

Written evidence submitted by the Independent Defence Authority.

Summary:

- Defences has many fantastic policies; they are just not being implemented.
- There is no victim centric approach to enquiries.
- There is little accountability in Defence.
- Protection of reputation seems to drive all related processes.
- The Defence Serious Crimes Unit does not have the building blocks to be a success.
- Culture is at the heart of all failures.
- The creation of a proper Independent Defence Authority would go a long way towards resolving many issues.

Introduction

1. This submission is from the Independent Defence Authority, a lobbying body set up to represent defence issues to the Chain of Command and into Parliament. Independent as it has no formal connection to Defence, Defence focused because of the lived experience in Defence its founders have, including command experience, and an authority of knowledge through over 100 years of collective knowledge in defence with command experience. We have authority of personality in that we have individuals willing to stand up for what we believe is right.
2. However, our underpinning authority is the same moral authority Nelson Mandela invoked having shared the dangers and hardships of others; we too have seen at first hand the injustices that exist across defence.
3. We were central to the provision of a large body of evidence for the original 2021 study and we have remained in touch with many who contributed and many new people who have come to us since. We have a clear and independent oversight of many of the issues highlighted in the July 2021 report and the progress to date.

Observations

4. The first point we can make is defence is not short of policy and some of the best and most progressive policy when it comes to zero tolerance of inappropriate behaviours, but this is also part of the problem. It is part of the problem as the Centres response to any issue is either to rewrite, reissue or point out policy and then believe all is solved. The real issue is the culture across defence ignores the policy and works out how to demonstrate compliance whilst ignoring it completely. This is compounded by a cadre, at all ranks and grades, who still believe the prevailing system is 'fit for purpose'.
5. We were asked by a service chief recently if the issues that plagued his service were down to culture or poor behaviour from certain individuals. From the many people I have spoken to the underlying cause is a cultural one, and that isn't exclusive to one service but is a culture across defence. That culture

is then exploited by individuals either to abuse or ignore abuse by being an active bystander. The solution isn't more policy as defence policies couldn't be clearer, but a re-think on military culture – and that needs external oversight - self-assessment of culture will never work.

6. A live example is the failure by the RAF to release the NSI into the Red Arrows and abject failure to keep the victims briefed. The result of an RAF process centric and reputational protectionist approach is continued suffering by many of the victims as they can't get closure. That suffering for some is requiring regular hospital treatment and mental anguish and most, including many who are still serving, feel their confidence in the Chain of Commands ability to listen to them or help has got worse, and they remain frightened. None have confidence in any of the helplines and those who have used them have found poor experiences, including advice to "just use the Chain of Command", which technically is no longer supposed to be part of the process.
7. The ongoing impact of this is that many of the individuals are leaving the Armed Forces, as are their friends and spouses. There is a much wider impact beyond the initial act and response. Part of this impact is a frustration that is easily exploited by the press as victims feel they have no other avenue to get their story sympathetically listened to. Hence the growing leaks across defence and the negative impacts they have on trust, retention, and recruitment. On the Red Arrows issue alone, the RAF have told the Parliamentary Defence Committee that the issues are finished and investigations complete. At the time of writing, the IDA is aware there is more to come out in the mainstream press, and it is likely to be hard hitting and expose failures in defence, which is unfair on those who serve the Armed Forces appropriately. Of note, the Royal Navy NSI into "crush depth rape list" has not been published.
8. One of the solutions briefed in Parliament by the SoS and Minister for Defence People is the standing up of the new Defence Serious Crimes Unit. The IDA, having talked to many Home Office police professionals don't think it can or will work for 2 main reasons.

Defence Serious Crimes Unit

9. The first, the individuals posted into it have failed to deliver investigations into serious crimes in their current organisations and they have grown up in a culture of poor policing. They have failed in their current roles and as senior investigators are the ones who set the culture. The second is reflection on the His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) 2022 review of the Service Police inability to investigate sexually motivated and serious crime; the report effectively says the basic competency building blocks aren't there.
10. Putting a new sign on a door and new flag up a pole doesn't fix basic issues. Defence's solution remains to protect the way it has always been done instead of asking if the situation has changed and question the requirement for the Service Police to get involved at all. With a largely UK-based and

shrinking military, there are different ways of ensuring the necessary professional policing support which could be provided in a hugely more cost-effective way for the taxpayer.

11. (eg MoD fund an extra few hundred HO Police in Police regions where there are concentrations of service base, those police must be trained investigators and firearms trained and sign up for a reserve liability. Should an investigation overseas be needed then they are mobilised and deployed as the MET are for civilian crimes overseas. It would reduce the burden on defence and increase capability in HO Police including national firearm police capability. It would also ensure greater consistency in standards for criminal investigation.)

Accountability

12. A lack of accountability is something that continues to ensure that culture will never change. The case of Officer Cadet Olivia Perks suicide at the Royal Military Academy at Sandhurst is a perfect example. The Coroner Alison McCormick's report was significantly different to the MoD's explanation of what went on and was critical of the MoD. A place where relationships between staff and cadets were an open secret, and nothing was done, highlights a wider cultural issue. As culture is set from the top why weren't the Commandant of Sandhurst, the College Commander, or the Academy RSM removed from post as all three have a direct responsibility for culture? Their successors have no incentive to change culture as they know nothing will happen to them if a similar tragedy occurs, despite stated intentions to do so.
13. Another clear example is the equally tragic death of Gunner Jaysley Beck at the home of the Royal Artillery at Larkhill. The service enquiry held no one to account yet mandated further training to be provided by all COs and HQRA. That suggests the enquiry concluded that there was a wider cultural issue in several units yet those in charge of the units got away with no sanctions and even promotion!
14. Extrapolating accountability further, service chiefs, responsible for culture in their services haven't been held to account for the shocking acts in their organisations.
15. What is clear from these and so many other cases are that all strands of the Armed Forces are more concerned about reputation risk management and service enquiries seem to have that as an unwritten underlying action as reflected in their findings. When called out in the press, as there is no other mechanism for defence issues to be called out, the MoD responds with bland statements rather than actually doing the right thing. This is clear in many of the responses from the MoD to the cases mentioned above.
16. Even more worryingly, in one case, a press officer from one service openly lied to a journalist from the mainstream press about a case he was investigating. This arrogance has no place in a democratic society where the press is fundamental to holding power to account. The previous Secretary of State seems to have turned a blind eye to the responsibility of command and

been more concerned about protecting service reputation. We have definitely not seen a victim centric approach to resolving any issues.

Recommendations/Quick Wins

17. Rather than listing a large number of issues and quick wins, the recommendations from the Wigston and Atherton reports for the creation of a Defence Authority, and one that is truly independent of the MoD and formally established would go some way to resolving many of these issues. However, alongside that, there must be internal accountability or else culture will never change.

18. I and other members of the IDA are available to give testimony if required and can provide more sensitive detail if required but behind closed doors?

25th October 2023