anderton: Richard Garwood, whom I have known for many years as a contemporary. I think that officer is responsible, from last April, for being an independent body within the Ministry of Defence for implementing safety-associated service inquiries, which is absolutely appropriate. That is a great improvement. It is building on what I think has been regarded as quite a successful aviation model for coming forward with incidents that have happened, picking them out, recording them and learning the lessons for the future. I would suggest it is a pretty positive model.

Brigadier Porter: I cannot see anything not to like about that system. It seems to me to be a potent way of, in particular, taking the lessons learned from the mishaps that do happen and trying to ensure that there is a good understanding of what caused them and how they can be avoided in future, and then trying to promulgate the lessons learned. I would say, though, that the challenge of trying to maintain awareness of lessons is constant.

There are a number of factors. Personnel in military life change over every two years, and new people are coming in all the time. You might promulgate a lesson and get a reasonably wide readership at a certain point in time, but five years later you have a whole lot of new people, a new post, and therefore—this is not just about training, but about everything we do in the forces—trying to promote a corporate learning culture that does not forget stuff is very difficult. We do end up reinventing the wheel and having to relearn the same lessons time and time again.

It is very difficult for an organisation like ours to keep this sort of corporate knowledge going forward. We have got to try, wherever possible, to incorporate this stuff into our basic teaching and basic training—things like the induction course for trainers are the sort of mechanism by which you try to maintain the knowledge of these lessons.

Chair: Thank you. I will make some progress. Richard.

Q312 Richard Benyon: Extending that discussion around the duty holder concept, how was safety control exercised for arduous training and selection events before the duty holder concept? Where did responsibility lie?

Brigadier Porter: At the lower levels—I tried to articulate this—I do not see a huge change. When I was a troop commander in the Marines, I understood that the safety of my troops was my responsibility. If we were working in Norway, we would have a mountaineer who was qualified to make decisions about the safety of training in those circumstances. He was the one who called off training if it got too cold, if the weather conditions were too inclement. There was usually an ML per company, who would advise the company commander—

Mr Gray: What is an ML?

Brigadier Porter: A mountain leader—someone who has done a course that is over a year long, being taught how to rock-climb and work in those sorts of conditions, including in extreme weather conditions in the Arctic. So he was the adviser to the company commander, but above and beyond that we still had a responsibility as a troop commander for the people under our command. The company commander and the unit CO also had a responsibility. So I do not feel that it was ever unclear at low levels.

My impression is that the duty holder construct makes it much clearer at the higher levels who is responsible for safety in a certain capability area. On the whole, I think that is positive, but there are some areas where it does not work well. Having a duty holder who sits outside an operational command chain does not always work well. They are going to be naturally risk-minimising, which is laudable, but at the same time by being so they can transfer risk to the delivery of operations.

I will try to find an example. For parachuting for brigade reccy and for specialist units, the operating duty holder is a two-star on the RAF chain, who has responsibility for the part of the RAF that delivers the capability for parachuting. The operational output of those capabilities sits more on a command chain that lies along the Royal Marines or specialist units. A decision may be taken by the operating duty holder—and it has been taken—that he is not happy about parachutists parachuting with night vision goggles attached to their helmets, because there is a snag risk. The user would say, “No, these things are designed to clip off, so they will just drop off”, but that is the ruling: you cannot parachute with night vision goggles.

That means that when those parachutists are approaching their drop zone they have a higher risk of not finding it, being surprised at the drop zone, or not being able to fight immediately on arrival. So by taking that decision on the basis of safety in one chain where the operating duty holder sits, all he has effectively done is to transfer risk on to the operational delivery of that capability by the guy who is commanding those operations when they actually happen. So there is a problem, in my view, with the duty holder sitting elsewhere other than in the chain of command that is actually going to deliver the capability on operations in reality, if that makes sense.

Q313 Richard Benyon: That is incredibly useful evidence.

To conclude this, do you feel that it is a concept that has been bought into? We have heard evidence that there are varying degrees of buy-in, to use management-speak.

Brigadier Porter: It has certainly been adopted more slowly in certain organisations than in others. I think by the nature of the origin—Haddon-Cave and so on—the RAF was very quick to take up the system, from my observation. Other elements of the forces took it up slightly more slowly. I am not personally sure that that was down to a lack of interest or anything like that; it was just done far more keenly in the RAF than elsewhere.

Air Commodore Anderton: Duty holder concept came in in 2011, I understand, but it was something I immediately recognised when I read the papers on this, because when I was made the station commander at RAF Honington in 1999, I was given what essentially now are the terms of reference of a delivery duty holder.

The Air Force, in its wisdom, had instituted a system known as resource account budgeting, which meant a certain number of stations were allocated a budget and responsibility to get on with it. The responsibility was placed on the station commander—me, at the time—and I was given a £140 million budget, the staff, the resources, the infrastructure and the whole nine yards, but it was made perfectly clear to me that that was all mine and I was responsible for its personal delivery. So I took that as a challenge, but I had the resources available across the whole piece that I just described to be able to move from one part to another to make sure that was a successful delivery. That has come

forward 10 years on to be the delivery duty holder. The point is that making it the man at the top who has the resources and the capability to adjust it is the right answer. For the delivery duty holder, that is absolutely spot on.

I will give you one small example. We trained basic gunners at Honington. There was a graduation parade every six weeks, when 30 gunners were paraded with an RAF band, and I was the reviewing officer stood there in my smart kit feeling enormously proud. I was not half as proud as I was at the reception afterwards, when we had 150 parents and supporters surround me and say to me and my instructors what a superb job we had done in training their young men, taking them from boys to men. That was as a result of the system that I was responsible for and was delivering, and I had the resources to do it. Ten years on, that model has come forward into the Air Force, which is why the Air Force found it much easier to take it forward.

Q314 Richard Benyon: But you were cascading that down, weren't you? That burden should not have just sat with you; it is really important that you develop the concept right down to the section commander.

Air Commodore Anderton: Yes, but the concept is that you have a person sat at a high enough level to make those strategic decisions with the resources, the bells and whistles, the control over the budget, the infrastructure, the amount of equipment and the number of instructors applied to do that at the right level. That is the beauty of this. If you set it too low, you are down in the weeds. If you go too high, you become remote from it. But setting it at the station commander level is something the Air Force has found very comfortable, which is why it has been so easy for the Air Force to adopt the duty holder system.

Brigadier Porter: As I said before, I do not think at the lower levels that whole system has made much difference—troop commanders, company commanders and COs have always known they are responsible. They might get specialist advice from a mountain leader or a boats officer, but it is their responsibility. At a higher level, it has been important, particularly as we become ever more joined, because in the creation of joint effects and joint capabilities, the responsibilities would naturally be less clear; they would be more ambiguous.

Parachuting is quite a good example, because it is delivered with RAF assets—planes and parachute jump instructors—but it is delivering marines, Army or other personnel. Somewhere between them jumping out the aircraft and doing the action on target, the responsibility transfers from RAF to whatever service is delivering it. In those sorts of scenario, the ownership of the capability and of the risk will naturally be ambiguous—whose responsibility is it? Is it the RAF's? By having a nominated operating duty holder, you are getting rid of that ambiguity once and for all, and it is not just stopping with him; because it is in his interests, he is going to inculcate a culture below him in all the people who sit underneath him and cascade it down, to make sure they toe the line and do the best they can to maintain safety.

Q315 Johnny Mercer: Mr Porter, concerns have been expressed to us that there is no corporate accountability for deaths and accidents during training. What we are getting at in this inquiry and what we seek your views on is whether or not, if there is a corporate manslaughter event or something similar at Babcock or one of our civilian contractors, a due

process is followed, and if someone is found to have caused gross negligence, he is likely to lose his job. What is your view that that does not happen within the military; to an extent, is there an attitude, not of brushing it under the carpet—that would be going too far—but of not holding feet to the fire as commanders with a duty of care to the soldiers? We have seen a number of instances where had the incident happened in a civilian company, there would have been a prosecution.

Chair: In answering the question, could you consider it in relation to training exercises and selection? It would be helpful if you addressed it across the board.

Brigadier Porter: I am not aware of any instances where anyone has been prosecuted for corporate manslaughter—not in my experience. I am aware of people being disciplined for mistakes and people being moved on from employment or administrative action being taken against individuals. Does it go far enough? There are some instances where the mistakes made are so inexcusable that possibly there could be a higher level of action being taken, but there are a lot of other cases where it is a quick matter of judgment and these things are slightly more finely balanced. It has to be proportionate, if that makes sense, but I personally would not see any limits on the upper scale when you get to gross stupidity or almost wilful negligence. I must say that, once or twice, you do see that.

Air Commodore Anderton: I would have no difficulty with the MoD being held corporately responsible. I do not see why there should be any difference between the Ministry of Defence and a civilian organisation. If there is culpable negligence at a corporate level because of the corporate structure, I do not see why the organisation should not be held responsible.

Q316 Johnny Mercer: Or at an individual level? If that individual has been directed in how to conduct that training and he or she chooses not to conduct it in that manner and subsequently one of our recruits loses their life, do you think that that individual should be held culpable for that? We as a system and a military have done everything to give him the tools to conduct that training, but he chooses not to carry out the training in that manner?

Air Commodore Anderton: I do not see why there should be any difference between a military and a civilian in terms of negligence, which is what you are addressing. Individuals should be held responsible. Provided that they have been given the necessary tools to carry out the task and provided that it is their personal culpable responsibility that something has gone wrong, they should be held to account. If that is through the courts of law, then so be it.

Q317 Johnny Mercer: We have had evidence that there have been no criminal prosecutions since 2000 and seven prosecutions by the Service Prosecuting Authority since 2010 in respect of accidents and fatalities during training, exercises and selection events. What is your reaction to those statistics?

Air Commodore Anderton: I go back to my earlier comments that in the number of deaths that have occurred in the Air Force, I am not aware that any have necessarily been culpable. The majority of deaths that I am aware of have been due to such things as traffic accidents and so on. Those statistics do not surprise me in that sense, because of the type of training that has been undertaken by the Air Force.

Q318 Johnny Mercer: Is that your view, Mr Porter?

Brigadier Porter: If you compare that against accident statistics, there have been quite a lot of serious accidents over that time. I do not want to generalise here and I do not want to bring across something from a different scenario too much, but there does seem to be a slight difference in accountability—I have to be very careful here—between what you might see in the US and what you see in the UK system. The example is—this is not my area of expertise; it is just an observation—in terms of the attacks on the air base in Helmand, where US senior officers were sacked. Actually, as I understand it, we had responsibility for security at that air base—you would be able to comment on that, Stephen—yet within our system, there did not seem to be any accountability for some serious failings that took place at that time. Okay, it is a bit of a leap of faith from that across into training, but it gives you the sense that we are perhaps not quite so—

Q319 Johnny Mercer: It all helps us build a picture of the culture, which is very much what we are getting at. We are not looking at individual cases; we are looking at a number of cases that paint a picture of the culture and the attitude towards culpability within the military, so that is definitely helpful. This is to both of you, and I think you have kind of answered this already, but do you think that administrative action is enough when there have been fatalities and things like that and clear negligence is obvious?

Air Commodore Anderton: I don't think administrative action is necessarily appropriate if there has been genuine negligence of a criminal nature. I do not think that is sufficient, but there are various stages beneath that. Simply administrative action in terms of counselling the supervisor concerned, affecting his appointment in the future to where he may serve or get promoted, may be appropriate for the lower levels, but if someone is genuinely culpable and it is particularly serious and results in a death due to negligence, I do not see why they should not be taken to court and stand appropriately.

Brigadier Porter: It needs to be judged on a case-by-case basis, but I suspect there are cases where more serious action should have been taken. There are individuals in any organisation—we have them—who, going back to your earlier point, know exactly what they should and should not be doing, but flout that for their own reasons. A minor example: I am deaf now in one ear and I can pretty much trace that from my audiograms back to one incident when, in a jungle field-firing exercise, we were ordered to remove our ear defenders because apparently we were not communicating well enough; so we all took our ear defenders off. In that particular drill, someone came up on my shoulder with a machine gun and I have not been able to hear since in that ear. That individual knew exactly what he was doing. He knew we were wearing ear defenders for a purpose. He decided he was going to breach the regulations, and to my mind he should be accountable for that. That is not a particularly serious injury, but you can extrapolate that to other instances where people are killed because of stupidity or almost deliberate wilful action. In my view, there is no excuse for that, and that should receive the highest degree of action.

Other instances will be more of a judgment call. For example, during a boating activity—amphibious landings or something—perhaps the sea state is getting a bit difficult. Do you stop or do you push it? That is a judgment call, and I feel that that perhaps does not deserve the full powers of punishment.

Q320 Richard Benyon: Playing devil's advocate, do you think there is a risk that if we push the whole safety concept so that more people feel that their careers are at risk, training will become less meaningful, less realistic and, although less dangerous, less able to prepare people for combat?

Brigadier Porter: There is a danger if we get too much of a risk-averse culture, but you can do some very effective, realistic and challenging training and still be safe. A lot of it will come down to those supervisory aspects, which the people involved in the exercises do not necessarily have to be that aware of. So if you are carrying a beacon in the back of your rucksack, for example, you do not know it is there; you forget it is there. It does not affect the quality of your training and it does not affect how much you get out of it, but it does affect the safety aspects.

If you were able to remotely observe using drones or whatever if you were particularly worried about a certain aspect of training and you really wanted to invest in the safety of that training, you could allocate technological assistance to try and make it safer perhaps, or have supervisors who are very close but not actually getting in the way. Does that make sense? You can get round it a lot before you really need to impact on the effectiveness of the training. It might need a little more investment in the ratio of supervisors, but I would much rather we did that than detract from the quality of training. If you are too risk averse, all you are doing—it comes back to that earlier point—is transferring risk to the conduct of operations. You have more chance of it going wrong.

On some of these things where you are doing arduous training—working in Norway, for example—unless you have really gone to the limits of endurance, you do not know what your limits are. It is quite important for commanders to know on operations how far they can push their blokes before things are going to fall down, and you only really get that by training hard.

Q321 Mr Gray: Arduous, not dangerous.

Brigadier Porter: Arduous, not dangerous, yes.

Q322 Richard Benyon: So it comes down to learning lessons. Do you think there is a culture in your respective organisations where, when something goes wrong, lessons are learned? Or is it left to the duty holder, the commanding officer, the unit commander or whoever to do that?

Brigadier Porter: I would say there is a culture where there is increasing readiness now to learn lessons in all aspects. It is not just about training safety; it is about operations. Personally, from my experience, I would say that Iraq and Afghanistan have generated this culture of everyone wanting to learn lessons, because we were finding that insurgents were adapting their tactics quite quickly and we needed to adapt ours to stay ahead. For example, in the placement of IEDs, they would be using new techniques all the time, and clearly that is of interest to troops on the ground because they want to be able to counter those.

What I'm trying to say is that 10 or so years of almost continuous operations has created a culture of learning lessons quite powerfully. We need to maintain that; we need to try to keep hold of it. Exactly the same processes—they are joint lessons learned mechanisms—

apply to training and to operations, but there are inherent challenges, as I said: the turnover of personnel, the two-year posts and all that sort of stuff makes this difficult to maintain. The lessons might be learned once, but they might be forgotten in five years' time. It's a case of trying to maintain them all the time, which means—

Richard Benyon: Corporate knowledge.

Brigadier Porter: Corporate knowledge. The way to get round that is to incorporate it in our tactical doctrine wherever possible, incorporate it in our training literature and make sure that courses teach that stuff. It can't be left in some dusty file somewhere or in an e-file on a computer somewhere. It has to be brought into training, education and the real-world environment.

Q323 Chair: Should some people stay in post for more than two years? Should there be posts that have a specific responsibility in relation to risk and risk assessment that means that that two-year turnover is inappropriate?

Brigadier Porter: There might be certain posts, but to do it much wider in the forces would—our whole career structure is based on quite rapid progression up through the ranks, but there might be certain posts, particularly in the DSA, although I don't know that organisation very well, that perhaps should be for longer, and maybe training establishments ought to have longevity in certain posts. For example, a lessons officer in a training establishment might be a long-term post and might be something for a retired officer or a civilian post, where you have that continuity of knowledge to make sure that we are not relearning the same lessons every few years.

Air Commodore Anderton: Talking to colleagues over the last few years, I think there is an increasing awareness, certainly in the Air Force, in terms of people trying to identify the lessons and bring them forward in a manner that means you are not necessarily culpable. In other words, if something has gone wrong, you need to be able to put your hand up and say, "Listen, guys. We've just had a mistake. We need to learn from that," rather than trying to bury it because you are held to be culpable for whatever the error has been. That is characteristic of the aviation industry: if something goes wrong on an aircraft, that is immediately reported, regardless of whose fault it is; there is a no-blame culture attached to it. That is quite an important way of capturing many of those lessons, which can disappear under the horizon if you're not careful.

I take the point about having continuity in the duty of care and I support that in principle, but we would have to be very careful not to create a uniform health and safety branch within the military yet again, so that every officer has the health and safety supervisor sat on his left shoulder, because of course the responsibility then goes to somebody else. What is important is that the commander and the man in charge of the training event has the full responsibility. He might get advice, but he needs to be sure that he is responsible for the event and he can't abrogate that to somebody else.

Brigadier Porter: I would absolutely support that. Every time you create a specialist, you tempt people into abrogating responsibility for that particular issue.

Q324 Richard Benyon: That is a really important point. I will now ask my last question, and if you have not considered this, feel free not to answer it. Do you think that there should be

an independent commissioner to investigate training standards and failures in training safety, perhaps comparable to the Service Complaints Commissioner who was recently appointed?

Air Commodore Anderton: Interesting. I thought we had just done that with the DG DSA. I thought that position was created to do that in April last year. You now have a director general for the defence safety organisation who has the remit to do just that and to set up service inquiries that are all to do with safety, and that is his primary responsibility. The beauty of that position, I understand, is that although it is within the MoD, it is completely separate from the chain of command, so he exercises independence. The beauty of having it within the organisation is that he, rather than perhaps an outsider, understands what the concepts are and the context in which that is taking place, so I would have thought the MoD was trying quite hard to replicate that.

May I offer an example as well? I think that rather replicates what we see in the aviation industry. My understanding is that you have the CAA, which is the organisation that delivers, and separate from that you have the air accident investigation organisation, which is the equivalent of the DSA. Both of those sit in the Department for Transport, so you have two organisations within the overarching structure. What the MoD has now done is almost mirror that best practice model. That is my perception as an outsider, so I would say that the MoD has probably done quite a good job there.

Q325 Johnny Mercer: Finally from me, my real interest in this inquiry is how we look after families. How would you describe the arrangements for establishing or maintaining contact with the families of those injured or killed during training? I will put that to you first please, Mr Anderton.

Air Commodore Anderton: I go back to my sense of personal responsibility when I was back at station command at Honington. We always took that enormously seriously. One of my first jobs when I took over was renaming the base from the “RAF Regiment Depot” to “The Home of the RAF Regiment.” We have always tried—all the time I was in there—to operate as a family. When there have been tragedies—actually, the majority of deaths that I have witnessed have been from natural causes. Young men die from heart attacks and so on; that is far more common than I ever anticipated when I joined, and I have stood by graves with weeping mothers and so on. I have always felt very close to us being able to offer them all the full support we always can, and I was always very conscious that we did what I would judge to be quite a good job of supporting families in those quite distressing circumstances.

Brigadier Porter: I would like to think that we try, but I would agree that we do not always do it very well. There have been a number of cases where I have seen that. It causes a lot of angst and it is something that we have to be better at, but it is difficult. During my time in command, we must have had about nine fatalities—some of them not on operations—but families react very unpredictably to the grief and stress. Naturally, I think people are looking for reasons and are almost looking for someone to blame. It is always difficult to get all the facts together straight away. It always takes time and things emerge over time. We have to look after the people who were involved as well as the families, and therefore, I do not think there is a perfect scenario. If you were completely open with the families, in certain scenarios, I think they would pick on the first thing that they saw as a possible fault; they would jump on that and would look to blame that

particular person, which isn't always fair, just or right. What I am saying is that it is not easy, but I don't think we have got it right. We need to improve in that area, certainly.

Q326 Chair: Thank you for your very full, very frank answers. I would like to tease one final answer out of you. If there was one thing that you would recommend needs to be changed to make arduous training and selection safer, what would you say "Oh, you should do that!" about?

Air Commodore Anderton: I wish it was that easy.

Chair: Is there anything that springs to mind?

Brigadier Porter: Personally, I feel we could probably invest more in training people to train from the get-go. As I say, I think you can find very good examples of best practice—and yes, we talked about CTC as an example of best practice. Well, that is a small proportion of the overall amount of training that is happening in the Royal Marines. People who have been through training and then go out into the wider Marines are probably much better placed to deliver that training, but there will be an awful lot of other officers. When you are going through basic training, you are not really interested that much in the training aspects of things, because you are learning to be a troop commander. That is what it's all about: you just want to learn to fight. If you inculcate that training knowledge earlier in people's careers, it will carry through that.

The second aspect is that if you get the corporate governance right and perhaps be a little bit more robust in accountability throughout the organisation, that is the stick. So you have the carrot of better training and then you have the stick of what happens if it goes wrong, and I feel that at the moment, the carrot is not appetising enough and the stick is not heavy enough.

Air Commodore Anderton: No, I don't have a magic bullet to answer that question, I am afraid.

Chair: No, that's fine. Thank you ever so much. I would like to go into private session just for five minutes, if that is okay for you both. Could we clear the room, please?

Resolved, that the Committee should sit in private. The witnesses gave oral evidence. Asterisks denote the part of the oral evidence which, for security reasons, has not been reported at the request of the witnesses and with the agreement of the Committee.

Qq 327 – 336: ***