

Written evidence submitted by Justice4Troops – Graham House (Principal)

Defence Select Committee Inquiry – Women in Defence

Executive Summary

'There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they're falling in' Desmond Tutu

1. I endure an experience of wilful intent to conceal injustice in our Armed Forces by those who lead our Armed Forces. It began in 2011 when an allegation of rape perpetrated against a female cadet by her RAF Instructor was made known to me. The wilful intent to conceal injustice directly impacts, to a greater degree, Women in Defence. The more I saw, the more concerned I became. I protested. I met with Chief of Defence People in Dec 16 and evidenced what I believe reflects systemic and systematic failure in Defence PEOPLE. He rejected my evidence, refusing to embrace the substantive issue of concern. But the more I saw, first hand, at the 1, 2 3 & 4* level, including at the DG, CEO, PUS and NED level Defence-wide, the more I became concerned. I informed the Defence Board (Jul 19) of intent to quantify wilful concealment of injustice in Her Majesty's Armed Forces, by those who lead Her Majesty's Armed Forces. I set out to either prove the issue, or to (hopefully) disprove the issue with the wider objective being to help improve critical Defence output.

2. Justice4Troops (J4T) seemed to be a reasonable name for the organisation given the purpose of the exercise. We achieved Initial Operating Capability in Jan 20 and Full Operational Capability in Jun 20. We were quickly overwhelmed, mostly from female Service Personnel and their families. In order to meet demand, we re-configured the Operating Model in order to best support. We now offer a 24/7 advisory and support service to the whole military community in matters of Service Complaints. Our services, unique to Defence, are delivered by Service and retired Service Personnel and other agencies who are well versed in people and organisational issues. Our services are free.

3. I regret to inform the Committee that, on a scale of evidence hitherto perhaps never been seen before, the exercise has proven, conclusively, that wilful concealment of injustice in our Armed Forces by those who lead our Armed Forces, is rife. There is clear systemic and systematic failure in our Armed Forces; this reality especially impacts women.

4. I am alarmed that Chief of Defence People, and his staff, over years, refuse to embrace the possibility of a PEOPLE failure on a scale that very seriously erodes the reputation of our Armed Forces. I am pulling the alarm today.

Who am I?

5. I served for 30 years, commissioned from the ranks as a pilot. I was privileged to directly contribute/indirectly support every operation in the modern era both on the ground and in the air. I have been privileged to fly, support, follow, lead and command brave, committed and dedicated service and civilian personnel in both peace and war time.

6. In matters of Service Complaint, I've been a Commanding Officer, a 'Deciding Officer', an 'Assisting Officer', a 'Respondent', and a 'Complainant'. I've also dealt directly with the Service Complaint Ombudswoman and the Commissioner before her. I am the proverbial 'Full House'.

7. I first became aware of the substantive issue of concealed injustice in our Armed Forces when I met the Service Complaint Commissioner (Dr Sue Atkins) in 2010. Shortly after meeting her, I was then appointed to be a Commanding Officer (CO) of a Front-Line RAF Station. I had Duty of Care concerns from the outset of that tour as a lack of safeguarding was very evident to me; personnel were working 'to a process' and not delivering 'the Policy' having seemingly forgotten Policy Intent. I found the time to attend a 'Lessons from Deepcut' Course which helped me better understand not only the issue of Duty of Care, but the consequences to the men and women in Her Majesty's Armed Forces when the leadership fails to care. This educational uplift helped me, as the CO, to better see and to better articulate risk to my Chain of Command who in turn, rather than treat it, or terminate it, they chose to tolerate it. This left those under my command carrying the risk. I repeatedly raised concerns about a clear erosion of the Duty of Care to my Chain of Command who, in turn, repeatedly reduced my headcount, making the matter much worse. It took a particular incident of rape to down-declare my Unit and assess it to be 'unsafe'. I felt that this event was foreseeable, as evidenced in the risk assessment I declared to my HQ.

8. I first became aware, at that point, of wilful concealment of injustice by those who lead Her Majesty's Armed Forces when my Chain of Command at Group Captain level, ordered me to not initiate investigation of an allegation of the rape of a 13-year old female cadet by her RAF Instructor which had occurred on my Base. The allegation was made to me by the mother of said cadet. After lengthy exchange, and several meetings with my Chain of Command, it was made clear to me that the reasoning behind their directive was because the UK was about to celebrate the 70th anniversary of the Air Cadet Organisation, on the international stage and with great fanfare – including with Her Majesty. My 2* had overall responsibility for the Air Cadet Organisation, suggesting a conflict of interest. I was told that the allegation was not only inconvenient, but that it was, at the end of the day, only an allegation and allegations are common-place. I strongly disagreed with that thinking and said so.

9. I asked to meet with my new 1* but he refused to meet with me. I asked to meet with my new 2* who also refused to meet with me. I asked then to meet with the 3* and was told that he would visit me at the Unit in the near term – but his visits were always cancelled at the last moment. I made it clear to my Chain of Command that I would disobey their directive. As a result of my actions, in March 2012 the RAF Instructor central to the rape allegation was investigated, convicted and imprisoned on 3 charges of sexual assault against a minor. I was, shortly after that, then removed from Command, without proper explanation, and was later labelled as 'high maintenance'. I was condemned unheard. If refusing to acquiesce to injustice makes me 'high maintenance', then I am indeed that – the issue merits it.

What is The Offer of Service?

10. *'People lie at the heart of operational capability; attracting and retaining the right numbers of capable, motivated individuals to deliver Defence outputs is critical. This is dependent upon maintaining a credible and realistic offer that earns and retains the trust of people in Defence. In order to achieve this, all personnel must be confident that not only will they be treated fairly, but also that their families will be treated properly and that Service Veterans and their dependants will be respected and appropriately supported.* The Offer is sponsored by Chief of Defence People.

11. It is deficiency in The Offer that led me to set up J4T with intent to help improve delivery of it. It is The Offer that underpins our claim that Defence is a great employer. Any deficiency impacts on recruitment, retention, reputation and therefore the operational effectiveness of Her Majesty's Armed Forces. Any deficiency in The Offer also costs the public purse.

Her Majesty the Queen

12. When we say that we are inquiring about Women in Defence, what we are really saying is that we are inquiring about Women in Defence, who serve or have served Her Majesty. It is perhaps worth introducing then the views of Her Majesty as expressed in 1992 for her views still hold true in 2021.

'There can be no doubt, of course, that criticism is good for people and institutions that are part of public life. No institution should expect to be free from the scrutiny of those who give it their loyalty and support, not to mention those who don't. This sort of questioning can also act, and it should do so, as an effective engine for change.'

13. Her Parliament, Her Government and her Service Chiefs and their support staff would do well to remember the views of Her Majesty when it comes to criticism in order to better deliver to The Offer. This sort of Inquiry should act as an effective engine for change. On the evidence before J4T, Defence must change, and quickly.

What is the Problem?

14. *'Graham's approach was simply to try and put things right and in so doing weave in the lessons to make the process and subsequently the Service better for all. Both he and I put our faith in the policy with the belief it would be exercised correctly and that the wrong that had occurred would be put right. Some 5 years down the line, I'm disappointed to report that both my faith and his were totally misplaced. I have been truly struck by the negative impact that participating in the complaint process has on the complainant, the respondent and those close to either. In many ways, a complaint and its subsequent analysis should be welcomed by the organisation; it gives an opportunity to check, adjust, reflect, improve and in so doing consolidate and strengthen. It should not damage, disadvantage or in any way deprive those people who participate in the process. Instead of witnessing candour, transparency and an open willingness to learn, I have observed an organisation that even at the highest level seeks to adopt a defensive posture seemingly focused on the preservation of individual and/or corporate reputation. In so doing, it deprives the individual complainant of honest, candid closure and leaves the individual "suspended" in the complaint, with damage to health and wellbeing progressively apparent. There is something fundamentally wrong'.*

15. The above narrative is that of a very senior serving officer. It is worth noting that the author refuses to put their name to their narrative in fear of retribution. This fear suggests that our Armed Forces are, more widely, psychologically unsafe.

What is the Cause?

16. Matthew Syed explains an important causal factor that creates this problem:
https://www.youtube.com/watch?v=V1rpuN_nZJE.

17. 'Command Culture', 'Upwardly looking leadership' and the lack of authentic leadership contributes to the cause. The lack of a 20'000' overview at 4* level, as personally declared to me by CDS and Secretary of State, does not help matters. I set out to give them a rich picture.

What is the Impact?

18. There is often life changing and indeed life taking impact on anyone who speaks out, or stands up to the Chain of Command in Her Majesty's Armed Forces. By not speaking out, one risks validating a wrong to be right. The conventional lines for speaking out are, however, completely ineffective as is the functionality of the Ombudswomen. Defence has normalised deviance resulting in moral injury amongst many who serve(d). This can kill.

19. The wider impact of injustice contaminates the veteran sector and OGD's.

Evidence

20. Less is more. I offer, amongst the hundreds who have presented themselves to J4T, a dozen quotes that, by way of theme, directly support this Inquiry:

'I have many anecdotes about institutional sexism and misogyny that I have experienced from all ranks, in every role that I have served in since commissioning' – female Army serving

'Defence People are a self-licking lollipop with perverse intent' – female Army serving

'I don't feel safe' – female RAF serving

'Yes, we can see you were bullied however they were stressed and anyway it's been a long time since it happened' – female RAF serving

'No follow of procedure, no duty of care, they left me broken and in despair' – female RAF

'It is wilful, there are way too many stories for this to be accidental' – female Army

'coercive practices to force people to keep silent about poor treatment' – female Army

'I need to expose the failings of SCOAF. This is because many including lawyers, MPs and notable heads of service continue to believe that SCOAF is able to offer independent arbitration and therefore negating the requirement for an alternative body.' – female Army

'I've no independent representation nor assistance – even my Assisting Officer is conflicted by loyalty to the Chain of Command and isn't assisting at all – ticking a box'
female Navy serving

'I will never trust the Chain of Command ever again' – female Navy serving

'It was really good speaking to you earlier. It is so easy to feel you are fighting for justice alone. My intention, from the outset of the complaint and to date, remains fighting for justice, in turn I hope to help others and put a stop to the abuse of powers. Sexual harassment continues to be a big problem and it seems little is changing. The MOD claimed lessons had been learnt, yet there's little evidence to support this claim.' - female Army serving

'the poor treatment of a service person (usually at their most vulnerable) is not just down to a few isolated cases' – female Navy

21. Be you female, male, serving, or served, the quote that sums up a theme of greatest import is this, sent to the MoD by the Service Complaint Ombudswoman following rejection by the Air Force Board of her recommendations in a Service Complaint –

'it was clear that the intent was for a significant award to be made beyond the MoD's delegated authority – they have just explained how they found a loophole to sidestep this and therefore not engage further.'

22. This evidences a behaviour at the top of Defence that is inappropriate – 'a loophole to sidestep' the fundamental issue of injustice, to bury the complaint, never to learn and to avoid further scrutiny in order to protect the reputation of the service and senior staff. Which then is the greater crime, the act itself or the cover up of it, at Board level?

23. The current position of Chief of Defence People on such matters is *'Finally I should like to re-iterate, for the avoidance of doubt, that the Department does not accept the claim which you insist on making about the wilful concealment of injustice in our Armed Forces. And I object strongly to your suggestion that there are those in this organisation who 'drive good people to take their own lives' - this is completely false'*. When the Ombudswoman tells the same person that, at Board level, they have simply found a loophole to sidestep and therefore not engage further, Defence has failed its people. We know of personnel who have taken their own lives because of these experiences.

24. For the avoidance of doubt, further damage to our people, to their families and to the wider reputation of not only our Armed Forces, but also to the UK, is inevitable, unless.....

There is a Solution

25. A comprehensive suite of measures is urgently required then. We offer a solution that offers immediate operational gain, immediate financial saving, immediate protection and representation of our people and immediate opportunity for the UK to be seen for what it wants to be – a Force for Good. This Inquiry then presents an opportunity for Parliament to project the values of the UK onto the national and international stage.

*'Any intelligent fool can make things bigger, more complex, and more violent. It takes a touch of genius – and a lot of courage – to move in the opposite direction.'*¹

26. Given the overwhelming 'success' of J4T, colleagues and I then set up, in Jan 21, the Independent Defence Authority (the IDA) whose mission is to provide more cost-effective independent representation for all uniformed members of the UK military and veterans in order to enhance the moral component of fighting power. The objective is to better authenticate the authority of the Chain of Command in order to better deliver critical Defence output, by providing an independent safe space for an unsafe conversation. The remit is to eradicate the concealment of injustice in the UK Armed Forces and improve operational effectiveness.

Why is an Independent Defence Authority the most effective antidote to this virus?

27. We need to return to Bishop Tutu....

'There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they're falling in'

28. Simply, J4T helps pull people out of the river whilst the IDA, as an entirely separate organisation, operates upstream and, armed with knowledge, helps prevent defence and political leaders pushing in those to whom we owe a sacred and unbreakable duty of care to – the men and women of Her Majesty's Armed Forces. The Defence Board accepted, in 2019, the recommendation from Air Chief Marshal Wigston to create a Defence Authority –

¹ (E.F. Schumacher).

the issue then, indeed the only issue, is how independent does such an Authority need to be? Given our unique overview, and the overwhelming 'success' of J4T, one must conclude that the Defence Authority must be completely independent of Defence if Defence is to be of value to the UK.

29. Parliament is invited to legislate for an IDA in the Armed Forces Bill. The quicker that all who serve can be protected and the quicker the reputation of Her Majesty's Armed Forces and, more widely the UK as a Force for Good, is restored, the better chance the UK has on delivering, for example, the UN Sustainable Development Goals – especially 16.² It will be difficult for the UK to assist others in creating strong institutions when our own Armed Forces is not as strong, nor is it seen to be as strong, as we need it to be.

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² <https://www.un.org/sustainabledevelopment/peace-justice/>