

Written evidence submitted by Graham House

(Principal Justice4Troops)

My name is Graham House. I set up Justice4Troops in Jul 19 along with a number of military colleagues following evidential submission to the Defence Select Committee in Feb 19.¹

We do not propose to offer the Select Committee a 'chapter and verse' on all points that support this Inquiry. Rather, we offer the Select Committee an overview of issue, drawn from the evidence that has been presented to us by those who serve, and have served, over the last few months in order to highlight the themes that are of greatest concern.

We were set up by the military community, for the military community, to prevent injustice in the military community, often perpetrated in the military community. As part of our Operating Model (OM), we DETECT, CONNECT in order to PROTECT all who serve from injustice and the concealment of it. We are now operational and delivering this service to all who serve, and all who have served, including their families. Demand for our service has been overwhelming. We feel, as current serving and former served, an immense Duty to Care.

Importantly all who work with J4T have a lived experience of injustice, often through a Duty of Care failing within Defence, which makes our narrative both authentic and all-powerful. We have the solution to the problem, understanding the problem space, as we all do, better than anyone. We wish to deliver solution for the benefit of Defence and the UK as a whole.

Our intent is to correct a poisonous behaviour in Defence whereby injustice and wrongdoing is buried, by introducing a Just Culture, through a Safety Culture, via a Questioning Culture. The current situation of anyone daring to question their Chain of Command, and being vilified and punished for doing so, often in a sinister and under handed way, is extremely damaging to the morale of our Armed Forces and to the morale of the nation as a whole. This impacts on the operational effectiveness of our Armed Forces, it impacts on retention, and recruitment and it impacts on the public purse – needlessly so.

For the purposes of Inquiry, we wish to highlight 3 major concerns, all evidenced from the many who have approached us in support of this Inquiry. We brigade their concerns as follows:

The Ineffectiveness of the Service Complaint process

This is known to be a serious issue in Defence since Deepcut.² Despite the creation of the Service Complaint Commissioner and latterly, the Service Complaint Ombudsman, the tragedy of injustice being concealed within our Armed Forces, by those who lead our Armed Forces, continues within our Armed Forces, damaging the reputation of our Armed Forces.

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<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/defence-committee/work-of-the-service-complaints-ombudsman/written/96270.html>

2

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228930/0795.pdf

It is not that the system is 'ineffective, inefficient and unfair' as is always recorded to Parliament, it is the case that the system is harmful to all who are entangled within it. We have one individual for example who has been entangled in an assault case for 14 years. The experience has ruined her, if the incident itself did not.

Specific to this Inquiry then, the Duty of Care failings that you wish to inquire of are likely to be buried within the Armed Forces, for those who have grounds to complain are unlikely to do so as the whole purpose of the policy has, over years, proven to be completely ineffective.

It is more likely than not then that Duty of Care failings during Military Exercises will be the constant, damaging the reputation of our Armed Forces as a whole.

Retribution at the moment of making Complaint or Questioning

Of the 100+ personnel who have approached us since we stood up, all record a sense of retribution and a sense of betrayal at the point of making complaint, or even suggesting intent to do so. This bakes in the gradual erosion of Duty of Care over time within our Armed Forces.

To best capture the reality, it is worth stating that those who have reached out to us, us being complete strangers to them, should of course be reaching out to the Chain of Command (CofC). To explain why many do not, I refer you to one very experienced officer who said to us by way of explaining why he did not, *'No, I don't feel at all safe to do that. I've lost trust in the CoC. Moreover, you start to question yourself because you can't believe our own would be so destructive of others who have given their life to the Service.'* You can believe it if our leaders are upwardly looking and 'systems' to protect, with policies to care, fail to do so.

And this brings us to the problem space and part of the causation behind your Inquiry. When there is systemic and systematic failure in the Complaint process in our Armed Forces, injustice lies buried at the expense of both those associated to it, and the reputation of our Armed Forces as a whole. Personnel now live in fear of making a complaint.

We have the solution to that problem.

Leadership and Governance

Air Chief Marshal Wigston, now CAS, records in his Review³ that 'it is about the determination of leaders to change the culture; everything else hangs off that'.

No one would disagree with him on this point. The reality however, and the ineffectiveness of our leadership here, is one of resistance to change and denial of the true narrative due to an entrenched culture within our leadership. It is why we set up – to assist our leaders.

For example, one of the recommendations of the Wigston Review was to create a Defence Authority (good) which reports to Chief of Defence People (bad). This is CAS baking in the concealment of injustice by creating a single point of failure in CDP; CDP happens to be the Service Complaint Policy owner. In essence, the Defence Board have accepted a pseudo-

3

regulator, that is not independent of the CofC, to report to the Policy owner, also not independent of the CofC – he is the CofC in all ‘people’ matters. The conflict of interest is obvious as is the failure of such a concept obvious to anyone who understands what a ‘safe’ system looks like. The recommendations then of the Wigston Review are wholly flawed. It is still Defence investigating itself, by itself, for itself in order to protect itself.

This reality reflects poorly not only on our leaders, but on those who advise them, counsel them and brief them. Elements of the latter deserve the question mark over them with regard to their levels of integrity for they know that their recommendations are flawed.⁴ They reflect that ‘upwardly looking’ leadership trait that is ruining the reputation of our Armed Forces. Underpinning this is a clear erosion of values-based thinking in Defence and to correct that, an urgent need for independence End2End.

But the problem is deeper than that. Each Board, be it Defence or the Single Service, are supported by Non-Executive Directors. It would appear to be the case that the wrong questions are being asked of the Board, in the wrong way, leaving the Board to make ill-informed decisions, with wrongful consequences. This reflects a lack of cognitive diversity at Board level. Defence was cautioned on this matter 10 years ago; ‘questions are the antidote to assumptions; assumptions so often incubate mistakes.’⁵

This brings us back to the first point, and the purpose of our being – the fundamental need to secure a Just Culture through a Questioning Culture. This is the power that J4T brings to bear; we have the solution and offer it to Defence. Those who dare question today are punished for doing so. Our immediate success reflects that sad reality and therefore our concerns we present today specific to Duty of Care failings suggests those failings, and the consequences of them, to be a continuum.

Summary

It is not our role to disrupt critical Defence output; Defence is doing well to do that to itself. It is our role to disturb those who lead Defence whose natural default is to look for themes that re-affirm deeply held beliefs and values. The greater need is for our leaders to see themes that disturb those same deeply held beliefs and values. This is where J4T can help.

That is the power of a Just Culture. Without developing this urgently, through urgent legislative reform, the substantive concerns that will no doubt be secured through your Inquiry, will continue to undermine the reputation of our Armed Forces and tragically, needlessly, kill our own.

There is a better way; it is why we dutifully stood up J4T.

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⁴ <https://centreformilitaryjustice.org.uk/keeping-it-in-the-family-the-ministry-of-defences-response-to-the-service-justice-system-review/>

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/229037/1025.pdf

Has appropriate guidance and policy been developed and implemented? Is it being adequately practiced at all levels? How is it monitored?

Broadly, I do feel that there is sufficient guidance and policy – yes.

There is clear inconsistency in how that Policy is delivered, suggesting both a cultural issue and educational need. If there is monitoring, it is ineffective and that may reflect the difficulty in raising complaint in our Armed Forces today; one is not incentivised to complain indeed one is punished in doing so.

How are lessons being captured, disseminated and learnt?

This is a notoriously weak area in Defence. It is also, in part, why we set up J4T. We aim to illuminate injustice and wrongdoing in order to make the case for urgent reform. We have the solution to the problem.

To identify lessons, Defence needs to be receptive to independent investigation and scrutiny – it is not. This is a catastrophic leadership failure at Board level.

Is a positive safety culture being instilled across the Armed Forces at all levels?

No, definitively no. It is why J4T stood up – as the means to implement one.

How effective have the Defence Safety Authority and the Duty Holder Concept been in improving safety? How is safety measured?

This is difficult to measure but I respectfully refer the HSCS to 2 important indicators that help to inform a response:

- a. Levels of retention and recruitment are cause for alarm
- b. The fact that the Service Complaint system has been ineffective, inefficient and unfair since Deepcut, indeed anyone entangled in it often ends up being ruined because of it.

There is urgent need for behavioural change and that in time will change the incentives in Defence. This is core to the J4T purpose.

Are the current support provisions provided to the families of those who have been injured or died appropriate?

From our evidence-base, unequivocally no. We can record a fundamental erosion in values-based thinking across Defence, at Board level and most evident in the Veterans UK leadership (including DBS). There has been a slow and steady deterioration, over time, leading to a complete collapse of The Offer of Service.

What more can be done to ensure safety during hazardous training and selection without impacting operational effectiveness?

J4T feel that there is urgent need for a Just Culture, through a Safety Culture to address this need. We have the skills, the lived experience, the knowledge and the interest to deliver this cultural shift across Defence.

Graham House