

THE DEEPCUT REVIEW

A review of the circumstances surrounding the
deaths of four soldiers at Princess Royal Barracks, Deepcut
between 1995 and 2002

Nicholas Blake QC

APPENDICES

**A REVIEW OF THE CIRCUMSTANCES
SURROUNDING THE
DEATHS OF FOUR SOLDIERS AT
PRINCESS ROYAL BARRACKS, DEEPCUT
BETWEEN 1995 AND 2002**

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Appendix 1

Notes

Submission reproduced with the kind permission of Mr and Mrs Gray.

Redactions made have been made by the Review.

Submissions of Mr and Mrs Gray to the Deepcut Review

Mr and Mrs Gray, parents of Private Geoff Gray, who died at Princess Royal Barracks (Deepcut), Surrey, on 17 September 2001, wish to make the following representations to The Review.

Geoffrey Gray, date of birth 20 July 1963, caretaker, of [REDACTED] Hackney, London [REDACTED] and Diane Gray, date of birth 23 August 1964, also of the same address, have two children.

Their son Geoff died at The Princess Royal Barracks, and since then they have been provided in chronological order, the following documents in relation to his death.

1. "Notes of evidence" of the inquest held by HM Coroner for Surrey on 19 March 2002 (copy enclosed)
2. Executive Summary: Devon and Cornwall Review Report.

They also have in their possession the Surrey Police Deepcut Investigation Final Report, transcript of the meeting with Lieutenant Colonel Laden and a copy of the Defence Select Committee report on Duty of Care, transcript of the interview by Devon and Cornwall police. A copy of this is with The Deepcut Review. They have a copy of a report by Mr Frank Swann but they do not rely upon it.

In addition the Grays have also had the benefit of meeting Nicholas Blake QC on a number of occasions and the Deputy Chief Constable of Surrey on one occasion. They have been present at a meeting with the Surrey police on the publication of the Final Report.

At the time of the submission they have not been provided with any part of the Surrey police investigation into the Deepcut deaths.

They reserve the right to make further submissions to The Review should the occasion demand it.

The family originate from Sunderland. They moved from their home in Seaham Harbour, Sunderland, in 1989. The father was then working building sea defence walls and had the opportunity of a job in London. The whole family moved to their present address in 1989. The father works as a caretaker of a Guinness Trust property. The mother, Diane, used to work in the retail industry but due to ill health does not now work.

Their son Geoff went to primary school in Aldgate and then Blessed John Roche secondary school in Poplar. He left at the age of 16 with 7 GCSEs. After school he went to work as a litter picker working night shift on a contract job. After that he worked for the HSBC Construction project in Canary Wharf as a labourer.

From an early age he was involved with the boy scouts and before leaving school had become committed to a career in the army. He went to the army recruitment office in The Strand on his own and undertook various aptitude tests and passed them. He also passed a written exam and went to Pirbright for physical tests which he also passed. The father went to the Aldwych recruitment office to give his consent for Geoff to join the army. The interest in the army had been with him since he was 12 or 13. As an athlete he believed the army would be a perfect base for him to have a sporting career. He was East London's fastest runner of 100 meters distance at the age of 15.

The army decided that he should be trained to become a supply controller. This is quite a technical job which required him to be attached to other units in combat conditions, if necessary, to deal with the logistics of whatever operation the unit was engaged in. The idea was that he would have a 12 week basic training at Pirbright. In that period he was allowed home once only. When he came home he was gushing in his joy about being in the army.

The second phase of his training was at the Princess Royal Barracks where he was to receive training for his trade and to undertake HGV driving course.

The parents last saw him on 9 September 2001 which was a Sunday night when they took him to get his train back to the Barracks. He had arrived on Friday 7 September and stayed with them over the weekend. In that period he had gone out with several girlfriends and had attended a party. When they left him he was slightly hung over from clubbing on Saturday night. He was very cheerful and looking forward to his return to the Barracks.

On Monday 17 September 2001 two army personnel, a female captain and a chaplain [REDACTED] [REDACTED] knocked on their door at 9am. They first spoke to Diane they asked her if they could speak to the father. When told that Geoff senior was away they asked her to contact him and get him to return home. Diane was quite alarmed when they said they were from the Deepcut Barracks. At first they wouldn't tell her why they were there. In the end they answered her questions by saying that Geoff was dead. The father came home and was told that they were sorry but their son was dead. They said "this morning shots were heard and it looks like he committed suicide". They said three shots were heard. This was said by the chaplain [REDACTED] [REDACTED]. They said the shots were heard at 01:15 hours and then they found Geoff dead. The parents remember that the chaplain said quite clearly, "I don't think we will ever find out how he died". When asked why, he said "I have my own theories". This is the same chaplain that took the service at Geoff's funeral. Once again during the service he said the shots were heard at 01:15 hours in the morning and went onto say, "unfortunately, we will never find out how he died".

At around midday on the same day the Corner's officer, [REDACTED] contacted the father to introduce herself and to state that a post mortem examination was to take place in the afternoon. She said "it looks like the lad turned his gun on himself". She said she would contact the family again later in the day.

She rang back later on and said that the post mortem examination had been carried out. The family were advised that they could view the body the next day. However she was very keen to put the family off seeing the body because it was not a pretty sight. She did not mention that the family could have had an independent pathologist present at the post mortem. The family do not know whether they would have instructed a pathologist to be present but feel it relevant to mention it because the body was later cremated and the opportunity for having their own tests has been lost forever.

Later in the day an army officer rang to say that a car would be provided the following day so that the family could travel to Surrey to view the body. Once again this officer also said that Geoff had committed suicide.

They saw the body on 18 September 2001. The car had arrived at 9am and they were taken to Frimley Hospital. They went in by the back door. The body was kept in a very small room and there were a large number of people present. There were some senior army officers, the chaplain and two other soldiers in uniform (dressed in combat) and the coroner's officer. Apart from the Grays, Diane's father was also present.

Once they saw the body and confirmed it as being that of Geoff they signed a document confirming formal identification.

They remember an odd comment by the coroner's officer, [REDACTED] at this stage. The father asked if Geoff's fingerprints were found on the gun. She said, "yes, it was Geoff's fingerprints". It transpires that only months later that the gun was examined and a partial palm print of an unknown person was discovered. When they viewed the body they could not see any gunshot wounds. Geoff's head was covered in a bandage. The right eye was black. Diane uncovered his body to look at his tattoos to confirm his identity and they noticed that there were two red lines around his neck, one inch apart. These are not mentioned in the post mortem report. There was also some bruising on the chest.

The funeral took place on 27 September 2001 at Seaham Harbour and was attended by a large number of Geoff's soldier friends. One of the soldiers, [REDACTED] [Private CI] said Geoff was not there. He said, "I swear he was not there". Towards the end of October Mr Gray mentioned to [REDACTED] [Coroner's officer] that [REDACTED] [Private CI] had not been interviewed and asked why. She replied that he had not been interviewed because no one would take any notice of him because he was an attention seeker.

The inquest was originally planned for January 2002 but they were told by [REDACTED] [Coroner's officer] that the coroner had vacated the hearing date because he wanted some further information gathered by the police. The new date was fixed for 19 March 2002. Some two weeks prior to the inquest hearing date, they were informed of the date. Geoff Gray senior spoke to [REDACTED] [Coroner's officer] and said that the family thought that they should have legal representation. She said there was no need for legal representation. She said the only person who needed representation was Geoff and he was dead. As the time drew nearer the family rang a couple of firms of solicitors but no one could represent them at such short notice.

They rang [REDACTED] [Coroner's officer] and asked for an adjournment. She said that it would not be granted as too much money had been spent in getting witnesses from all over the country. In any case she said it would only last for a few hours.

On 19 March 2002 Mr and Mrs Gray went to Woking Coroner's Court. They were also accompanied by Diane's father. They arrived at court at 12.45pm for the 1pm inquest.

On arrival they saw [REDACTED] [Coroner's officer] and she gave them two witness statements, that of [REDACTED] [Private CJ] and [REDACTED] [Lance Corporal CD]. These were given to them as neither was attending the inquest. They were not provided with any other statements because she explained that the witnesses would be in court giving evidence and answering questions put to them by the coroner and by others.

Once they read [REDACTED] [Lance Corporal CD] statement they were concerned about what the inquest was going to do. The family had no idea how to ask questions or what to ask because they did not know what the witnesses were going to say so that they had no pre-planning or the experience of asking questions. The inquest started with the evidence of [REDACTED] [Coroner's officer] and the impression the Grays have is that it was chaotic. On at least six occasions there was whispering from the soldiers to the soldiers giving evidence about the time they came on duty and other matters. Geoff Gray senior was so concerned about this that he turned round a number of times to stare at the soldiers but that did not stop them.

To provide a flavour of what took place what follows below is the Gray family's concerns about the inquest. Dr [REDACTED] had examined the deceased and discovered "two gun shot wounds with soot and powder marking to the upper lip and the right cheek and the right side of the bridge of the nose and the midline of the forehead. There were two gunshot entry

wounds to the forehead". During the course of Dr ██████'s evidence he stated on a number of occasions being unable to answer crucial questions. For example, he could not answer how close the gun was to produce powder marks or whether powder marks would have transferred themselves onto a potential assailant's uniform. He thought that an opinion of a ballistics expert should be sought. This was never required by the coroner. Warrant officer ██████ [Squadron Sergeant-Major(f) BZ] dealt with the timing of the death but there were discrepancies about this. There were also discrepancies about how many gunshots were heard. One witness referred to "automatic burst" not single shots. Other reports referred to three shots (██████) [Lance Corporal CD].

The Gray family state that from the beginning it was apparent that the army were less than forthcoming with the family following Private Gray's death. They were not informed they could instruct an independent pathologist and the body has now been cremated. The family saw the body after death and some of their observations can no longer be independently verified.

They were denied an adjournment to seek legal advice. They were only provided with statements of those who were not attending the inquest. The Grays had no legal training and felt intimidated and at a loss as to how to proceed at the hearing. They were expected to ask questions of the witnesses unprepared. It is a matter of concern that the crucial evidence of the soldiers relating to timing surrounding the death of Private Gray was subject to interruptions by other soldiers in the public gallery. The Review is referred to the coroner's transcript at page 23 when ██████ [Squadron Sergeant-Major(f) BZ] interjected" during Private ██████'s [Private(f) CE] evidence. When Private ██████ [Private CF] was asked what time she started work, she remained silent. However the silence is not mentioned on the transcript.

It is submitted that the Grays required special assistance to question both service people and experts. They were intimidated by the entire process and found themselves at a loss as to how to conduct any real examination of the evidence. The proceedings were made even more intimidating when service personnel intervened during the giving of live evidence. It is apparent that some soldiers may have significant evidence for any future Inquiry. However, it is not clear whether the Surrey police followed up any of these since the Grays have not been provided with the Surrey police investigations into the deaths at the Princess Royal Barracks.

In short the inquest did not follow general principles of good practice regarding investigation into Private Gray's death. It was neither "effective" nor allowed effective participation of the parents of the deceased into the Inquiry.

A few days after the inquest ended, they heard that another soldier, Private James Collinson, died on 23 March 2002.

Shortly afterwards they became aware of the fact that the Surrey police were to reinvestigate the death of their son alongside others who had died at the Deepcut Barracks. To this date they have never been provided with any reports, statements or exhibits concerning the Surrey re-investigation.

In September 2003 they heard that the Surrey police had tasked Devon and Cornwall police to carry out a review of the Surrey re-investigation into the Deepcut deaths. They were contacted by the Devon and Cornwall Review Team and spent several days highlighting their concerns at the adequacy of the Surrey investigation into their son's death.

On 3 November 2005 the Grays met Deputy Chief Constable Mr Moore, Detective Chief Inspector ██████ and DC ██████ (family liaison officer) in the company of their solicitor and a friend at Port Cullis House, London SW1, to receive a briefing about the Devon and Cornwall Constabulary Review of the Surrey police re-investigation into the deaths of Private Sean Benton, Private Cheryl James, Private Geoff Gray and Private James Collinson.

They were subsequently provided with a copy of the Executive Summary. It came as some surprise to the family that the terms of reference were confined to file entries, office meetings, minutes and other documentation that may provide evidence of the direction and control of the investigation. Although it allowed for re-interviews of any witnesses, it is still unclear whether the concerns raised by the Gray family to the Devon and Cornwall police about the army investigation and the Surrey re-investigation have been dealt with in part or at all.

The Grays are as concerned as any right thinking person would that investigations into their son's death was inadequate in many aspects. The Surrey mindset was set on suicide as evidence of the minutes of 26 March 2003 shows. While this is sometime after Geoff Gray's death it explains how the Surrey police failed to take control of the investigation in Geoff Gray's death since it had already pre-supposed that the death was a "suicide". Mr and Mrs Gray are equally alarmed that the Surrey police were clearly involved in media management by trying to divert attention away from "murder" to "suicide". They feel that this was clearly a departure from normal practice of investigating a potential crime. The Grays know that a further investigation is being undertaken by the Independent Police Complaints Commission and await their findings with interest.

In the meantime the position remains that apart from the transcript of what took place at the Inquest the Gray family have no access to statements, reports and other products of the Surrey re-investigation into their son's death. They are informed that the disclosure of the re-investigation report maybe provided in the New Year subject to the absence of those who gave statements.

In the circumstances all the Grays can state is that they believe that the inquest by the HM Coroner's officer for Surrey was perfunctory and contrary to the law. They point to lack of disclosure from the Surrey police. In their view their son's death raises a matter of immense public importance. The care and safety of this country's young soldiers whilst under the control of the armed forces is not only of paramount importance to soldiers themselves and their families, but to the public at large. Clearly, the public must have confidence in their Armed Services in order to trust that their loved ones are able to work well in good conditions and are valued for their contribution. The manner of Private Gray's death together with the manner in which it was investigated is of vital importance to the issue of trust in and the morale of our Armed Services. They demand nothing less than to be afforded every opportunity to seek the truth surrounding the death of their son.

Neither the Inquest nor the Surrey police re-investigation can provide any comfort to them. Only a public inquiry would address and provide an overview of the deaths at Princess Royal Barracks and thus discharge the state's positive duty to investigate deaths of those in its care.

To Nicholas Blake QC, The Deepcut Review, Griffin Building. Gray's Inn Road, London WC1R 5LN.

On behalf of Mr & Mrs Gray by Girish Thanki, Tnt Solicitors, Imperial Works, Perren Street, Kentish Town, London NW5 3ED.

9 December 2005

Appendix 2

Notes

Submission reproduced with the kind permission of Mr and Mrs Collinson.

Redactions made have been made by the Review.

Submissions of Mr and Mrs Collinson to the Deepcut Review

Mr and Mrs Collinson, parents of Private James Collinson, who died at Princess Royal Barracks (Deepcut), Surrey, on 23 March 2002, wish to make the following representations to the Review.

Yvonne Collinson (nee Jeffries) date of birth 17 September 1966, social care officer, of [REDACTED] Perth, and James Collinson, date of birth 2 September 1962 of [REDACTED] Perth, surgical theatre orderly, have 3 children.

Their son died at Princess Royal Barracks and since his death they have been given, in chronological order, the following documents in relation to his death.

1. Surrey Police Deepcut Investigation Final Report.
2. Executive summary: Devon & Cornwall Review Report.
3. Surrey Police investigation into the death of Private James Collinson (report to HM Coroner for Surrey), a summary.
4. Statements to HM Coroner obtained by the Surrey Police in connection with the inquest (at a date to be arranged).

In addition they have had the benefit of meeting Nicholas Blake QC on two occasions and the Deputy Chief Constable of Surrey on one occasion. They have also attended the House of Commons Defence Committee Inquiry into duty of care issues at Princess Royal Barracks.

At the time of the submission they have not had the opportunity of perusing the statements provided by Surrey Police to HM Coroner (item 4 above).

They reserve the right to make further submissions to the Review should the occasion demand it.

They were married on 2 June 1984 in Perth. Their first child James was born on 4 December 1984. The second, Stuart, was born on 22 April 1986 and the youngest, Claire, was born on 1 April 1991. Stuart is a chef at Pizza Express in Perth and lives on his own. He and his girlfriend are expecting their first child which is due sometime in March 2006. The youngest, Claire, lives with James (Jim).

They are separated and were separated at the time of James' death. At the time at his death Yvonne Collinson was living with Malcolm Heath at [REDACTED] Reading, Berkshire. They separated in May 2001 and Yvonne Collinson moved to Woodley in June 2001.

James was attached to the Deepcut Barracks as part of his training. He was training to be a driver/dispatcher. Yvonne saw him every other weekend as she lived nearby in Berkshire. By the time of his death she had seen him three or four times in a short 6-week period.

Jim was then living at Colonsay Street, Perth, which was the matrimonial home prior to the separation. Jim lived there with Stuart but Clare then lived with Yvonne at Woodley. However Claire found it difficult to settle down in Berkshire and after a short while she returned to live with Jim in Perth.

James' education is well documented in the summary produced by the Surrey Police to the

Coroner. In brief, from August 1989 to December 1993 he was at Goodlyburn Primary School and then at Caledonian Road Primary School. His secondary education was at Perth High School from August 1997 until he joined the Army.

James was severely dyslexic and in April 1999 a "record of needs" file was opened in connection with his education. This file remained open throughout his secondary education. At the age of 13 he had joined the Army cadets where he had remained a member until he joined the regular army at the age of 17.

James' primary education was satisfactory because of the help he received. From an early age when he was being taught reading and writing it became obvious that he suffered from dyslexia. A proper measured and calibrated diagnosis took place at the age of 12. In the secondary education there was a huge effort from educationalists to provide help and assistance with his dyslexia. He was almost totally word blind but through sheer persistence he developed strategies to acquire a good grasp of reading and writing. He was always eager to have visual stimuli and watched a lot of education programmes on television. He picked up much more from television than from reading and writing. At school he was given a voice recorder, a computer and other aids. Throughout his school years he was always given priority with his education.

He was passionately interested in all things military and he felt a great sense of achievement when he was accepted in the army. He joined the Royal Logistics Corps on 10 September 2001. He was posted to Pirbright to commence his Phase 1 training. He passed out on 18 January 2002 and started his Phase 2 training at Deepcut on 21 February 2002.

Jim Collinson is a theatre orderly at Fernbrae Hospital in Dundee where he has been for the past sixteen years. He assists in the operating theatre dealing with equipment, equipment transport and helping generally with surgical operations. He regularly works a 13-hour shift. Jim saw James in Perth over the Christmas holidays in 2001. He then saw him again at his passing out parade at Pirbright on 18 January 2002. The next and the last time he saw James was either 21 or 22 January 2002. James did not come back to Perth while he was at Deepcut Barracks. However the father and son spoke to each other on 21 March 2002. It was a long telephone conversation lasting perhaps 20 minutes or even longer. James was looking for a car to buy. He thought he might buy in Scotland and then drive it down to Surrey. He was all cheerful and excited about doing his HGV driving course.

Yvonne Collinson picked up James from the Barracks on 22 March 2002. It was around 4pm. Yvonne and her partner travelled from Reading to Deepcut to pick him up. She remembers being teased about James being made to wait outside the Barracks whilst they passed him by without seeing him. Once in the car he borrowed some money from Yvonne and then went shopping with them. He spent most of the evening on the computer looking at second hand cars for sale. She also remembers that he had a couple of lager beers and went to bed early.

On Sunday 23 March 2002 James had breakfast followed by a soak in the bath. He said he was a bit tired. He said that the training at Deepcut was lengthy and tiring. He spoke generally about the guard duty which involved two other trainee soldiers apart from himself. He did not really mention the possession of firearms except to say that he was not allowed to handle firearms because of his age.

After lunch James was driven back to the Barracks. Malcolm Heath drove the car and Yvonne sat in the front passenger seat. She was dropped off first at her work. When they stopped outside her work Yvonne came out of the car and James jumped in her place instead. As Yvonne was going off to work she asked James for a kiss and a cuddle but he looked embarrassed and laughed and wouldn't do so. To this day Yvonne feels that had he been contemplating taking his

life later that evening he would have wished to have said his goodbyes. He was close to Yvonne and would have wanted to hug her. However, he did not do so and seemed just a normal 17 year old in the way they behave with their parents.

In the immediate aftermath of the death Yvonne Collinson's recollection is one of horror and shock. At 07.05 hours on 24 March 2002 Jim Collinson was told his death. He was told by Major [REDACTED] [Major N] that there had been a "tragic accident". Jim informed Yvonne at about 08.00.

Later that morning suggestions of suicide started. Funeral arrangements were discussed. The army advised that they should have a private, civilian funeral. Yvonne was visited by a SIB officer. This was Captain [REDACTED] and he was accompanied by an army chaplain. They handed her a letter of condolence from the Commanding Officer, Lieutenant Colonel Laden. Yvonne wanted to see James' body but Captain [REDACTED] said it was not possible and in any case he said he did not know where the body had been taken to.

On 25 March 2002 Yvonne was telephoned by [REDACTED], coroner's officer. She asked a number of questions about identification matters. These were such things as birthmarks, teeth and so on.

On 26 March 2002 Yvonne now knows that the first post mortem took place. She didn't then know who was doing it, where it was being done or what the result was. To this day she still does not know who instructed the hospital pathologist to carry out the post mortem examination. Both Mr and Mrs Collinson wish to express their deep concern that only a hospital pathologist was instructed to carry out the post mortem. The Gray inquest had taken place only a few days beforehand and yet an opportunity to undertake a proper examination was missed. This resulted in so much pain and anguish when the body had to be exhumed later for a proper examination.

On 27 March 2002 Yvonne formally identified James' body at Frimley Park Hospital. [REDACTED] [REDACTED] the coroner's officer, took a statement from her about identification issues. When viewing the body Yvonne was specifically told not to uncover his body. She recalls now that the face was badly bruised and the nose was distorted as if it were broken. Yvonne also wishes it to be known that in the immediate aftermath of the death she had the greatest of difficulty in trying to identify which Surrey officers were dealing with the death.

On Friday 29 March 2002 the body was returned to Perth. Jim went to see the body at the funeral home. This was his first opportunity to see his son since the death. Jim was more observant because of his hospital work and noticed scratch marks on the back of his hands. The post mortem examination at the exhumation appears to have identified these marks but an early opportunity of a proper analysis was missed because of an inadequate first post mortem.

The Collinsons had regular contact from the army regarding funeral arrangements. However, there was no contact whatsoever from the Surrey Police. The Collinsons feel that the Surrey Police treated them as if they did not exist.

On 3 April 2002 a military style funeral took place and James' body was buried.

On the following day Jim telephoned the Deepcut Barracks to ask how the investigation was proceeding. Captain [REDACTED] said, "there is one body, there is one bullet. Draw your own conclusions." At this time the Collinsons noted that the media interest in yet another death at the Deepcut Barracks was beginning to develop.

On 8 April 2002 Yvonne started calling around the police stations in the Surrey area to talk to

someone at the police force who was investigating the death. She could not find a single person who could even tell her who was in charge of the investigation. Eventually after leaving messages in several different places, she received a call from a DC [redacted] [Surrey police] who said the police wanted to speak to Yvonne and said that they would visit her at home in the week commencing 15 April 2002. Yvonne was adamant that she wanted an earlier visit so that the police finally saw her on 12 April 2002 in the evening. DC [redacted] [Surrey police] took a statement from her and attempted to answer some of the questions about James' death. He did not seem to know very much.

By mid April 2002 Jim was visited by the Surrey police in Scotland. The visit took place in Perth and Yvonne was present when the police spoke to him.

Towards the end of April 2002 the Surrey police announced the re-opening of the investigation into the Gray death and one which was to run alongside the Collinson death.

In May 2002 family liaison officers were appointed by the Surrey police to the Collinson and Gray families.

In October 2002 the body was exhumed for examination by the Home Office pathologist. The Collinsons solicitor in London organised an independent forensic pathologist, Dr [redacted], a senior lecturer in forensic pathology at Glasgow University, to attend the post mortem examination. His report is with the Collinson family solicitors in London.

Apart from statements to the Coroner's Officer and some further background statements, they have little knowledge of the Surrey investigation.

They have had various meetings and conversations with their family liaison officer. All they have been told was that there was an ongoing investigation and not much could be said while the Surrey police enquiries continued.

The Collinsons were present at Port Cullis House when the Surrey police gave a briefing on their Fifth Report. The report really had nothing to say about the Collinson death. It was much more concerned about army procedures and practices and how the army had learned lessons as a result of these deaths. They were told by the then Chief Constable and the Superintendent present that there was no evidence to suggest that there was any foul play.

The Collinsons then heard through their solicitor that a report was made available for the coroner and legal advice was being sought about the disclosure of the report to them. The whole matter came to a halt when the Surrey police asked the Devon and Cornwall police to investigate the Surrey police review into the Deepcut Army Barracks deaths.

The Devon and Cornwall police visited the Collinsons in February 2004 and spent some 2½ days with them. The Collinsons told the Devon and Cornwall police investigators about the questions they wanted answers to. The transcript of their interview by the Devon and Cornwall police is with the Deepcut Review and they refer to their transcript for details of what they said to the investigators. The Devon and Cornwall police also took a personal impact statement and a copy of that has also been made available to the Deepcut Review. The Collinsons are content for the transcript of their interview by the Devon and Cornwall police to be made public. However, they do not consent to their personal impact statements being in the public domain.

The Collinsons feel that they have been excluded from the army and the Surrey police enquiries

into the death of their son. They still do not know what happened to their son and how he came to meet his death. The Coroner's inquest is pending and they hope to be provided with further information in due course. They have been assured by all concerned that the inquest would be more than just to answer the questions "who, when and how". Even the Government ministers have said that they believe the inquest would be wide ranging and so much so that a public inquiry into their son's death was unnecessary. The Collinsons feel aggrieved that the Surrey police did not take primacy over the investigation which resulted in much of the primary evidence being lost. They feel equally unhappy about the HM Coroner's decision to arrange for a hospital pathologist to carry out the autopsy examination. The hospital pathologist's examination was on any analysis, inadequate, which resulted in the trauma of the body having to be exhumed. They are unable to understand how the coroner decided on this when the Gray inquest had only been finished a few days beforehand. They feel that this indicates the mindset of the Surrey police and that of the HM Coroner. They are convinced that neither the Surrey police nor the HM Coroner acted with competence or due care with regard to this.

They feel that the investigation into their son's death was some kind of a private, internal matter for the police from which they were excluded. Everything they said to the Devon and Cornwall police has been ignored if the Executive Summary made available to them by the Surrey police is to be believed. The Devon and Cornwall police has merely examined the paper work and computer records generated by the Surrey police in this. The Collinsons' concerns expressed to the Devon and Cornwall police have not even merited a word or a sentence in the Executive Summary. It is abundantly clear that the concerns expressed to the Devon and Cornwall police were not even put to the Surrey police for comment. It is difficult to see how the expense of the Devon and Cornwall Review can be justified.

They regret that the coroner has allowed so much delay to his inquiry. He should have taken a more pro active role.

The Collinsons were given a briefing into the Devon and Cornwall police Executive Summary by Deputy Chief Constable Moore, DCI [REDACTED] and DC [REDACTED] (the family liaison officer) at a hotel in Glasgow recently. They are distraught that their concerns about investigation into their son's death have been met with such disregard by the two police forces. They also note with great concern that the Surrey police mindset was set on suicide and that the investigation into their son's death did not even follow the national guidelines as stated in the Murder Investigation Manual.

They have great concern at the discovery by the Devon and Cornwall police of the 26 March 2003 document showing that the Surrey police had decided to direct the public opinion away from murder and onto suicide. They feel this was a deliberate attempt by the police to engage in a public relations exercise to conceal their inadequacies into the investigation in their son's death. The police should have engaged their resources and efforts into proper, focus and thorough investigation.

Some three and half years on and even after such a vast expenditure James Collinson's death remains shrouded in mystery. After three and half years the HM Coroner will embark on an inquiry into their son's death sometime in 2006. So much time has been wasted and now memories have faded, evidence is lost and the parents are none the wiser about what happened to their child in 2002.

To Nicholas Blake Esq. QC., The Deepcut Review Griffin Building Gray's Inn Road London WC1R 5LN

On behalf of Mr & Mrs Collinson by Girish Thanki, TNT Solicitors, Imperial Works, Perren Street, London NW5 3ED

6 December 2005

Appendix 3

Notes

The Review did not receive a response to its letter to Mr Frank Swan dated 13th April 2005.

Redactions made have been made by the Review.



matrix
chambers

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Mr Frank Swann
Special Security Services & Legal Forensics
Suite 1, The Chambers
303 Court Road
Orpington, Kent
BR6 9BZ

Nicholas Blake QC

13th April 2005

Dear Mr Swann,

Thank you for your letter of the 4th April 2005.

I am indeed sorry that you do not feel able to assist my review and somewhat surprised by the reasons you have given.

I am aware of the materials you were supplied with by the Surrey police to conduct your investigations and have no problem accessing them in order to understand your work and any pertinent conclusions.

The four week delay to which you refer, is in respect of the time from my appointment to being able to write to the families. Since this was over the holiday period and Data Protection policies had to be respected, although frustrating and a matter that I wanted to explain to the families, it is not evidence of lack of co-operation from others.

I am addressing other disclosure and confidentiality issues in a pragmatic manner, and so far have found that nothing that I need is being denied to me in one form or another.

You will be aware that one issue I will have to consider is whether to recommend a public inquiry and if so into what. Clearly I cannot make any recommendation based on mere assertion in correspondence. My inability to compel witnesses to give evidence does not prevent the evaluation of documentary evidence such as your forensic reports, and if you believe that your reports would support a public inquiry, you now have an opportunity to make them available to me.

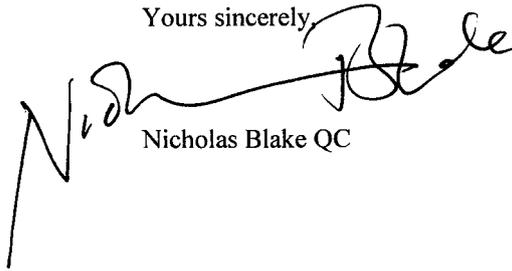
www.deepcutreview.org.uk

I do not know whether you have seen the FSS or BKA conclusions into all or any of the deaths or had a chance for a round table discussion of experts to identify points of agreement or disagreement as best practice now suggests, but a detailed critical commentary on what you have read to date or a list of concerns would be appreciated.

I know the families are anxious to achieve both justice and closure. A comprehensive review of all credible material seems the best prospect of achieving that. If you can assist the review with such material I hope you will do so in the interests of those concerned that you acknowledge.

As you have copied part of your correspondence to the families, I am copying this letter to them for their information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nicholas Blake', written in a cursive style. The signature is positioned above the printed name 'Nicholas Blake QC'.

Nicholas Blake QC

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Nicholas BLAKE Q. C.

MATRIX CHAMBERS

Griffin Building

Gray's Inn

London

WC1R 5LN

Y/r: Surrey Police/Independent Review/disclosure/Blake

O/r: FAS/N.BLAKE Q. C./002

4th April 2005

Dear sir

Re: Disclosure of Reports to Nicholas BLAKE Q. C. – ‘Deepcut 4’ Deaths

Please find enclosed copies of correspondence that I have recently provided to the Surrey Police in respect of Operation Nodule, the ‘Deepcut 4’ (four) deaths, in response to their written request.

Please do not be disappointed at my response, as I have said from the very beginning of my forensic investigation into Deepcut’, that nothing less than a Judicial Public Inquiry into these four deaths, will do, and my decision is based solely on your lack of statutory powers to compel witnesses.

In passing, it is interesting, is it not, that Surrey Police should allegedly have to seek the permission of the signed witness statement providers, before they can provide you with copies of their statements, especially as they provided me with four (4) A4 binders at the commencement of my forensic investigations, which included plans of the camp and surrounding area, photographs of the alleged crime scenes and the dead bodies, together with numerous signed statements, that if you read them, a man of your experience, would cause you alarm and concern immediately, and which are very contradictory and somewhat (in my opinion) coached. I also have photographs of the exhumed body of James COLLINSON. All of these have been copied to DVD’s and distributed, as explained in my letter of the 4th April 2005, to the Surrey Police.



I am sure that you know just who and what you are dealing with, as your enforced delay of four weeks would indicate to you.

I sincerely wish you well, and I have no doubt that you will do your best with an Independent Review, but I am sure that you are aware of your lack of powers.

If I can help you in any way, I shall, so long as it serves Justice.

However, I have no intention of letting the MoD and the Government 'walk away' from the injustice of 'Deepcut' and the other army camps involved in alleged 'SUICIDES' of young recruits, four (4) of which I am satisfied, were in fact MURDERED.

I make this statement after conducting exhausting forensic tests at the scenes and elsewhere, and especially in regard to the SA80 Mk 1. Calibre 5.56mm Army Rifle, which the 'Guards' were issued with, and using at 'Deepcut' together with 'Live' ammunition.

A part of the fault lies with Surrey Police, who, according to them, were not aware that they had 'Primacy' over the Royal Military Police and the SIB, Special Investigation Branch of the military, for many years, in regard to investigating serious criminal offences within 'Deepcut'.

As you would no doubt say to any of your clients "Ignorance of the law is no excuse" especially when relied upon by a Police Service, namely Surrey Police, notwithstanding that Surrey Police is now in the capable hands of Bob QUICK, Chief Constable, but one has to remember that the previous incumbent of his office, Denis O'CONNOR, has been promoted to Her Majesty's Inspectorate of Police (HMIP).

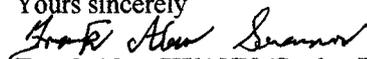
BKA Forensics, Germany were unwilling to make any comments as to how the soldiers died, and did not attend at the scene, and The Forensic Science Service alleged that they did not know how the soldiers died, but believed they were suicides, after spending a few hours, during one day, being shown each of four (4) 'incident scenes' which after spending six (6) weeks at 'Deepcut' conducting a serious forensic study and tests, I declare are 'crime scenes'.

I sincerely wish you well in your endeavours, and trust that as a seeker of truth, you will be successful.

Your 'enemies' are many, and strong, and hold high office, and every bit of information will be extracted, rather like pulling teeth. Frustration will lurk it's ugly head around every corner, but I have every faith that you will be able to see the 'wood from the trees' even if you cannot do very much about it.

With sincere respect and best wishes.

Yours sincerely



Frank Alan SWANN (Senior Partner)
Independent Legal-Forensic Consultant

For and on behalf of Special Security Services & Legal Forensics. Inc:- Forensic Response

MAY JUSTICE EVENTUALLY PREVAIL



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Disclosure Officer

SURREY POLICE

Major Crime Investigation Team Dorking MIR

Dorking Police Station

Moore Road

Dorking

Surrey

RH4 2BQ

Y/r: Op Nodule/disclosure/Blake

O/r: FAS/NT/ON/BLAKE/001

4th April 2005

Dear [REDACTED]

Re: Disclosure of Reports to Nicholas BLAKE Q. C. – ‘Deepcut 4’ Deaths

Thank you kindly for your letter dated Friday 11th March 2005, together with enclosures.

As you are no doubt aware, I have Copyright on the four (4) Reports that you are seeking to release copies of, to Nicholas BLAKE Q. C.

I am given to understand that Nicholas BLAKE Q. C. has been appointed to head an ‘Independent Review’ into the deaths, of Privates, Sean BENTON, Cheryl JAMES, Geoff GRAY and James COLLINSON, late of the Royal Logistics Corp, at the Princess Royal Barracks at Deepcut, Surrey.

I am also given to understand that Nicholas BLAKE Q. C. is highly thought of both within and outside his legal profession. However, I am concerned that he has limited powers of review, based upon his lack of power to order persons who could, or would, assist his review, to attend upon him, or even to provide evidential statements.



You are probably aware that after my initial six-weeks (6) forensic investigation, with the aid of my staff and a Mobile Field Laboratory, I had concluded that three (3) of the four (4) deaths had been 'unlawful killings'.

After many more tests and deliberations held outside military jurisdiction, and careful consideration of all the facts, I came to the forensic conclusion that **all four (4) trainee soldiers, had in fact been MURDERED**. I thought long and hard before using that word, bearing in mind the legal definitions of Murder. None of the four deaths were Suicides, all four individual young people were Murdered by a 'third party' or 'parties'. The fact that Surrey Police could not place a 'third party' at any of the scenes of crimes, was because they failed to investigate each and every crime, immediately after it was committed. It was left to the in-expertise of the Military.

As you are aware, all of my evidence has been committed to DVD's and sent all over the World, to be opened, and published in the event of my demise, from whatever cause.

The Army, probably in collusion with certain members of the Government, have, without a shadow of doubt, allowed themselves to be part of a massive COVER-UP, not just at 'Deepcut' but at other military premises such as Catterick Camp, and elsewhere.

The various agencies, certain senior army officers and ministers continue to put the 'feet in their mouths' on a regular basis; just read the newspapers and watch the television.

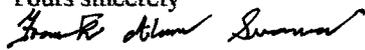
Recruitment is at an all time low for the army, and they are having to recruit more and more foreigners to fill up the spaces, and only 'canon fodder' people of lower intelligence and intellect, according to some senior officers, can be recruited for this purpose.

I am prepared to assist in any way that I can, but I have previously made my position quite clear, that I am not prepared for my partial reports to be used alone, indeed, only with **ALL** my forensic evidence, and further that I am only prepared to release such forensic evidence to a **Judicial Public Inquiry** that has the powers to investigate and call witnesses, using the full force of the law, if necessary.

Although I hold Nicholas BLAKE Q. C. in the highest regard, he does not have these powers.

Accordingly, I **REFUSE** your request for any and all materials I provided to Surrey Police or any other party, being disclosed to any party whatsoever, now or in the future, without my specific written authority; save as to a properly constituted JUDICIAL PUBLIC INQUIRY, and held within the boundaries of England and Wales, according to ENGLISH LAW.

Yours sincerely



Frank Alan SWANN (Senior Partner)

Independent Legal-Forensic Consultant

For and on behalf of Special Security Services & Legal Forensics. Inc:- Forensic Response

MAY JUSTICE EVENTUALLY PREVAIL

Copies to:- Nicholas BLAKE Q. C. ✓

Families of the deceased soldiers & File.



BRIEF PROFILE, QUALIFICATIONS AND EXPERIENCE OF:- Mr Frank Alan SWANN, Independent Legal-Forensic Consultant, Firearms, Munitions, Explosives, Residues, I.E.Ds, Wounds, Sharp / Blunt Trauma, Ballistics, Crime Scene Examination & Reconstruction & Timing, Mechanical Engineering & Metallurgy, Comparison Microscopy, Weapons Ident. etc, and Court Expert Witness

I am a qualified Instructor on all Small Arms weaponry, Munitions and Explosives on military and civil ranges. I am a Marksman; Instructor of armed, unarmed combat and self defence techniques, and a former Para-Medic.

I am a Metropolitan Police Registered Firearms Dealer, and I hold the Secretary of State's Authority to possess Section 5, Prohibited Weapons, for the purposes of firearms examination testing, wounds, ballistics and reconstructions. I have been using firearms for over 45 years, and training others in the practical, tactical and safe use of Small Arms, Munitions and Explosives for over 35 years. I am an experienced Tool Mark Examiner, Crime Scene Examiner, and Crime Scene Reconstruction Expert.

I maintain my expertise by attending various training courses at such establishments as the Royal Military College of Science (Cranfield University) at Shrivenham, where in 1995, I successfully completed a residential Wound Ballistics Course, which included ballistic armour, armoured glass and body armour and was duly Certificated. In 1997, I successfully completed a residential Small Arms Familiarisation course, at Cranfield Ordnance Test & Evaluation Centre (COTEC) at West Lavington, and was duly Certificated. The Royal Military College of Science (Cranfield University) have made available, and authorised me to use their scientific ballistic testing facilities for the testing of various weapons and explosives, and COTEC have authorised my use of their range facilities for weapons testing. I conduct lectures for various organisations with regard to bomb recognition, threats, anti-personnel explosive and incendiary devices, and Improvised Explosive Devices (I. E. Ds) In 1999, I attended a recognised course for Court Expert Witnesses under the Civil Procedure Rules (CPR) to qualify as a Single Joint Expert (SJE) (Certificated). In 2001, I attended a Blast and Gunshot Study at St James's Hospital, Leeds, and was duly Certificated. In 2001, and 2004, I attended Blood Spatter Analysis Seminars, at the Culham Science Centre in Abingdon, Oxfordshire. (Certificated). In 2004, I attended a seminar at the Kent Police College, organised by The Forensic Science Society, assisted by dstl (Fort Halstead) into Explosion Investigation, devices, Low and High Explosives, Liquids, LPG Gas, Scene Management, Evidence, dispersed phase explosions and natural gas explosions, and protocols at scenes of explosions. In 2005 I attended a scientific workshop at dstl, FEL, Forensics Explosives Laboratory, at Fort Halstead studying FIRMS; Forensic Isotope Ratio Mass Spectrometry, and a further two day Conference with World Scientific leaders in this field.

I have been checked as an Expert Witness by the Law Society and I am entered on their Expert Witness Register. I have also been checked and approved as a Court Expert Witness by the UK Register of Expert Witnesses and I am so Registered.

I am a full member of the Society of Experts, The Forensic Science Society, the International Wound Ballistics Association, the Association of Forensic Crime Scene Scientific Experts, Medical Examiners, Investigators & Reconstructors, the Association of Tool Mark Examiners, the Institute of Expert Witnesses, the Royal Photographic Society, Disabled Photographers' Society. I am an Associated Member of the Institute of Physics. I am a Member of the British Pyrotechnics Society, Pyrotechnics Guild International and a Member of the Institute of Explosives Engineers (MIExpE).

In cases involving shootings; wound ballistics; murder; attempted murder; wounding; explosives, pyrotechnics & fireworks, armour, body armour; perforation, penetration, indentation, spalding, fracture, ricochets, of metal, glass, concrete, brickwork, wood, bone, etc., I have worked in close attendance and consultation with Home Office Approved Pathologists, including supervising the reconstruction and re-enactment of incidents, together with firearm / explosive device residue experts, blood spatter experts, and numerous other forensic experts.



BRIEF PROFILE, QUALIFICATIONS AND EXPERIENCE OF:- Mr Frank Alan SWANN. Independent Legal-Forensic Consultant, Firearms, Munitions, Explosives, Residues, I.E.Ds, Wounds, Sharp / Blunt Trauma, Ballistics, Crime Scene Examination & Reconstruction & Timing, Mechanical Engineering & Metallurgy, Comparison Microscopy, Weapons Ident. etc, and Court Expert Witness

During 1987, I was asked to advise and brief the Home Office and other interested parties, including Members of the House of Lords and Members of the House of Commons, upon the proposed provisions of the Firearms (Amendments) Act 1988.

I have also been instructed by Defence Solicitors; the Criminal Case Review Commission; The Treasury Solicitors; Ministry of Defence; Ministry of Defence Police; and various UK Police Services to examine, test and comment in my areas of expertise for specific cases, and generally as an Independent Legal-Forensic Consultant. I am also listed by the National Crime Faculty at Bramshill Police College for the purposes of being instructed by Police. I have completed a six-week Forensic Investigation into the deaths of the 'Deepcut 4' Soldiers at the Princess Royal Barracks, Royal Logistics Corps, at Deepcut in Surrey, authorised by the M O D, Defence Minister, Rt. Hon. Adam INGRAM, MP, and the Surrey Police, using a mobile field laboratory.

For the past 19 years I have regularly been called upon to provide Independent Expert Court Reports, Advice and Opinion, Statements, photographic and videographic evidence, reconstruction, re-enactment, and re-timing of incidents, and to give Independent Expert Witness Evidence, in respect of criminal and civil cases, some of which have received national and international publicity, relating to firearms, munitions, explosives, wounds, ballistics, tool marks etc., in Crown, Magistrates, Coroner's and County Courts all over England, Wales and Northern Ireland, as well as the Solicitors Disciplinary Tribunal, the Central Criminal Court, the Court of Criminal Appeal and the Royal Courts of Justice.

My primary duty is to the Courts; to maintain my independence, integrity and impartiality.

Further information such as lists of previous high profile 'Cases' can be viewed on our web site shown on our letterhead and below. Thank you kindly.

www.legalforensics.co.uk



PLEASE COMPLETE AND RETURN THIS SECTION

~~I am willing for all the material I provided to be disclosed to any interested party~~ *SA.*

I am not willing to allow the material I provided to be disclosed to any interested party

Reason for refusal to disclose;
(or attach on separate sheet) SEE ATTACHED 2 PAGE LETTER

~~.....
.....
.....
.....~~ *SA.*

~~I am willing for the material I provided to be disclosed to;~~

~~Mr Nicholas Blake Q.C.~~

~~Family legal representatives~~

~~Army~~

~~MOD~~

~~Other interested parties. *SA.*~~

PRINT NAME FRANK ALAN SWANN

SIGNATURE *Frank Alan Swann* DATE 04-04-2005

CONTACT PHONE NOS; AS PER ATTACHED LETTER

CURRENT ADDRESS AS PER ATTACHED LETTER

~~.....
.....~~ *SA.*

Appendix 4

Notes

The criteria for the publication and editing of these transcripts is set out in paragraph 1.45 of the Report.

Questions put by the Review in these transcripts do not represent findings of fact. As the Review proceeded, further information came to light.

Where reference is made to a person in the transcripts who is not named and who has not been given a reference in the main report, this has been indicated by use of [...].

Appendix 4/1

Meeting with Brigadier Brown

Present: Brigadier (Retd) Tweedie Brown (TB), Nicholas Blake QC (NB), Darren Beck (DB).

Location: Matrix Chambers.

Date: 22 July 2005.

NB: Let us just do a few career questions first, just to get the structure. I've put you down at Deepcut from January 1999 to January 2002.

TB: That's right.

NB: I think I've picked up that your previous posting had something to do with postal services?

TB: I was the Chief Executive of the Defence Postal and Courier Service at Mill Hill.

NB: And how long was that?

TB: That was three years before that.

NB: And when do you then come out of the Army altogether?

TB: I came out of the Army altogether on the 1st of August 2003.

NB: Which part of the RLC had you been in?

TB: I was in Royal Engineers Postal and Courier Services.

NB: Oh, I see, and the Royal Engineers Postal is one of the things that come into the RLC.

TB: Yes.

NB: I've got you down as by the end being of the Defence Logistic Special Training Group.

TB: No, I was Commander of the Defence Logistic Support Training Group – the DLSTG.

NB: As well as the Commander of the Surrey Garrison?

TB: Commander of Surrey Garrison, yes. We were in the middle of a name change from Deepcut Garrison to Surrey Garrison.

NB: Yes, certainly towards the end that is how I see it described. Before that, it would have been Deepcut Garrison.

TB: Deepcut Garrison, yes.

NB: And originally, when you take up your command in January 1999, it is as Commander of the RLC Training Group?

TB: It was commanding the RLC Training Group.

A NB: Now, when you came to take up this post in January 1999, what problems did you think there were that you inherited with respect to the training and the welfare of Phase 2 trainees?

TB: Before, or in the function?

NB: Did you have a chance to look at Deepcut?

B TB: I worked very closely with Paul Evans. We had a school for the Postal and Courier Services, which was under the control of the Commander of the RLC Training Group, who at that time was Paul Evans. So he would come to see me very regularly. And of course, then the office moved, because the training was moved to Deepcut.

NB: That was during your command, wasn't it?

TB: It was at the very beginning of my command, yes.

C NB: In your first annual report, you report upon that. So you knew Brigadier Evans?

TB: Yes.

NB: And he is there until January 1996.

TB: And then Tony Dalby-Welsh took over.

NB: Yes. So in any event, through your contact with Evans, you knew about the problems in 1995?

D TB: No, I wouldn't say that. I knew that there had been deaths but I didn't know the circumstances, so I couldn't get involved – at the time. But subsequently, when I left as well.

NB: OK. So you don't know much of the details of what was going on?

TB: No.

E NB: Or of anything else in the camp because there were these deaths and some problems with junior staff at the time.

TB: Yes.

NB: Then, in 1996 to 1999, your immediate predecessor in Brigadier Dalby-Welsh.

TB: Yes.

F NB: Did you know about the problems that he was dealing with?

TB: No, other than implementing lessons learnt from the deaths that had occurred.

NB: Well, I may ask you more about that.

TB: Good.

G

- NB: But you didn't before January 1999 you hadn't been particularly aware of the goings on, the problems that they had? A
- TB: I knew that the training system was under pressure: lots of trainees, a fair bit of hanging around. An establishment whose genesis had been in the combination of various different arms, and in my view, had an odd structure, which I changed ultimately. But still there was an increased sum of the staff that still couldn't get financial rewards sufficient to the level that they would have liked.
- NB: But you knew this before January? B
- TB: Yes. Well, before I arrived.
- NB: By talking to whom?
- TB: I think everyone knew that there was pressure on the system. We were keen to get the troops in. At the time, there was under-manning.
- NB: Under-manning in the Army? C
- TB: In the Army. And in the RLC. So quite a considerable recruiting effort had gone into it. There were thousands of recruits in the system, and a substantial number – I don't know the exact number – in Deepcut awaiting training. So the first thing I remember when I arrived, was that we had just extended the dining room for the soldiers, because there were so many soldiers that we had to split mealtimes into shifts, effectively. On analysis of the problem, after the first few months, it struck me that this was actually not what we should be doing, in terms of extending. Actually, what we should be doing was to cut our numbers. So in spite of my efforts, and everyone else's efforts, that was to no avail, and there was a matter of trying to focus upon cutting the number of soldiers who were hanging around, so that we cut down the number of people who needed to be supervised. D
- NB: I have a clear view about the numbers and the stats, and I want to explore some of the issues to do with it. That's number 1. So apart from the fact that you had too many people hanging around at Deepcut waiting for one reason or another, either to go on courses or to be posted or to be cured if they were sick, it seems to be a persistent problem throughout the period that I am looking at. You also had too few training staff. E
- TB: Yes.
- NB: And supervisory staff.
- TB: Yes.
- NB: To look after them, to get to know them. F
- TB: The ratios were acting against us.
- NB: Then you have specific problems, as I understand it, in respect of Leconfield. Is that the Army School of Transport or the Defence School of Transport?
- TB: Defence. It is the Defence School of Transport, which was run by the Army.
- NB: Had it always been the Defence School of Transport? G

- A TB: No. At one stage, it would have been the Army School of Mechanical Transport. But I think when I arrived, this was already the Defence School of Transport.
- NB: There were five schools.
- TB: Yes, and that was one of them.
- NB: But what I never quite understood, is that besides the creation of the Royal Logistic Corps in 1993, despite the fact that, as I understand it, the Army School of Mechanical Transport become part of the RLC, the actual school doesn't come within the RLC training remit.
- B TB: Yes, and it had a Brigadier running it.
- NB: But why does it have an independent existence from 1993 to 2001?
- TB: Because it was the Defence School – I think the Army then became tri-service in terms of transport.
- C NB: But that doesn't seem to stop it from eventually coming under RLC remit.
- TB: But it didn't; it came under the Defence Logistic Training Group, and we became a Defence organisation then. There was an initiative going on at the time to make Defence agencies tri-service, and there was a review happening at the time.
- NB: Can you only merge Leconfield training with the rest of the things that have been under the RLC, when the RLC itself becomes a tri-service training institution?
- D TB: Yes, but it was actually quite clear, and the reason that we did it was so it would have a Defence status.
- NB: Did the fact that the Defence School of Transport eventually becomes unified under what you were doing at Deepcut – the Defence Logistic Support Training Group – improve inter-relations or improve the problem of getting the soldiers through?
- E TB: I believe it did. It coincided with a reorganisation of my Headquarters, where I created posts which focused on the SATT problem, and with the resources that we had and the computers that we used, I believe that we streamlined the system and made it much more efficient. And the relationship between the Defence School of Transport and myself and the other members of the group improved considerably.
- NB: OK. At the moment, I have been trying to go through a two-phase process. One, problem, two, solution. You have given me the answer to some of the problems, but that's fine. But for my own notes, I may want to ask you a little bit more about some of the solutions. Essentially, it is going to be: if this was a solution, why did it take this amount of time to become a solution? There are a couple of things about driving which come up. First of all, they are two different organisations. You complain about the various booking errors and cancellations at the driving course.
- F TB: Yes.
- NB: And that causes a lost revenue and a backlog. Why was that happening in particular for the driving courses?
- G

- TB: I really would need to refresh my memory. I cannot recall. If you could give me the context, I might be able to give you some idea. A
- NB: OK, we'll pass over that. Then this question of driving licences. This comes up quite a lot. You are finding the Phase 2 recruits who are destined to go on to Leconfield don't have their Class B or whatever it is theory and licences.
- TB: We were trying to streamline the process. First of all, we tried initially to remove people from the system who didn't need driving licences. So we made an analysis of driving trade and we discovered that, really, some of them didn't need them. So what we wanted to do, was to hone in on those people who really did need to drive. B
- NB: What about Pioneers, do they need to drive?
- TB: Some of them would need to drive. And we had a constant discussion between ourselves about who needed to drive and who didn't. And trying to get some of the individuals who didn't have a trade to make their minds up quite quickly. If you took people out of the system who didn't need to be in it, then that would speed up the process. C
- NB: So first of all take out the people who don't need to learn to drive. And secondly?
- TB: And then there was a system whereby we had people trained locally to get a basic driver's licence before they went.
- NB: With a civilian driving instructor? BSM?
- TB: That's right. And we ran a contract for that throughout the UK. But there were some who couldn't do that and went straight to Leconfield. The Royal Artillery springs to mind, because of the particular training system that was devised for them. And I think one of the problems which we were trying to resolve, was that there were lots of regimental fingers in the pie and Arms & Services would fight their own particular corner for training. You know, they thought themselves better capable. So seeing the wood for the trees in that particular area was one of the issues. D
- NB: One of the problems that you report upon is that people come out of Phase 1 training without a provisional driving licence and then they have to hang around for some weeks or months. E
- TB: That could happen. Not necessarily only with the RLC. I mean, it could happen with the Royal Electrical Mechanical Engineers, it could happen with any of them.
- NB: There is something which you say here, this is October 2001, "a pan-ATRA approach is needed to ensure that provisional driving licences are bid for at Phase 1 training establishments"¹. F
- TB: That was a perennial problem.
- NB: Why wasn't that happening before?

¹ Quarterly Report to DG ATRA, October 2001. G

- A TB: They were supposed to in a Phase 1 training establishment get the guys documented, identify where they are going, and once it was possible to identify where they were going, because some Phase 1 training establishments gave the trainees an option half-way through their training, I think the Royal Engineers did that, when they knew that the guy was going to be going into organisation which needed driving licences. There were problems with the clerical staff in some of the training establishments, their efficiency, you know, sitting down with soldiers at Phase 1 training and going through their details, getting birth certificates was a constant problem. I think eventually, we got the DVLA to accept that because they had been taken into the Army, they didn't need to produce a birth certificate. But that took some time. Because soldiers didn't carry their birth certificates around with them. And all sorts of practical, nitty-gritty problems that weren't being addressed at Phase 1 training.
- B
- NB: Yes. I dwell on it, because it is a picture that I think Paul Evans identified in 1995 and I know, speaking to Lt Col Laden, that that was something that was a problem when he arrived in July 2001, and various other people have talked about it being a problem in-between. I just quite can't see why a problem that was capable of some sort of effective solution –
- C
- TB: Eventually, we did resolve it, but it took, I mean, the birth certificates were one of the major problems.
- NB: Do you not need a birth certificate to join the Army?
- TB: Yes, you do. And that's what we said to the DVLA when they insisted on us producing the birth certificate of every soldier. You see, what was supposed to happen, we weren't really involved in it, Phase 1 establishments were supposed to deal with the DVLA, the guy who was there was supposed to deal with it, but he didn't, so we had to.
- D
- NB: It is something which really was supposed to be done at Phase 1?
- TB: Yes.
- NB: And when it wasn't, you were stuck with the problem. And is that a feature of the fact that Phase 1 after you established your Initial Training Group, becomes divorced from the corps that used to do the training?
- E
- TB: Yes.
- NB: Simple answer. Thank you. I've seen that in July 2001, you were talking about talking to the DVLA about various initiatives, and was that trying to waive the birth certificate requirement?
- TB: It was that, it was doing the driving theory tests on line which were exclusive to us at Leconfield. A whole range of initiatives to enable us to beat the process.
- F
- NB: But eventually you resolved it by making sure Phase 1 realised that they had to do it themselves.
- TB: I think with ATRA's intervention at the time.
- NB: I think that another idea which I've seen was getting the DVLA people in turns down to Deepcut.
- G

- TB: They did eventually. They did do that. A
- NB: To process applications?
- TB: No, to see what the problems were and to discuss it.
- NB: So that's driving licences and we have explored that particular topic. Do I also understand that Leconfield itself didn't really have enough capacity to train everybody who wanted to or thought they needed driving training? B
- TB: Yes. There was a substantial study undertaken – and if I can remember the name of the Brigadier who conducted it – into that very problem, just after I left, in order to try to categorise and regulate the corps and regiments that needed driving training and when they need it.
- NB: I see.
- TB: And that was as a direct result of pressure from us. I think that would have been from mid to late 2002. C
- NB: You're off by January 2002.
- TB: Yes.
- NB: So as a result of some pressure, that eventually moves into some action in 2002.
- TB: Yes. It was a very substantial study. D
- NB: Because, obviously, the question that I am about to ask you, is if you've got more people who want to be trained in the Army driving a vehicle, in Defence training generally, why not improve and build up another training centre?
- TB: Well, that was one of the things that was being looked at as part of a PPP/PFI.
- NB: Now, the duty of care ratio we talked about. I noticed that you hit the ground running in April 1999, four months into the job. Your first report², flagging this up in fairly clear language. That's para 17 – I've got it here if you need to remind yourself. But it is pretty clear that you complain that you have insufficient Corporals to face duty of care responsibilities; you've got a ratio of 1 Cpl to 120 Phase 2 trainees. "Although attempts have been made to improve this situation, we have been continually hampered by the lack of establishment guidelines for duty of care responsibilities"³. And eventually, I'm told, having met Lieutenant General Palmer⁴, this leads to the Haes report⁵ in 2001. E
- TB: It did.
- NB: Which reports in April 2001. But it takes two years to even get that report. F
- TB: It was a constant theme.

² "The Royal Logistic Corps Training Group End of Year Report – Training Year 1998 – 1999", 9 April 1999 to DGATR.

³ Op Cit para 17.

⁴ Former Director General Army Training and Recruiting (DGATR).

⁵ Haes Report "ATRA Duty of Care and Supervision (DofC&S) Report 98-01", 24 April 2001. G

- A NB: I can see that, and it is extremely helpful to me that A) you have these concerns; and B) that you express your concerns in this report, because one of my problems is that going over that territory now, I'm very data poor in terms of people putting things in writing. And that's a problem, because it means I don't really know what was in people's minds and what people were doing. And this we can have a look at, because you have been very clear throughout your time, and I think it is quite important to some of the themes of my inquiry. And I would like to explore that with you. Can I be clear, however, that this concern, was this a concern about the welfare of the trainees, because not enough people were looking after them, or the welfare of the trainer having to do the long hours?
- B
- TB: It was both. We had trainees who, in my opinion, didn't have adequate supervision and we had trainers who were under pressure to provide supervision. So there was a dual pressure there on those parties.
- NB: Because you refer in this note, and I notice that when we get to Haes, he has picked it up, and he does some calculations that don't seem to be well-received by General Palmer, he does his calculations based upon the Working Time Directive. If you need a certain number of hours to do this, and people working within the restrictions of the Working Time Directive, then you're going to need a certain numbers of personnel. And that was the answer to the question that you posed about the need for guideline.
- C
- TB: We wanted a policy statement. That was what I wanted.
- NB: But does the Army opt out of the Working Time Directive?
- D
- TB: No, I don't think we did. [If] we weren't, we had to declare it. I'm not sure that we had a full exemption.
- NB: But you can't just wave it away and say "let's not bother with that".
- TB: No. We wouldn't anyway.
- NB: So at least you understood there was a legal obligation which at least gave you a good reason to identify it.
- E
- TB: Well my great cry was "The world is ill-divided". Here I am in an organisation which was formed on a shoestring, and that had developed into one of the largest training establishments within ATRA, and our ratio of instructors and staff compared with the Royal Engineers or REME and other like organisations, was nothing like it should be.
- NB: From what you can recall now, and I don't have the data, what was the ratio which you understood that REME and the Royal Engineers were having at that moment?
- F
- TB: Something around, and I might be wrong, but something around 1:40. Which springs to mind. That sort of area.
- NB: And the organisation which was formed on a shoestring would be the RLC rather than ATRA? Or both?
- TB: No, the RLC Training Group.
- NB: The RLC Training Group.
- G

- TB: The RLC Training Group as part of ATRA. Or the Initial Training Group which I think it was called originally. A
- NB: The Initial Training Group was that both Phase 1 and Phase 2?
- TB: I think it was both Phase 1 and Phase 2. Or, I think you might be right, it may have been just Phase 1.
- NB: And ATRA was formed in about April 1997, I think. Before you took up your command. B
- TB: Could be. About that time, I couldn't be specific.
- NB: We've been trying to track down the position, but it is around that time.
- TB: I remember when [...] took over. He was a contemporary of mine.
- NB: OK. So it is a different system.
- TB: And it was about quality of training and everything else. C
- NB: If you had been given the additional numbers that you were eventually given in 2002, after the second rather than after the fourth death –
- TB: I wish.
- NB: Where would you have deployed them?
- TB: They would have been deployed to Ron Laden's staff. D
- NB: To Ron Laden?
- TB: Yes.
- NB: And what would he have done with the extra numbers?
- TB: He would have had adequate supervision. Which was essential. E
- NB: So adequate supervision of people on SATT.
- TB: Right across the piece. His Headquarter's problem, which looked after trainees who were not in training, things like that.
- NB: And one of the purposes of having this kind of ratio – a good ratio, even if it is 1:40 – do I understand it that the Corporals then get to know their men and women?
- TB: Absolutely. I mean you have 17 to 22-year old young men and women in roughly 50:50 proportions, all of them needing supervision. F
- NB: And if you don't have the supervision, then you get some of the other problems: sexually transmitted diseases, alcohol –
- TB: Unwanted pregnancies, you name it.
- NB: And supervision at least could adjust some of that and perhaps add to maturity and development. G

- A TB: Not only that, but also to protect the weak.
- NB: OK. Well, that's very clear. As a Brigadier at the RLC Training Group, that in effect means that you sit on the ATRA Management Board?
- TB: Yes.
- NB: So your predecessors will all have been sitting on the Board in that capacity?
- B TB: Yes, they would have been.
- NB: And is this a theme of the Management Board in general?
- TB: Yes.
- NB: I haven't seen notes on it.
- C TB: I think Anthony Palmer probably got fed up with me bringing it up, because it was a constant theme.
- NB: But you brought it up because it was something important that needed addressing.
- TB: Yes, and I could see the effect on the highly capable men and women who were instructors. As well as the downstream effect of not having sufficient supervision and duty of care.
- D NB: Yes. We'll come onto some of those things. But we have got to focus upon this side of the problem at the moment. Was it odd that it was still a problem in 1999, six years after the RLC Training Group had been set up? Would you have expected it to be addressed before?
- TB: I would have expected it to have been addressed and I'd be very surprised if it hadn't been addressed. And given the way that establishments work and given the way that budgeting and forecasting and those allocations take place, where effectively, unless you've got the manpower cover and the budget it is to your detriment. Everything was controlled centrally in that respect, and so I would be surprised if it wasn't made, but I wouldn't be surprised if the resources hadn't been allocated. As they weren't in my case, until after I'd gone.
- E NB: And Brigadier Dalby-Welsh told me that. So the first report that we have is October 1997. There may have been one from April 1997, but I am not too sure about.
- TB: Yes. I wouldn't want to take credit off anyone else, but I'm surprised.
- F NB: What Brigadier Evans was doing, which is part of the Evans report⁶, I can't say, because we don't have this kind of documentation.
- TB: My management style is to have a meeting with the CO every week and then to have monthly management reviews. And I don't know whether that was the management style of the others.
- NB: Were Ron Laden or Steve Govan raising this with you?

G ⁶ Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995.

- TB: It was a two-way street. I think initially, going back to that very first point that I raised, when I stood in the soldiers' dining room, and saw soldiers sitting in two shifts. And we were going to have to spend, I don't know how many tens or maybe a 100,000 pounds on an extension, then I said "this is ridiculous". Let's spend that money on the system, on reducing these numbers rather than making the problem worse. A
- NB: In your first report, you also report on 6 minor cases of self-harm. None of the cases were considered life-threatening.
- TB: Yes. B
- NB: Now, in the subsequent report, sometimes you give us figures, sometimes you don't.
- TB: That's because it wasn't requested by the ATRA, but I felt that I had to tell the ATRA. I asked the CO to give me regular reports on self-harm and any serious disciplinary problem. Not the individuals, but the numbers. Unwanted pregnancies. So that we knew what sort of level that was at. It was his remit, but I felt that I needed to know and I felt that the ATRA needed to know. C
- NB: So you gave it to them whether they asked for it?
- TB: Yes.
- NB: But not always in every report?
- TB: No.
- NB: But does the rate of self-harm during your tour fundamentally change? D
- TB: No. I mean, there were peaks and troughs.
- NB: So it may well mean that 6 cases of self-harm is about the average for your tour.
- TB: Typically, it would be a young girl who had fallen out with her boyfriend after a boozy night in the Junior Ranks' Club, and she'd scratch her wrist (eg with a safety razor). Now, that was typical. E
- NB: I see in those first reports that you report on RLC Training Group performance targets.
- TB: Yes.
- NB: And one of them was apparently to get a target of zero self-harm for Phase 2 students.
- TB: Yes.
- NB: Who set that? F
- TB: Me.
- NB: So you set your own targets?
- TB: Well, you were asked to, so that's not strictly true. We were asked to make suggestions for targets. They had to be debated. I thought that self-harm shouldn't happen and I wanted to eliminate that. G

- A NB: It's just that your first report has the statistics on targets, delivery of targets, success, fail, whatever it is going to be. Your other reports don't.
- TB: I think the format changed. From the ATRA. I think, and maybe the ATRA has got this, but I think we went to a different reporting format and it was taken out of the standard quarterly. There were monthly reports as well, I think, of data.
- NB: Were there?
- B TB: If I'm not mistaken. But I think the reporting format changed. I regularly had to report to the ATRA on specifics, they were mainly financial and mainly concerned with throughput.
- NB: Yes. I've seen quite a lot of those reports.
- TB: But I think it moved away from that of kind line, onto the harder side of targeting.
- C NB: Well, it certainly would have made it easier for me had it taken that form.
- TB: I'm seeing that now.
- NB: You give a percentage rate of self-harm, which is low, but obviously, any self-harm is a cause for concern.
- TB: The Commanding Officers should have had it in their monthly reports.
- D NB: But we haven't seen any of the Commanding Officers' reports to the Brigadier.
- TB: They would have supplied their thoughts to me for my monthly conference with them.
- NB: And would they have been retained in the documentation?
- TB: Yes, we did that.
- NB: But they would never have gone on to ATRA?
- E TB: No, that's right. I had a monthly meeting with each one of the COs at Leconfield, Defence School of Ammunition, Defence School of Catering, Defence School of Petroleum and Defence School of Logistics as well as the CO of Deepcut. And we'd sit down and there would be a proper meeting with minutes which would have categorised all of the issues.
- NB: Yes. And you probably don't need reminding that in the response⁷ from ATRA to your second report (July 1999) it says (a) "your deep concern with duty of care is shared. We have no alternative but to manage ATRA business within the resource restrictions imposed upon us. However, you will be aware of the discussions that the ATRA MB⁸ and the intended direction articulated". I'm not quite sure what that means. (b) "The overall study is complex", (c) "RLC Trg Gp clearly has a particular problem that appears to revolve around the ability of 86 Sqn's 21 people to provide the desired DofC⁹ for the numbers of trainees". "We recommend you also raise this at the bilateral in
- F

⁷ Response HQ ATRA/15/29/9 dated 26 July 1999.

⁸ ATRA Management Board.

G ⁹ Duty of care.

September". And then they ask you questions: What additional resources would be required to meet the minimum duty of care? What reduction of output is proposed if this cannot be met? Then they put you in contact with Colonel Haes.

A

TB: Absolutely. And we provided that information.

NB: I don't think I have got the answers in retrieving the records. I think it is probably done by letter rather than by an external report.

TB: It was done by letter. In fact, there were a number of pieces of correspondence on that topic.

B

NB: That should have been retained in records with ATRA.

TB: It should have been retained with them.

NB: Can you give me a clue, for the purpose of this conversation, what you were bidding for?

C

TB: Off the top of my head, I cannot recall. But we were fairly consistent in the ratios that we were looking at. And we would be wanting something along the lines of 1:40.

NB: 1:40. And did you then suggest, "if I can't get 1:40, I'm then just going to take part of the recruits"? Did you give them the other side of the picture?

TB: I didn't have that option.

NB: But they were asking for it.

D

TB: I beg your pardon. What did it say?

NB: "To enable HQ staff to see the scale of the problem, would you please provide a rough order measure/cost of (1) what additional resources would be required to meet the minimum DofC?" and "(2) what reduction of output is proposed if this cannot be met?"¹⁰

TB: I cannot recall. We had very little control over the input.

E

NB: Yes.

TB: Can I just explain the process, by the way? That annex would have been privileged. The original letter I drafted, the annex would have been prepared by a staff officer, approved by me of course, and would have gone to the ATRA, and the annex was answered by a staff officer. So that piece that you just read out would have come back from a desk officer. I hope that the General would have been briefed on it, but he may not have been.

F

NB: I met General Palmer about three weeks ago and that first report took up much of our conversation. This is pretty important so I am going to try and do it both through the report and thematically at the same time. There was a problem of delays in getting medical appointments.

¹⁰ Op Cit 5 (d) (1) and (2).

G

- A TB: Yes.
- NB: You raised that in the July 1999 report.
- TB: Yes. The Army went onto the same system as the NHS.
- NB: So you never had your own?
- TB: We did have, but that changed.
- B NB: When did that change?
- TB: It changed when they did away with the military hospitals and the military hospitals system and the reduction in the local services took place in the mid-1990s, so we are talking 1995-ish. I'm guessing. So at about the same time as Brigadier Evans' tour. And increasingly, we moved away from the Medical Centre which we could use, and we did use for minor ailments.
- C NB: Your medical centre was at Pirbright, was it?
- TB: No, we had our own, but it was under the Pirbright practice.
- NB: You had a practice at Pirbright?
- TB: Yes, but with a medical centre and a dental centre.
- D NB: Who was the doctor in charge at the time of your command?
- TB: It was a lady.
- NB: Was that a lady who had been there for some years?
- TB: She had been there for some years.
- NB: You had problems with her?
- E TB: Yes, we did.
- NB: Something about the personality?
- TB: She got sacked, ultimately.
- NB: When did she get the sack?
- F TB: End of 2000, probably.
- NB: She had been suspended in 1995. What were your problems with her?
- TB: She didn't get on at all with her staff, particularly with the practice manager who was a Sergeant. But by and large, she was fine. She was a good doctor, actually.
- NB: OK. And I see there was a also a problem getting recruits dental checks.
- G TB: That is true.

- NB: How did you improve that? A
- TB: Well, I didn't. It was the Royal Army Medical Corps. Well, we said we needed coverage, and instead of dentists going off on operational tours, they managed somehow to get us regular coverage in the dental centre.
- NB: We've mentioned sexually transmitted diseases. I'm getting the picture that you are concerned regularly with that. And also unwanted pregnancies. Now, clearly, there was still a stern policy that men and women weren't meant to be in each other bedrooms. B
- TB: No, we enforced that rigorously.
- NB: And that was up to Ron Laden?
- TB: Well, the CO, so Steve Govan before him as well.
- NB: How did you enforce that more rigorously?
- TB: By having constant reports on it. By making sure that the CO had that at the forefront of his mind and that this was an issue. C
- NB: Did you have to place it in the forefront of their minds?
- TB: No, I don't think so. Steve Govan was experienced. He had been there before me. Ron Laden, when he arrived, was of crusading spirit, and wanted to do really well, because he had been working in the HQ RLC, and particularly wanted to make sure that problems were resolved. And I welcomed his arrival in that regard, because he got stuck into these things with real vigour. I'm not saying Steve was jaded, but he had been in the job for some time. And the difficulty is, with scarce resources, keeping that pressure on. The RSM going around at night with the duty NCO was difficult. At the end of their course, for example, some of the guys would trash their rooms. So stopping that. I mean, I introduced brand new furniture into the rooms, so that they were inhabitable, so that the conditions would be softer for them. But you'd get one or two violent wild types who, knowing that they were leaving the barracks the following day and they had had their final drink in the Junior Ranks' Club, would smash the wardrobe. D
- NB: Right. E
- TB: And trying to regulate that without extra resources was very difficult. And we thought about installing CCTV cameras, all sorts of security precautions on the block, to stop that sort of behaviour. But A) funding and B) intruding into their privacy were two issues which prevented us from getting involved in that.
- NB: Well, let's just go back to sexual liaisons. Did you have a camera on the female block at this stage? F
- TB: No.
- NB: Did that come during your time?
- TB: Towards the end of it.
- NB: But had you bid for funding for that before? Was this a new idea or was it an old idea that – G

- A TB: I think we eventually got round the privacy problem and intrusion.
- NB: But what is the privacy problem of having a camera at the entrance to the women's accommodation?
- TB: There were no problems. It was about being inside and watching them dressing or whatever.
- NB: OK. But was there a camera on the outside of the block in your time?
- B TB: Towards the end.
- NB: So this was a funding problem? Or an imagination problem?
- TB: I think it was the genesis of an idea, first of all. Getting the idea and then doing it and providing the financing for it.
- C NB: Did you have the impression that this problem had been dealt with before in the previous regimes? Or had not been highlighted as being of particular significance?
- TB: I would argue that it wasn't any different in my time than it was in anybody else's time. What I do know is that we tried everything we could – and especially the COs – extra-curricular activities, football, all that sort of stuff, which is fine for the good guys. And the good ones lapped it up. But there were always chaps who didn't want to get involved in that, who wanted the time for themselves.
- D NB: So they're not meant to have sex with each other in the block in the accommodation. Some of them, however, are. Were you aware that there was sexual activity going on in the grounds?
- TB: There would be reports from guards that they had caught a couple in the grounds, and the appropriate action would then be taken.
- NB: What was that?
- E TB: They'd be hauled up in front of the CO. But depending on circumstances, he would use his judgment.
- NB: OK. One striking feature in Nigel Josling's time, he was interviewed by Surrey Police about the duty of care issues. He describes an occasion when they decided to clean up the public area for a family's day, they found 800 used condoms.
- TB: My God.
- F NB: But you didn't find that?
- TB: No. I mean, I regularly walked around. And I'm not saying it didn't happen.
- NB: No.
- TB: I think the numbers had by that stage gone down as well.
- NB: But if that had been happening during your tour, you would have been somewhat alarmed by it?
- G

- TB: Absolutely. A
- NB: I was speaking to Lieutenant Colonel Laden early on. He was saying that he was telling people that if they wanted to have intimate relations, they could always go into a hotel, if they were over 18, to have sex.
- TB: Well, I wouldn't expect him to be saying that to anyone younger.
- NB: Finally, on the question of sex: were you aware that in earlier periods, there had been problems of officers and NCOs having fraternisation, sexual relations with trainees? B
- TB: No. But there was a case of an officer who had inappropriately touched a female on exercise.
- NB: In your tour?
- TB: Only the tail end of it.
- NB: But you weren't aware of the problems that Paul Evans was dealing with? C
- TB: Not at all.
- NB: One of the things that I am always amazed about is whether there is a collective memory as to whether problems were handed down. This is featured in the Evans report.
- TB: I think one of the weaknesses that we've got in the military system is that with a 2-3 year turnover, essentially 30% of the population turn over every 3 years. The corporate collective memory does become rather elusive. D
- NB: And how do you overcome that? How do you learn the lessons of things that went wrong in 1995 which we want to avoid again?
- TB: By the standard operating procedures having to be changed. And enshrining the policy in documents, and keeping some of these documents for longer periods so that it is continuous as opposed to being forgotten. But many old lessons were re-learnt. E
- NB: Just as a matter of interest and out of curiosity on this theme, did you ever read the Evans report when you took up your command?
- TB: No. The reason I hesitate, is because my SO2 and I discussed it on several occasions and discussed some of the ramifications which we were tracking to make sure they had been implementing changes.
- NB: I noticed, particularly towards the end of your tour, you're talking about policy – I mean, originally, you were concerned about the number of discharges from the training regiment after induction, but eventually, you seem to be content to lose 10% or whatever it is, because you think you want to enforce a strict disciplinary policy about soldiers who weren't right for the regiment. Is that right? F
- TB: Yes. There was a situation that developed, probably towards the end of 1999 and the beginning of 2000, where the ATRA dropped the entry standards for soldiers in an effort to improve numbers. And at the time we got in a pretty bad lot. I did actually comment upon it in one of my reports. G

- A NB: You did.
- TB: Whether I did it in a separate letter, I don't know.
- NB: I'd like to pursue that, because I didn't pick that up. I'm picking it up maybe in the midst of all this. 12 April 2001¹¹. "Phase 2 Discharge Rate. Overall, Phase 2 discharge is running at approximately 15%. Of the 181 discharged 115 were discharged under QR 9.414 (SNLR/RFAS)". Is that dismissal for –
- B TB: No that's probably because they opted to leave.
- NB: I thought that was DAOR. But let me read the rest of the paragraph. "13 were Defects on Enlistment Procedures and 22 were discharged as being medically unfit. Only 9 were DAOR". So I read this – and help me with this – as you reporting therefore that only 9 were Discharges as of Right, you've got 115 discharged under Queen's Regs.
- TB: Does it not have that in the data above?
- C NB: I think the data above is something else.
- TB: Not necessarily; just redundancy. Sometimes it would be done for compassionate reasons because a soldier couldn't DAOR, but we didn't want them, and they didn't want to be there. I do recall at the time that I wrote to Anthony Palmer, and I said that there were several bad lots in this organisation, they resulted almost directly from the lowering of standards of recruitment. And I was going to get rid of them. They were disruptive, and because of the restraints on the instructors and the duty of care staff, in a sense, because they could not bully, they could not intimidate, and because of the pressure that we were putting on these people to make sure they didn't overstep the mark – that is, our people – they knew that if they made allegations against staff, that nothing could be done in return. So there were several in that category, who did fighting, who had been intimidating other students. And that I thought was wrong at the time.
- D NB: I've been looking back after April 2001, and I can't see it picked up on, but I'm sure I've picked it up elsewhere. This is going forward, this is January 2001, this is the previous quarterly report¹². Para 14, "discharge rate to date is 146. 94 were discharged under QR 9.414". Interesting to note that only 4 had been discharged under the DAOR category. "As you will recall I gave clear direction that troublemakers and poorly motivated soldiers were to be discharged. The result of this policy is reflected in the Phase 2 attitude survey and an improvement in morale of permanent staff".
- E TB: Yes. And that situation prevailed for the 6 months before that.
- NB: So that is probably around June 2000.
- F TB: Actually, you remind me now that we did actually survey –
- NB: I'm going to ask about that, I've got that down here. From there onwards, you start getting the results from your satisfaction survey. But that was another innovation. Who innovated that, you?

¹¹ Report by Brigadier Tweedie Brown to DGATR "RLC Training Group and DST – End-of-Year and Final Quarterly Report".

G ¹² "RLC Training Group Third Quarterly Report" to DGATR.

- TB: It was mine. Because I had done it previously as Chief Executive of the BFPO. A
- NB: OK. But just going back to pick up your earlier answer. What was it about the change in recruitment standards that let this bad lot in?
- TB: The intelligence quotient was wrong.
- NB: I never thought it was particularly demanding to begin with.
- TB: It was not. B
- NB: From what to what, do you know?
- TB: I don't have the figures, but it was a mistake. And ATRA acknowledged that mistake and changed it.
- NB: Right.
- TB: But it was in the back-end of 2000. C
- NB: Back-end of 2000, or mid-2000.
- TB: We found it dropping down.
- NB: What is the test that they do at the recruiting centre called?
- TB: The ATQ? It's something like "Aptitude Test", something like "Quotient".¹³ D
- NB: But anyway, it's a test which they do.
- TB: They all do it. The basic intelligence test.
- NB: And if you get into the top 3, you're now singled out for Harrogate.
- TB: And typically, the aptitude would get lower, and for someone going to the RLC for example, would be broad-ranging. So you would have highly intelligent youngster who were going to be ammunition technicians and who were doing high-end electronics and Pioneers who would be digging ditches. E
- NB: Yes. So a range.
- TB: It's probably the broadest ranging of any corps in the Army.
- NB: Without getting into anything personal, what about officers in the RLC? Do they attract the best? F
- TB: Obviously, that same analogy applies. You would have people who were going to be bomb disposal officers, and typically do really well in the Army, not just in the RLC, and you've got other officers who might be postal officers, or RLC pioneers, who are less intelligent.

¹³ Brig Tweedie Brown subsequently advised that this "was called the General Trainability Index or GTI (previously called the "SSG" rating), which consisted of a series of tests designed to assess intelligence, personal qualities etc)". G

- A NB: And what about the actual post of the CO of the Training Regiment?
- TB: All COs are high quality, performing and achieving.
- NB: I think I've got that. When do the ATRA reverse this policy of lowering the intake?
- TB: It must have been shortly after that. It would have been. I think it applied for 6 months.
- B NB: And you got back to it. I am going to pick up on the question of age, we have touched upon it several times, but I want to see where it goes. At the end, and this is your very final report in 2002, before you move on, you say "we're about to get an intake of 16-year olds, what is the policy in the RLC?" First of all, why are you getting 16-year olds at that stage in the process? Why did you expect a bunch of 16-year olds?
- TB: I think it was because the College at Harrogate was producing kids at that stage who were 16, and they were using the first outtake.
- C NB: At that stage, they did 42 weeks, which we were told, and so they shouldn't be joining before they were 17.
- TB: I just can't exactly remember. But I do specifically recall saying "16-year olds. How are we going to deal with that?" What additional staff were we going to get to take care of them?
- NB: It's in the October 2001 report. I think I have probably highlighted the relevant bits.
- D TB: I believed that they had to have separate administrative supervision and duty of care arrangements.
- NB: I'm sure you're right.
- TB: I can't recall why we were getting them. But I had the impression that they were coming out of the Apprentices College or something like that earlier, or they were the first of a new –
- E DB: It wouldn't be connected with Bassingbourn, would it?
- TB: It might well have been. But I do remember we had that prospect.
- NB: But you can't remember what it was? Because my understanding is that in 1993, they abolished Junior Entry generally into the Army. They build up the Harrogate solution from 1998, it's fully on stream in 2000, but that is a 42-week course, which they start at just over 16. But irrespective of your concern, getting 16-year olds through the ATR, and indeed Pirbright in 1995, I'm sure there's quite a lot of evidence that they had 16-year olds, because you could join the Army then at 16?
- F TB: My memory is imperfect here, but we didn't get them, I believe, until they were 17.
- NB: I think you could get them, unless there is something I'm missing. My understanding is – take 1995 and 1996 – that you don't join up until you are 16?, but you then go on your 12 week course, possibly at Pirbright. Assuming you don't get back-squadded, you could be out, therefore, at 16?
- G TB: Absolutely.

- NB: You have a few days' home leave, then report smartly for Phase 2 duty. A
- TB: I cannot recall having 16-year olds.
- NB: I've got statements from 16-year olds, though Surrey Police don't always give me their date of birth, so I can't always work out exactly. But anyway, you were concerned by what seemed to be the new influx. Let us just try, if I can jog your memory about Basingbourn. Contrary to my impression, I was told by General Palmer that Basingbourn was re-instituted as a Junior Entry ATR, though I don't quite know when, I think it is during his term. Do you know anything about this at all? B
- TB: No.
- NB: But whether they are 16, or have just turned 17, they're juvenile, they're children until they are 18.
- TB: From my perspective, yes. They were under 18.
- NB: And obviously one thing that means is that if you are having these under 18-year olds, they are not allowed to drink alcohol in the NAAFI. So that's one problem: you have to segregate them. And obviously, whether it is unlawful to have sex under 18 or not, it is probably not a terribly good idea. C
- TB: No, not at all.
- NB: Did you have an *in loco parentis* approach? Did your COs regard themselves in loco parentis to young people under 18? D
- TB: I don't know if they used that phrase specifically, but certainly, they regarded themselves as directly responsible for the welfare for all of the young people under their command. In loco parentis with all its implications I think would be stretching it.
- NB: I picked the phrase from the Adjutant General's paper in 1993, which say that all COs are in that position. But I don't see any evidence of that after 1993. I appreciate that there is also some contrary advice from the Army Legal Services that say "not strictly, but morally". E
- TB: I'm getting that impression.
- NB: OK. And were a number of these problems about alcohol abuse, sexual relations and discipline as a result of being immature.
- TB: When you say "immature", do you mean in years?
- NB: Yes. F
- TB: Not specifically.
- NB: But did you regard it as an additional problem to have young people under 17 or under 18 in Deepcut.
- TB: At the time, apart from drinking, I didn't regard it as a particular problem that we had youngsters between the age of 17 and 18. I was concerned about 16-year olds coming in. G

- A NB: I see that.
- TB: Because I felt that the COs understood the 17-years of age problem. And that the NCOs understood it. The staff in the NAAFI understood it. So I wouldn't say I was happy; I don't think one could ever be happy, because I wasn't happy. I was after more supervision, but I was as content as I could be given the circumstances and the resources that were available. But I was concerned about the 16-year olds.
- B NB: What is the additional concern about 16-year olds?
- TB: They are even less mature. They are children. 17-year olds are well on their way. But 16-year olds are just going to be far more vulnerable. They look younger. And issues like arming them, the things that you worry about. Keeping them away from all sorts of social activities that they shouldn't be getting involved in.
- NB: Yes, I understand that. But I mean, under 18s the law tends to say you're a child under 18. You can do things, but you are still a child. And we tend to say that the age of majority for other purposes is there.
- C TB: I don't want to give myself credit for things which I am thinking now, but I think also that we had been adding to the, by further diluting the pool of supervisory staff, to add even more to that – 16-year olds. I'm saying this now, but I don't know honestly if I would be saying that then.
- NB: I think you talked about supervisory ratios. Anyway, that's the memo. I just couldn't quite work out what had changed.
- D TB: I wish I could remember.
- NB: I'll see if I can track that down. Did you then have local rules to deal with 16 or 17-year olds in Phase 2?
- TB: The 16-year old problem, when we asked for the guidance, as far as I can recall, did not come in my time. As far as I recall.
- E NB: The guidance they got back was "treat them the same as anybody else".
- TB: Yes, I remember that.
- NB: I'm pretty sure you had 16-year olds at the time.
- TB: You think we did?
- NB: But it may not be this bulk, and I don't understand what caused this bulk.
- F TB: Certainly, there were local rules.
- NB: I don't know how long it takes for ATRA to get back to you October report.
- TB: Usually within a month.
- NB: So this is probably dealt with around November 2001.
- G TB: I actually don't recall the time, and I cannot recall soldiers at 16 years of age.

- NB: But as you may have gathered, I'm equally concerned about 17-year olds. Did you have any local rules apart from the general rules for them? A
- TB: The CO had local rules to deal with specific attention to under 18s.
- NB: Do you know where those would be?
- TB: He would have had them in his Standing Order. One would have thought, and I'm pretty sure that's where they were. In addition to that we inducted all of our instructors, all permanent staff were given an induction briefing, in addition to the courses for instructors that they would have gone on before they took up their duties. B
- NB: I'm going to ask you about training of staff later. Do you know whether there was a local rule about guard duty – armed guard duty – for 17 year olds?
- TB: A local rule?
- NB: Yes, a Deepcut rule. C
- TB: No.
- NB: You know there wasn't or you don't know whether there was?
- TB: No, there wasn't. Under 18s were armed. But what I'm saying is that I'm not aware that there was a 16 years of age problem.
- NB: There's something in the material that I've got which suggests around about the death of Pte Gray there was a local rule about under 18s. When I put that to Ron Laden, he said there may have been one. He has written to me and says that he's not quite sure whether there was or there wasn't. D
- TB: I don't think there was.
- NB: So anyone in the Regiment – anyone who has passed Phase 1 – you treated the same way?
- TB: Anyone who had done weapons training. E
- NB: Even though they during the weapons training have different levels of maturity and responsibilities.
- TB: Yes, indeed.
- NB: So it would never have crossed anyone's mind to say "no armed guard duty for under 18-year olds"?
- TB: No. From the perspective of the military, they have been given their basic training, they have been passed as competent and mature enough to handle weapons. Subjective though that may be, I'm giving you an honest answer. F
- NB: I appreciate it.
- TB: So they were soldiers. And they would do their guard duty, and if they had to be armed, they would be armed. That was the policy at the time. G

- A NB: I appreciate that is the policy, apart from the blip about the local rules. But if you are sure.
- TB: I'm almost positive.
- NB: Because the fact is, of our four deaths, two were under 18, one was just turning 18, and in fact Benton shouldn't have had access to a weapon that night. It is quite possible that when I try to evaluate what I can about what may have caused these deaths, certainly Private Gray's, I'm not able to look through Private Collinson's details at the moment, it seems to be very much in the nature of impulse. If he hadn't been alone with a weapon that night, I suspect he would not have died. It doesn't look like someone who is periodically depressed, or he would have found a way to destroy himself by other means.
- B
- TB: Yes.
- NB: OK. Of the topics which I've got left, I want to start training and then deal with some issues of policy. You touched upon it already, and I'm sorry to bring it back, but what specific training were you aware of that the Commanding Officer of the 25 Training Support Regiment was getting between 1999 and 2002 – your tour?
- C
- TB: He would have done the CO's course.
- NB: That's how to command generally?
- TB: Yes. It's commanding in all shapes and forms. And he would have done also the Officer Commanding course before that as a Major. And I regarded this training as cumulative, it deals with soldiers. Specifically dealing with trainees and the problems of trainees, he would have done the ATRA training course. And the induction, which is 2 days.
- D
- NB: The ATRA training course was up and running by 1999? How long was that?
- TB: I'm getting confused with the ATRA induction course. The ATRA induction course, I beg your pardon. And the ATRA training course. It was a module which they produced. He himself would have been part of it. When he had sat it, he would have been delivering it.
- E
- NB: Do you happen to know whether that focused upon problems of young 16 and 17-year olds?
- TB: It would have been done in a very generic way. He would have attended briefings at HQ ATRA. Whether any of them were specific about the problems of young soldiers, I do not know. I doubt that they were, but I do not know.
- F
- NB: Partly because I've met Ron Laden who was good enough to tell me these matters, and he has copied in to the James family and to my review quite an interesting document which I think is from the Department of Army Statistics, dated 1999, about suicide rates amongst young males between the ages of 15 and 19. Which shows that the Army was way above both the Armed Services and the civilian population for that age group generally.
- TB: For that age group.
- G
- NB: Generally, you are well below, but you've got a huge unexplained peak and 2.5 times that of their age.

- TB: Did you also look at the general analysis of the same data? A
- NB: I'm not quite sure. I'll check.
- TB: Because we tried to compare them like for like with young students. If you compare them with the general population of the people of that age, I think you have to be more meaningful than that and you really have to look at people in the same environment as opposed to looking at the general population.
- NB: But what is the closest environment? B
- TB: Well, I don't know, a young student perhaps.
- NB: Anyway, this is a question about training.
- TB: Yes.
- NB: I think Ron Laden said that he hadn't been aware of that kind of data and he hadn't been on the chaplain's course until after he'd had the experience of dealing with the two deaths. So he then began to take an interest because it affected him personally, as I understand it. C
- TB: But the suicides – if that is the term that they are using –
- NB: They tend to use self-harm.
- TB: There was the Army working group on it. D
- NB: The Army Suicide Prevention Working Group.
- TB: They produced pamphlets and information which you ought to be aware of.
- NB: I think I probably have been provided with that. I think that is a process which they commissioned in 1996. Anyway, you can't help me as to what the contents of that training was that the CO undertakes before he takes up the post?
- TB: No. E
- NB: But it probably doesn't include that?
- TB: I think it would have been rather generic. But I don't know. I did it in the late 1980s.
- NB: Now, your role as a Brigadier compared to Ron Laden's role as Lieutenant Colonel. Clearly, as number of the issues in your reports are very much concerned about the welfare and problems related to the 25 Training Support Regiment. Would you expect anybody as Brigadier to be that active in that area, or would you expect the Colonel to sort it out? F
- TB: It's his command, and he has a responsibility, but I would expect to be assured that he is fulfilling the remit of his command. And that all the checks and balances that are there and that need to be observed, are observed. I worked very closely with both of them, as I did, actually with Defence School of Transport, the Army School of Catering, the maritime training establishment. G

- A NB: And would you expect the Brigadier to be consulted on difficult questions about employing some staff with a history?
- TB: If the CO feels that a particular member of staff is going to be a problem, irrespective of whether it was military or civilian, I would expect the CO to let me know about it, and possibly seek advice.
- NB: Let me give you an example. It is obviously not in your period or Ron Laden's period, but I'm just trying to see how the relationship works. In the previous period we had Leslie Skinner who was a WO2 in Northern Ireland RLC Transport, demoted for flashing, sent to the Depot Regiment, causes some concerns for the Lieutenant Colonel, obviously.
- B Would you expect the Brigadier to have been briefed on problems in handling such a person in such close proximity to the Training Regiment? Would that be something that as a Brigadier you would expect to be briefed on?
- TB: It would really depend. We wouldn't have been involved in the normal posting in and out of personalities unless they were your own personal HQ staff. But I would expect the CO, if he had qualms about anyone, to raise it. And to have sought advice or assistance.
- C NB: Similarly, a case which I am looking at concerning one of the troop commanders in the 86 Squadron, who certainly Brigadier Evans had serious qualms about. But he was promoted in the next regime. Would you expect the Brigadier to take any particular interest in those matters?
- TB: If the Brigadier knew, yes.
- D DB: Would you have visibility of what troop commanders were getting up to?
- TB: Deepcut, as I'm sure you're aware, has two Brigadiers. One is the Director of the RLC and the other is the Commander of Defence Logistic Support Training Group. The Brigadier in the HQ would have a responsibility, ultimately. If there were particular problems, I would have been told. I'm sure I would have been told. But then, to go back and answer your question, being the CO of the Mess, that is where you would meet all the young officers.
- E NB: And that is one of your functions?
- TB: Being the Commander of the Mess would be a function also of the Commander of Defence Logistic Support Training Group. And so you would get to know, generally speaking, all the officers in one way or another. I made a point of getting to know everyone in the organisation. You would try to get alongside them. It is important for the CO – back to the Colonel level now – to get to know his officers. He reports on them.
- F NB: So he has to know them.
- TB: And he is reliant on his Squadron Commanders.
- NB: Lieutenant Colonel Harding told us that when he took up post in 1996, he had lunch with Brigadier Evans before he departs. Do you regard it as important for COs to be living on site?
- TB: I personally do and I'd like the CO to be accompanied by his family.

G

- NB: I think that was Evans' view. Harding told him that he wanted to live off-site and Evans wasn't very pleased about that. But I think that's the only one who hasn't lived on site. A
- TB: I don't think Steve Govan did.
- NB: Where did he live?
- TB: I think he commuted from somewhere like Aldershot. Not too far away.
- NB: Where was Harding? B
- DB: In [...].
- NB: So that's a bit further away.
- TB: Ron Laden lived on site.
- NB: Do you think that if you choose not to live on site that it affects perhaps your ability to know what is going on after hours? C
- TB: Well, yes, it does. It is something we of course can't insist upon. But I think it must impact upon your general knowledge of what is going on.
- NB: Doesn't a CO of a training regiment have a particular responsibility?
- TB: Well, the wife may not want to live there. Increasingly, wives are not prepared to move like that. My preference would be for COs to be accompanied on site, as it were, or in the local married quarters. And I think that improves their general knowledge of what is going on. D
- NB: Do you think there is an analogy between the CO of a training regiment and a headmaster of a school of 16 to 19-year olds?
- TB: There is an analogy, but I think it is being stretched. And I might get back to your phrase of in loco parentis, because there is only so much that you can do, in terms of restricting a soldier's privileges for example. In the way that parents might accept that a headmaster can be strict in a school. Because you've not got a 15 to 18/19-year old population. What you've actually got is a 16 years of age to a 35 years of age population. Some of the Phase 3 students on training courses are living alongside Phase 2 soldiers. And so the age distinction that you draw, although you can talk of Phase 2 being an entity is not a reality. In the NAAFI on a Saturday night you've got a broad range. E
- NB: Is that one reason why you might want to segregate under 18-year olds from that regime? F
- TB: Absolutely.
- NB: And if you don't, then you might have additional problems?
- TB: You may have.
- NB: And certainly with those problems, if you're not on site and some of your staff from time to time aren't of the best quality, that would compound those problems. G

A TB: I would question that last point if I may. I mean, some of them wouldn't be of the best quality, but, inevitably, they wouldn't all be. But this was something that we worked very hard at the RLC, to improve the quality of the instructors that were coming to Deepcut, so that they were people that the students looked up to and respected and that they wanted to emulate.

NB: During your tour, as far as I can see, only Corporals were dismissed from having sex with trainees. Is that right?

B TB: As far as I can recall, yes. I think there was only one. Were there more?

NB: Yes.

TB: Dismissed for having sex with trainees?

NB: Yes.

C TB: I can only recall one.

NB: I think there are four or five. Now that is better compared to 1995, where the RSM may have been doing it. And at least one Lieutenant trying to. And the other Lieutenant having sex with her own Corporal.

TB: It's disgraceful.

NB: But obviously things changed.

D TB: Well, I think to be fair to the ATRA, the regime that [...] instituted was very tough but fair. There was a comprehensive briefing to staff. And easily understandable notes for instructors with standard operation procedures. I think more than anything else that changed the approach both at the ATRA and at the RLC Training Group in particular.

NB: Now, assuming that ATRA is under way in about April 1997, I think I have seen the first ATRA handbook from October 1998 which has as an annex the ATRA Code for Instructors. Was there some similar document to your knowledge before that stage?

E TB: There may have been an Instructors code.

NB: It is of course a matter of having these standards and then enforcing them and getting the message to do so.

TB: And having the wherewithal to do so.

NB: As far as you are concerned then, the senior staff were of good quality during your period?

F TB: I was wracking my brain to see if I could recall any who weren't and my impression from my own time there was one of highly motivated young Corporals and Sergeants who were under severe pressure. And we had responsibilities for them, as well. I tried to institute a regime of understanding and compassion consistent with fairness and with the rigours that go with being in the military. Being professional and responsive. And the RSMs were hand-picked for the job. They were very good. They dictated more than the COs did the attitudes and the approaches of the NCOs.

G

- NB: Did you have one RSM or two during your time? A
- TB: Two.
- NB: And you were happy with them?
- TB: Totally. Especially the second one.
- NB: Who was the second one? B
- TB: I can't remember his name.
- NB: If you can help me to remember all of these. I'm trying to do a chart for this particular period. So Govan you're happy with?
- TB: Yes. Very happy.
- NB: But the fact that he was living off site was a matter of preference rather than anything else? C
- TB: Yes.
- NB: And Laden?
- TB: Ron was very passionate about the command. And very good.
- NB: And the Majors? D
- TB: With one exception the Majors were good. As far as I was concerned, looking down on them, I had no qualms about any of them.
- DB: You would countersign the confidential reports of the Majors?
- TB: I did.
- NB: When you countersign, do you depend upon the officers below you or do you use your own knowledge? E
- TB: I know them.
- NB: So you're using your own judgment?
- TB: Yes.
- NB: Just before we move onto broader issues of policy, if you decided that X type of conduct is unacceptable, would you take measures to make sure your views were well known amongst the staff? F
- TB: Do you mean inappropriate behaviour?
- NB: Yes. And in particular sexual fraternisation.
- TB: Yes, of course. And that type of thing was regularly reinforced. G

- A NB: How do you reinforce it?
- TB: Well, the CO speaking to his soldiers, his permanent staff, and they would know. There are some standards that you would expect people to know and which people should have known for all their careers, but that doesn't mean to say that you should make that assumption and not reinforce it.
- NB: By reinforcing it, does it make it easier for example for other staff to report on their colleagues if they let the side down?
- B TB: I think so.
- NB: Which is one way in which you can get to know about it?
- TB: Yes, and I think we did have a case where an officer had an affair with another officer. They were part of the training chain of command and not part of Ron Laden's officers. And the way in which those cases are treated, they are an object lesson to those who might consider that sort of thing as well.
- C NB: Of the Corporals that did transgress during your tour, what happens to them? Do you interview them or discipline them or is that down to the CO?
- TB: I didn't get involved in those cases, they were dealt with by the CO.
- NB: I think he fines them and dismisses them from the post.
- D TB: It would depend on the circumstances. I used to be at the other end of handling those cases at a higher level, and depending upon the severity, it could have come to me on the way to the General or the Brigade Commander.
- NB: It seems that there are always limits to a system which depends upon complaints from the trainees, because there are reasons why trainees don't always want to put this into play.
- TB: And the converse could also occur, where there are reasons why trainees would want to implicate instructors. And that was always a problem that we were up against. So it could cut both ways.
- E NB: Malicious allegations?
- TB: Yes. Because the instructors found it very difficult. That was a constant worry for the instructors. The good guys would worry that allegations were being made against them which were untrue and which they would not be able to do anything about.
- F NB: Have you actually had cases of malicious allegations?
- TB: No. It never happened.
- NB: We're now moving onto what I think is the last topic which is really you looking upwards, as opposed to you looking downwards. You looking up to ATRA. We've discussed and it is clear that you had repeated concerns throughout your tour about the duty of care ratio and the funding of this. Those remained unsatisfied throughout your tour.
- G

- TB: Totally. A
- NB: During the middle of your tour, something comes up which means you can second your trainees to the field army for a period of time.
- TB: That's right.
- NB: How did that come about?
- TB: In an effort to prevent them hanging around we would go through the Records Office to find out which units they were going to be posted to. So we would attach them to those units as opposed to hanging around in Deepcut, waiting for their posting to come up. So they would go to a field unit and operate together with that field unit and then come back. It wasn't as widespread as I would have liked. It helped in those cases where we used it, but it did not provide an overall solution, because we couldn't get the numbers away that we wanted to. It was tied in with an improvement in the through-flow anyway. B
- NB: Is that Project Straight Through? C
- TB: No, Project Straight Through was something different.
- NB: What's that?
- TB: Which was driven by the ATRA and it was about streamlining the system.
- NB: So trying to cut out that delay. D
- TB: As much as we possibly could. Almost your every waking moment was spent trying to improve it.
- NB: Project Straight Through seems to have had some effect at some stage.
- TB: The steam went out of it.
- NB: That's the impression that I got but I couldn't say that. E
- TB: The software that was supposed to go along with it didn't, I believe, live up to expectations. So it didn't give the support that we needed at that point to improve our demanding hours.
- NB: Did you get some new software?
- TB: We developed our own at Deepcut to track trainees. And it was pretty successful.
- NB: I think in April 2000, para 12 (e)¹⁴, this is about attachment: "to date over 1200 Phase 2 soldiers have been attached to non-ATRA units for work experience. and the total under training has reduced from an all time high of 1250 to 881 in four months. The downside is that I am now finding it difficult to find Phase 2 soldiers to guard my 2 barracks". F

¹⁴ Report from Brigadier Tweedie Brown to DGATR "The Royal Logistic Corps Training Group – End of Year Report", 12 April 2000. G

- A TB: Yes. There was a general improvement following that and the levels of soldiers passing through Deepcut were never as high as they were when I first arrived, when they were phenomenally high.
- DB: Can I just clarify this? Project Straight Through is about getting soldiers through the system as opposed to secondments?
- TB: Yes, it's totally different. Or rather, they are totally separate.
- B DB: And you mentioned, talking about the secondments, you never managed to get the numbers that you would have liked.
- TB: I would have liked to have seen many more.
- NB: What were the problems there?
- TB: How long do you want to send the guy off to the unit? Is it because he is going to be doing nothing for a week at Deepcut or a month? When he gets there, he is going to be gainfully employed. We set certain rules about how they could be used in the units. To do their training and send them to their units without their driver qualifications and then the unit would send them to get that qualification, that would be ideal. And that's where we were getting to with that. But of course, they didn't like soldiers coming to their units who didn't have their driving qualification.
- C
- NB: So there were problems. Apart from secondment, any improvement that your software can have to improve throughput and processing, taking out the soldiers who don't need to go to Leconfield, speeding up the driving licences, what else could or was done to reduce the SATT problem?
- D
- TB: You've pretty much got them all there.
- NB: And speeding up medical care services.
- TB: Yes, certainly not hanging around for medical purposes. But what we had was the question of how to make sure they were gainfully employed, that they're not getting bored.
- E
- NB: So that's another factor in the duty of care ratio?
- TB: It is. And it is down to things like providing them with computers, we built a new computer room for them where drink wasn't consumed. And that was very popular. We had a games room.
- NB: The alcohol-free café?
- F
- TB: Yes. And they could play games, they could watch TV, the padre called in a lot. All these sorts of issues that we tried to take care of. And I think we did a pretty good job of it, but unfortunately, we had a death. The other one was pretty shortly afterwards.
- NB: I found another reference to your discharge policy, if we could just pick that up. 12th of July 2000: "to date I have discharged 48 personnel". "Additionally a further 34 soldiers are currently AWOL. Although internal reorganisation has to a great extent alleviated many of the problems, my efforts to improve matters are being hampered by the extraordinary length of time it takes to bring the soldiers to courts martial". "I am taking steps to discharge them while disciplinary action is pending".
- G

- TB: Absolutely. A
- NB: That's July 2000.
- TB: I think the irony is that, by the stage, having failed to get the ratios we were after, we'd done as much as we thought we could reasonably achieve. So at the stage when young Gray's death occurred –
- NB: Just to go back to your notes before picking up your answers there, so what you decided to do was to discharge them before they became disciplined? Just to get rid of them? B
- TB: Yes.
- NB: So it was a form of administrative discharge?
- TB: That's right. And to be honest with you, having them away from the team was much the better. C
- NB: Quite.
- TB: They were mostly Scots.
- NB: I think I have vaguely heard about that. And I suspect there may have been another group earlier in 1995. Did they have criminal records?
- TB: No, I don't think they did. D
- NB: So it was simply intelligence?
- TB: From a background that was very harsh. They were really hard cases. And I think it was Steve Govan who said "let's get rid of these guys. We do not want them".
- NB: I can see the problem, although I'm not always sure that that problem relates to an intelligence curve. But that's what you thought it was.
- TB: Well, we lowered the standard so that was my impression. E
- NB: OK. Your satisfaction surveys which you introduced, that was your innovation?
- TB: Yes.
- NB: The combination seems to have started off at least not very happy, but then it seemed to turn around a bit.
- TB: For the reason that I was frightened that people would trash their rooms. So when we started asking them about it, they then started to think. So this achieved a number of things. F
- NB: The one thing that I noticed in the three surveys that you reproduced in your report, which is all I've got, is that 100% have done more than 14 days guard duty during their tour.
- TB: Yes. They continued the survey after my time. G

- A NB: Would they have been kept down at Deepcut?
- TB: I'm not sure if they were.
- NB: I think you abstracted from them.
- TB: The CO certainly maintained them and I'm hoping it still carries on.
- B NB: I think it may do. 62% found the accommodation standard below their expectation. Food, recreational facilities, welfare facilities and their training generally were rated 80% to 90% satisfactory. But then there were these things about guard duty. Would that have caused some grievance?
- TB: Guard duty always did. Even in regular units, never mind training units.
- NB: I think when you come aboard, the Minister has just agreed to develop a project of PPP-funding for Deepcut. You make a proposal early in April 1999 and then it all goes on hold with the Defence Training Review in 2000. Did you get a bit cross with that?
- C TB: It's just that one of the things that we were planning –
- NB: What were you planning?
- TB: We were planning to have a Defence College of Logistics based in and around Leconfield where we could have proper figures of staff and a proper college structure. We would be part of a proper defence college system.
- D NB: And then you would have built purpose-built buildings from scratch?
- TB: Yes.
- NB: And your prospects for employing additional civilians might have increased in the north compared to the south?
- TB: Oh, absolutely. There would be no problem with employing civilians at Leconfield.
- E NB: When would this have come on stream?
- TB: It would have been something like 3-4 years later by the time we had gone through the whole process.
- NB: You started it by April 1999.
- TB: It was very early. And we briefed industry and we had industry days. My PPP was put on hold and the Chatham PPP went ahead. Which was one of the things that quite annoyed me.
- F NB: What was Chatham?
- TB: Royal Engineers. But I felt it was an opportunity for us.
- NB: Do you know why it was put on hold?
- G TB: Yes. It simply had to do with the Defence Training Review. Unfortunately, the savings that I had declared as a result of the whole programme were then taken.

- NB: So they took the savings but they didn't take the project. So that put you under additional pressure? I can see a warning about that in one of your reports. Is that down to General Palmer or is he being forced into decisions? He seemed to have taken responsibility for the duty of care ratios. I don't think he reported that up. But on these issues, would that go to a higher level than him? With the PPP? A
- TB: The PPP issue would, absolutely. PPP was a hot topic. It was considered very important. The Ministers wanted PPP.
- NB: Then why didn't it happen? B
- TB: Because of the implications of what was coming along in the Defence Training Review.
- NB: You say about LITB¹⁵: "my second point concerns the LITB process. It has become discredited in the eyes of my staff and instructors, who are frustrated at having to deliver outmoded and outdated lessons ... They are as aware as I am that we have been trying for 3 years to remedy this. Despite my involvement and your own, LITB still has not made a sensible decision and we lumber on in a fog of indecision". C
- TB: Good God, did I say that?
- NB: You did. In July 2001. So you've still got six months.
- TB: UNICOM was an IT system and LITB, as far as I can recall, were producing these forecasts. We were training UNICOM personnel, people who operate these UNICOM systems throughout the Army, and we could never get Land Command to make a decision about how they were staffed, how it was going to happen and when they required it. D
- NB: You described that as one of the most disappointing features of your tour.
- TB: Because it could have been very successful.
- NB: There's something else which concerns the e-learning initiative.
- TB: Yes. This was something that came through from the ATRA and the project officer had been nominated. I got a set of individuals from the permanent staff of the School of Logistics who were keen on it. And the unit safety managers' course, particularly. Which was widely recognised and led to a civilian qualification which was quite valuable. They were encouraged to follow it up. It did eventually happen. But it didn't impact upon trainees. E
- NB: That's something else then. Educational qualifications which you were concerned about in your early report, did that continue to be a problem?
- TB: It did. Reading and writing continued to be a problem. And adding up. F
- NB: So extra educational impact in Phase 1 might be less expensive than in Phase 2.
- TB: It would have been and I think they have moved to that now. And one of the things that was fortunate about Leconfield, was the NVQ system there that was really very, very successful. We actually started a basic NVQ qualification at Deepcut, which was very successful, too.

¹⁵ In Report to DGATR "RLC Training Group and Defence School of Transport Quarterly Report", 18 July 2001. G

- A NB: Did they stay long enough to do an NVQ?
- TB: It was a basic NVQ, a foundation.
- NB: So PPP, which started off this discussion. You prepared for it, you've told us now that it would have meant a major new development for trainees in Phase 2 up in Leconfield.
- TB: Run by a contractor.
- B NB: We've certainly seen what can be created by that when we recently visited Harrogate, but it gets overtaken by the Defence Training Review. And that meant that it didn't happen.
- TB: But I hope it still happens.
- NB: Is there anything else in terms of issues that touch upon the duty of care regime for trainees but which we haven't mentioned?
- C TB: I would say that disappointment was a regular feature. But a very good report was done by Colonel Haes and which didn't get the credibility when it came to the details.
- NB: Colonel Haes' Report comes out in April 2001, the Management Board meeting was shortly after that. And how many are on that Board?
- TB: The head of every training establishment in ATRA.
- D NB: And were the proposals supported by those who headed the training establishments or by ATRA? Why did it get so coolly received?
- TB: Well, only a few had a problem. Only those with the higher ratios had the problem. And so there was little sympathy from the heads of the other training establishments.
- NB: Even though they had the ratios that you wanted?
- TB: Yes. I wouldn't put it too strongly, but it was a matter of competition. And you get what you can for your own establishment. But I was quite disappointed.
- E NB: And General Palmer's letter formally responding to it, seems to come out in about September 2001.
- TB: Yes.
- NB: Geoff Gray is dead 8 days after that. While we are on the topic, I would just like to understand it. There seems to be quite significant underachievement of the throughput targets. I'm not quite sure how they're done. Just talk me through how this works. The requirement, your target, was 734. The actual throughput is 504. What is this figure?
- F TB: Total to date. That to me seems entirely meaningless. I don't know why that is there. Because total to date is meaningless when there is an end of year which is in April 2001. That would be the total to date against the forecast. So this to me seems to be a mountain. Because we actually had people who left and came back.
- NB: Yes.
- G

- TB: And that was becoming increasingly successful because of the efforts of one Major. When they were leaving, he said "well, if you want to come back, get in touch with me and we'll see what we can do". A
- NB: Is this a career break?
- TB: These are people who are exercising their right to leave or left for compassionate or other reasons. And those data you need to look at, because they do look worse than they are. You know, we discussed them earlier on, "services no longer required". But I know that in there, people would exercise their right to leave, but there were many that we allowed to leave because they were unhappy. That covers a multitude of sins, that data. And ought to be properly analysed. B
- NB: What was their right to leave?
- TB: I don't remember what the regulations are, but within a specific period of time, they had a window. There were two situations. Within a specific period of time or before a certain age, they were allowed to exercise their right to leave. C
- NB: But often, that has run out quite quickly after arriving at Phase 2.
- TB: It could do, yes. But we would also, for their own reasons, allow them to leave.
- NB: So that is after they didn't have a right to leave?
- TB: Yes. There was no point in hanging on to people who didn't want to be there.
- NB: So you weren't wanting to hold onto them indefinitely? D
- TB: There was no reason to do so. Or, purely in financial terms, there was. But because we treated them sympathetically, many of them came back.
- NB: "Recruit over 18. Option to resign between 4 and 12 weeks or else, it's 4 years 3 months".
- TB: Yes. E
- NB: You enlist them until them until the 22nd birthday, after they lose the option to resign.
- TB: These are all well known by the specialists who deal with it.
- NB: Are they known to the soldiers?
- TB: They tend to know themselves, because they are in that category.
- NB: So did you have a problem of AWOL? F
- TB: There was an AWOL problem generally, and it would typically be a young man who had gone home for the first time or maybe the second time after he had come out of Phase 1 training. And he was very severely homesick or got drunk and didn't want to face his Corporal, because he knew he was going to get a bollocking for it. That type of thing. And it could be serious, it might have been that he had committed some sort of minor offence, or a proper offence. It was usually the former, and it normally ended with the mother ringing to say that he was coming back. G

- A NB: I appreciate you were working within the financial constraints, but I go back to guard duty. It has been touched upon in Evans' Report, the possibility of using either the Military Provost Guard Service, who are armed, I believe.
- TB: Yes.
- NB: Or the MOD Guard Service who were unarmed. If you had been able to use those, you could have reduced the guard commitments.
- B TB: Absolutely, and that was the plan. That was going to happen.
- NB: When?
- TB: When it could be afforded by the Army. That was always the plan.
- NB: And were reports going up to Land Command saying "how about this, guys?"
- C TB: Yes. There were security reviews of the base. Bear in mind that there had been terrorist incidents.
- NB: At the base?
- TB: No, not at the base. In those days, generally, with the IRA still active. Even towards the end. But security was still an issue. In the case of young Gray, very shortly after 9/11, when terrorism was a real threat. But we were always conscious of the security issue, and we looked at improving security. And there were security issues at Deepcut. There were one or two problems.
- D NB: Such as guarding the Officers' Mess, where you had sold off the land in the middle.
- TB: Yes. It was a way of generating income. So the plan was that we would move to MPGS. And that was not specifically for us, that was a general plan at the time. But we would take the burden of guarding away from the soldiers. Because it is a burden.
- DB: Was any priority given to Phase 2 training establishments?
- E TB: No. Not to my knowledge, but I don't know.
- NB: There's a case to be made. Here you are with a Phase 2 training establishment, we've talked about all that before.
- TB: Yes.
- NB: You have got your persistent concerns over the duty of care ratio.
- F TB: Yes.
- NB: You're told when they finally come up with the figures, they ask you to identify the ratio, but then they actually turn that down. You then go to Land Command, the other wing of the Army, and you're saying "what about the Military Provost Guard Service?" They say "well, it could be an idea in theory, we'll get around to it once we can afford it". Why not give priority to Phase 2 training establishments?

G

- TB: My concern with the duty of care was not to do with military guarding. In general terms, guards were supervised by duty personnel – senior NCOs and Warrant Officers – who were on permanent staff at Deepcut. They were supervising. I didn't have military guarding as a concern as such. My concern was for duty of care in the NAAFI, creating activities, making sure the padre is there, giving them support for living and not getting into bad habits and having sex and what have you. I will not confirm, because I didn't think it was a problem, because I felt that there was suitable supervision by trained soldiers on guard duty. A
- NB: Why not especially after the two deaths? They are not under control. And they are unsupervised, because they are on prowler patrol. And the standing orders don't make it clear that women aren't meant to go out armed alone. B
- TB: It hadn't been a problem in the more recent past in my time.
- NB: Both Ptes James and Benton were not meant to be on armed guard duty that night. Benton was told he couldn't handle a rifle, so they put him on other duties. Because he was on the guard, he knew how to ask to get a rifle of the other person. It was a slightly different way for it to happen. He could be assigned to guard duty and not taken off the roster, even though he wasn't deemed fit to handle a rifle, but he had the opportunity to get someone else's. C
- TB: At the time, I believed that we had properly trained soldiers with proper supervision and a structure to supervise them. And suitable standing orders and the regularity with which the recruits did guarding. But that may be wrong.
- NB: Did you ever read the Board of Inquiry into Cheryl James's death? D
- TB: No, I didn't.
- NB: There, if we can move away from Benton, we have a confident, intelligent, by all accounts happy soldier though complicated by the sexual activity that she is involved in. Who is then on the A2 gate in the morning, where she dies. So I would suggest there that is at least one example where guard duty with a lethal weapon is dangerous to young people who may, separately from the training establishments, have their own concerns with boyfriends or whatever it is. E
- TB: I wouldn't know all the circumstances, because I was not party to all the information. Apart from having the Commanding Officer review the guard room closer, and he was doing that anyway, in the wake of the Gray incident, my involvement was at arm's length.
- NB: Pte Gray goes off on sole prowler with a weapon when they should be in pairs. It seems that Pte Collinson, again, was not assigned with a rifle. He was on guard duty and then gets hold of a rifle. So even after Pte Benton, soldiers were not responding instinctively to rejecting requests to hand over a rifle. Quite why he wasn't given a rifle is a matter of conjecture. I've understood that under 18s or 17s don't have rifles, but that was not the case here, so I don't understand why that was. Anyway, never mind about that. But still, he gets hold of it and dies. It seems to me, whether on an individual level or generally, difficult to say, but on the institutional level of different factors contributing: Phase 1 not getting the level of recruits, whether they had down periods or whether there were moments of good, happy individuals. Your persistent problem about duty of care ratios in Phase 2, and you don't have enough staff. The various things which makes Phase 2 at Deepcut considerably longer and more boring, the staff tries to mitigate that. The F
- G

A general dislike of guard duty, but where you are in a place where you're having to do it a lot more than others. And you depend on soldiers, some of whom are going to be quite young, although they are trained. So, a combination of factors. Not implementing the recommendations which would remove or reduce the need for Phase 2 soldiers to do guard duty by Military Provost Guard Service or MOD Guard Service. Prompted by the death of Pte Collinson, the man you handed command over to – Brigadier Elderton receives a response to his report, an ATRA report which says "oh well, we were thinking of examining the regime of Military Provost Guard Service, when we come to ratify the Convention on the Rights of the Child". The UK ratified that Convention in 1991.

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Appendix 4/2

Meeting with Brigadier Dalby-Welsh

Present: Nicholas Blake QC (NB), Brigadier (Retd) Dalby-Welsh (DW), Julie Albrektsen (JA), Darren Beck (DB).

Location: Matrix Chambers.

Date: 19 July 2005.

NB: I've got you down here as the Commander of Deepcut Garrison and the commander of the training group RLC from January 1996 to January 1999.

DW: Yes, that's right.

NB: Right. Now training group RLC, was that a new organisation which you implemented or was that the post you took over on arrival?

DW: It was a bit of both, in that it was in the process of being put together. We had had separate functional training organisations before the formation of the RLC in 1993 and over the following 5 to 6 years, we put them closer and closer together so that the RLC Training Group in the end consisted of what was at Deepcut, what was at St. Omer, which was catering, what was at Marchwood, which was all maritime, and what was at ammunition training at Kineton.

NB: And we've got Leconfield.

DW: Leconfield was still separate because it was a tri-service organisation and at that time considered big enough to look after itself.

NB: Right. But Leconfield eventually would come into your empire at some stage?

DW: It is now part of the Defence Logistic Training Group, everything being 'defence' now.

NB: Yes, ok. Now, I then understand from April 1999 to May 2000 you became Director of the RLC, is that right?

DW: Yes, I became DRLC in January 1999.

NB: Right. And that means you're based in the HQ which had then been moved to Deepcut?

DW: I moved it to Deepcut from Andover.

NB: And when had that moved?

DW: January 1999. Between January and May 1999, I moved the headquarters from one to the other.

NB: So the thing that you moved, is that then what you become head of?

DW: Correct, yes. We have had a two star Director General as head of the Corps, head of the RLC as it were, or service, and that was downgraded to a one star at the end of 1998 and I took on that post and we moved it out of that because Andover was essentially a

A functional logistic headquarters, as apposed to an arms and service director who looks after things like, recruiting, the ethos, the training, at least specifying a requirement for training, organisational requirements and organisational development. All that sort of thing. So if you like you're the titular head of the RLC period, albeit that the bits in it are belonging to other people and work for them.

NB: Right.

B DW: So your job is to create the Royal Logistic Corps and what it does for the Army which is then given to our people for it to actually carry out anything.

NB: The Headquarters function that you moved from Andover to Deepcut, did you then assume that function?

DW: Yes.

NB: Right.

C DW: I became the Director of the Royal Logistic Corps.

NB: When we then come to look at the responsibilities that you had in the 1996 to 1999 period, that is the focus of our discussion today, I think rather than 1999 to 2002. Looking at that earlier period, I understand you were reporting to DGIT, that's Major General [...]?

DW: Yes.

D NB: Who became DG ATRA on the formation of the agency in about 1997?

DW: The formation of ATRA took place, I would have said, in September 1996, I may be wrong but my feeling is I spent more time dealing with the DG ATR than I did with him as Director General Individual Training.

NB: Yes. OK. I rather think from my recollection though I can't put my finger on it at the moment it was about 97. Major General [...] remains in that post throughout the transition?

E

DW: Yes he did.

NB: Throughout your term and Major General Palmer takes over subsequently. He took over in 1999, but by that time you would have gone.

DW: There was a handover there and I was with Palmer for I would think for the last six months, maybe nine.

F

NB: I've got Major General Palmer as DGATRA from January 1999 to December 2001. And then I've got you signing off in January.

DW: No, sorry, my mistake he used to invite the arms and service directors up on training briefings, that's why. You're right.

NB: Ok. So [...] was the first DGATR, having previously been DG Individual Training?

G

- DW: That's right. It's confusing, that's the trouble with doing two jobs consecutively working with the same people. A
- NB: And then I understand as the Commander of the Garrison?
- DW: Yes.
- NB: You report to Land Command 2 South East Brigade.
- DW: No, directly to headquarters what was then Fourth Division in Aldershot. B
- NB: In Aldershot, Ok, so you had that kind of dual function as head of the RLC Training Group and as Commander of the Deepcut Garrison?
- DW: Correct.
- NB: Now, in the capacity as Commander of the Training Group RLC I understand that you produced quarterly or regular reports for ATRA? C
- DW: I'm sure we did.
- NB: Well I've got them.
- NB: The sequence of reports may be fragmented but the first I have is dated 9th October 1997 headed Second Quarterly Report
- DW: Yes OK that would tie in with the start of ATRA. D
- NB: I've got one here that I want to talk about that's signed by you dated 14th January 1998 and the next one is the end of year report dated 9th April 1998.
- DW: Yes.
- NB: You just said something which is quite helpful; you think that the reason why I don't go back with reports through to January 1996 is because ATRA didn't begin until after then? E
- DW: I think that's right. It's addressed to headquarters ATRA so it must have been in existence in October 97. Second quarterly report, yes that would put it at a start therefore at April 97, it most likely did start at the beginning of a financial year because the organisation changed relatively little between its previous existence and becoming an agency, it's just the functional changes that took place.
- NB: In its previous incarnation I put down Director General of Individual Training.
- DW: Yes. F
- NB: Right, so from January 1996 until October 1997 were there no reports because you didn't have to report to anyone?
- DW: Not formal reporting in that sense.
- DB: None at all? I'm quite surprised. G

- A DW: I don't think so because we were, because until the Agency formed, to the best of my recollection there was not a corporate agency plan, we were independent training organisations as we had been before. I mean DG Individual Training's responsibility was to oversee the plans that were put in place by the Directors General of the individual Arms and Services, so the training requirement came to me not from DGIT or from Major General [...] but from the Director General of Logistic Support Army who was then Major General [...] and before him was [...].
- DB: You must have reported in some way to him?
- B DW: Yes, but not to DG Individual Training. This stems back, I mean it is useful. There was a time when the head of his cap-badge of his Corps was responsible for its recruiting, its training, the definition of the training required and delivery of the training including Phase I which under this regime was done at Pirbright and therefore the delivery of a capability to the Army which the Army then used. The changes brought about by, I'm being cynical, the Government's panacea of all ills, which was agencies, meant that that was taken away from that individual corps and put on to a basis where you formed part of an agency of which all the trainers reported to one man who was responsible for training.
- C NB: If we define ATRA as July 1997.
- DW: Correct.
- NB: Then what you are describing is a change from pre-ATRA to post-ATRA?
- DW: Correct.
- D NB: Some internal changes have been going on with RLC with moving the directorship from Andover to Deepcut but that puts in one place certain of your activities about training.
- DW: Yes, it doesn't really alter what went on at Deepcut. It is just that the Commander was reporting to a different DG.
- NB: OK.
- E DW: And had a different line of responsibility.
- DB: Am I right in thinking that with the formation of ATRA you have effectively inserted something between the service director and the RLC training group?
- DW: No – you took away from the service director his previous responsibility. His responsibility for training standards and policy was moved to ATRA.
- F DB: Although they feed into ATRA.
- DW: Well, the job evaluation. If you go through the systems approach to training the job evaluation that dictates the training requirement and the setting of that training requirement is still under the hand of the Head of Corps. The point was that delivery of the training was then under a separate agency.
- NB: Let me see if I am getting this right. If I just go back before your posting. I have already spoken to Brigadier Evans. He is at Deepcut – the Commander of the Garrison – and would be responsible at least for supervising Lieutenant Colonel Josling.
- G

- DW: Yes. A
- NB: But I have got the impression from him, and I thought that was confirmed by what you were saying to me earlier, that he reports to Andover about certain matters and he takes throughput instructions from Andover. Who was he, as it were, reporting to or taking instructions from as you understand it?
- DW: From the Director General Logistic Support Army.
- NB: Right. B
- DW: Who was General [...] during Evans' time.
- NB: And that is also RLC?
- DW: Correct. He was the Head of the Royal Logistic Corps before that post was downgraded to one star and I took it on after I had done the Commander's job at Deepcut.
- NB: Apart from the nomenclature, I think I had that in. Therefore it appeared to me when you are merging that function in Andover with what Brigadier Evans had been doing previously in Deepcut, in a sense you are merging one line of reporting up. C
- DW: I don't think you are. As the Commander of the training group your job was to deliver training. Initially you reported to the Director General Logistic Support Army.
- NB: Yes.
- DW: And latterly you reported to the Director General of the Army Training and Recruiting Agency. D
- NB: Right. So you are at one with the head of your Corps?
- DW: Correct.
- NB: And therefore identifying Corps needs.
- DW: Correct. E
- NB: In order to deliver Royal Logistic Corps personnel which will go to join the land army.
- DW: Absolutely right.
- NB: You have then taken that function away and instead you have moved it across to a more general non-RLC posting.
- DW: No – not quite. The requirement to specify the need for and the training that is required still lies with the head of service. What shifted was the responsibility for delivery of the training. Originally the Director General Logistic Support Army was responsible not only for specifying what was required, but delivering it through the RLC training group so Paul Evans reported to him on two fronts if you like. Once he took the requirement of training, translated it into courses and delivered them. But in the second instance, he received the requirement for training from the Director General Logistic Support Army. He then turned them into courses but delivered that responsible to the Chief of ATRA. F

- A NB: Except ATRA wasn't in existence at the time.
- DW: Well no. But my point is that when it did that is what the change was. So until such time as ATRA formed the responsibility was with the Director General Logistics Support Army.
- DB: And part of his empire presumably was absorbed by ATRA.
- B DW: The training bit, correct. I mean part of his empire was the RLC Training Group and Leconfield.
- NB: Right.
- DW: When he lost that, those two elements went to Director General ATRA and he retained if you like responsibility for specifying the requirement.
- DB: And the post was downgraded to take account of the reduction.
- C DW: No. That came later.
- NB: That is January 1999?
- DW: Correct.
- DB: So what was the basis of the reduction in grade – if it's not the change in size of his organisation?
- D DW: Because 6 years before the other arms and service directors: Infantry, Armoured Corps, the Artillery and so on and so on with the exception of those who reported to the Quartermaster General – Logistics and REME – were already downgraded. The other two stayed because they had additional responsibilities in that for example the Director General of Logistic Corps runs the army supply chain. He runs all of the Army's depots. He runs a whole myriad of other things. However, in splitting up agencies you are trying to take away this all-enveloping responsibility for everything and start specifying it on a functional basis. Your supply chain function is what you are there for. So the regimental bit – the training bit – goes to somebody else.
- E NB: Just to go back even further, obviously 1993 was when the different components called the Royal Army Ordnance Corps, Army Corps of Transport etc merge into the Royal Logistic Corps. So we can see, therefore a period of changes, merges, re-examinations going on in 1993, 1996, 1997 and no doubt going on even to this day. So that is what is going on and a bundle of other things going on as well about training programmes generally.
- F DW: Yes. I think the biggest, if I may, the biggest new change as opposed to those we have been used to before was the establishment of agencies. I say that just because they are a very different way of doing military business.
- NB: How does that impact upon your function?
- DW: Well it impacted in that there was much greater emphasis on the financial management of the resources that you were given to carry out the job that you were given. There was much greater emphasis on being sure what things cost you and therefore having a budget which once set was not set in stone but to which you were held in a way that
- G

you weren't before simply because you were part of an all-embracing budget that looked after a lot of different issues and therefore there was flexibility within it to move things around. Once the agencies formed that became a much less flexible system and therefore much more emphasis went on managing the resources as opposed to managing the trade.

A

DB: I think it is fair to say that the creation of agencies lead to greater transparency where you were expected to show where money was being spent.

DW: Yes. I think that is true. But at the same time it reduced the flexibility available to Commanders to manage their business, particularly with manpower.

B

NB: Well two things arising from that. First I think at various points in your report you use the phrase "at risk" and I think I have deduced that that meant at risk of going over the budget.

DW: In what context?

NB: If we are doing things "at risk" – carrying out training at risk that is most likely risk of exceeding financial limits. I will give you some examples.

C

DW: Yes, fine.

NB: But I will come back to that. Where are we? Well here we have one¹. RLC training group establishment "I have brought forward the implementation of the military manpower enhancement duty of care posts and regularisation of LUEB personnel by funding them as a cash risk this year".

D

DW: This was the whole issue of not having enough duty of care personnel and this, the date we had on it, was July. What we decided to do was to bring more military manpower in despite the fact that we had been told there wouldn't be any monies to cover it and we decided to try it and find the money internally and if we couldn't, then there was a chance that at the end of the year we would be overspent.

DW: That is financial risk. The summary is provided – training receipts, training support cells.

NB: So to complete on this aspect of documentation – and I have shown you what I have been given and what I have got. Is the picture that there were other forms of communication between you and Director General Logistic Support Army from January 1996 to October 1997?

E

DW: Yes.

DB: Will the RLC now own those documents?

DW: Well, I doubt it. But I mean it is worth asking them. I mean it could be archived but I am pretty sure we reported on much the same basis as we did once ATRA started.

F

NB: Right.

DW: But it went to a different location.

NB: I see.

¹ Reference is to para 25 of the report of 25th July 1998

G

- A DW: I think the other difference is, of course, we would have been the only training organisation that he had under his wing so if you like it's a sort of separate issue, so yes, the reports ought to be there.
- NB: Was there a document retention policy in your day as far as you know?
- DW: Well, yes the biggest retention policy was to weed the rubbish – you know because we just had so much.
- B NB: And how often do you weed the rubbish?
- DW: Well it normally came around once you know storage ran out and we had got to do something about it – it was whenever the chief clerk had the chance to spend time on weeding things as opposed to just keeping everything.
- NB: Somewhat ad hoc.
- C DW: Well I wouldn't have said ad hoc. I mean we were required to keep financial data for 5 years, I think it was, and the rest of the reports we tended to keep for a period of 3 years but unless it was something that was ongoing beyond that there was no particular reason to hang onto it I don't think.
- NB: So reports of this sort might well have been gone internally after 3 years?
- DW: Well, with the advent of the ATRA I can see that the Director General of Logistic Support may have said well do we need these documents when we have now got a new organisation but I don't know. Well it is worth asking the question and Headquarters RLC obviously will certainly have the answer I suspect because if anything came across when we changed then it would have gone to the Headquarters RLC.
- D NB: Right. Can I just then pick up the topic of the duty of care personnel and one or two issues? Now, maybe because the language is too opaque for me to pick up on but I couldn't particularly see that as a discrete subject matter in the paragraph of the topic of these reports that we have got.
- E DW: Right.
- NB: Until that one that I drew to your attention to later on.
- DW: Yes.
- NB: The first one then is October 1997. Is it fair to say that in this first report to ATRA you weren't marking up the question?
- F DW: Well that is because we had already done it both verbally and in writing to DG Log Support before. I mean, this is a matter that went on and on and I note that in the end duty of care manpower was made available in 2002.
- NB: Yes.
- DW: This is just quite simply a matter of resources. When I spoke to DGATR about this and his management board, we were told in no uncertain terms that the Adjutant-General would not have any more military manpower in the training organisation – full stop. Therefore "get on and find your own solution".
- G

- NB: And when did you have this conversation roughly? Around April 1997? A
- DW: It would have been between mid 1996 and 1997 with DG ITA and with DG Log Support because they are the two people involved in that training piece but the real – I mean this went on until the formation of ATRA and it wasn't at a guess until really ATRA had been going for 6 months or so that we really were told we had got to find a different way of dealing with the problem.
- NB: Well – yes. My understanding of some of the information you have given me earlier is that the formation of the agencies imposed a specific budget constraint on the training function of the RLC. B
- DW: Yes.
- NB: So before all that you did have some flexibility, if it was the RLC as a whole that was budgeted, to move people around and money around where you thought appropriate. When you have got ATRA you have now got to budget for –
- DW: Different money. Money for soldiers is owned by Land Command who employ most of them or by the Adjutant-General if you are going to employ them in the training organisation. C
- NB: So did you have more flexibility before ATRA?
- DW: So far as manpower was concerned – yes
- NB: What was the flexibility? D
- DW: Well, the flexibility was money, but money is not always just soldiers. You can't conjure up soldiers from nowhere to fill posts.
- NB: Was there something that you could do better in terms of providing for your trainees or your trainers prior to formation action that you felt you were being more restricted on after the formation?
- DW: Well we didn't have additional manpower. E
- NB: That seems to be the problem in 1994 and 1995.
- DW: Absolutely, but the point I am making is when do you realise there is a problem? Paul Evans said I think we need to look at the ratios of duty of care personnel. I think in my first 6-8 months in the job and talking to David Harding who was the Commanding Officer we came to the conclusion that there was a need for more duty of care personnel. By then ATRA was forming – and we started talking to them about the additional funds we would need in order to do that but it wasn't ever forthcoming. F
- NB: I accept it wasn't forthcoming. And I think, to be honest, that why it wasn't forthcoming is the issue that I am pursuing.
- DW: Well I think on reflection I would think there are a couple of reasons. One is that when the ATRA was set up it was the first agency that imposed on what the Army had traditionally done itself. Logistics to an extent was always in part done by civilians or whatever so you could put an agency that ran all of the depots in the United Kingdom and the Army were quite happy with that as long as it saved money. The ATRA, G

- A however, was an agency that was imposing itself on the traditional training function that the Army had. And I am not sure that people were really that happy with what was going to happen. So when the ATRA was set up there was no doubt for example – if you wanted help from elsewhere – from outside of that – there was a tendency to say well hold on you are an agency now you are on your own – you make it work. For example, when we wanted manpower when we were told that we couldn't have manpower within the budget – a few extra duty of care personnel – I went to Headquarters Land Command to talk to my opposite number there and said "can we take some soldiers out of the regiments?" Well the attitude I think was we will have a look at it but actually you are an agency on your own now. You have got to stand on your own two feet. Before the agency was set up I think Land Command would have said "well, for how long?" you know. We need to put this into the process. Eventually we need more soldiers in the training organisation and we will lend you some as it were until we get to that stage where the resources are made available and the manpower is made available and all the rest of it.
- B
- DB: But even before ATRA was formed was there not still a 'black economy' of people being put into training organisations from the field army?
- C
- DW: Well, there was, but we were quite busy around that time with the Balkans weren't we? So I suspect that from a Land Command perspective there was a greater drain on the requirement for soldiers and therefore not as easy to free them up for other things. I think as I said were we sure we needed more duty of care personnel? I think by the end of 1996 that was quite clear. I am not sure I was before that.
- NB: I see so you weren't too sure about Brig Evans' recommendation?
- D
- DW: Well, the recommendation was we should look at the ratios – well we did that.
- NB: You should look at the ratios and also the guard service and the possibility of bringing in the MOD Guard service to free up trainees from doing that.
- DW: Well, the letters we wrote to Headquarters 4 Division about that; we were told, "just not possible".
- E
- NB: You wrote letters to Headquarters 4 Division about that?
- DW: Correct.
- NB: About the Military Provost Guard Service?
- DW: About the Military Provost Guard Service and they said there are no resources to fund it.
- NB: Right. You can see why I have to ask these questions.
- F
- DW: I understand.
- NB: Someone is going to have to explain why this didn't happen, because what happens in 1995, of course happens again in 2002.
- DW: I think the other thing is that you have got to look at this from a perspective of you know what is the size of the problem? Two young soldiers died, totally – as far as I can see – unrelated incidents.
- G

- NB: Except they are both on guard duty. A
- DW: Well fine. But that is when a soldier has a rifle on his own.
- NB: Yes.
- DW: They don't at any other time so if you are going to kill yourself that is most likely the best time to do it. You are certainly not going to do it in the middle of the square when you are on parade – well you wouldn't have the ammunition anyway – but you are not going to do it on a range, either, because you are in a controlled body and it isn't an easy thing to do. B
- NB: Quite.
- DW: So my point is, you know, is there a problem? In the previous 30 years there hadn't been an incident. We have two incidents from my perspective that appear not to be related. Paul Evans had done what I thought was a very thorough review of a whole range of things and had recommended a whole range of issues that we needed to look at or to tighten up on. As far as I was concerned that is what we got on and we did them and I know that David Harding – who was the Commanding Officer when I was there, was diligent about putting in place those recommendations. I think we weren't sure. It seemed as if we were a bit short but the numbers fluctuated wildly. You could have in B Squadron at any one time – you could have anything from 200 which would most likely have been within the capabilities of the permanent staff who were available up to at one stage I think we had 880 which were plainly not, but in trying to gauge what you would have at any one time, we needed to see over a period of months what the problem was. To see what was the size of the problem. C D
- NB: So picking that answer up I take it you weren't satisfied in the early months of your new command that there was a manpower trainer/trainee ratio that would need you to make a forceful representation?
- DW: I suspected there was but I wanted to be sure before I made the case.
- NB: And from what I understand you only become sure at the end of 1996?
- DW: I would think that is about right, yes. E
- NB: So I therefore would expect you to be upping the ante in terms of the representation that you are making.
- DW: Yes.
- NB: At the beginning of 1996 to the beginning of 1997 it looks like still pre-ATRA.
- DW: Well it is pre its formation but it was in the stages of formation and we were starting to work to them. F
- NB: Can we call it DGIT?
- DW: Yes, absolutely. Upavon is the simple answer, because that's where it all was.
- NB: So your message goes up to Upavon. In what form? G

- A DW: I wrote letters to Major General [...] about it and secondly at his Management Boards and meetings we discussed the manning ratios and I suggested we needed more manpower. We were told that they would look at it initially. But later on the message that we eventually got was that there was to be no more military manpower in the training organisation.
- NB: When did you get that message?
- DW: I have no idea. I mean the answer is most likely at the end of 1996 beginning of 1997.
- B NB: I appreciate these dates are not precise, but if we start this discussion perhaps at the end of 1996, shall we say November/December? You're putting in your request. They said they would consider it and then come up with a negative decision seems to me it would be in about January/February.
- DW: That sounds about right but I have no idea of the actual date.
- NB: And then 2 months later the ATRA financial year begins.
- C DW: Yes.
- NB: And in October 1997 you issue your first formal report to this new agency format.
- DW: I am surprised there isn't another one.
- NB: Well that is the start of what I've got.
- D DW: It says second quarterly report. I suspect that somewhere there must be a first.
- NB: I see.
- DW: Unless we were reporting only on a 6 monthly basis.
- NB: So you think this is not your first report.
- E DW: I don't know that.
- NB: I think all I can do is to note that what you are telling me is that at some point between the end of 1996 and October 1997 you have made these representations.
- DW: Yes.
- NB: They have been unequivocally turned down.
- F DW: Yes.
- NB: You were told by ATRA, as it then was, certainly by October '97 "you get on with it – you deliver the training" and you are told by – you are now the RLC effectively because you don't have an Andover.
- DW: No.
- NB: And you are told by Land Command "sorry you are now a training agency, you're on your own".
- G

- DW: That link with Andover did still exist until 1999 but it was an informal relationship, in that they were still specifying the training that we were then developing and carrying out. Have you got a piece of paper? Quartermaster General has at Andover the Director General Logistic Support Army – one of his staff. The Royal Logistic Corps Training Group sat with a direct link with him responsible to him for everything they did up until the formation of ATRA. And that included essentially the requirement. A
- NB: Something like 1200 persons per year?
- DW: Yes or for petroleum training to be modified or whatever. And this guy then delivers the training. When the ATRA came on board, the relationship was that that was the command relationship. I have got 2 lines for the command relationship. He owned that. When ATRA came along ATRA owned the RLC Training Group. B
- NB: Yes.
- DW: This continued.
- NB: And they reported to them did they? C
- DW: No. He was then a stakeholder requiring ATRA to deliver the training on his behalf. So before ATRA everything was in a simple loop. After ATRA the delivery was in actual fact – if you go through the theory – he put that requirement to ATRA. ATRA told me to deliver it and I delivered it
- NB: I see.
- DW: That is the point about the agency. But the point I am making is there was still a relationship because he was my cap badge senior officer and on certain things I would have gone to him to talk to them about what he wants rather than go to him and say “well you go and talk to him”. We then have in January 1999 we have this chap, he blisters off part of his business to DRLC and this requirement here switches to there so he is taken out of it completely. D
- NB: Yes. And in terms of what have you taken away something going on in Andover and given to yourself in Deepcut in January 1996? E
- DB: You actually move it and you have taken away a chunk of what was there.
- DW: What you take away from him is part of his responsibility that he has now taken on.
- NB: Yes.
- NB: I started off our conversation because I had been looking through some materials about the move of RLC Corps HQ from Andover to Deepcut. That is January 1999? F
- DW: Correct.
- NB: Not 1996.
- DW: Correct.
- DB: Essentially the delivery component stays. G

A DW: The delivery component stayed the same although it gained over that same period of years and the Director General Logistic Support, at one stage before the ATRA there was a continuum between the two.

DB: Right.

DW: The command relationship was very clear.

B NB: Let's now get back to the two themes which I put into play. First of all the ratio of trainer to trainee.

DW: Yes.

NB: The picture that I have is that generally speaking the number of the throughput and the number of the trainees going to the RLC is increasing from December 1995 through to 2001. I appreciate there are ups and downs and there are times when there are blocks but that is the broad picture. Is that a true or false picture?

C DW: That is true because we were managing more people.

NB: If by the time of late 1996 you had decided that there was a case for improving the ratio – that case at least doesn't get any weaker and may become stronger in the intervening years.

DW: Correct.

D NB: You made that case as we now know somewhere between the end of 1996 and October 1997 and it is rejected or considered rejected and you don't pick it up again in your second report that we happen to have here.

DW: Correct.

NB: It's a non-issue?

DW: Well there are times when you are told to get on with it and you try to find another way around the problem.

E NB: Did you pick up that issue again in these reports to ATRA during your time?

DW: I can't remember.

NB: I think you were worried eventually as to whether the fact that they ring-fenced those courses you may have been putting on that. This is something else. Now this is actually about barrack duty but it is about St Omer as far as I understand it.

F DW: Correct.

NB: Flag it up because I am going to come back to that.

DW: Because, it is one of those MGS issues. If we'd had what we considered the right number of Military Guard Service we would not have needed to use soldiers on guard duty.

NB: Yes, now the answer to that is from ATRA. Yes. We will have a look at it.

G

- DW: Yes. A
- NB: So this is the response to that.
- DW: Well this is what I said. I went forward about the need for MGS – what is their answer? The timescale is not clear. So again my point is there obviously wasn't spare money to go and solve the problem of guarding the barracks.
- NB: We are now in January 1998. Now here – this is maybe relevant. What are these notes on risk assessment? B
- DW: No, this is different. Risk assessment is all part of health and safety so it is a health and safety risk analysis. What we're saying is that we put into every course we run how to carry out a risk assessment because it's required under health and safety requirements so it's actually to do with training risk i.e. should you be asking people to, I don't know, walk on the table if you haven't done a risk assessment to see what risks?
- NB: Right, yes. Did that risk assessment ever include the risk of trainees self-harming or committing suicide? C
- DW: No, this is standing objectives.
- NB: But might not that come within a risk assessment of the delivery of courses if they're hanging around for SATTs.
- DW: I wouldn't have thought that that was a specific risk assessment for a specific course.
- NB: Battle fitness test, what is that? D
- DW: Every six months all soldiers and officers in the army below the age of, have to do three miles, you do the first mile and a half in fifteen minutes and the next mile and a half within a time limit set for your age.
- NB: So it's the capacity to perform to certain standards. So we don't return to the theme of training ratios is this report?
- DW: No. E
- NB: This is our next one. The second full training year since formation of the RLC training, we'll come back to that.
- NB: And this is about getting licences.
- DW: One of the problems we had, with so many soldiers at Deepcut was because they had to go to Leconfield to get their car driving licence, so we changed that and we said "we need a different system", hence the employment of the British School of Motoring around the Farnborough and Deepcut area, so we were able push the soldiers through quicker, get them a licence and then soon as they got it they could go off to Leconfield and complete their training. F
- NB: That was one thing you introduced?
- DW: We did but we, I mean we also got soldiers away to units where we knew there was going to be a delay, but that took a long time to get going because there is a lot of administration involved. G

- A NB: I'm just going through the procedures with you, ok? This is about IT hardware and software, now, that's something else that I don't think relates to the training ratio.
- DW: No it doesn't. This is to do with the Army has a number of IT systems for which the RLC personnel need to be competent. Those systems in the field army were being upgraded but at the same time no-one had provided the money to upgrade the training facilities.
- B NB: This is an annex to that report. "Since 1 April 1997 a total of 139 military/civilian staff posted to RLC Training Group have received formal induction training, all newly arrived personnel have been issued with an employment charter and given a personal copy of the ATRA booklet Codes of Practice for Instructors". So they were being given that whenever that was generated. We are now moving on to the next one, July 1998, ATRA's instructors course, you are pointing out some, I think, other broader responsibilities, Territorial Army, and something we've got here about the code of conduct but I don't think that's really touched upon in our discussion. You don't recall what PT2 means?
- C DW: I'm not sure I know. Have you not got the annexes, because they should have the PTs in them? PTs are performance targets that would have been included in the targets set on me by ATRA. What I'm not sure about is exactly what they were.
- NB: Well, I couldn't see them.
- DW: Well, let's have a look, PT1, this will PT1 will have been something to do with, with I suspect, with training the trainers, ensuring that those who come in to join as instructors are given the requisite requirements. PT2, it's obviously to do with NVQ accreditation. PT3 is to do with course training plans, that's all. PT4 was obviously to do with ensuring that we maintained levels of fitness whilst the soldiers were in Phase II training and PT5.
- D NB: All that this suggests is this is your reporting about people who have gone to hospital.
- DW: Yes, I mean I'm not sure whether it's training accidents or whether it refers to, I mean I would have, two cases in the Army School of Catering and six in the training group. I mean it sounds either as if its training related injuries which one would expect it to be but I'm, to be honest I don't know.
- E NB: Anyway this is not related to people who may have harmed themselves?
- DW: Well, it could do, is the answer but I'm not quite sure. We often got the odd soldier from the School of Catering who would burn themselves or something during the early stages of training, especially on the field catering stuff. It's difficult, I really don't know.
- NB: Let's just quickly rush on through, now this may be a reference. "I have brought before the military manpower enhancement duty of care posts".
- F DW: Well, as I said, by this stage where are we in now, 1998?
- NB: 98.
- DW: There was a recognition, and I would have thought [...] said it, but I'm not sure. There had never been a lack of recognition that the case we had made from all the personnel, it was always accepted that was a valid requirement, all I'm suggesting here is that by this time there was obviously an understanding that we needed it and an agreement to do so but the budget, you have to work ahead of the budget what I'm saying here is,
- G

that we obviously got to the stage where we said we need to try and run ahead of what the budget will provide and if necessary we'll overspend money. But that comes back then, I mean this shows how long it takes is in a way, because as I said to you, you don't just pluck a Corporal and a Sergeant and a Lance Corporal out of nowhere. You've got to make provision for where those people will come from, and if you want them in the training organisation they've got to come out of somewhere else. Or, the overall side of the army has to grow in order to provide you with them. A

NB: Point taken. Apart from that reflection which appears to me you telling them that you're working to their budgets, rather than you are asking for more budgets to do something better. B

DW: Well, what I'm saying there is I'm going to do it, regardless of the fact that I don't in this year have the money to do so. What it says is that I'm going to, by funding them as a cash risk. All that means is that we bring somebody in and if we overspend the budget which we were bound to do then you'll have to pick it up.

NB: What did you do in that period? Do you know what you did? C

DW: I was just trying to think, where would we have got the bodies from? "Employed in the base". I know what that is. We found a source of bodies, that's right, because hold on, LUEB was a –

DB: Was it a lodger unit?

DW: It was something to do with drawing down and employing soldiers elsewhere within the Army and we did it in the base where they shouldn't really have been. I.e. there was no requirement for them there and we latched onto the fact that there were spare bodies and therefore we were able at last to find some people who would come in and do a worthwhile job in the training area, albeit that it wasn't funded. I mean somebody else was paying for it. D

NB: And you don't know who you were bringing in?

DW: I'm just trying to remember what the LUEB stands for. I can go and find out for you.²

NB: And then, the last one doesn't deal with these topics at all. Just to assist you, the person who then takes over your post after you is Brigadier Tweedie Brown and I know in 1999, he's writing directly to General Palmer about these situations so it looks as if the problem remains unresolved, whatever it was he'd been able to do. E

DW: I don't think it was, it was resolved finally until 2002.

NB: So the broad position as I understand it, is that you had made the representations in 1996-1997, they said "nothing doing" and you would just go back and work with whatever budget you had. F

DW: I mean we did, I know David Harding, for example, he went to the field army and borrowed, I'm pretty sure, a couple of the Corporals to help, it wasn't the sort of numbers we needed.

² "Land Units Employed in the Base. These were HQ LAND owned units, nearly all logistic, whose roles in the Base Depots were being taken over by a gradual contractorisation of that function. We therefore were able to identify them as manpower that we could 'borrow' to increase the duty of care ratios, without it affecting other budget holders' resources." Explanation provided by Brig Dalby-Welsh via e-mail on 25th July 2005. G

- A NB: Did you have an idea of what were the numbers you needed?
- DW: Yes, we did, absolutely because we had had a meeting at ATRA where this was discussed because we weren't the only people in this position, The REME at Arborfield were exactly in the same boat as we were with a very small duty of care manpower, although we didn't call it duty of care manpower at that stage, I mean they were, they were administrative troops looking after people who were moving through the system. And the other place that was also suffering was at Catterick. Because I remember one conversation where the CO at Catterick said "you know, I've got a ratio of" – whatever it was – "1:40 and that's unacceptable" and we, both the REME chap and I, were saying "well we're fighting to reduce it from 1:60", which is what it was at the time.
- B NB: Yes.
- DW: Which we thought was even more unacceptable.
- NB: What is more acceptable, 1:20 in a training establishment?
- C DW: If it's just administrative I would have thought 1:30, 1:40 something like that. It depends what the people are doing. If they need full-time attention, I mean, if you're involved in their training on a minute by minute basis, if you're looking after them on that sort of basis, then it comes down, if however they are going away all day, coming back in the evening and you're, you know, the duty of care manpower to look after them when they are not employed doing other things then the ratio can be slightly higher.
- NB: Would it be fair to say you need a sufficiently intense ratio so the corporal knows his troops, knows when they are doing well or badly or suffering, or feeling depressed?
- D DW: That's easy to say but you're dealing with a transient population, whatever the ratio, you will never get the same relationship between a troop Corporal or a troop Lance Corporal and the soldiers who are in training, than you would with one in a unit in the field army, don't forget, we had 800 people constantly moving through the system.
- NB: I'm very conscious of that. The question is that how do you protect and promote or make the best or reasonable efforts to promote the welfare of this constantly moving transient population who are doing different courses in different locations?
- E DW: The answer is you need a sufficient number of duty of care personnel.
- NB: What is the number?
- DW: Well as I said I would have thought 1:30, 1:40 is about right, but also you need a management system that allows you to capture these trainees sufficiently often that you can engage with them.
- F NB: What do you mean by engage?
- DW: Well because they, they get up in the morning, they go off to lectures. Or they get up in the morning, they get their breakfast, they sit around in the barrack room all morning. Why? Because the course they are on doesn't start until tomorrow or the day after. So it's the ability to pick up those that are awaiting training and deal with them on a minute by minute, hour by hour basis, given their additional training, occupying them.
- G NB: Continuation training?

- DW: Continuation training, and at the same time, them being able to capture those who are away on a course all day coming back in the evening and having that contact that allows the NCOs to pick up on any issues that there are. A
- NB: So is it three functions? First of all you don't have sufficient resources to employ welfare administration personnel, to the ratios that you would consider acceptable?
- DW: We didn't then, we did it in a slightly different way, we did it by using WRVS, the padre.
- NB: I mean, did you have sufficient personnel or not? B
- DW: No. We did not have enough personnel to manage, at times, the numbers that were coming through.
- NB: At times. Two, you didn't have sufficient personnel to have the continuation training at a proper ratio?
- DW: We did not because we had put together a training capability within the resources that we had. C
- NB: Right. And the third topic are those people who are on courses so you don't therefore see them, they may be away or coming back, do I understand you as saying you didn't think you had sufficient personnel for that?
- DW: No, I think those were catered for because the staff we did have, they were quite aware that in the evenings when they came back and first thing in the morning, we had to ensure that we briefed them, that we knew what was going on and that they made contact with those soldiers. D
- NB: And were there sufficient numbers for them to make personal contact with those soldiers to find out and know their soldiers sufficiently well to know what they were having problems with?
- DW: Well I don't think that's a practical capability because of the speed with which they are moving through.
- NB: What's not a practical capability? E
- DW: To know every one of the soldiers that under your care in a system like that.
- NB: Right. So that's just not a target that you would aim for?
- DW: I'm not sure how you could, I'm not sure it's a target that you could set. How would you, how would you say to a Corporal, you've got to get to know that soldier who comes in on Monday, goes on Wednesday, comes back in three weeks' time, spends two days with you being administered out and then leaves for his unit? F
- NB: Is that what happens?
- DW: If the system works well that's exactly what happens.
- NB: In a number of the incidents I've been looking at, people like Private Benton – before your time, I appreciate that – was around for around for about 9 months. G

A DW: Absolutely, because he failed his, you know, the ideal is a soldier who comes in, well trained from Pirbright, he's keen, enthusiastic, passes all the various bits that they have to do first time round and indeed is able to be slotted into the programme in an efficient way and comes out the other end in, I don't know, depends what the training is, but essentially a driver could go through in six weeks.

NB: It seems to me, Pioneers seems to be the shortest trade – four weeks I've been told – whereas the other trades seem to be three months to nine months.

B DW: Well a driver, if you pass, I mean you do your B licence in a week. If you pass your driving test you're driving a car in a week. And there is a course starting the following week at Leconfield, you could be on it. The C and E course I think was five weeks.

NB: But you don't think it was a practical thing for staff at the Depot or at Deepcut to get to know these people because they were just passing through?

C DW: That's not what I said; I said it is very difficult to place a target on them to get to know them well during the time that they are there because of the transitory nature of the population.

NB: So getting to know them well is unrealistic?

BDW: Yes.

NB: During this period, obviously we have no deaths. At least from self-harm. We do have a number of attempted suicides or self-harm. Were you aware of those?

D DW: We didn't have any attempted suicides as far as I was aware, we had seven or eight incidents of self-harm.

NB: That's what the RMP log has identified.

BDW: Yes.

E NB: That's for the period, so one is described as attempted suicide. So I think we have 8 self-harms including the one that is described in the log as attempted suicide. Did that cross your radar?

DW: Yes.

NB: Right. Did that excite any response or any concern?

F DW: Well yes, it did of course and that was the reason that we had the weekly welfare meetings. Or the Commanding Officer had a weekly welfare meeting with the welfare staff in the organisation in order to try and address this sort of problem.

NB: So the welfare meetings were the response to this type of concern?

DW: Well, they were a response to the recommendations of the Evans Report³ and they were designed to deal with exactly this sort of problem.

NB: Even though we didn't have sufficient personnel?

G ³ The Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995.

- DW: My point is that we may not have had the military personnel, but as you well know, we set up a system that used the WRVS, the doctor, the padre. We enforced, for example, padre's hours, which had been undervalued beforehand. We're in an interesting environment at that time where you know, if you're 18 years old you are an adult and you should be allowed to do what you like and that you shouldn't be put in an over-wrapped in cotton wool and made to do things that you might not want to, so for example, padre's hours as I understood it had rather fallen away because many of the soldiers said "we are not interested, we don't want to do it". Under David Harding's regime we agreed that we would ensure that they went to the padre's hours, not anything to do with religion but to do with the fact that padre had them in a group and was able to talk about the sort of problems that they may have had and therefore, how they dealt with them. A
- NB: So that was something instituted in 1996 in response to Evans? B
- DW: Correct.
- NB: Padre's hours and the welfare committee? C
- DW: Every month, eventually, but it started off as being every week because we were concerned.
- NB: Did that welfare committee ever leave any paper trail of its activities?
- DW: I don't know, because that was within the Regiment. They had an at risk register, I know. But that was rather at squadron level. So that if the WRVS woman said "I'm worried about so and so", the Squadron would know about it and they would keep an eye on that soldier during the training. D
- NB: That type of contact rather depends upon the soldier who may be feeling low or whatever it is, going to make contact with one of these people, WRVS or the padre?
- DW: Or them noticing it. Or the troop staff seeing something. They were involved in it as well.
- NB: That was back to my question about the troop staff, that you've got to have sufficient numbers in order for them to notice things like that E
- DW: I accept that. All I'm saying is that those who were there, you know, did pick up on some of these things. We might have picked up more if there had been more staff.
- NB: Yes. Obviously yesterday as it happens we'd been to Harrogate⁴. A different arrangement altogether but one thing that was quite striking was one corporal to 10 or 12 soldiers per section for a year and you do tend to know what's going on. F
- DW: Absolutely.
- NB: And that tends to be the ratio you get in the field army where you get to know your people very well.
- DW: And the question is, why don't you do it in training? And the answer is you should. G

⁴ Army Foundation College Harrogate.

A NB: But did you know that they should at the time and you made these representations they were rejected or were you not convinced because you thought it was no use?

DW: Well, the answer is that we had an establishment which had been set up before both David Harding and I arrived. We looked at the Evans report, we looked into what we thought was right and then we made our representations

NB: Which were then turned down?

B DW: Correct. Well, to say they turned down of course doesn't recognise the fact that it may not have been easy to do that. Recognising the need is different to supplying the answer. Supplying the answer is something that the Army, I think find relatively difficult to do easily because of the resource constraints. If you don't have a spare wadge of money floating around to go and spend on that sort of thing it makes it that much more difficult.

C NB: As you said earlier, the question is what is the extent of the risk? We know about the two deaths in 1995, we know that Evans had also picked up a number of self-harms over a six month period. We've extracted that and obviously that list I've just shown you is from May 1996 to September 1997.

DW: Right.

NB: We're picking up bits of data [on] 8 cases of self-harm, so at least things like that appear to still be going on.

D DW: But you didn't say what the severity of the self harm is?

NB: I can't tell you that.

DW: David Harding would have said to me, "well you know, this was a scratch on the wrist", for example, or this was a serious event that needed them to go to hospital.

DB: I think there are a number of additional cases of self-harm that are not reported to the RMP.

E DW: I'm sorry, from 1996 onwards, all cases of self-harm were required by us to be reported to the RMP as soon as we suspected that we felt there was an issue.

DB: I'll come back to you on that⁵. We've gone through the guardroom logs and there's certainly no correlation between what appear in the guardroom logs as instances of self-harm and attempted suicide and notification to the RMP.

F DW: Well, it depends how serious it is. You don't tell the RMP that you've got a case of self harm if someone has grazed their wrist.

NB: So therefore, let's get this right, do you notify the RMP when the self-harm appears to be a certain level of severity and seriousness?

DW: In the judgement of the regiment running the soldiers, yes.

⁵ Of 16 incidents reported in the Guardroom Daily Occurrence Book (GDOB) for the period 1 Jan 97 to 31 Dec 98, six appear as corresponding entries in a RMP list of incidents involving Deepcut personnel for the same period. Only one of the unreported incidents is described as "very minor cuts". The RMP list does, however, record a further 3 incidents which do not appear in the GDOB. This gives a total of 19 incidents over a two year period. GDOBs for pre-Dec 96 are not available due to routine disposal by the army. Figures for 1996 are therefore unavailable.

G

- NB: Right. So not every incident of self-harm or apparent self-harm gets reported. A
- DW: I would have said during that period, yes, they did.
- NB: Well, I thought you just explained that you don't do that for a scratch on the wrist.
- DW: Well, then it's not self-harm is it?
- NB: I don't know. B
- DW: For all I know they could have scratched themselves on a wall running down the barrack room.
- NB: Alright, well every form of harm which appeared to be self-inflicted.
- DW: As far as I'm aware, we reported it to the RMP.
- NB: So you don't evaluate seriousness, you simply say this has been done in self-harm therefore report it to the RMP? C
- DW: It's pretty obvious I would have thought if it is self-harm, isn't it?
- NB: I'm just trying to find out what the policy is. As to whether the orders were that the guard room reports to the office.
- DW: I haven't the foggiest idea.
- NB: Right. D
- DW: Because, he will know what was written in the guard report. My point is that as far as I'm aware the policy was that if we had a case of self-harm we immediately brought in the RMP.
- DB: Was that your policy?
- DW: That was Army policy. E
- NB: Handed down from Land Command or ATRA?
- DW: Land Command.
- NB: I see. I've dealt with those. As far as you were aware did any of that data result in you pressing with greater vigour or greater persistency the staffing ratios case?
- DW: Well, I pressed the case throughout that year so the answer is at every opportunity I got I raised it. F
- NB: Throughout the year 1996 to 1997.
- DW: 1997, yes. And in the reports beyond that.
- NB: Well we've been through the reports.
- DW: Absolutely. G

A NB: Apart from any reference we've picked up and discussed today in reports from October 1997 through to October 1998 so it is that year.

DW: Yes.

NB: Was there anything else going in to the chain of command, ATRA or Land Command?

DW: Well, in all of our management boards we discussed it. This was a running topic.

B NB: So I've got to look at the management board minutes as well to see what other things you're saying?

DW: Well I would have thought that whether or not they were recorded, because some of it was conversation around the board or around the margins of the board as opposed to inside it. But we discussed the requirement, the requirement is not going to be settled because we don't have the resources and that doesn't stop us, you know, reiterating the case despite the fact that you're told you're still not going to get anything to do anything about it. The Army over the years makes you understand that there is a time when you've got to get on with what you've got. And it's no good keep battering your head against a brick wall, what you've got to do is try and look for other solutions. And don't forget, I was looking at this from a perspective of two deaths not four. And therefore two of which as I said right at the beginning were totally unconnected.

C

NB: I have put to you the connections. The connections are that they were both Phase 2 soldiers, awaiting trade training on guard duty.

D

DW: Absolutely.

NB: Let's just stick with that, if that's the connection or not. I'm going to come back to guard duty.

DW: Fine.

NB: We know that after the next two deaths, after your turn they did actually come up with the resources so sometimes it seems deaths on the line enabled them to change their mind about.

E

DW: Well no, I think people take a view at the time as, as Evans did quite rightly and he came up with a lot of good recommendations which were implemented.

NB: Let's just then go back to guard services. That's one of the recommendations. Use more MGS⁶ and fewer soldiers.

DW: Absolutely.

F

NB: That I think you then took up with someone else, Land Command?

DW: Headquarters 4 Division and 2 South East Brigade – the chain.

NB: And I'm right in thinking that Deepcut has a particularly significant number of gates to guard. 34 to 40 guards are needed.

G ⁶ Ministry of Defence Guard Service.

- DW: Yes, it had three gates at the main camp and then the Officers' Mess and the Sergeants' Mess. Depending on the alert state, that could mean lots of people on guard. A
- NB: As a matter of interest was there always this requirement for armed guards throughout the nineties?
- DW: Well, since the late sixties of course, ever since the Northern Ireland problems existed there has been a requirement to secure military installations in the United Kingdom.
- NB: With armed guards. B
- DW: Well depending on the alert state. I mean, we have a varying level of alert states. At one level you don't have any arms at all; at the other you have people with loaded weapons.
- NB: I understood that if you were a class A site with soldiers sleeping in accommodation you'd have to have armed guards on the gates.
- DW: I'm sure you're right. C
- NB: That's an instruction which you would have received.
- DW: Yes, I think that's an MOD policy.
- NB: So, the Military Provost Guard Service – MPGS – they happen to be around there today defending Deepcut reducing severely the need to put trainees on armed guard.
- DW: Yes. what you see at Deepcut today is not what was available in Deepcut in 96, 97 or 98. This is a new organisation which is armed, is ex-soldiers and is able to carry arms themselves. We're talking about the Military Guard Service which is civilian, civil servants who didn't carry any arms, so regardless of how many of them you had to run the gates when the alert state was low there would still have been a requirement to put soldiers on when the alert state was raised. The key issue here is that on a normal day-to-day basis at the lowest of the alert states we wouldn't have needed to have soldiers on if we'd had enough Military Guard Service. D
- NB: The requirement for significant numbers of soldiers to do guard duty at Deepcut did continue through 1996 through to 2001. E
- DW: Yes.
- NB: And so whatever available solutions might have been in theory available didn't reduce that requirement.
- DW: No, again, we're talking now about resources, a different budget.
- NB: Right. F
- DW: It wasn't a training budget, this was administrative and that's why it went up a different chain. My view was in much the same way that Land Command might have said, you know, you want extra manpower from Land Command well you're an agency stand on your own two feet. Equally I could turn round to the administrative chain of command and say "I'm a training organisation, I wouldn't want to be putting soldiers on guard". G

A But again, you know, if the resources aren't there to provide the MGS (a) it wouldn't be done, (b) in that part of the world recruiting people for that job was very difficult. I mean there were instances at Deepcut of a post being empty for six months because we just couldn't recruit.

NB: And you didn't have the budget to recruit?

DW: I didn't but it wouldn't have made any difference. If you're not paying people enough they won't come and work.

B

NB: You've read the Evans report obviously, we've discussed that.

DW: Yes.

NB: Did you read the Pte Benton Board of Inquiry⁷?

DW: I did.

C NB: And did you read the Pte James Board of Inquiry⁸?

DW: I did.

NB: In the Pte James Board of Inquiry there is the commander of the garrison adopting or agreeing it. Did that come to you?

DW: The Commander who agreed it would have been the commander 2 South East Brigade because he was the convenor of the Board of Inquiry.

D

NB: Right, so it's not down to you?

DW: No. It would have been my job to implement the recommendations but it was up to him to agree with the Board of Inquiry as he set it up in the first place.

DW: I'm assuming that I would have done because I would have written to Commander 2 Brigade with the Board of Inquiries somewhere saying that, I've seen it and I agree with.

E

NB: You did see it and you did agree with it, did you? I just haven't seen that letter.

DW: Yes, I mean, we had some discussion over it simply because there was a suggestion that as a result of Mr Milne's comments that the president of the Board of Inquiry may have exceeded his remit and there was a debate over that⁹.

NB: What did you make of Mr Milne's comments?

F

DW: I think the point was he felt that some of the questions were straying away from the overall remit that had been placed on the Board of Inquiry. When I talked to the officer concerned his view was, how do I find out if there's a problem without pursuing certain lines of inquiry? And this was essentially to do with the girl's behaviour with her boyfriend and her relationship with her parents.

⁷ Board of Inquiry – Pte Benton (deceased), July 1995.

⁸ Board of Inquiry – Pte James (deceased) 18 January 1996.

⁹ Board of Inquiry – Pte James (deceased), Statement of Disagreement on Findings of Board of Inquiry by WO2 Milne, 19 January 1996.

G

- NB: And where did you stand on that difference? A
- DW: Well it was too late then because the Board of Inquiry had finished. I wasn't sure, I mean, when you read the questions you might say "well this is getting a bit intrusive", remembering that he was not talking to her of course, he was talking to her friends.
- NB: Yes.
- DW: But I think the point was, he made the point that there was perhaps, an element of Private James' life that if he hadn't asked the questions we wouldn't have been aware about and might have thrown some light onto the reason that she died. B
- NB: It does show that the data that's coming out was that James and a number of the other female trainees there had boyfriends in the female accommodation or were themselves visiting male accommodation.
- DW: Correct.
- NB: And there seemed to be therefore a breach of the disciplinary regime in that respect. Was that a legitimate area of concern for the BoI? C
- DW: Yes, I think it was and that's why David Harding I'm sure will have told you that he tightened up on it tremendously when he took over. But I think again, I go back to what I said before, this was in a time when there was an awful lot of pressure to say "well just lighten up on these kids a bit, you know they've got lives of their own to lead". Why should we be dictating what they do in their spare time? Now I'm not suggesting that therefore the reins were taken off but it may be that people further down the chain felt when something happened that perhaps, you know, perhaps we'd back off or otherwise we're going to be seen to be overbearing in our disciplinary relationship with these people. D
- NB: I understand. Was that your view?
- DW: No it wasn't.
- NB: Either one tolerates it because there's nothing else for them to do – E
- DW: No, I don't accept that.
- NB: Or one disciplines them for it. I don't know.
- DW: As I said, if you talk to David Harding he will tell you that we put back a very clear regime that prohibited it because I didn't think it was good for, not even for discipline, it wasn't good for them. In that environment it would have been, I think a dangerous precedent to allow that sort of thing to happen. You won't stop what happens and whether its better that it happens out in the woods or at the back of the Conservative Club on Deepcut Bridge Road is a different matter but that's another issue. It is difficult to know what happens before your time, all I can say is that during my time Harding and I worked very closely on all of this because it was an issue when we both, at the same time took over our commands. F
- NB: You know when you took over your command, there had been problems about NCOs and liaisons. G

- A DW: Well, no, suggestions.
- NB: Suggestions? [RSM Z] is a suggestion rather than a problem?
- DW: I'm not sure I know the full story of [RSM Z]. But as far as I was aware there was more conjecture than there was fact. I'm not saying it didn't happen; all I'm saying is we were aware of the need to do something about it and make sure that everyone knew exactly where they stood.
- B NB: He had gone, hadn't he, before you arrived?
- DW: Yes he had. Therefore all I heard was hearsay.
- NB: Did you issue instructions to staff reminding them of their obligations in that respect?
- DW: David Harding did.
- C NB: Two people I'm going to talk about briefly: [Lieutenant C] and Leslie Skinner. [Lieutenant C]. Does this ring a bell?
- DW: Sort of.
- NB: He was one of the Troop Commanders. You inherited him.
- DW: But we got rid of him, didn't we?
- D NB: No. I think he was on a short service commission and he had applied in October 95 to extend his commission.
- DW: Right.
- NB: Evans in rather a forthright language said in October 95 "I no longer have any trust or confidence in this officer and recommend that he leaves the Army in August 1996". That was supported by Josling. Apparently it's put before you and David Harding in April 1996 and they point out, I think Major [...] ¹⁰ now writes to David Harding and says that he's not going to get his extension unless he makes a very strong recommendation. You give a strong recommendation.
- E DW: Yes.
- NB: "I would strongly support his application. [Lieutenant C] is too good to lose at this stage".
- DW: Yes.
- F NB: So you were taking a very strongly different attitude to Evans on [Lieutenant C]?
- DW: Yes.
- NB: What did you have to make that recommendation?

G ¹⁰ Major [...] in his capacity as desk officer in Posting Branch 10, Manning and Records Office.

- DW: Well the recommendations of a Commanding Officer were based on discussions I'd had with him. He felt he'd been, if I remember rightly, badly handled and had not been given the rights on a leadership that would allow him to develop. A
- NB: [Lieutenant C] is also an officer who is widely complained of by women and permanent staff.
- DW: And we knew that at the time did we?
- NB: Some of the permanent staff did. [Sergeant V] in the Quartermaster's Store. I can give you the quotations. B
- DW: No, I said did we know about it? Did Harding know about it?
- NB: But the question I proposed to David Harding is why not when permanent staff knew?
- DW: You're right, of course the answer is unless somebody says something how do you know? C
- NB: Yes.
- DW: You don't go around an organisation like this saying, "you know, do any of these people misbehave, do you know of this chap, is he going to the barrack rooms at night" or whatever.
- NB: Except did you speak to Evans about his rather strong turns of phrase?
- DW: No, I didn't. D
- NB: "I no longer have any trust or confidence in him". Pretty strong words.
- DW: Paul Evans was a very strict disciplinarian. Had very fixed views and he wasn't willing to give people a chance once he'd made up his mind about them. So I accept his point, but I've got a Commanding Officer who reviews this chap, I think he said "I've kept a very close eye on him and I think he's worth another go" so I think that's the judgment we made.
- NB: So you just go with Harding's assessment of him? E
- DW: I discussed it with him and we thought that it was worth supporting the application¹¹.
- NB: And you didn't go back to Paul Evans to find out what it was that caused him not to have trust or confidence?
- DW: No I didn't. For the written word was there.
- NB: Yes, obviously I appreciate you weren't there in 1995. 1995 happened to be a period where we've now got these allegations. I know Evans investigated a number of these things with the [RSM Z] saga. F
- DW: Well, he certainly didn't say that he'd done that.

¹¹ DW asked for the following comment to be added with respect to this issue "When a recommendation for a continuance of service is required, it has to be based on the evidence presented at the time. To the best of my recollection there was no reason to deny [Lieutenant C] an extension to his commission based on his performance over the period under review." G

- A NB: But you didn't ask him what it was that had caused him to lose all trust and confidence in him?
- DW: No, but does that come as part of the same thing, I mean I don't remember reading Paul Evans' comments?
- NB: This is the one that you're about to approve. That was David Harding.
- DW: Fine. Of all of that I would have seen that.
- B NB: You would never have seen any of the –
- DW: Because the officer is one of David Harding's officers within the Regiment.
- NB: So you approved that without being aware of Evans' strong comments to the contrary?
- DW: Correct.
- C DB: The RLC MRO¹² stressed in their letter to Lieutenant Colonel Harding, that you should be made aware of the background.
- DW: I'm not aware that I was. Perhaps I did but I can't be sure of it.
- NB: You also approve of his promotion to Captain.
- DW: Well you don't approve of promoting to Captain, I mean that's –
- D NB: Well, you would be asked to make some favourable input.
- DB: You're asked to make a firm recommendation.
- DW: In the annual Confidential Report?
- DB: No, as a separate piece of paper.
- E NB: And you know the end of the story with [Lieutenant C], do you?
- DW: No.
- NB: He was a captain, he was posted to another section and his Commanding Officer Colonel [...] says in March 97 "consistent poor performance of [Lieutenant C] arrogant in dealing with soldiers, personal administration is slack, causes others to chase him, my greatest concern though is his stating of falsehoods. His habit at attempts to mask failure to comply with instructions and routines fundamentally undermines my trust of his actions and judgment. Demonstrates crass man management. I detect an arrogant and cavalier attitude towards soldiers, furthermore he appears to consider himself above the norms and behaviour expected from commissioned officers. Through a combination of inefficiency and falsehoods he has lost my trust and more importantly that of the soldiers".
- F DW: We got it wrong didn't we?

G ¹² Manning & Records Office.

- NB: Yes. Skinner? After his Court Martial in August 1996 he is trying to find himself accommodation in Regent's Park. He seems to come to Deepcut in October 1996. We've not been able to find any evidence of him being interviewed by David Harding prior to January 1997, he may have been interviewed by [Major M]. A
- DW: Yes.
- NB: Now, were you aware of the posting of Skinner to Deepcut?
- DW: All I was aware of was David Harding saying he had had a Warrant Officer who had been court martialled and reduced to the ranks posted into the holding Squadron whilst they decided what to do with him. B
- NB: That's all you were aware of.
- DW: Yes.
- NB: Right. C
- DW: I asked him what he was going to do with him and he said "we will find him suitable employment while he's with us" and as far as I'm aware that was it.
- NB: And that was it. So you never were asked by Harding to make representations that he shouldn't be posted to you for that period?
- DW: Not that I remember, no.
- NB: But you don't remember making representations? D
- DW: The system as I remember, if somebody is court martialled but not dismissed and reduced to the ranks, you've got to find a way of reintegrating them back into the system. Now most Warrant Officers I would have thought would have decided to leave at that stage but Skinner presumably didn't and he was happy to start all over again. The problem is, where do you put them?
- NB: Quite. E
- DW: The system at that time was that you have a holding organisation which is what [Major M] ran, whichever Squadron it was.
- NB: 87.
- DW: And that his job was to hold the sick, lame, lazy and those who were on their way out and those were not on their way out but for whom he had to find a new start as it were.
- NB: But question is, did you ever think as a Commander, "wherever he's going, he's not going to come to Deepcut"? F
- DW: Well, I didn't know what he had done. We're not privy to that.
- NB: Well, [Major M] was.
- DW: Well he was his Squadron Commander. Presumably he would have found out by interviewing him. G

- A NB: Or through information, I think. From Northern Ireland, where he had been court martialled.
- DW: Well, yes, but my point is the posting organisation doesn't post somebody in, other than telling you he's been reduced to the ranks following a Court Martial.
- DB: He arrived before he was officially posted in.
- B NB: In terms of we're covering here, it is October to January 1997. January 1997, he is given a posting. The first interview that David Harding had to attend is Skinner saying "can I do the rest of my term in the Army at Deepcut", which David Harding approves. Now is that anything to do with you, or is that all down to David Harding?
- DW: There's no reason why I would get involved.
- NB: Ok, you then approved his being elevated to Lance Corporal to perform the functions in the gym?
- C DW: I don't think so.
- NB: You did.
- DW: Yes but that's local rank for the duration of the course. The reason for that is that you can't go on a PTI Class 3 course unless you are a Lance Corporal. Hence local rank is given to people in order to do the course. That's not a full-time promotion.
- D DB: He is badged as a local Lance Corporal, acting in capacity as far as the trainees are concerned as a Lance Corporal, with all the authority of a Lance Corporal.
- NB: Throughout the remainder of his tour.
- DW: If you say so.
- NB: Yes.
- E DW: My authority was for him to go as a local Lance Corporal on a course.
- DB: Why would you be giving the authority for this?
- DW: Because if someone wants local rank in order to go on a course, it has to be authorised by the Garrison Commander.
- DB: But as far as the thereafter is concerned, is that within the gift of the CO?
- F DW: Correct. Local Rank is. Acting rank you can only give if it is filling up a post that is empty.
- DB: It is referred to in the CO's interview books as "acting LCpl".
- DW: Well, I can't argue with that. He may have been put into an acting rank.
- NB: And he remains, then, in Deepcut until the events of 1997, when he is reported for an indecent assault in August 1997 and he's court martialled and dismissed from the army in 1998. Does this ring a bell?
- G

- DW: Not particularly no. A
- NB: Were you aware of the fact that he wasn't suspended from August 1997 until he was court martialled in 1998, by Harding?
- DW: No.
- NB: That's not something that he would have consulted you about?
- DW: Well, he may have told me that Skinner was being court martialled. B
- NB: So that doesn't come within your supervisory duties?
- DW: Well, it comes within the Garrison duties but, but the SO2 G1 G4 deals with things like Court Martial and all the rest of it, which you know, he would have dealt with many over those years.
- NB: Certainly Harding knew that he had been dismissed, or he'd been court martialled in Northern Ireland for flashing, and like I said knew he was in possession of quite a lot of homosexual pornography. That didn't reach you? C
- DW: Not that I'm aware of, no. I mean it doesn't ring a bell.
- NB: The question that I am heading towards is Court Martial for flashing, homosexual pornography, he's assigned to the gym at Deepcut, where, although he's in 87 Squadron, he's going to meet 86 Squadron trainees, no doubt young men with shorts and showers and that sort of thing. Not what appears to be the most suitable posting. D
- DW: I don't think most of them took showers in the gym; but that's just an aside. I don't know the answer to the question. I suspect that David Harding will have put him where he felt he was, from what you said, under supervision. The gymnasium was a place where there was always, full supervision of both the staff and the trainees.
- NB: But what you're saying to me, this is not your decision.
- DW: No.¹³ E
- NB: You didn't have the factors.
- DW: No.
- NB: You didn't therefore supervise.
- DW: No, the Commanding Officer runs his Regiment and decides where his people go and where he employs people, he doesn't refer to the Brigadier every time he changes someone around. F
- NB: Or the decision to keep him on. Because he was offered another post it seems, in December 1995.

¹³ DW asked that the following comment be added: This whole discussion misses the point that when this soldier was first court martialled, the court had decided not to dismiss him from the Army. The process for dealing with such people is that they are then reintegrated through their regimental depot which is exactly what happened to Skinner. In retrospect, it would have been better if he had been dismissed in the first place but the court's decision is not challengeable by the executive unit charged with his re-integration. G

- A DW: He wouldn't have referred that to me either.
- NB: And then finally since August 1997 he's going to be referred for Court Martial for the next indecent assault which is the next thing that emerges at that time.
- DW: Right, yes.
- NB: But he's not suspended from duty so he continues to work in the gym from August 1997 till February 1998. And of course, he is doing other things at the time, as it so happens.
- B DW: Right. I'm not aware of it.
- NB: He wouldn't discuss with you that judgment? I mean it seems to be a risk to keep him on board when he's apparently been abusing.
- DW: Well, I suppose the question is what else would we have done with him?
- NB: Suspend him; get him out of the barracks.
- C DW: But where do you put him? You put him in another barracks and there are lots of young men about. Everywhere you go in the Army that's the case. The fact is that it is the Depot in which all those sorts of people are put. Now whether or not that's the right answer, I wouldn't argue. But to answer your question, I didn't know about it and there was no reason I should.
- NB: So the merits or de-merits of that decision is not something that you can comment upon?
- D DW: I can comment on them, in retrospect, but that doesn't help does it?
- NB: No, but perhaps you could comment upon them.
- DW: Well, I would question the decision after the Court Martial. Why on earth wasn't he thrown out?
- E NB: Help me with this as well. My understanding is at the time, the policy was, irrespective of criminal offences he may have committed, people who have homosexual proclivities were not welcome in the armed forces generally. Indeed, were rather gotten rid of by administrative action.
- DW: Well, I've never really dealt with a case so I'm not really sure. I mean there was administrative action but I'm not sure whether it was relative then, whether it was being implemented. I can't answer your question to that.
- F NB: So, irrespective of Court Martial, might someone who had overall employment responsibilities for this person have decided when he has done this and he's in possession of homosexual pornography –
- DW: But to be fair, if you've been court martialled, you've already been tried for something, you can't then be administratively discharged for the same thing.
- NB: It's not the same thing.
- G DW: Well I don't know if it because I don't know what he was court martialled for.

- NB: Exposing his penis. A
- DW: Oh, right Right. Well. If you are asking me, should he have been administratively discharged, in hindsight, I guess the answer is yes
- NB: Or with foresight.
- DW: That's easier said than done. You certainly can't now because homosexuality is accepted by the Army as being – B
- NB: In 1996?
- DW: Well I don't know what the circumstances were. I'm not aware of what was said as to why he was there, why he had to be kept on and what to do with him.
- NB: I think I have covered the main topics.
- DB: Sorry, just in connection with Skinner. Presumably had Colonel Harding said to you "as well as being an ex-Warrant Officer, he has been court martialled for flashing in Northern Ireland. We've got him for the Depot. We don't want him; he's a risk to our trainees. Will you make a representation?" Presumably, you would have done so? C
- DW: Well I don't think that's the question, the question is if David Harding had decided that he should have been administratively discharged then I think I would have agreed with him. I mean to say that you shift him onto somebody else doesn't help the problem which is what you are suggesting. And to be fair, there is nobody else available.
- DB: I imagine there's a higher risk employing someone that has that sort of background when you've got very young people in a training regiment. D
- DW: But they are not all young people. Don't forget that Regiment dealt with a lot more than just the Phase 2 training. They were in the majority but there were lots of mature soldiers coming in and out doing courses.
- DB: But there would be more young inexperienced soldiers than you would find elsewhere in the field army. E
- DW: And at the same time in, for example, the gymnasium, greater levels of supervision.
- DB: But then he is carrying his temporary rank outside the gym –
- DW: I accept that. But I would argue that the system is flawed in having a depot facility in that organisation. It ought to be somewhere else, Colchester or wherever.
- JA: Harding does say that he makes very strong representations to you. He tells you both written and orally that "this guy is totally unsuitable and shouldn't be with us at all", he says, "there is nowhere for me to put him, what do I do with this guy", he goes to you and he says "please pass this up the chain of command". F
- DW: Yes.
- JA: Is that what he does?
- DW: Well, if he says so, I'm sure. I don't remember it to be honest, but and the problem is that as I said, you know, this is one body amongst many. G

- A DB: Although Skinner has hit the headlines on a number of occasions.
- DW: Well he hadn't hit the headlines as far as I was concerned and as I said the system is that those people are posted to the Depot.
- NB: Is that a bad system?
- DW: Yes.
- B NB: Did you make that point to them?
- DW: Well, not specifically, no.
- NB: I mean, what I just don't know at the end of our conversation is whether you did make any representations that Skinner shouldn't be posted to you or not.
- DW: No, I don't think I did. As I said, as far as I'm aware, David Harding informed me that Skinner had arrived and that he had to find something to do for him, as far as I'm concerned that's what a depot regiment does and that's part of the remit that we have.
- C NB: Ok. Well that's, that is what I understand is your answer to that
- DW: Certainly the Manning & Records Office take the line that this is the only place somebody like that can go.
- NB: Except that, and I was picking that answer up from you because I've got his personnel file here and my chronology shows, from the personnel file documents, it says that by December 1996 they had come up with an alternative placement. Let me just tell you what that alternative place is "Slot found for Skinner in Middlesborough, to be placed on SVR8 Reg RLC who are undermanned. Stay with us till February 97"
- D DW: So why didn't he go?
- NB: Well, because Harding approved on 20 January 1997 the request to "remain in regiment for remainder of term, agreed speak to Records, Glasgow".
- E DW: That, that's, well that's a decision the Commanding Officer made and he obviously cleared it with Records in Glasgow. But as I said, I have no recollection of that.
- NB: I have been through the periods I've been covering, the questions I've been covering; I've been trying to look at what the appreciation was of the risks to trainees, and what was done about it. If you've got any further thoughts, please write to me.
- DW: I will. And it's quite interesting in retrospect when you think about certain things. I'm talking about the external changes, internally, it's easier to get on and do them and I think, you know, David Harding implemented a lot of good things, but I think as well, as I go back to the fact that, you know, how big was of a problem was there in 1996-1997? And that's a question that I now ask myself. When we look back on it you say well, you know, that without knowing about what happened in 2000 or whenever it was, 2001, that there's a blip, but actually across the board it was something that you couldn't quite explain, it didn't seem to be any specific problem that was causing, or caused those two deaths other than we knew that one was a failure and was having trouble with his training and appeared to be quite clearly a suicide, the other was a girl who had a much deeper relationship, or a deeper psyche than was apparent on the top
- F
- G

- and who despite what the Coroner may say, presumably shot herself. And again it's difficult to know exactly why. I'm not sure that therefore, if you like, what we did afterwards was what the Army does in most cases, which is you look into the circumstances, if things don't seem right you try and put them right. But equally, if you knew that someone else was going to do something two years later, you might have done something with a little more urgency or a little more pressure. A
- NB: But on top of that, you did have Paul Evans discovering a persistent problem of self – harm with a number of recruits. B
- DW: We were recruiting lower quality soldiers at that time. The system was squeezing soldiers through Phase 1 training when perhaps in the past we might have failed them.
- NB: Well doesn't that add to the risk factor that you get?
- DW: But you didn't know that at the time. That is with hindsight.
- NB: Don't you make a risk assessment? That's the question. C
- DW: How did we know they were lower quality?
- NB: I thought that was what you were just saying.
- DW: But what I, now I know that with hindsight my point is you didn't know that at the time.
- NB: But isn't that a consequence of changing the entrance requirements? What does lower quality mean? D
- DW: I suspect exactly that. This is the point, of course where in the system that existed before, David Harding would not only have been responsible for what he was doing when he did but he would have been responsible for Phase 1 training. So the NCOs who looked after them, or in phase 1 would have carried them all the way through to Phase 2, so your point about getting to know them would have started on day one they joined the army, gone through the 14 weeks of basic training and then on to whatever period then took at Phase 2. The Army decided to break all that up and that is where some of the inconsistencies come. Because I don't know as a Phase 2 training group Commander what the entrance standards were for Phase 1, whether or not they were passing or failing people that they may or may not have done 3 or 4 months before, or indeed, what the quality of the recruits or trainees were when they came out. We began to suspect that they were not as good as they were, but that doesn't mean to say that emotionally they were any better or worse, what it meant was they were not as good at being trained. E
- NB: Right, so you don't know about whatever calibration of the standard is? F
- DW: No, that's dealt with by the recruiting bit of the ATRA and by and the Commander Initial Training Group who commands those Phase 1 training organisations.
- NB: Just remind me, when did Phase 1 training get separated off from the responsibility of the Corps itself?
- DW: I'm not sure I know. I mean, how long had Pirbright been going? I would think before the ATRA; I would think about a year or so. I honestly don't know. G

- A NB: If we're into something called Phase 1 training,
- BDW: Yes.
- NB: Does that already indicate we are already in that regime?
- DW: No, because, because Phase 1, Phase 2 and Phase 3 training have been known as such in the army for donkey's years. This is just a matter of at one stage, Phase 1, 2 and 3 was all done by the same organisation.
- B NB: But Phase 1 at Pirbright again doesn't tell us anything, or does it?
- DW: I think my point is that there is a disconnect. If you separate off Phase 1 training –
- NB: I understand your point; I'm just trying to work out when it was.
- DW: Well, the answer is I can't answer the question because I just don't know. I suspect it was either 1995 –
- C NB: So it was into that regime that Ptes Benton and James went?
- DW: Oh yes, the Single Entry recruitment process, absolutely.
- NB: Yes, so at least by April 95 which is when Pte Benton starts?
- DW: Certainly. But it's not actually so much about the individuals that were trainees; it's about the system that manages it and that the way it's able to manage the individuals within it, which I think we've most likely lost by separating out. You've lost that connectivity between joining the Army, putting your cap badge on and somebody from that organisation looking after you all the way through, then you could say you've got back instructors, a compounding problem, I accept that, but equally I think it's more of a sort of family issue that you're looking after your own all the way through.
- D NB: And if you were being asked to advise the Minister on the best system to redress this, what would you do?
- E DW: Well, it's interesting, is it not, that some 1, 2, 3, 4 years ago, the infantry reverted to their original system of doing Phase 1 and Phase 2 in the same place, with the same instructors taking them all the way through, but that was not put in place for the other Arms and Services. Despite the fact that they said they thought it was a good idea. It was and it still is at the moment. To have someone who picks you up on day 1 and take you all the way through until you are delivered to the field army as a fully trained soldier, to me makes a lot more sense and I think would help to obviate some of these problems.
- F DB: In terms of the timescales I think I'm right in saying the RLC, since its foundation never had 'ownership' of the Phase 1 training.
- DW: Yes, but the forming corps did.
- DB: Yes.
- G

DW: So we will have had, what, we will have had, I think the inventory changed that in I suspect something like 99, so would have had six years' experience of this single entry system.

A

NB: Well, thank you very much for today.

Brig Dalby-Welsh asked that the following comments be added to help clarify his responses:

B

"On the subject of the quality of recruits at the time of the first two deaths, it is most likely important to understand that there is now no doubt that a decision had been made by the Army's Recruiting organisation to accept a lower standard of recruit than had hitherto been the case. I think that this decision was taken to offset the reduced number of potential soldiers coming forward for enlistment, and this eventually fed through to the Phase 2/3 training establishments where the technical content of trade training was sometimes too difficult for some of the trainees.

With respect to the provision of 'duty of care' manpower after the first two deaths. It should not be assumed that being given the budgetary responsibility for an organisation necessarily bestowed on the Commander the freedom of action and flexibility in managing that budget, that allowed the implementation of such increases in manpower. The 'budgetary responsibility' was heavily caveated with only minor flexibilities inherent; with over 80% of that budget being devoted to existing manpower costs, there was little room for manoeuvre. Budgetary delegation was a tool for controlling expenditure, not for empowering Commanders. In addition, the Army is the only service in which manpower is capped by Parliament. The Navy is funded for a number of ships, the Air Force for a number of aircraft; only the Army is funded to a number of personnel. Finding additional personnel is therefore always a matter, at least in the short term, of 'robbing Peter to pay Paul'. There was never therefore any opportunity at a level below ATRA Headquarters to implement such manpower enhancements; the only opportunity was to find ad hoc solutions such as that involving LUEB personnel.

C

D

With respect to the process whereby soldiers reduced to the ranks at a Court Martial are re-integrated into the Army. In this case, Skinner was reduced to the ranks and not dismissed from the Army. Details of his Court Martial and the reasons why he was retained are not available to the executive responsible for his re-integration. The assumption therefore was quite reasonably that he did not pose a risk to others. Were the details of his crime to have been available then a more enlightened decision might have been possible in allocating him to a unit where the reason for his appearance at a Court Martial in the first place was not an issue."

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F

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Appendix 4/3

Meeting with Brigadier Elderton

Present: Nicholas Blake QC (NB), Brigadier Clive Elderton (CE), Julie Albrektsen (JA), Kaspar Nazeri (KN), Darren Beck (DB).

Location: Matrix Chambers.

Date: 23 September 2005.

NB: I'm Nicholas Blake and I'm here with –

CE: Brigadier Clive Elderton, the Commander at Deepcut between January 2002 and December 2004.

NB: I've now met all your predecessors from 1995 through to your command. I've met the Commandants and then the Lieutenant-Colonels commanding the Training Regiment from Lieutenant Colonel Josling through to Lieutenant Colonel Laden. And I think, effectively, it is the period 2002 that I'm going to be interested in with you, though maybe some material from 2003. What's going on now may be another question. Just to get some background about you. Which section of the RLC did you belong to?

CE: I was commissioned into the Royal Army Ordnance Corps in March 1973.

NB: So that was the place that had its headquarters at Deepcut?

CE: It was, yes. It was the Depot. And it was co-located with the Junior Leaders at the time.

NB: Right. And did you ever spend much time at the Depot in, say, the early 1990s?

CE: Not at all. The only time I spent any time there at all was a few weeks as a young officer in 1973. I then attended two 3-month courses in the late 1970s, early 1980s and socially for dinner in the Headquarters' Mess. I hadn't served there in any capacity, other than as a student and a social visitor.

NB: And from the formation of the RLC as a Corps, your personal connection with the Depot would simply be that.

CE: Yes. When the Corps formed in 1993, I was actually a Commanding Officer and my only connection with Deepcut was again a social one in the Headquarter's Officers' Mess. I subsequently, from time to time, appeared as a visiting lecturer for various courses at the School of Logistics. But that was arrive, do my piece and leave.

NB: Did you ever stay overnight during those lectures?

CE: Only if my duties required this. But again, I entered the barracks to do my piece and then I'd disappear to the Mess.

NB: How much background knowledge did you have when you took up your command in January 2002 of the previous history, problems, whatever you'd like to call it?

A CE: Well, in the previous, I guess, seven or eight years or so, having been a member of the Director General's Management Board, and of course, his title changed several times, but when the RLC formed in 1993, it had a two-star at the head¹. Subsequently, he became the Director General of Logistic Support Army, and the first two-star head was Major-General [...]. So I'd been in various capacities a member of that Management Board, on which the Commander of the RLC Training Group, whether it be Paul Evans, Tony Dalby-Welsh or Tweedie Brown, actually sat. So at a strategic level, obviously, there were major issues affecting their particular management areas raised. But we didn't go into the detail at all.

B NB: When did you first become a member of the Management Board?

CE: Well, I first attended the Management Board, I guess in 1994, because I was promoted to full Colonel based at Didcot. And I was effectively deputy to the one-star. And occasionally, I attended with him or deputised for him. If he was absent, then I'd represent him. From there, I was posted to Andover into the principal full Colonel's job, where I worked Logistic Support Policy 1. A post which I guess is now probably Chief of Staff HQ Directorate Royal Logistic Corps. But it was an appointment with a very broad range of responsibility and I was involved in a significant number of the key meetings that affected the Corps. So for example, in 1997, I was aware of, though not deeply involved in, the huge problems of driver training capacity. And because at that stage the two-star head of the Corps had a responsibility also for training. The Army Individual Training Organisation relied heavily on the head of the Corps, the two-star for the logistic specialist aspects of the training that was being delivered.

C NB: Taking my cue from that background, which gives me a bit more information about sharing of knowledge and managing problems, let me try and go back a little bit before you take up your command at Deepcut. The period from 1994, when you were attending Management Board meetings, through to the formation of ATRA in 1997, is the Management Board the principal place where problems in running the show at Deepcut would come up for discussion or would they be reporting to the Management Board of the Individual Training Organisation?

D CE: The answer is both, because there was effectively a dual accountability. They were both really very embryonic organisations. The AITO was feeling its way and the boundary between the single services and the training organisation was still being defined. There were still some turf battles around responsibility for specialist aspects of training across the board. How the various heads of Arm and Service would actually interact at Board level with the AITO, what responsibilities they had for operational output and general logistic capability and the training necessary to actually deliver that. So in fact, when the AITO was formed, it really did rearrange the pieces on the table, because prior to that, it was really very much down to the heads of Arm or Service.

E NB: I have that very much in mind. I have been collecting information about the changes that were happening generally in training and the RLC throughout the 1993 period as the background for these events that I'm particularly interested in. I have certainly the picture that once upon a time, each individual corps did its own Phase 1 training.

F CE: Phase 1 and Phase 2. It was aligned. Now, this was a period of huge turbulence in the Army anyway. Not only did you have the Individual Training Organisation, but concurrently, there were changes going on with respect to reorganisation of cap badges. The formation of the RLC is one example. And also, the integration of women and the end of separated training for women.

G ¹ DG Logistic Support (Army), an appointment held by a Major General.

- NB: And the implementation of Single Entry and the abolition of Junior Leaders. A
- CE: Absolutely. And against massive resource pressure. Continued pressure. And also the pressure to shift uniformed manpower out of training to put more strength into the operational commands.
- NB: Front Line First?
- CE: Yes. There have been several Front Line First-type reviews. B
- NB: If the Commandant was reporting both to the Army Individual Training Organisation because the principal function at Deepcut was the training, but also reporting up to the Management Board of the RLC, what were the issues that he was reporting to the Management Board of the RLC? There's probably going to be some overlap but if you're able to give me a broad indication.
- CE: In general terms, the interest of the Board of the RLC was confined to RLC output in terms of quality and quantity of RLC soldiers. The Training Organisation Board was interested in that in the context of the overall Army and in overall recruiting strength, but also because their other major concern was that they were providing funding. So you had the major complexities of trying to align authority and accountability and responsibility for output with the resources necessary to deliver that output. C
- NB: The money comes from the Training Organisation?
- CE: At that time, the DG ATRA or AITO provided most but not all funding. Subsequently, the ATRA drew together all funding streams, less that for certain infrastructure and support services such as security guarding which still lies with Land Command. D
- NB: The concerns as to whether you're getting the right kind of trainee into the RLC?
- CE: The technical standard bit and influence over the numbers necessary to maintain capability.
- NB: But if the Management Board of the RLC was concluding for example that the end product was not the kind of trainee, whether intellectual or social standards that you wanted, do you send that back down to the Commandant who then has to send it up to the Training Organisation or do you send it up to the Training Organisation who sends it back down to the Commandant? E
- CE: I'm sorry to sound obtuse, but the answer is both in that there would be parallel activity and I guess it depends to a certain extent on the level of concern. Now, if you took the issue of driver training, which affects the Army and the RAF, the Navy do not have a driver trade. But if you start having problems with the driver training organisation, then you get a massive blockage. F
- NB: This is Leconfield?
- CE: That's Leconfield. Now Leconfield was a separate one-star organisation and part of AITO, so you had Leconfield commanded by a one-star, part of AITO, reporting to DG ATRA and then you have the Brigadier, the Commandant, of the RLC Training Group, the boundaries of which were changing continually, because some of the training was previously the responsibility of the field army, who were critically dependent upon the capacity of Leconfield but had no influence over the structure or the contracts or the G

A capacity, expressing concern up two chains. And I know that the two-star head of the AITO pulled his hair out over this, as did DG Log Support. In my view, that incoherence was a major factor in the removal of the one-star post from Leconfield and placing it within what became the Defence Logistic Support Training Group. However, the change did streamline the process and bring coherence to driver training which began to pay dividends in my time as Commandant of the Defence College of Logistics.

NB: And that's during Tweedie Brown's tour?

B CE: That's towards the end of his time. When the RLC formed in 1993, there were of course three one-star, and I think at least 2 at full Colonel level responsible to individual directors for various different parts of logistic training. And in 1993 that's all crunched into one and because of the numbers coming in to the Army, which were actually low, as the Army was downsizing, and because of that, it was decided that Deepcut would be the most appropriate heart of all this activity, but it was, I think, recognised that the Corps needed new infrastructure somewhere.

NB: When you say it was recognised, what period are we talking about?

C CE: We're talking about, effectively, from 1993-1994 onwards. So the enhancement at Deepcut that enabled the closure of the RCT training organisation at Buller Barracks in Aldershot, the massive downscaling of the Catering Corps in St Omer, the closure of the training organisation of Pioneers in Northampton, the closure of the Postal training organisation in Mill Hill, the infrastructure enhancement at Deepcut to facilitate this was little more than a junior ranks and permanent staff accommodation block and a squadron headquarters and some offices. But that was about it. And concurrently, it was recognised that the infrastructure at for example St Omer Barracks in Aldershot was just appalling. A huge amount of work was then being done to establish the new Royal Logistic Corps, and of course, at this time, training was very much in the interest of the head of RLC, but also of course, of great interest to the head of AITO, because he was going to have to come up with the money to fund new infrastructure and was under budgetary pressure. And a huge amount of work was done to decide whether St Omer Barracks or Deepcut would be the site for redevelopment. And the favoured option in all respects was actually Deepcut, not least because of the proximity to the training areas and the value of St Omer Barracks to Aldershot Borough if it became available.

E NB: I understand the general developments and pressure in the years before you took up your command in terms of restructuring, reconfiguration and aspects of what is now the Defence College of Logistics. Just to go back a little bit to make sure I understand your point about St Omer and restructuring. I understand from what you're telling me that there is a period when they know that the infrastructure, by which we mean a barracks accommodation, is in such a poor state that it can't really go on. Now, which period are we talking about in this decision-making? 1996-1997?

F CE: No, really I think from about 1993-1994.

NB: So all these are from the formation of the Corps?

CE: Yes. It was recognised that with St Omer Barracks in Aldershot we were at best taping over the cracks.

NB: And that was the Army Catering Corps?

G

- CE: The Army Catering Corps Training Battalion and Depot and also their Apprentice College, which in 1993 was drawn into the new RLC. It's a classic disaster of failing to properly resource change programmes but simply take savings on the most optimistic forecasts of requirement. A
- NB: So there was then discussion as to knock that down and build again there or do we redevelop the Deepcut structure?
- CE: Yes and build what is necessary to support the training of the new RLC. Because at this stage, the cap badge bounded training organisations were still very much the way business was to be done. The DTR had not been invented. B
- NB: We now turn to the physical sites at Deepcut, which is where I wanted to draw the conversation as a background. I know you lose that block which used to be the Junior Leaders' block.
- CE: No, that was actually the RAOC Apprentice College. Three stories, brick blocks built in the 1920s, although actually, they looked older. And that was derelict for probably the best part of fifteen years since the apprentices training organisation was rationalised and centralised, so that was just a vacant site. Now of course, that is significant in the context of the real estate that could be made available to build new RLC training infrastructure and enable the alienation in Aldershot. But the receipt of £12 million or something was obviously very attractive to the then AITO, and it was taken. C
- NB: So they sell it?
- CE: They sell that and they've then got a civilian housing enclave within the overall barracks. D
- NB: Does the selling off of that make the configuration of the barracks more exotic in terms of guarding duty or was there never a single perimeter fence that covered the whole area?
- CE: I know exactly what you mean and the answer is that frankly, it didn't make a huge amount of difference because it was a isolated derelict site. The Apprentice College when it existed had been responsible for its own perimeter. Without going off on a tangent, the problem is that these barracks were never designed to have efficient, nice, tidy and coherent perimeters that were going to be patrolled in the way we've been doing it for the last 25-30 years because there was no threat to our security. Throughout the UK, our barracks were effectively open. In fact, there was a policy in the 1960s to open up our barracks to try and integrate with the local communities. So we didn't hide behind bars or walls. E
- NB: But then of course there was the IRA.
- CE: Absolutely. By the early 1970s, and you will remember the bombing in Aldershot – F
- NB: I do. Probably the major part of the questions that I've put down to pursue is going to be about the development of guarding policies at the site. And as always, I get more information after I've spoken to the last person who knows about it. And you are the last of the scheduled interviews. I'm going to try and use you if I can to see if I can get some chronology of this development. So I think I'll hold on the particular topic of guard duty. G

- A CE: In the context of my personal experience and knowledge of what was going on in the training world at Deepcut before actually being a part of it, I hope that gives you some indication of the issues that were being discussed at strategic level from a cap badge perspective in the RLC. And the fact that it was a time of great turbulence and change and potential uncertainty, was the major strategic challenges.
- NB: So you were aware of all of those problems that the Commandant and indeed the Commanding Officer were having to deal with in 1993, 1994, 1995?
- B CE: Yes, as far as those I've mentioned is concerned.
- NB: Did the topic of the first two deaths get significant debate at the Management Board of the RLC?
- CE: To be frank, not that I recall. I remember hearing about it but no. I don't recall any discussion whatsoever because the Management Board had enough on its plate dealing with strategic issues. Dealing with the tragedy affecting one soldier in one person's area was not something that needed to concern the entire Board. It may have been a bilateral issue for the DG and the one-star concerned, and indeed, I'm sure it was.
- C NB: So the Evans report wasn't debated?
- CE: I hadn't heard about the Evans report until probably two months after I assumed command.
- NB: How long did you know that you were going to get this command before you took it up?
- D CE: I guess about six months.
- NB: Did the fact that you had that period, did anyone suggest what you might be doing to prepare yourself for this particular command during that period?
- CE: No, I think unless there are specific training needs identified before taking up an appointment little formal preparation is done. To be blunt with you, I was so heavily committed and engaged with the job that I was doing within the DLO, part of a massive tri-service business rationalisation programme, I didn't frankly have a great deal of time to study my future appointment. Obviously, one becomes rather more attuned to what's going to happen. But from a more strategic point of view in the months before taking up my appointment at Deepcut, I was no longer part of the Log Support Management Board and I had actually in the space of that three years, 1998 to 2001, sat initially on DG Log Support Management Board then moved to Director Equipment Support Army Board and also Director-General Operations within the DLO. I sat at two two-star management boards concurrently neither of which were responsible for or concerned with logistic support training.
- E NB: Defence Logistics Organisation?
- CE: Correct. Of which I was a founder member and increasingly, any direct linkage between a cap badge and a logistics function at that level was considerably weakened. So the affiliation of the one-star commander at Deepcut was to the training organisation with increasingly weak ties to the functional heads outside the training world.
- F NB: By this stage?
- G

- CE: Yes. A
- NB: Let's just get closer to you taking up command. September 2001, young Geoff Gray dies. Does that come across your radar or is that just someone else's problem because you haven't yet taken over command?
- CE: To be blunt, I can't even remember it.
- NB: Would you have seen it in the papers? B
- CE: I do not recall seeing it in the papers. If I saw it in the papers, it wouldn't have been any more than that. On September 11th I was stood in Docklands at the big defence equipment exhibition when the Twin Towers came on the screen. One of my responsibilities included explosives safety etc and so to an extent, that part of life. And believe me, from 9/11, that was more important to me than someone dying at Deepcut.
- NB: So you then come into post. You told us you hadn't heard of the Evans report at that stage, you hadn't had any information about the other three deaths, you wouldn't have read the Boards of Inquiries or anything. Did you ever read the Boards of Inquiries into James and Benton? C
- CE: Absolutely, but I didn't read them until after 24th of March.
- NB: The 23rd is when James Collinson dies.
- CE: Yes. So it's probably some days or a week later.
- NB: Until Collinson died, you didn't pick up this file. D
- CE: No, but I was aware of the outstanding Board of Inquiry into Geoff Gray. I had met Tweedie Brown, my predecessor for half a day or so prior to taking up the appointment. That was standard practice. And then when I arrived in January the in-place staff had prepared a series of briefings for me, which included the fact that Geoff Gray had died in September without going into any detail because we were at a stage where we were waiting for the outcome of the inquest. The inquest was a week before James Collinson died and therefore, there was nothing for me to do at that stage. I had other things on my plate without worrying about something which was to a certain extent done and dusted. I knew that once the inquest came out, then we needed to have a Board of Inquiry and so on. Nobody gave me any indication that there was anything sinister or needing my attention as far as that incident was concerned. E
- NB: So the broad position was to wait until the inquest and then see whether there were lessons to be learnt and then have a Board of Inquiry?
- CE: Yes, it was a work in progress by others. The police investigation had been completed. F
- NB: Did you have access to the RMP investigation?
- CE: No. It was conducted by the RMP I believe on the request of the Surrey Police.
- NB: Yes. It's always a little difficult to work out who was meant to be asking whom to do what. Did you understand that the RMP report was going to be handed to a Surrey Police officer? G

A CE: I assumed that whoever had completed the investigation would have produced that to the investigating authority which was Surrey Police, who would have satisfied themselves that it was adequate and then passed it to the Coroner. I didn't see the report.

NB: I don't think anyone in Surrey Police at that stage thought they had responsibility or primacy.

CE: Who was it that responded? It was a Surrey Police officer who responded. What did he say? "There's nothing for me here. Call the RMP". That's the gist of it as I understand it.

B

NB: The Geoff Gray casualty file shows that the Communication Centre within about five hours of his death was indicating in the telexes that civilian police didn't have any ongoing concerns. That seems to be the position. I don't particularly want to get into that topic with you unless you have particular information which can throw light upon it, but the fact is, I would have thought that the RMP would have then been reporting to the Coroner's Officer to help him with the inquest and to the Commanding Officer to help with the Board of Inquiry. But you didn't see the report?

C CE: No.

NB: Have you seen it subsequently?

CE: The problem was with the decision then to reinvestigate.

NB: The decision by Surrey Police to reinvestigate the death of Geoff Gray?

D CE: Yes. I don't recall seeing the RMP report on Gray's death.

NB: So you haven't seen it?

CE: I certainly have no recollection of seeing that report because the time at which I would have expected to see it would have been immediately after the inquest but before the Board of Inquiry. But the decision was taken to not go ahead at that time.

NB: Were you aware that the immediate circumstances of Geoff Gray's death appeared to be that he was alone with a weapon outside the HQ Officers' Mess?

E

CE: Yes.

NB: Did his death prompt any review, either before you took up command or after you took up command, of guarding policies, standing orders, matters of that sort?

CE: At the time, i.e. in sort of September, Tweedie Brown and Ron Laden who was then Commanding Officer, did that. And I guess they would have explained exactly what they did to you. But suffice to say that I was simply reassured that the orders and the checks and balances around the issue of ammunition, arming the guards, guard orders etc had been checked and were in place and were in accordance with current ATRA policy.

F

NB: Who assured you of that?

G

- CE: Ron Laden and my DCOS. And that Geoff Gray had actually disobeyed the orders, that he had gone wandering off on his own etc. And therefore, there were no alarm bells raised for me. It was not, frankly, a big issue. I don't want to sound callous, because obviously the death of any young person is absolutely tragic, particularly under these sorts of circumstances. But it wasn't viewed as a cause for major alarm, certainly within ATRA, it was viewed seriously at Deepcut with all the necessary immediate actions had been taken, we were awaiting the police report and the inquest and so on and then the Board of Inquiry gets stuck in to the business of ensuring all reasonable steps have been taken to prevent a recurrence. A rapid check had been done by the Deepcut command at the time of the death. They found everything in place and it appeared that he had wandered off against orders. Forgive me, I think they also confirmed that there was no history with Geoff Gray. In other words, he wasn't on the at risk list. He was a soldier who was just getting on with training. He was not brilliant but he hadn't come to notice for any particular reason and he seemed to be pretty happy and contented. A
- NB: Yes. But within nine months of James Collinson's death there are pretty significant changes that are going to happen. B
- CE: Absolutely. Across the Army. C
- NB: Across the Army and particularly aimed in at the RLC at Deepcut.
- CE: Yes.
- NB: Have you been party to the Deputy Adjutant-General's report of December 2002?
- CE: Yes. D
- NB: That's what I had in mind.
- CE: We spoke and met throughout the period. Because when in March James Collinson died, of course, that's absolutely on my watch and I of course realised this is the second time in a year that we have had a death under what appeared to be similar circumstances and the first issue of primacy was very clear with Surrey Police. "This is your responsibility" (to investigate).
- NB: Who told Surrey Police "this is your responsibility" ? E
- CE: It was made very clear.
- NB: By whom? Or another way of putting it: how do you know it was made clear to them?
- CE: Because I had conversations with the ACC at the time, who was responsible at that stage. I had met him previously in my first few weeks in a different context, a security context, and within a few days of James Collinson's death, if we needed any prodding to take this very seriously indeed, of course fuelled by the outcome of the Gray inquiry and the reactions of Mr and Mrs Gray – F
- NB: To the inquest?
- CE: To the inquest. Their view was appeared to be that if there was not a suicide verdict, it must be murder. Then of course James Collinson dies and immediately, there is a complete furore. Even Surrey Police recognised that. G

- A NB: I was just wanting to know, if you happen to know, who made it clear to Surrey Police that this was their responsibility? Was that just the impression you got at the end having had conversations with the ACC? There's no-one a few hours into the investigation who says "by the way, this is you guys".
- CE: No.
- NB: That's not the Commanding Officer's function or the RMP function?
- B CE: No, because the procedure is very clear whether the civilian police understand it or like it or not, they do have responsibility for the investigation.
- NB: If I was a civilian police officer, where would you point me in March 2002 to explain where the procedure is that makes it so clear?
- CE: It's certainly written in the Land Standing Orders which you have access to, but I would hope that that would be reflected in your police procedures.
- C NB: Right. So it's a question of hoping that what the Army believes is the position is reflected in parallel procedures?
- CE: Yes, I guess so.
- NB: There wasn't a joint protocol at that stage?
- CE: Not that I saw.
- D NB: There is now. As at September 2005. But trying to find out what existed at the time without the benefit of hindsight, is a bit more tricky.
- CE: Dare I say of course, at the time James Collinson dies, despite the media furore and pressure, the accusations of bungled investigations by whomever over Geoff Gray hadn't really reached their peak. So the sensitivity over the police-military boundary, over who was responsible, really was yet to come.
- E NB: Leaving that topic for the time being, we may have to come back to Surrey Police relations a bit later on. The death of Geoff Gray wasn't a big issue with you, partly because it didn't happen during your tour of command, but wasn't a big issue for ATRA, you were saying, and wasn't a big issue for the RLC. And you said then with Collinson's death, this was the second death within 6 months. I think I'm probably approaching this from the perspective of it being the 4th death within 7 years.
- CE: I can see that.
- F NB: I've been asking others, as you will appreciate, the question as to whether they saw links between deaths 1, 2 and 3 before death 4 happened. Even now, looking back, did you see any links?
- CE: No.
- NB: None whatsoever?
- CE: Not even since then, other than location and cause of death.
- G

NB: Taking what appeared to be the facts that emerge from the three Coroner's inquests as the basis for any review that I'm conducting and what we know is that these were three young people, Benton not quite as young as the other two, but nevertheless young, Gray was certainly under 18, Cheryl James a few days over her 18th birthday. They are all on guard duty at Deepcut Barracks. They are all armed on guard duty. They are all alone with a weapon. Whether they ought to have been is something else. And assuming that they then use that weapon to self-harm with fatal consequences. I would have thought, ignoring James Collinson, that there are factors: young people, guard duty, weapon, ammunition, opportunity which are common factors.

A

CE: There are, but at Deepcut alone in that period, 12,000 or so young people had been through that organisation. The ATRA had a suicide prevention group that met and I assumed that that as an organisation were monitoring statistics, not just at Deepcut, but throughout the Army, and again, I'll be frank, until the media reminder a day or so after James Collinson's death of the deaths of Sean Benton and Cheryl James, it was not the first thing that leapt into my mind. And I don't think that it leapt into anybody else's mind in terms of, dare I say, this is the fourth. In my mind it was "my goodness, this is the second".

B

NB: OK, thank you for that. Can I just ask some questions about Ron Laden and then I'm going to try to go through a historical reconstruction of guarding policies. Now, he's been in post for some 6 months before you took up your command.

C

CE: Yes I think he arrived in July 2001.

NB: And obviously, I have had access to his confidential reports and therefore what you say about him.

D

CE: Forgive me if I go off on a tangent, but I took over an organisation which was under severe pressure before the Collinson death. It was under major resource pressure, the infrastructure was very poor. The numbers coming through were growing, the numbers of foreign trainees was growing and the staff were working 18 hours a day, seven days a week, maybe a little less, but under huge pressure. Ron Laden had done a huge amount to support his instructors and tightened processes and procedures and so on, and was successful in terms of reducing the disciplinary problems that had previously existed at Deepcut, and I think he was very effective. He had an absolute no nonsense approach. And at times, actually meted out what was considered to be pretty severe punishments and sanctions for relatively minor crimes. And I would include, for example, drinking, particularly underage drinking, smoking in non-smoking areas and so on. And some of his punishments were pretty tough if you had an organisation under that sort of pressure. If you have troublemakers, it just makes life even worse, so therefore, he had imposed a pretty strict regime – within his powers of command and within ATRA guidelines such as they were – but he was at the more severe end.

E

NB: The issues he was confronting he will say, and I think there is some evidence to back him up, were poor morale, with all the other problems going on, lack of staff to supervise the after hours and the SATTs and you had quite a lot of apparently bored, aimless, underemployed and underenergised in terms of Army discipline young people going about. You never read the James Board of Inquiry, even to this day?

F

CE: No, I have. I read the report in March 2002.

G

- A NB: Let me just take up the picture of the James Board of Inquiry. I know that's some years beforehand, but the sense of sex and alcohol going on in the barracks was quite a strong one, wasn't it?
- CE: It was horrendous in 1995, from what I have read in that report.
- NB: Yes. And we know that talking to Lieutenant Colonel Govan, sex was certainly a recreational pastime of some significance at Deepcut during his command. And I think that is the type of things Laden was observing before he took up command and he decided to say "if we have rules, they ought to be enforced", which I don't suppose is a bad idea.
- B CE: You're absolutely right, and as I say, he had done well to impose them. I wasn't there during Govan's period in command, but some of the things that I have heard about from that period caused me great alarm.
- NB: Like what?
- C CE: Such as the discipline problems as a result of a fairly lax regime.
- NB: Discipline with trainees? Them doing things?
- CE: Yes, and I get the impression that in some cases perhaps with the permanent staff as well. I think there were regimental problems. In my comments about Ron Laden, I can say that he externally comes across as a solid, tough guy, but actually, he was pretty caring.
- D NB: You say that and I understand that and I understand, having met him myself, why you would say that. I'm just trying to clarify where you or other senior officers in the Army above you thought that he was being too tough. Too tough on whom? Too tough for what?
- CE: I had the opportunity to actually see, I looked at the discipline statistics which are in Upavon. I didn't have routine access to those at all. They were maintained in Upavon and if it was recognised that part of the Army was a bit out of kilter, then the local chain of command would be informed "you'd better come and have a look". And I actually got a call from Upavon to say "I think you'd better just have a look, because in terms of the punishments that Ron Laden is meting out to trainees, they are extremely severe by Army standards". They were in some cases double that which was being meted out elsewhere.
- E NB: Is that for going out of bounds? That's what he told me that he was meting out punishments for.
- F CE: Girls or boys in areas where they shouldn't be, yes.
- NB: Did anyone ever care about that?
- CE: Absolutely.
- NB: Was there any evidence of –
- NB: If we just take that activity and focus on this part of it. The impression I get is that Lieutenant Colonel Laden says he was increasing the penalties during the period of his time for men being in the female accommodation, females in the male accommodation.
- G

- CE: Yes. A
- NB: Now, is that one of the issues that was causing concern in Upavon in terms of disparity with other training regiments?
- CE: It wouldn't have been solely concerned with that particular issue, but it would have also been smoking in areas in which you shouldn't have been smoking.²
- NB: What were you getting for that? I know it's a health and safety concern. B
- CE: Exactly. And underage drinking and so on. And when soldiers were caught for those sort of misdemeanours then he was very firm with them in terms of awarding restrictions of privileges and fines and so on. The regime across the Army at the time of Cheryl James' death was different to the regime in the Army in 2002. The regime in the Army at the time of Cheryl James' death, shortly after the training of men and women had been brought together, was more "these are 18 year olds, they're over 18. You should treat them as adults and give them much more freedom".
- NB: Some of them weren't over 18. C
- CE: But then you've got the problem of how do you devise much stronger safeguards over the under 18s.
- NB: That's a problem I'm going to ask you about in a moment.
- CE: And of course, the typology of individuals that is coming into different parts of the Army varies. So the direct comparison when I read the Cheryl James Board of Inquiry of what's going on, it just horrifies me, frankly. And I know that that was not the regime we were operating at Deepcut in 2002, Ron Laden under my command was operating a very much tighter, tightly controlled camp. D
- NB: But is that what he's being criticised for by Upavon?
- CE: He felt, although I think to a greater or lesser extent, we all did, that the media attention and the inability of the facts to be got across, to day after day being accused, was pretty difficult. E
- NB: I'm not sure I've quite got an answer to what it was that ATRA was concerned about in the disciplinary regime. As you may have gathered through the question, and if you haven't gathered it, then let me say it to you, that I'm more concerned about the absence of any disciplinary findings in certain areas of things in previous regimes.
- CE: I can't comment about previous regimes, but I can tell you that during my time, and I did not have powers of discipline over the trainees, it was Ron Laden as Commanding Officer. So I did not see the outcome of all the cases he was dealing with, only when I reviewed the ATRA findings. And the concern was simply, and this really was raised during the DAG's work, the concern was that superficially, on statistics, crime for crime, Ron Laden's punishments were significantly harsher than elsewhere in the Training Organisation. F

² Brig Elderton requested that the following note be added "The concern at Upavon, in this context, was not so much the issue but rather more the punishment awarded for infringement of rules." G

A NB: Were there any activities for which he was punishing that perhaps people thought didn't deserve to be punished at all? Was it activity that deserved to be punished but the level of fines was seriously greater? If we can just at least keep within the area of alcohol and sexual activities or at least being in the wrong kind of accommodation. May not an explanation be that he is trying to stamp out the problem?

CE: That's absolutely the explanation.

B NB: Either the other people don't have that problem, which is possible, or they're not doing anything about it.

CE: Yes. And I think Ron would impose that harsh approach right from the word go. He had the command team in, he identified the problem quite rightly and so "off we go".

NB: Anything wrong with that?

C CE: No, not at all and in fact, he would have been blind to the levels elsewhere, so he would be working within his delegated powers, no problem with that at all, and the impact of him taking that hard line was very effective in reducing petty misbehaviour. Fine. But when ATRA as part of a routine look at the statistics and as part of the general focus on Deepcut, they find that these punishments were pretty harsh. So if you've got soldiers who want to start complaining about being badly treated etc perhaps we need to look at it. The typology of the individual, the layout of the barracks, the training process and so on, the ratio of males to females, differ in every case. So there was no suggestion that you needed to have one standard for everyone, but this was just something that got attention.

D NB: What was the outcome of you looking at the statistics? Did you ask him about it?

CE: Absolutely and in detail.

NB: And what was the outcome?

CE: I directed that he take a fresh look and consider a fresh approach, a re-balancing, if you like. And that he should do that on a trial period for a couple of months.

E NB: A re-balancing of the disciplinary structure?

CE: It was really a re-balancing of the levels of punishment.

NB: For what?

CE: Smoking, being out of bounds, drinking.

F NB: So being out of bounds i.e. in the wrong kind of accommodation?

CE: Yes. It was right across the board.

DB: But this was about statistics, it was not about you getting feedback from trainees that were being treated differently at Deepcut?

G

- CE: No. It was based on statistics. In my view, I shared the ATRA view that these on the surface looked pretty harsh and I felt, without usurping his command, that they warranted a fresh approach. I could understand why initially, faced with pretty major problems, he was very severe. But a year downstream, when actually the routine misdemeanours had dropped dramatically, then maybe you can consider a fresh approach. A
- NB: He has painted a picture to me, and I think possibly elsewhere, of the previous regime before he took over, and I appreciate that's six months before you came along, of a lack of vision, a breakdown in communication between the CO and the staff, the very poor morale, lack of mutual trust within the ranks, "the regiment was at the very least stagnating" – I'm just giving you some of his words. That was something which he told you about? The visions that he had before he started doing the things that he was doing? Or is this news to you? B
- CE: That's not news to me, no.
- NB: Did you disagree with his assessment of the previous regime or did you have no basis to disagree? C
- CE: When I assumed command, there were a lot of things that I felt needed doing. I was extremely disappointed when I discovered the lack of resources, the lack of investment in infrastructure, the continued pressure for reducing manpower, the general acknowledgement that "yes, people are worked very, very hard, but it's even harder on operations, you know". The fact that every request for additional resources had been met with a demand for further savings, the continued uncertainty about the future in the context of locations. I heard, they were tales, but I didn't comment upon it, because it would have been inappropriate for me to rubbish my predecessors or my organisations. D
- NB: It may well be that your predecessor had in fact been raising very strong concerns about funding. In January 2003, I appreciate this is a year after, but DG ATRA writing on Ron Laden's confidential reports says "this is one of the biggest, numerically, training support commands of the Army with a huge transient population of trainees and, as now proven by external agencies, to be dramatically understaffed and, therefore in, daily danger of human mishaps. Few COs face such constant pressure and not all could cope with it". Do you agree that's the nature of the job? E
- CE: Absolutely.
- NB: And "now proven by external agencies". What do you make of that?
- CE: The various learning studies and DAG etc.
- NB: They had it all. Two years beforehand, they had the Evans report. There's a sense of how much do you have to provide for someone to respond to the problem. F
- CE: I agree.
- NB: Or how many people have to die before something is done?
- CE: You could say that. Or what media pressure has to be brought or how do you bring pressure? G

- A NB: Is there anything else we can cover about this?
- CE: What I would say, is as a direct result of DAG, and it was not DAG working in isolation, we were very much working together, and subsequently, as it were, the resources started appearing. It energised the whole organisation.
- NB: Strikingly so during your command after the decision was taken in December 2002.
- CE: Because I could see what was necessary to properly fulfil the task that we faced.
- B NB: With that introduction, can I now try to pursue through you the guard policy aspect of it. It is not that I'm ignoring all the other elements we talked about, I think I've got that picture and I don't think our conversation today is going to go onto new terrain when you tell me about staff shortages and duty of care ratios. I think I've got that pretty clearly. But just guard policy. If bits of information come to light, I can then go back and have a look at it. In 1995, I appreciate not during your tour of command, the James Board of Inquiry brought to light the standing orders or an extract from the standing orders of the Training Regiment & Depot RLC security standing order dated December 1993. What it says is "weapons are not to be issued to guards or patrols on Black or Black Alpha unless there are special arrangements as a result of emergencies". And then it goes on. Now, does any of this ring a bell to you in terms of general RLC standing orders or was this a Deepcut-specific standing order or did this reflect the general policy within the RLC as regards security? I'd like to go through that document a little bit more, but also there's a technical question which perhaps you can help me with.
- C CE: I don't think the UK has been lower than Black in the last 35 years. And if you start to going to Amber, basically we stop work to to guard ourselves.
- D NB: I think I've got the hierarchy of alert states within that.
- CE: The alert state and the actions required for guarding under those alert states are actually dictated by HQ Land Command.
- NB: Yes.
- E CE: I don't know what the precise direction from Land Command was in December 1993, but under Black and Black Alpha, I would expect soldiers to be armed and the general principle is that you do not give a soldier a weapon unless he has ammunition.
- NB: That's the principle which this instruction clearly denies the existence of. So, let me show you.
- CE: Who decided that that particular policy was relevant or appropriate, who authorised it? I don't know. Whether it's a local arrangement.
- F NB: Who would authorise, whose responsibility is it? Is it the responsibility of the Commanding Officer of the Training Regiment or the Commandant?
- CE: Effectively, it is the one-star. It's the Commandant, the Brigadier. The Brigadier would be responsible for ensuring that procedures were in place in accordance with the appropriate Land Standing Orders and in line with security guidelines and the Commanding Officer would then be responsible on behalf of the Brigadier for implementing it.

G

- NB: So who drafts the standing orders for the Training Regiment? The Commanding Officer? A
- CE: The Commanding Officer but those standing orders would reflect the Garrison standing orders, the District standing orders, the Land directions and so on.
- NB: So one has to look at – not that I think it’s now going to be possible – but you look at the Training Regiment standing orders, the Garrison standing order, the Land Standing Orders and anything else.
- CE: Anything else that deals with security. For very specific reasons, security states and so on can be varied according to the situation. B
- NB: Various people, Lieutenant Colonel Govan in particular when I met him not so long ago, but looking through the data, one or two other more junior officers historically in the past have said “we never used to have to have armed guard on all our gates at Deepcut. I never understood why we do so in 1995 to 2002”. Are they wrong or was it a case that even after the events of 1975, the IRA which I’m well aware of, that there were security states, where you didn’t arm. The further we come onto it, it seems that even if you do, you don’t necessarily issue them with ammunition? C
- CE: From my general experience of some 30 years of soldiering, that seems curious to me.
- NB: That you wouldn’t arm?
- CE: That under Black and Black Alpha you wouldn’t arm and if you did arm, you wouldn’t give them ammunition.
- NB: OK. D
- CE: What I can say is that in 2002, as a result of the work we were doing at Deepcut, the question of supervision of armed guards was raised, because again, a major problem with Deepcut was that you had a major shortage of NCOs to perform that duty. The permanent staff are busy working 18 hours a day dealing with duty of care and that sort of thing. The Phase 3 NCOs who are there doing courses, they are there to do courses, not spend all night on guard duty.
- NB: I’m conscious of that and I’m going to get to the changes in 2002. E
- CE: But if I may, and I think it will help with this, as a direct result of the concern about the lack of NCOs available for supervision, a decision was taken in August 2002 that guards would not be armed. Now that was Deepcut specific, it was very much limited, it was authorised by Land Command and it was made very clear that it was not a blanket dispensation, it had to meet that specific circumstance and if the alert state went up to Amber, then obviously, things would change.
- NB: Am I right in thinking that the alert state has never been Amber and Red over the last few years? Has it always been Black or Black Alpha or has it gone higher? F
- CE: It didn’t go to Amber at Deepcut in my time there. But the question that was being posed about whether it is relevant to have armed guards at Deepcut, the answer is “let me have a word with the security boys”, because they’re aware in far more detail the threat presented, which we are deterring or countering by having an armed guard. And if the security experts in Land Command say “thou shalt provide armed guards on the bases”, that’s what you do. G

- A NB: Right. But presumably, unless someone is writing orders that are in disobedience to Land Command, in December 1993, someone could consider writing the following *[reading from extract from December 1993 standing orders]* "weapons are not to be issued to guards on Black or Black Alpha", which was the alert state through 1993 to 1995. Moreover "no ammunition is to be issued at Black Alpha" – the higher alert state – and it says in bold "ammunition is not to be automatically issued at any alert state. Ammunition is only to be issued with the express permission of the Commanding Officer" and then gives examples. The CO "is the only person authorised to approve the issue of ammunition to individuals. The CO may only approve such individual issue after he has been given the personal approval of the Commandant RLC Training Centre".
- B Taking those two paragraphs, then you get the gist. No weapons on Black Alpha, no ammunition per se even when you issue weapons, only in extraordinary circumstances. Now, that happened to correspond with one or two officers' memories of the fact that they didn't always use to have armed guards at Deepcut. And that was pre the end of the RAOC period, I would think, because one of these statements is from an officer who retired in 1993, so he must have been talking about his experiences in the Royal Army Ordnance Corps, rather than the RLC proper.
- C CE: I'd be very interested to see the orders upon which that is based. It does surprise me.
- NB: From my inquiry, I think this is the beginning of a mismatch between Deepcut standing orders and instructions elsewhere and I'm not sure when they get sorted out or if they get sorted out before your tour.
- CE: What I can say is that having scrutinised this aspect of standing orders early in my time as a result of these incidents and so on, I can assure you that they did conform, both to the Land Standing Orders and so on and ATRA policy around the Army trainees. Hence the requirement to ensure that firstly, that they had completed their Phase 1 training, that they were actually qualified to carry the weapons, that they had been updated, that the checks and balances were in place to control arms and ammunition, that they had clear orders, that under-18s were only armed after a positive decision by the chain of command that the individual was sufficiently mature.
- D NB: Hang on. That's interesting. I've got a series of questions but you're racing ahead. That age is a particular subject I'm going to get onto. When was it decided that under-18s could only be armed after a particular consideration of their maturity?
- E CE: That was in place when I arrived, to the best of my recollection.
- NB: Is that an ATRA standing order, an RLC standing order or a Land Comamnd standing order?
- CE: In recent times, the RLC does not feature in giving orders. The RLC does not give orders on these matters.
- F NB: But it has to have standing orders to an NCO to tell him how to do guard duty.
- CE: But that has nothing to do with RLC.
- NB: HQ RLC standing orders.
- CE: That's 1993, isn't it?
- G NB: It's now.

- CE: Now? The RLC is not concerned with orders to guards; it's concerned with the specialist output. A
- DB: The Garrison Commander would be issuing a set of orders, based on superior orders, within the RLC Training Group standing orders.
- CE: The orders are not tied to a cap-badge.
- DB: Yes, but they are issued by the RLC Training Group. B
- CE: No, the orders are influenced by the directions from HQ Land Command and HQ ATRA. The RLC is in no position to comment upon or influence those orders.
- NB: Right. The standing orders for the Deepcut Garrison, are they not the Training Regiments standing orders?
- CE: Yes.
- NB: So those are orders therefore drawn up by the Commanding Officer of the Training Regiment? C
- CE: Correct, with the support from and checks and balances from the HQ focused upon the Deputy Chief of Staff working for the one-star.
- NB: Those standing orders – one hopes – are consistent with any policy which ATRA hands down or any instruction that ATRA hands down?
- CE: Yes. D
- NB: Can ATRA hand down an instruction to the Commandant?
- CE: Yes.
- NB: And also are consistent with Land Command and 2 South East Brigade?
- CE: Absolutely. E
- NB: Two other sources of authority that impinge upon the Commandant?
- CE: Right.
- NB: Where did the order come from – as you understood – that in order to be on guard duty under 18, an assessment had to be made of your maturity?
- CE: ATRA. F
- NB: I'm going to suggest to you that ATRA were saying exactly the opposite to me: "No problems at all, anyone who has done Phase 1 training can go on guard duty even if they're 16" in December 2001.
- CE: But the treatment of under-18s in terms of duty of care responsibilities, acknowledgement of potentially their immaturity, lack of experience and so on, combined with the general sensitivity both within the Army and the public domain about soldiers under 18. The fact that we do not deploy Army soldiers under 18 on G

- A operations, would actually pose the question of just where does a responsible Commander say “hang on a minute”?
- NB: Where does this take effect? We moved into a different part of the conversation, but I’m responding to what you said a little while ago when you were saying that you understood that the policy was that you don’t put someone on guard duty under 18 unless you’ve made an assessment that they are sufficiently mature to be doing it. Where do you understand that to be? Let me show you what ATRA says on the 11th of December 2001. I’ve highlighted it.
- B
- CE: So this is concerning general supervision of under-17s?
- NB: Yes.
- CE: Clearly common sense must be exercised when selecting a guard force to ensure a spread of ages, but there is no legal obstruction to employing soldiers under 18, or indeed 17 years old, on guard duty. Clearly, common sense must be exercised and I would expect, as a Commander, the Commanding Officer to exercise common sense.
- C Now, in the case of a soldier over 18 who, for whatever reason, is considered by the chain of command to be at risk, perhaps he has self-harmed, then I would expect that common sense to be exercised, just to add a question mark to whether you are going to send that person on armed guard. But in the case of the under-18, the practice and precedent in 2002, when I assumed command, was that that conscious check was made.
- NB: Where is that instruction, because I have in mind before you turned up something we extracted from the guardroom log, where a guard commander was worried as to whether he should send a 16 year old out on guard duty, but the then Adjutant says “he’s done Phase 1 training, he’s fine”.
- D
- CE: What period is that?
- NB: That’s 2000-2001. And I think that’s what ATRA are there saying and there’s another document about it, where ATRA are saying that they’ve discovered after that that there was a problem of that being inconsistent to the Land Command instruction. There’s no instruction to the guard commanders which says “before anyone under 18 goes on armed guard duty” – this is January 2002 – “we’ve got to make a sure of their personal responsibility, age, maturity, wisdom etc”.
- E
- CE: But the guard commander is not responsible for nominating the guard. The guard would be nominated at squadron level.
- NB: OK. Is there any instruction at squadron level saying “before you nominate people for guard”, obviously, if you’re going to have common sense, there would have to be someone on the day, the guard commander is responsible for saying “you’re drunk” or “you’ve just told me you are suicidally depressed. I don’t think it’s a good idea to be handing you a lethal weapon”. So they can take them out. But how do you get in?
- F
- CE: Well, the guard commander does actually not check the age. He is not exposed to the training records of the person who is standing guard. The guard commander in 2002 could be a Phase 3 trainee from a different part of the Army who’s only been at Deepcut a week and barely recognised an RLC cap badge, but the responsibility lies at squadron level and by standard procedure, the Sergeant-Major at squadron level is responsible for duties for the members of that squadron. The guard commander, when he had the duty
- G

- list, he is then responsible for making sure that those nominated for duty turn up in a fit state to perform the duty. If he had any concern about them not being in a fit state, then he would take appropriate action. A
- NB: Let's go back then. As far as you were aware, the instruction that Deepcut Garrison were operating under in January 2002, did that include an obligation on the squadron commander who nominated the people for the guard roster, to make an individual assessment of their maturity?
- CE: Absolutely, but I have to be honest and say that I could not point it out to you in black and white. But it was a key issue in terms of the suitability of the soldiers on guard in terms of age and maturity. B
- NB: If it's a key issue, why isn't it in black and white?
- CE: I can't point to it in black and white. I can't tell you where it would be.
- DB: Would the Squadron Sergeant-Major have access to something like the risk register? C
- CE: Yes. He's a key part of that process.
- NB: At the moment I'm just dealing with age. I'm not going to factor out of the equation whether the individual is over 18 and has particular tendencies or under 18 and doesn't have those tendencies. Supposing we're neutral on that data, but you're dealing with age, 16-year olds, whatever. Presumably, we know that if you're at Deepcut in Phase 2 training, you've done Phase 1 training.
- CE: Correct. D
- NB: So you've had your basic weapons training. So everyone gets to tick that box. However, being told how to fire a weapon is not quite the same as being sure of how to use it, is it?
- CE: Absolutely. The twelve week Phase 1 sausage tube, where a huge amount of material is being thrown at a youngster, he goes through his weapons training, he passes his test, but is he practised? It's like when a youngster passes a driving test, he's just at the start of a learning curve. E
- NB: Now, that being the case, when you took over your command in January 2002, was there a minimum age to be eligible for guard duty?
- CE: We very rarely ever had a soldier under the age of 17. Very occasionally, it could happen, but certainly, no under-17s were placed on guard duty and the decision between 17 and 18, the chain of command in the regiment had to make a conscious decision about maturity, at risk and so on. F
- NB: But you can't point to a standing order?
- CE: I couldn't point to it, no.
- KN: Could you point to the number of times when someone had been judged to be not sufficiently mature?
- CE: That's not something that I would be routinely updated on. G

A NB: We're getting documents in and some of it has come in quite recently, like the material about Collinson which has come in. There is confusion about this. I've shown you that ATRA appear to be saying "there's nothing wrong with a 16-year old doing armed guard duty".

CE: But there's more to this than meets the eye.

NB: Tell me.

B CE: Because recruiting under-18s is fundamentally important to the Army in terms of maintenance of the Army. Because if the Army doesn't actually seize the under-18 school leavers, then by the time they get to 18, they've got jobs elsewhere or perhaps the enthusiasm has waned. So therefore, my understanding from general discussions around the recruiting scene, not that I have personally been responsible for it, is that if you want to maintain the strength of a young Army, then you need to continue to recruit the under 18.

C NB: That doesn't mean to say that they have to do armed guard duty, does it?

CE: It's a part of Phase 1 training, a key requirement is that they have completed weapon handling. There is actually across the ATRA – certainly in 2002 – because of the pressure to reduce the time in all Phase 2 training establishments, for reasons of pressure on instructors and staff and the ATRA budget were paying soldiers who were actually in training. You're familiar with all that? So therefore, you give the trainees in Phase 2 the minimum amount of time. So therefore, you shed from the programme anything that is not core to preparing or giving that young trainee the core skills necessary to perform the technical task when they join their unit. In other words, it's assumed that at the end of Phase 1 training, they've got all the necessary basic military skills necessary to join their first units. And Phase 2 training is simply a specialist training. Because if you start including in the programme weapons training, physical training, recreational training etc, then of course, it starts getting longer. So therefore, in January 2002, you've got course compression across the board, and in the case of the RLC, where a number of the courses are actually quite long, varying from 5 weeks to a year, the pressure to minimise the training is on. So therefore, if you say that a soldier is not qualified on a weapon at the time of his Phase 1 training, what you are saying is that a soldier when he joins his unit in the field army is not properly trained in the basic skill of handling and using his personal weapon.

E NB: I may be saying that, but the Army itself would not be sending an under-18 out into the field army.

CE: On operations.

F NB: Yes. And that's because they're not meant to be exposed to being fired at or firing and killing people or being killed? Is there any other definition of operations or any other rationale for that? I know what it's based on, it's the Convention on the Rights of the Child, but as I think ATRA told you in response to your first report to ATRA, they were looking at that and they were looking at that in regard to guard duty. But actually, if the rationale behind arming young people on guard generally is that they may have to kill terrorists or intruders or suspected terrorists or intruders, you're actually asking them to do something quite similar to that.

CE: Is an armed guard duty operational?

G

- NB: We went down to Upavon and asked that question. What would your answer be? A
- CE: I would have great difficulty differentiating between them. In my own personal view, as soon as you give a serviceman or –woman a weapon and live ammunition outside the training scenario, then by definition, it must be operations. Because there are only two states that the services are in. They're either training or they're on operations.
- NB: Without your military experience, I'm beginning to pose that question myself.
- CE: But in the context of what ATRA are saying in this statement here, clearly, common sense must be exercised. B
- NB: Yes. Apart from the common sense proviso, that policy appears to be saying there's no minimum age to do armed guard duty.
- CE: Correct.
- NB: Land Command, since July 1994, has said that apprentices must be over 17 and an assessment must be made as to their maturity before they're eligible for guard duty. But our Phase 2 soldiers are not classified as apprentices, are they? C
- CE: No.
- NB: And ATRA and Commanding Officers and, I suspect, Commandants before, have said "there is a policy for apprentices. By contrast, there is no age limit for non-apprentices" and that's why you get issues that were raised in this one particular case where the guard commander happened to query it and was told "if he's over 16 and he's done his Phase 1 training, he is eligible for guard duty". D
- CE: But I think there is a slight danger of comparing apples and pears, because the age, training regime and time spent in training for an apprentice is different to the non-apprentice.
- NB: They would have some weapons training before they're allowed out.
- CE: Absolutely, but I think you would need to look at the apprenticeship regime, the ages, the stage at which they actually do do their weapon training and so on. Because honestly, it's a much longer course, is it 42 weeks? E
- NB: It is. And right at the moment, the minimum age for adult entry is 16 years 9 months, is that right? If this is not your specialist area, that's OK. The point is: can you really see a difference between an apprentice of at least 17 years, who's done weapon training and is now entering Phase 2 or eligible for guard duty, and so they're saying "you can do it if an assessment is made of your subjective maturity". F
- CE: Yes.
- NB: And a Phase 1 recruit who enters the Army at 16 years 9 months, has done his twelve weeks basic training, and as you rightly point out, he's doing the whole common military syllabus, he does a whole variety of other things, and I think you agreed with my proposition a little while ago that knowing how to fire a weapon is not quite the same as knowing how to use it.
- CE: Absolutely. G

- A NB: One needs to check on their maturity and capacity to go on guard duty.
- CE: Sorry, the apprentice?
- NB: No, the Phase 1 trainees.
- CE: The Phase 1 trainees do not do armed guard duties.
- NB: But when they're on Phase 2.
- B CE: They're not a trained soldier until they complete Phase 1, so therefore Phase 2 input is a trained soldier who has met the minimum standard necessary to move onto the next stage.
- NB: I think that also applies to the apprentices. I think the instruction is that you've got to do your weapons training.
- C CE: All I'm saying is that there are differences between the apprentice instruction and contents of the training and the non-apprentices, and now, having done a little further research, personally, I'd be a little cautious in making too many –
- NB: I'm aware of the difference in training. I have presently in mind that this should mean that you ought to be writing in extra checks for your Phase 2 soldiers under 18 who've only arrived after twelve weeks' training as opposed to 42 weeks' training.
- CE: Yes, and the apprentice, almost by definition, should be slightly brighter and potentially a bit more mature.
- D NB: I have to return to the question again because it is very difficult to get it. As far as we are able to ascertain, there was no minimum age in January 2002 to be eligible for guard duty. I think you are suggesting that de facto and as a matter of practice, you're going to be more likely to be over 17.
- CE: Yes, over 17. And if you're under 18, as a matter of procedure, de facto, that conscious assessment would be made. If you're over 18, that would be done by exception.
- E NB: Now, there are no standing order that I can find which says "make that assessment" either at Land Command, ATRA or RLC. And my reading as well as other people's reading of the Land Command Standing Order is precisely that if you're having the maturity assessment for apprentices and nothing is said about others who are regular adult soldiers, then there is positively no obligation to make an assessment. Do you see?
- CE: Yes.
- F NB: As an aid to that, there seems to be inconsistent data as to whether there was a local policy in 2002 at Deepcut about 17.5. Do you know anything about this?
- CE: From my recollection, only under exceptional circumstances were there 17 and a half year olds on guard duty. We're talking the age bracket 17 to 18, but frankly, it was 17.5 to 18. So under 17.5 would not routinely be expected to perform guard duties³.

G ³ Brig Elderton asked that the following be added "My comment relates to rarely having those under 17.5 years on guard duty – we of course had a number under 17.5 years under training".

- NB: I think you probably got a sense of the line that I'm batting on at the moment, but I want to just push on, because this I think at the moment is quite a central issue to the review we're performing. And I want to press you on 17 – 17.5. Let me reveal the data that I have, so I'm not trying to get an answer out of you in the abstract. Ron Laden was pretty strong when I put this to him that there was no policy of "you've got to be over 17 and a half to do armed guard duty". In the context of the last death, there is beginning to emerge, for various reasons as you may appreciate I can't say too much about the last death until the inquest comes up. There is beginning to emerge the following: a Corporal in the RLC says that he saw a notice in the guardroom in large letters saying "under 17 and a half shouldn't be doing armed guard duty". Captain Skinsley says he seemed to have some recollection that there was such a practice. One of the young people on Collinson's guard roster thought the reason why Collinson wasn't given a rifle that night, was because he wasn't over 17 and a half. And Surrey Police believe, on that information, that there was at least a clear local policy at Deepcut of 17 and a half. There is not a standing order or a document to support that. A
- CE: No. B
- NB: It is inconsistent with Ron Laden's very clear evidence to me. I've asked him to reconsider it as new materials come to light in case he's got anything else to come up with and it is inconsistent with the advice that was given at least in December 2001 by ATRA and ATRA have to qualify that advice when they realise that Land Command had a different view about apprentices. That is the material that I've got to work on and where do I go for it? It looks to me like I can't find an answer to a minimum age until after James Collinson's death. And I think we've then got after James Collinson's death a minimum age being written into RLC policy. C
- CE: Of 17. D
- NB: Of 17.
- CE: To RLC policy or to 25 Regiment policy, to ATRA policy?
- NB: To 25 Regiment.
- CE: Could I ask what Ron Laden's view is? E
- NB: I've asked him for clarification, because I think it is only fair to put to him contrary information which I didn't have when I last met him. So subject to clarification, he thinks "no, no age limit".
- CE: So he's saying that's the policy that he was given?
- NB: To his recollection.
- CE: And I think he is correct. F
- NB: What is this thing about 17½?
- CE: That is the local Commander exercising common sense judgment.
- NB: Who is the Commander exercising that judgment?
- CE: Ron Laden. G

- A NB: But he didn't seem to think that 17¹/₂ had any significance at all. So how is he exercising this judgment? I don't know whether this notice that the Corporal tells Surrey Police about existed. Unfortunately, there is no document about it, so whether this is a misunderstanding.
- CE: I visited the guardroom at the time and I have to say that I can't recall the notice.
- NB: You visited the guardroom?
- B CE: Yes.
- NB: But would you have been alert to age in March 2002? Is age per se something that comes across your radar?
- CE: In the general terms about the 16-year olds and the under-18s, yes. 18 is the big threshold.
- C NB: Where do you get 18 as the big threshold from? I tend to agree with you as a civil lawyer looking at this issue, but where do you get that from because I have not found anyone else in the Army who will adopt that position.
- CE: Some of that is in terms of legal *in loco parentis* and so on. But to be frank again, that opens up another can of worms in this huge debate about what in loco parentis means and whether or not we have it.
- NB: We started to have that conversation with the Director of Legal Services at Upavon. Let me press you. Where do you get the "18 is the great divide" in the Army context?
- D CE: In the context of over the age of 18, a young person is, in terms of responsibility to the parents and so on, again the in loco parentis responsibilities. Now, this is no different in some ways, from a civilian university, where if you try to interact as a parent at a civilian university and your young person is over 18, they're not interested in you. No matter how many bills you pay. But if they're under 18, then they are.
- NB: So in response to that question from me, you are using general concepts in civil society –
- E CE: Yes and also of course in the Army it is not current policy to deploy under 18s on operations.
- NB: Civil society has decided that you will remain legally a young person in the terminology of the Convention on the Rights of the Child until your 18th birthday. There are duties that you have for welfare towards under-18s that you don't have for someone over 18. And you're applying that to young people in the Army?
- F CE: Yes.
- NB: Was this something that they trained you about or did you just learn about it because you are aware of what a child is in civil society?
- CE: I don't think I was specifically trained on that aspect, not in detail.
- NB: OK. But when we then come to young people in the Army in possession of a rifle with ammunition – a powerful weapon – we don't get until the death of James Collinson a minimum age standing order applicable to the 25 Training Regiment RLC.
- G

- CE: There is no top-down direction beyond what you're reading here. A
- NB: Well, there is, but it's not in there.
- CE: With respect, like with many other things, clearly common sense must be exercised.
- NB: What does that mean?
- CE: That it is common sense that a Commander would not place an individual in a situation for which he was ill-prepared or unsuited. B
- NB: How is anyone going to make that assessment unless you give them some age bounds?
- CE: You can do it better. You could give clearer age bounds, saying "these are precisely the checks and balances you will make for a 17-year old and when he reaches 17½, do this". You could.
- NB: This is guidance as you can see from the context issued to Commanding Officers, probably not just at Deepcut, but ATRA-wide, saying "if we're going to have more people who may not even meet their 17th birthday, can we have some guidance about generally what they can do and can't do and in particular, guidance about guard duty", which certainly by 2001, guard duty means rifle and ammunition to go into the rifle. Even though at some earlier stage it needn't necessarily need to have meant that. C
- CE: For whatever reason. In the context of Deepcut, that is written three months or so after the death of Geoff Gray.
- NB: Who was under 17½. D
- CE: Exactly. On Ron Laden's watch.
- NB: I read this policy or this reaffirmation as saying there is no minimum age but common sense is not excluded. I don't read any policy that applied from ATRA or from the 25 Training Support Regiment until after March 2002, which says at least you've got to be over 17. And that's what the policy is. I have a bit of a difficulty if that is the policy after the death to really be able to be satisfied that there was any 17½ policy before. And yet, a number of people seem to think there was. Indeed, you were suggesting that at some stage. E
- CE: And again, I can't help point you to the written word on this. I can only say that in discussion with Ron Laden and my staff around the time of James Collinson's death, which of course for me brought the issue of guarding to the forefront, that between 16 and 18, greater attention was paid as a matter of procedure to maturity and suitability etc for armed guarding. And a key issue, for example, is the risk register, which you mentioned. F
- NB: OK. In order not to get the questioning and the exchange confused by identified perceptibility to self-harm, which I appreciate is a factor, I'm just trying to look at age to see where we go. So your answer to me suggested that there was a guidance rule of practice giving effect to common sense that under 17½s would not normally be expected to do guard duty, but I'm not sure that there's any basis for that apart from the conversation with Ron Laden who was pretty clear. G

A CE: Frankly, I think you're right, but I guess what I'm trying to indicate from my recollection, is that very clearly, far greater attention was paid to under 18s, and the closer they were to 17, the closer attention would be paid. My recollection, and this would be post-Collinson, because pre-Collinson, armed guarding was not at the centre of my radar screen.

NB: Why did armed guard become the centre of your radar screen post-Collinson?

B CE: Because the indications were in both the cases, Collinson and Gray, and then of course when you look back, in the case of Sean Benton, that there were positive indications that orders had been disobeyed. So therefore, it didn't matter how fool-proof your orders were. If they were going to be disobeyed, you've got a problem. You can't just say "OK, the orders were disobeyed". Why were they disobeyed? How were they able to be disobeyed? And then you get into the supervision and so on.

NB: Right.

C CE: And you then get into the preparedness, suitability and maturity of those on guard. You then get into why they would disobey those orders. Were they bored? And so on.

NB: That's helpful. Of course, before Collinson, you'd had that feature in two of the previous three cases, and in Cheryl James, the order to post her on armed guard duty alone as a female, was in itself a disobedience to Land Command's instructions.

CE: It was being done locally. It was not my understanding that posting armed soldiers on their own was unusual.

D NB: At Deepcut, no.

CE: That reminded me of these orders from that period of time which seemed to be slightly curious on the subject of whether or not you're armed and given bullets and all the rest of it.

E NB: I appreciate this was before your time, but the way I am presently thinking, is that in December 1993, RLC Training Regiment standing orders aren't equating guard duty with necessarily having (a) a rifle, or (b) a rifle and ammunition. So when RLC standing orders say "one person does guard duty on the Royal Way Gate" – A2 where Cheryl James dies – that doesn't mean necessarily that that one person is going to have either a weapon or weapon and ammunition, certainly if it is Black or Black Alpha. Whereas June 1994, different instructions appear to be coming from Land Command as to who is eligible, distinguishing between regular adult entry, 16 years 9 months, apprentices and then servicewomen. "Servicewomen may be armed and employed at the same basis as male soldiers, the only proviso is where possible, armed servicewomen should be accompanied by a male personnel. If this is not possible, servicewomen are to be employed in pairs". So a clear order that you cannot have a servicewoman alone with a weapon. Either you do it with a man, or if that's not possible, you do it with another woman. Right?

F CE: And this was pre-Cheryl James?

NB: Yes. June 1994. So there's a mismatch there which is striking. There are others, but that one is striking.

G

- CE: And I would point out that there was the wider debate in the Army about the wider employment of women, particularly on operations and whether they should be armed. A
- NB: Yes. But possibly, the very factors that make it undesirable for women, even if they're over 18, to be on armed guard duty alone, might possibly apply to a 16-year old boy?
- CE: Yes. Which incident are you referring to?
- NB: None of them were 16. B
- CE: Do you mean posted alone?
- NB: Yes.
- CE: Because by 2001, the orders were quite clear.
- NB: When did they become clear?
- CE: Certainly, as far as Deepcut was concerned, about the threesome, if you like, two of whom were armed and the armed were to be together. C
- NB: When did that happen?
- CE: It was in place when I assumed command.
- NB: Well, according to the note that we have from the RSM, that was in place after Geoff Gray's death. In what looks like it's a response to an inquiry in April 2002, [from the RSM to a Major]. "Please find attached the copies of our guard orders relating to the incidents involving Gray and Collinson. The orders were amended after Gray's incident, in that we made the Officers' Mess have three ORs during silent hours, two armed and one unarmed. The unarmed sentry would remain on the gate when the other two armed personnel patrolled". And on the 26th "the guard orders were changed to read 'two armed, one unarmed'. Also, they were not to patrol individually, they must be in pairs at all times leaving the unarmed sentry on the gate". By Geoff Gray's death, the alert state had risen to amber, I think. D
- CE: It was after 9/11. E
- NB: So I think I said it was never higher than black, but in that period it did go up to amber. Do you know how long it went up to amber for?
- CE: It would have been a very short period of time, because we can't sustain it at that level. Was it amber the night Geoff Gray died?
- NB: It looks as if, according to the RSM, because I'm not able to retrieve the security states, but according to the RSM, he died on the 17th, so 6 days after 9/11. F
- CE: I would have thought that it would have been possible to check.
- NB: "You need to be aware that at the time of Pte Gray's death, we were on alert state amber".
- KN: So it's likely that it would have gone back down to Black Alpha by the time you came in? G

A CE: Oh, goodness. Amber is held for days, maybe a week, because of the level of threat necessary to place us on amber is such that it is unusual for that to be sustained for very long.

NB: So amber in itself is very disruptive and high security?

CE: Hugely so.

B NB: I appreciate that you can't help on this particular matter if this wasn't your period of command, but it looks as if at least the no sole patrol and the three soldiers on the Officers' Mess, one unarmed and two armed, comes into being after Geoff Gray's death.

CE: I can't help you because I don't know what the previous order said, in other words what was the amendment?

NB: That's what I'd ideally like to get my hands on.

C CE: That would close the gap between James and Gray.

D NB: One of the problems is that the best sources of data capture are the Board of Inquiries that at least capture the extracts from standing orders. We haven't had one into Gray. And asking the Army generally about what was the previous version of these documents, is not always a question to which there is an answer. What the RSM also said is that "after Collinson, we entered into the statement into the BOS orders that whilst posting and selecting the soldiers for various points, there is to be a mix of age, sex, experience and nationality. We also highlighted the point that soldiers under the age of 17 are not to do armed guard. The paragraph on handing over weapons was changed too". So it seems to me, taking that at face value, he is saying "you first of all told people who were making the selections that there is to be a mix of age, sex and nationality", which actually is consistent with the common sense advice of December, but it wasn't until after Collinson that that was implemented.

E CE: And dare I say that the nationality in particular was a pretty dynamic factor at that stage. When I took over, the number of Foreign and Commonwealth soldiers was about 12%. It peaked two years later at about 30% and Fijians and Jamaicans were the big contingents.

NB: I'd like to come back to see precisely what problems that may have caused in guard duty. But the when they changed them, as far as I can see, that's an example of a change of policy.

[peruses documents]

CE: They haven't produced a typed version of this, then.

F NB: That looks like what Surrey Police were given, which is where my information trail goes to, from Deepcut. So I've asked Surrey Police for all copies of the standing orders they have retrieved. They've got an add-on to something which predates it. It says at the top "this is the policy changed after the 17th of September", but that can't be right, because the RSM tells us that the 17 policy was only after the death of Pte Collinson. And that is the change.

CE: So you haven't got a typed version?

G NB: I've only got what I've been given.

- CE: And indeed, it's not corrected in other ways here. It's a draft, isn't it? A
- NB: It does look a bit odd and if that is the basis upon which the NCOs at the time were going about their duties, one hesitates to know whether every copy would have been amended.
- CE: But of course, the orders would be given to the Barrack Orderly Sergeant. The most important person to know what he's got to do is the Barrack Orderly Sergeant and he has a file with his orders into which this would go. B
- NB: Right. I think that is the one which deals with age, isn't it?
- CE: Yes.
- NB: And interestingly, Land Command's orders seem to remain unchanged from the 1994 document, which is introduced in respect of the Cheryl James Board of Inquiry, and what Surrey Police were given, which still has these three elements of eligibility of service personnel for armed security duties, regular adult soldiers, which we know means over 16 years 9 months and have done Phase 2, apprentices, you've got to be 17 and assessed by your CO to be sufficiently mature and then women. But these were policies that seem to remain consistent until the whole thing goes up in smoke in December 2002. C
- CE: Right.
- NB: Is there more information you can help me about regarding the guarding policies at Deepcut Garrison from January 2002 through to April 2002? D
- CE: No, I don't think so. We can talk about the challenges, the practice, the fact that there were aspirations to actually remove trainees from all armed guard duties.
- NB: Let's talk about that after the break. There is just one other matter which I think we can fit into that. On the 18th of August, Land Command say "isolated gates are not to be left unsupervised by NCOs". I think that led to some Majors and Colonels doing supervision of armed guard duty for a period of time but it also led to a message back up from Deepcut Garrison to Andover and Upavon saying "we can't do it". E
- CE: Correct.
- NB: You were then told that by special exemption until September and then until October you don't have to provide armed guards at the Officers' Mess and the Sergeants' Mess.
- CE: Correct.
- NB: Was that the definition of isolated gates and if so, why isn't Royal Way Gate A2 isolated as well? F
- CE: Because the Royal Way Gate and the Brunswick Road Gate have a linked road to Pirbright and were only manned at critical times and it was possible to cover those with NCOs.
- NB: So it's not that they are not isolated gates, it is just that it was possible to cover them?
- CE: Correct. The other detachments were 24/7 and the interpretation of isolation was within eye-contact and earshot of an appropriate supervisor. G

- A NB: So how long does that exemption last for? Until December?
- CE: It lasted for several months until such time as we actually received enhancement of MPGS, which goes back to the point I made about this aspiration to actually replace armed guard with MPGS, but the priority at Land Command was such that Deepcut featured on about page 7. And then, of course, having decided that Deepcut would be priority 1, we actually then reorganised across the garrison MPGS. And I took MPGS from Pirbright and so on.
- B NB: Is there an issue in terms of calibre of the Commanding Officer in the Training Regiment?
- CE: You'll be aware that appointments boards pretty much put candidates into a batting order and try to find the best fit. And if you are higher up the batting order, then you are going to command a field army regiment or operational regiment. If you are not so high up, then perhaps you would command a TA regiment or battalion or perhaps a training organisation. But command at Lt-Col level and above is progressively more competitive because the number of commands have diminished so not all Lt-Cols are going to command by any stretch of the imagination. And some of them would just go, because they recognise that their career is not going the way they would wish or whatever.
- C NB: But insofar as he is trying to use strict measures to deal with problems of discipline that he perceives to be quite important for the morale of the regiment, does he get supported by the Army in that or is he criticised for that?
- D CE: No, he is not criticised. I think, given that it became evident at some stage in 2002-2003 that the punishments that he was meting out for various misdemeanours on the part of trainees was harsher than average in ATRA, it bore some scrutiny to make sure that they were appropriate.
- NB: And after the scrutiny what was the view with his superior officers?
- CE: He wasn't being criticised, because he was acting within his powers, but given the sensitivities and the situation at Deepcut and so on and the focus on the welfare and wellbeing and general care of the trainees, it was worth just having a look. And having had a look, I gave him direction to, on a trial basis, review and where appropriate moderate his approach to see whether that had an adverse impact or otherwise on discipline statistics. He did moderate his approach. This would have been from memory around the end of 2002, the beginning of 2003. And the consequence was that the statistics didn't get worse and in some cases, they actually improved.
- E NB: Right. I have had intimated to me that sometimes Commanding Officers don't like to report problems up the chain of command because that tends to suggest they're responsible for the weakness being there in the first place. Is that a fair comment in terms of the Army generally? The person who doesn't report up the problems doesn't seem to be having them and therefore, doesn't have that on their record.
- F CE: I think there are two major factors associated with that. One is a question of judgment on the part of the individual on what issues would be felt appropriate to raise to higher authority and the second would be on the personal relationship between the individuals concerned. And if you have an open relationship, the passage of information up tends to be free, frank, open and constructive. And that's part of command. From my own point of view, I felt generally speaking that passing of information was pretty effective really.
- G

- NB: He was reporting on his Training Regiment to you. A
- CE: Yes.
- NB: And you were providing quarterly reports up to ATRA.
- CE: Yes.
- NB: And he had also circulated informal newsletters to some of the officers. Were you aware of those? B
- CE: He initiated a periodical letter to RLC Commanders who were the recipients of his trained soldiers. Now this became necessary, largely as a result of the Deepcut situation, where there was a huge amount of information and ill-informed gossip throughout the field army, and secondly as a result of the increasing numbers of foreign soldiers coming through. And 25 Regiment was very much at the forefront of working out what were the issues associated with these foreign soldiers and Ron Laden produced these letters which were actually extremely constructive and well received by the field army. C
- NB: The impression fleetingly that I had going down to Deepcut and meeting people down there, is that when the Army turned towards the Commonwealth to supplement its number for recruiting, they were recruiting perhaps slightly older people.
- CE: Yes.
- NB: And with age comes maturity and commitment to a career and the rest of it, so some of the high jinx of the sort that appear to have happened in Deepcut in earlier periods, that wasn't the Commonwealth recruits' idea of what they wanted to do. D
- CE: Speaking from January 2002 and the following three years, the numbers were rising, the balance was changing. As you rightly say, they were generally a little older and more mature but these other pressures then came to bear and in terms of duties and so on, they'd go "why is it that the Africans are always on duty?" That's because they're available and you'll be aware of the pipeline, and Pioneers would be a good example. Pioneers would come in, there was virtually no SATT, because the throughput was such that you could go through the five week courses. Many of the Fijians were destined for the Pioneer trade, so they passed through Deepcut quite quickly. "Why is it they're not on duty", not understanding that because we didn't teach Pioneers to drive, they weren't the same complexities around their Phase 2 pipeline. If you then superimpose that on the duties, rosters and so on, that's where the tensions developed. And also, inadequate numbers of permanent staff etc. By later 2002 into early 2003, as the numbers were still increasing, we were getting more experience. And really, there was an absence of any external guidance on the issues, because it was new for the whole Army. E
- NB: So this is a novel experience, a novel problem. Is it a problem to this day? F
- CE: No, by the time I left Deepcut at the end of 2004, these were no longer issues. And that was a combination of numbers having dropped a bit, we were better staffed to look after people and more familiar in how to deal with these issues and pre-empt them. But the point is that looking at the 2002 period, post the Collinson death, this was an issue.
- NB: But whatever tension there, and you've identified some, there may have been with people who weren't really familiar with how people lived and worked abroad, did that develop into any violence, aggression or bullying? G

- A CE: There were tussles between the trainees and in particularly between Jamaicans and Fijians.
- NB: At any time or after alcohol?
- CE: Like most incidents, alcohol generally featured.
- NB: Did that feature in the guardroom logs?
- B CE: I'm sure there were incidents that didn't get to that stage, but any incident that was picked up, serious incidents, to the best of my knowledge would be reported and should have been reported with the appropriate action taken.
- NB: With that in mind, can I just go back to alcohol policy, which crops up?
- CE: Yes.
- NB: Alcohol is meant to be confined to the NAAFI?
- C CE: Yes.
- NB: So the Junior Ranks' Club. It's not meant to be in their rooms?
- CE: No.
- NB: They're not meant to be bringing it into camp?
- D CE: No.
- NB: They're not meant to be drinking it out in the grounds? And how do you ensure that happened?
- CE: It's difficult, it would be down to duty personnel because we didn't operate a confined to barracks policy, so if their not on duty or not at their studies, they're free to leave the barracks and book out and so on. And they walk down to Frimley Green, and they can go into the pubs in Frimley Green or they can get a taxi into Woking and then we didn't strip-search every trainee that came back to the barracks, it was done on the basis that if you saw a trainee obviously lugging a crate of beer on his shoulders, perhaps then positive action would be taken. And if you knew that somebody had a drink problem, then clearly more supervision and control had to be exercised.
- E NB: There was evidence previously that there were block parties in the unused accommodation.
- F CE: Yes, from what I have read but before 2002 and my time at Deepcut⁴.
- NB: Where it seems that according to what the soldiers were saying, they were able to bring alcohol in either through the gates or sometimes with the collusion of NCOs who were sometimes invited to the parties. Was that happening in 2002?

⁴ Brig Elderton asked that the following be added "Block parties certainly did not take place during my own time at Deepcut ie after January 2002. My knowledge of block parties is confined to that included in the James Board of Inquiry Report".

G

- CE: No, that was certainly not the state of affair throughout my period of command. A
- NB: How do you know?
- CE: Because I am confident that the orders were very clear. Policing was reasonably effective and the disciplinary consequences of the situation you have described, would have been such that it would have been pretty evident. Now, that's not to say that from time to time it did not happen, "illegal" drinking was detected. Young people etc etc. And whenever detected, appropriate action was taken. B
- NB: What sort of action?
- CE: Generally speaking, the individual concerned would have been formally charged with disobedience to standing orders, that they had in their possession or were consuming alcohol. They would end up in front of the Squadron Commander who generally under those circumstances would refer them directly to the Commanding Officer, Ron Laden. And he would then award punishments, restriction of privileges or a fine.
- NB: And in 2002, was there concern that this was a problem that was under control and being dealt with? C
- CE: I think from time to time, there was concern if you had a ill-disciplined group arrive from Phase 1 training. And again, the transition from Phase 1 to Phase 2 is quite significant, because Phase 1 training is very closely supervised and monitored, the duty of care ratio, the supervisory ratio are high, they're confined to barracks, there's a no alcohol policy etc. And then they come to Phase 2 and in some cases they go a bit wild and they need to be re-orientated to what was required. There were some soldiers who felt that training beyond Phase 1 was a complete waste of time. "We've done it now, we've done our twelve weeks, let me face the enemies". And then you have some of the smarter applicants, who say "we're superior to all these people, we ought to be NCOs now". D
- NB: Was there a time where there was a temporary make-up of NCOs of Phase 2 trainees at Deepcut?
- CE: As a result of the DAG's work, which we contributed to, a major weakness in the lack of supervisory NCOs was recognised, but the Army could not generate sufficient NCOs and we received an uplift very swiftly of NCOs on detachment from the field army. At certain times, the Army were unable to produce sufficient full Cpls, so we were able to give acting rank of full Cpl to those who had been recommended. We didn't have any Pte soldiers, we only had trainees who were Pte soldiers. E
- DB: Did you promote any of the trainees to Lance-Corporal?
- CE: Certainly not that I'm aware of. However, selected Phase 2 trainees were given additional responsibility. And they wore a brassard to indicate their position but it had no rank on it. F
- NB: But you weren't upgrading Phase 2 trainees to NCO status in order to comply with the instruction of supervision of guards?
- CE: No, we couldn't, because they were neither qualified nor recommended for promotion. The only additional responsibility was that some of them were given minor responsibilities. G

- A NB: I raise that question, because I think we have come across actual reports early in 2003, which were saying this practice had to stop.
- CE: No, actually the only exception to what I just described is a re-joiner. Because if a trained soldier leaves the Army and then after a period of time re-joins, depending on how long he had been in the Army to start with and how long he had been out of the Army, they come back in and they're exempt Phase 1 training, they join direct Phase 2. We had in 2001-2002, because the statistics run through training year, around 90 re-joins, of which many had been NCOs previously. They come back in as Ptes, many of them have not actually been RLC, so they have been Gunners and Infantrymen, they come back in and they could then have their rank restored. In some cases, they were sent back in as LCpls. That was the only exception. They're not really a thoroughbred Phase 2.
- B
- NB: So they rejoin into their previous rank?
- CE: Yes, or in some cases they'll be told "you may have been a Sergeant with the Gunners, but we'll take you on as a Corporal, because that's where the vacancy is. You may have to work your way back up to your rank".
- C
- NB: OK. I don't think that was the particular problem that the ATRA closed in on, but we'll move on.
- CE: What you raised, was that directed specifically at Deepcut?
- DB: It seemed to be.
- D
- NB: Dealing generally with what was being done in 2002 to address problems of unhappy trainees, ill-disciplined, bullying trainees or other topics of that sort that at least in the press reports associated with Deepcut. Did you perceive a need to have a policy to deal with these matters?
- CE: Absolutely, and there were policies.
- NB: But what were they?
- E
- CE: They were in terms of duty of care, better awareness in the training of permanent staff, scrupulous attention to reporting, access to WRVS, the padre, the nurse etc, the routine welfare committees, making sure they were reconfigured, that they were in place and were working. If soldiers are actually under training, there's far less of a problem, because they are occupied, their busy, so what you want to do is to reduce the numbers awaiting trade training for whatever reason by increasing the pipeline efficiency. We worked tirelessly from the moment I arrived to actually minimise SATT and improve the pipeline and we did that in all manner of ways. I will just quote one example. Many, many soldiers joining the RLC wanted to be Air Dispatchers, because Air Dispatchers do sexy things in aircrafts, wear lots of badges. The queue for Air Dispatchers would have stretched from here to Deepcut. But for Air Dispatchers, their primary trade was drivers. And there was a huge bottleneck where aptitude selection was going on. If their primary trade is driving, we will train them as drivers, post them out to the field army, then when they've got a year or two under their belt, if they still want to be Air Dispatchers, they can now apply for the field army and do the course at Phase 3. At a stroke, that reduced the SATT by about 80 of soldiers who were awaiting Air Dispatch Aptitude.
- F
- NB: Right.
- G

- CE: So we worked very hard in terms of increasing driver training capacity. You're aware that we have a local contract? A
- NB: BSM?
- CE: Now BSM, but BSM only won the contract in about 2002. The previous contractor consistently failed to provide the number of vehicles every day. BSM, the biggest in the business, at Deepcut alone, off the top of my head, I think we required 26 Nissan Micras every day. They were contracted for that, they're the biggest in the business and they consistently failed to provide that, despite actually offering huge inducements to driving instructors. B
- NB: They couldn't find enough people to do it?
- CE: They couldn't find enough instructors and we changed the basis of the contract where they were paid by a task based on optimum training times, so that when the Foreign & Commonwealth trainees came, they would take twice as long to get a category B license. So we were working very hard and squeezing the driver training, being far more flexible in taking up spare capacity and managing category B driver training, although on a country-wide basis, so for example, if there were spare places elsewhere, we would feed people in. Or we actually sent people direct to Leconfield to do category B if they were struggling with it. So we had driver training privatised, and I can only speak from 2002 to the end of 2004, was a continual process and in that period of time, we were very successful in reducing that backlog. C
- NB: It seems to me that everyone I've met from 1995 onwards have had to deal with these SATT problems and driving problems. Different Commanding Officers tell me that they thought that they adopted measures to deal with the problem, but clearly, the next Commanding Officer is finding that it is a problem which needs measures to be dealt with. D
- CE: Yes, but the Phase 1 and 2 pipeline is incoherent. In Phase 1 RLC you've got 48 intakes into Pirbright every year. You've got 48 inputs at Phase 2 across this vast trade array. You're only resourced to run a course when you've got sufficient numbers in it, so in some cases, you're only running two courses a year, but you've still got 48 Mondays when potentially, you've got people trickling out, because at the start of the pipeline, you would think we could do what the RAF do. They say "if you want to be a whatever trade" etc, then we can give you a Phase 2 place then, which means you've got to come out of Phase 1 here, which means you embark on Phase 1 there. Come back in September". The Army doesn't do that. As soon as a youngster turns up and says "I want to join the Army" he is enlisted as fast as possible and starts Phase 1 training. E
- NB: Why is that? Do you think you might lose them?
- CE: Correct. Absolutely. It would be interesting to speak to the Recruiting Group to see if they've got evidence to support that, but that's the system. F
- DB: Isn't there also an issue with people changing their trade?
- CE: That's different. Let's stick to the pipeline. You've got all of these coming out of Phase 1 into Phase 2, and as far as the RLC is concerned, you've then got this large number of trades. Another measure we took was to be far more flexible about driver training, at what stage it was done, whether it was done before the trade training, because many of the trades required driver training and something else, say Port Operators or Petroleum G

A Operators. But not every Petroleum Operator needs a Category C license, so therefore, some of them could actually do their Category C training after their Petroleum course. So that is managing every single one of about 1800 trainees a year across 16-17 courses on an individual basis. You mentioned churn. Now churn is that in addition to that, you've then got people changing because they have no aptitude and so on. When I arrived in Deepcut churn was running at about 30%, so in addition, a third were changing before they actually emerged from the pipe. And when we analyse it and ask "why are people changing?" They were changing because they were being allowed to change because the Army view was "keep them in. We've now invested heavily". And as soon you churn someone then you immediately increase SATT, because the chances of them sliding naturally from one course at some stage into a spare seat on another course are slim. So I directed that we took a much harder line on churn. And the line that we took was very much "when you turned up to join the British army, you were advised and had been briefed and you've arrived and have been assessed as having the aptitude to be trade X. And that's how we've labelled you. Now, only under exceptional circumstances will we allow you to change. And if you don't succeed in the trade which you have been allocated, you may well find that we are saying goodbye to you". The consequences was that within a year, we had reduced churn from 30% to I think about 5-10%.

C

NB: Did you have a lot of people resign or being booted out?

CE: No. Because it was whimsical. It was "my best friend's a Postie". "What do you want to be a Postal Operator for? Sod it, chum, you joined to be a supply controller". Or "I've decided that I don't really like computers" or "actually I've heard that if you are to be a Port Operator, you go to Marchwood. I've heard Marchwood is by the coast. It's quite nice down by the coast". Or you get the ones who decide that they all want to be Port Operators, because they want to be together in Marchwood. Does that answer your question?

D

NB: It does answer the question about SATT, but there is more to the duty of care than just controlling SATT.

CE: Absolutely. So it was very much about paying attention to the availability of duty of care resources and the processes. The third element is actually better training for staff to be able to exercise their responsibilities for duty of care.

E

NB: How does training help you in 2002 if you don't have enough staff?

CE: It doesn't.

NB: So you need the staff?

CE: And that's the fourth element: you've got to have the people.

F

NB: So until the changes of policy in December 2002?

CE: Correct.

NB: I want to pursue this through, because I suspect broadly the end of 2002 will be the end of my principal focus for my review. What did you use the staff that you got after that date to do?

G

- CE: They were absorbed into 25 Regiment and we were able to start the process of restructuring 25 Regiment, it wasn't complete by the end of 2002, to better balance the squadron. A
- NB: You only start getting the extra staff after December?
- CE: Correct. But it was quite clear what we wanted to do was better balance the squadrons. So they were drawn into the full panoply of 25 Regiment permanent staff support duties. B
- NB: And in what way does that visibly make life better for these trainees? Did you preserve information as to which trainees are unhappy or whatever it may be? How does this in practical terms impact on the duty of care?
- CE: Instead of a situation where the NCO probably only had time to have a few words with the problem trainees that identified themselves, you then got the time to have a quiet word with everybody to actually take a pro-active approach. What they were not used for, was guard supervision. And I was absolutely determined that they were not going to be used for guard supervision, because that defeated the reason that they were there. C
- NB: But by the time of December 2002, you get increased resources leading to better staff to trainee ratios and you get MPGS doing your guard duty.
- CE: Reorganising MPGS on a garrison basis and also being given uplifts from for example Sandhurst, who actually moved the demonstration Gurkha Company onto guards at Sandhurst.
- NB: If you go down to Deepcut today, you will find that it is the MPGS who are doing the prowler patrol. I think the MGS are doing the guarding of the gates and only one gate as I recall has a Phase 2 trainee and he is under the supervision of a LCpl or an MPGS. D
- CE: And that's the main gate. And in terms of numbers, the only MPGS in the garrison in 2002, and the established strength from the top of my head was 17 and they were all at Pirbright. Of course they couldn't put Phase 1 on guard at Pirbright.
- NB: 17? E
- CE: They were actually under-recruited. The requirement to provide 100% MPGS guarding at Deepcut and Pirbright when we did the sums on a garrison basis, I think was 63-65. They couldn't be recruited overnight. And the other thing is that they were doing their duties from derelict garden sheds. Why? Because there was no money to build anything better. Now, we've spent £60,000 building a couple of guard posts I'd be happy to move into.
- NB: So resources, resources? F
- CE: Yes.
- NB: Did you have evidence of your predecessors pressing for MPGS to do guard services as a way of relieving pressure on trainees before the year 2000?
- CE: The work was part of a nation-wide review and the aspiration to remove trainees from all guard duty etc. So as I say, buried in the papers was "and we need to consider places like Deepcut", but frankly, it was so far away in terms of funding priorities. G

- A NB: So no-one bid for it seriously?
- CE: The priority for MPGS was taken by Land Command. It would have been completely pointless bidding for it. You would have been laughed at⁵.
- NB: Did you raise that as a request after March 2002 personally?
- CE: In the context of the wider work to look at what needed doing. I can't recall precisely and I haven't read DAG's report for some time, but it was a factor in DAG's report, it was certainly a factor in our discussions.
- B NB: Who brought it into the discussions? When I read your quarterly reports up, I didn't see you bidding for MPGS.
- CE: I'm pretty sure you would have seen after the decision that we were going to get MPGS, it being raised as an issue in terms of my concern over the priority given to manning those posts and indeed, over the whole MPGS recruiting policy and the proposal by Land Command to withdraw their entitlement to houses which wasn't really helpful in Surrey.
- C NB: But prior to the DAG's report and the agreement to actually raise the priority for Deepcut, which was no. 1 across the country, it would have been pointless for me to put it in the quarterly report, because it would have been ruled out as a "don't you read Land Command's directives?" which have been agreed at TLB level⁶.
- NB: And what were Land Command's directives in, say, April 2002? Did it say "no way will you get MPGS"?
- D CE: There was a priority list for MPGS across the UK.
- NB: If there was a priority, it wasn't Deepcut?
- CE: I don't know frankly, off the top of my head, but Deepcut was not a priority.
- DB: We've asked for a copy of the MPGS role-out plan. That should give us an idea.
- CE: It was clearly articulated.
- E NB: If we go to the end, 3rd of December 2002, the Deputy Adjutant-General recommends (a) establishment should be revised in order to provide a supervisory ratio of 1:38, resulting in an increment of 50 NCOs to be funded. I think it is fair to say that there is strong evidence that your predecessors had been pressing for duty of care ratios to be increased for the previous 5 years.
- CE: Yes. Sorry, what was that date?
- F NB: December 2002.
- CE: After DAG's work and so on.

⁵ Brig Elderton requested that the following note be added "It was directed by ATRA that we should not generally clog our quarterly reports with issues which were appropriately included in DAG's parallel work."

⁶ Brig Elderton requested that the following note be added "It was clearly understood throughout ATRA that our aspiration was to remove trainees from guarding duties at all sites but also accepted that ATRA units were not a high priority in the overall Land Command MPGS roll-out plan - at that time."

G

- NB: This is the conclusion of the DAG's final report. I'm taking you from there. I'm trying to work out which of these packages have been pressed for before the packages are delivered. A
- CE: My predecessor, and I'm pretty sure his predecessor too, had both pressed in various ways for an uplift in staff ratios.
- NB: I'm very well aware that Tweedie Brown in very unambiguous language in his quarterly reports pressed this case. I haven't been able to capture similar language in Dalby-Welsh's reports, although the reporting period is a little more confined. Do you have any other information available to you because you were on the Management Board of the RLC? Do you know whether he was doing it by other means? B
- CE: No, but I'm aware that there was general concern about the decline in resourcing and frankly, that he was simply met with demands for further savings.
- NB: OK. I'm going back to DAG's conclusion. (b) supervisory ratios across the entire ATRA should be reviewed and brought to appropriate levels to arrive on the clearly defined policy. C
- CE: Forgive me, what you are discussing now is not MPGS, of course.
- NB: I'm getting there.
- CE: Sorry.
- NB: Just on that point it could be said that that is exactly what Colonel Haes said two years previously. D
- CE: Absolutely.
- NB: (c) performance indicators and targets placed on ATRA should be reviewed and reordered to prevent inconsistencies with the best interest of the trainees and the reduction of SATT. You would say that was something you were trying to manage on a day-to-day basis some time before that?
- CE: Absolutely. There was always pressure. SATT was used as a measure of the efficiency of your pipeline. The big challenge with the RLC pipeline was that it was so complex that you would never completely eliminate SATT, unless you optimised it from the start of Phase 1 until the end of Phase 2, you were always going to have SATT. The fixed time for the mastery of driver training, if nothing else, dictated that. E
- NB: OK.
- CE: Therefore, ATRA had to accept that if they were not going to make available the resources necessary to optimise that pipeline, they had to resource the supervision to deal with that. (SATT) F
- NB: So accept that SATT was a fact of life?
- CE: Yes.
- NB: And then have activities and resources to deal with it? G

- A CE: Yes.
- NB: Right. And then (d) the routine security and guarding of the Deepcut site should be taken over by MPGS as soon as practicable with the cost £1,700,000.
- CE: Yes.
- NB: Now that of course means that one of the unpleasant and boring tasks which were not ever very popular is taken off from the duty of trainees.
- B CE: It could only be taken off once the funding was found and recruiting was done. Two years later, they were still under-manned. If I recall correctly, a year ago, they were manned to about 50%.
- NB: But at least it is identified. The question is that I don't think I can put my finger upon documents in the quarterly reports by yourself or by others saying "this would be a solution to some of our problems. Can we have MPGS please?"
- C CE: Correct. Certainly as far as I'm concerned, correct. And the reason was quite clear that MPGS was not an option that it was realistic for me to pursue.
- NB: Quite clear from whom?
- CE: Because it was very clear to me in discussion and so on that the priority, this came out during the DAG's review –
- D NB: Was it only during the DAG's review that this idea of MPGS doing the guard duty emerged as an idea within the realms of possibility?
- CE: No. It was always within the realms of possibility.
- NB: If it was within the realms of possibility, was it within the realms of the Commander's possibility or ATRA's or Land Command's and who was raising it and who was saying "not yet" or "not in this priority" or "we can't afford it" or "it's mad"? I just don't understand where this debate is happening. It's not happening in the quarterly reports.
- E CE: The overall debate around security and the use of MPGS, who are a relatively new force anyway introduced to relieve regular soldiers of this duty, whether they be trainees or regulars, because it's a question of manpower, had taken place in the years before 2002 in recognition that there were funding issues, very real recruiting issues and so on. Land Command, who have responsibility for MPGS, working closely with the Provost Marshal Army, who was the functional director for MPGS, produced a plan based on needs and suitability. Now that was tri-service.
- F NB: When was this?
- CE: I would guess in the order of 6 or 7 years ago. I was a station commander elsewhere, I didn't have sufficient soldiers to go on guard, and I had MGS and a couple of MOD policemen.
- NB: So there's a plan in 1999 issued by Land Command.
- CE: You can get it, I guess.
- G

- NB: If I know what it is and what it is called, I'll see what I can do. What does it say about the use about the use of MPGS at ATRA training establishments in general and/or Deepcut in particular? A
- CE: They were just to be a low priority?
- NB: Why?
- CE: Because I think the assumption was made that you had sufficient trained soldiers around to provide those duties. B
- NB: Some of them, of course, appeared to be killing themselves whilst performing them.
- CE: But of course, trained, mature, adult soldiers on guard duty from time to time, this happens to them as well. You would have to ask others why it was judged that ATRA was not a higher priority, but suffice it to say that given the Collinson death and the work that we then did and that DAG was the focus for, this key issue of removing trainees from armed guard duty featured large in our discussions. C
- NB: Yes.
- CE: And so therefore, to a certain extent, certainly in my quarterly reports up to that point, to put in "I think we should have MPGS and remove trainees from guard", I would have had a response saying "that's being handled separately by DAG's report".
- NB: So by December, whatever is going on in some other report which I'm not aware of saying "that's not the priority", by December, DAG is able to identify Deepcut as the priority of all the priorities? D
- CE: Yes.
- NB: Because Deepcut gets special treatment for MPGS?
- CE: Yes.
- NB: And the reason why it gets special treatment is because of the conclusion earlier in his report that Deepcut happened to be creating, by frequency of guard duty, size and supervision, particular factors promoting opportunities of high level of risk of self harm. E
- CE: Yes.
- NB: That's para 24 in the report. Do you want to be reminded of it?
- CE: No, I'm fully familiar with that. The DAG spent a great deal of time trying to assess the level of risk and also assess that level in the context of wider risks throughout the ATRA. For a number of factors which he brings out there, he assessed that at Deepcut you had large groups of potentially vulnerable, fragile trainees doing guard duty which provided the opportunity and they were armed so they had the means. F
- NB: You've seen and you agree with these conclusions?
- CE: Yes, in general terms. G

- A NB: Let me just take you through it and break it down further. "The search into factors shows that the number of soldiers employed on guard at Deepcut at night and at weekends, the greatest risk period, was until recently as high as 26". Then he compares with other ATRA training establishments.
- CE: That was of course very much a factor in the geography of Deepcut and the isolated sites themselves.
- B NB: "This alone sets it apart from all other training establishments where the equivalent average is only 8".
- CE: Again, I would go back to the geography of the site.
- NB: "Further, the size and shape of the barracks involves significantly more detached guards than anywhere else, hence producing a lower level of direct supervision". That's the Sergeants' Mess and the Officers' Mess in particular and the Royal Gate Way and the Pirbright Gate.
- C CE: Albeit the Pirbright Gate and the Royal Way Gate were restricted.
- NB: With two of the four deaths, if we're looking at the whole period broader than your tour of duty, happened on those gates. "The compounding of these factors suggests a level of opportunity risk at least 6 times greater than the norm". That's what DAG says.
- CE: DAG had the Garrison data and analysed it. I'm not in a position to agree or disagree with that but I assume that he's a bright guy.
- D NB: He's just adding in each factor and trying to do a mathematical computation. And then two additional exacerbating factors were identified. This is a new one. "First, trainees were able to exchange duties with others with minimal restrictions". Let's just pause there and I'll tell you what the second is. "Second, soldiers subject to SATT, who were previously identified as a potential high at risk category is evidently carrying out more guard than others owing to the length of their stay in the barracks and their ready availability". If you're on SATT, because you're being less energised by training, you're more likely to be given guard duty whilst you're waiting for something else to happen and they've already worked out that people on SATT are a slightly higher risk category of self-harm than others who are doing the job or the training that they joined the Army to do. Do you agree with that?
- E CE: As far as SATT and doing duties, that is absolutely correct, because if soldiers were under trade training, then actually, the last thing you want to do is to keep them up all night on guard duty.
- NB: We've covered that topic.
- F CE: It follows that if you're awaiting trade training, you're doing more guard. And if you are fortunate enough to be a Pioneer, or indeed a Chef at St Omer, you probably didn't do guard duty.
- NB: Tell me about that. There was a time when they wanted Pioneers to do driving as well, didn't they? Pioneers didn't always whizz straight through in four weeks, did they?
- G CE: I'm certainly not aware of the Pioneer trade ever been taught to drive at Phase 2, nor Chefs. They may come back and do it at Phase 3.

- NB: No, I'm thinking of Phase 2. It features of course in Benton's case when he in February decided that he was going to be a Pioneer, and he is still around in June 1995. He spent four months waiting to be a Pioneer. A
- CE: I don't know why that was.
- NB: I think there were various times that they were going straight through. Do Pioneers now go to Bicester?
- CE: The 23 Pioneer Regiment who are the recipient unit for 99.99% of Pioneers is at Bicester, and they run continuation training. There are times, going back to minimising SATT and improving the pipeline, where given the very practical nature of Pioneer skills, you don't need sophisticated classrooms and so on and so forth, so we doubled Pioneer capacity at Deepcut. We did it by scrounging instructors from 23 Regiment and the field army. B
- NB: I want to get back to that first element. "Trainees were able to exchange duties with other with minimal restrictions". C
- CE: There is evidence that that happened.
- NB: Did you know anything about it before Collinson died?
- CE: No.
- NB: Do we know whether this was policy, tolerated or black market exchanges? I don't see how you could turn up. If you weren't rostered for guard duty and someone else turned up, the guard commander would know, wouldn't he? D
- CE: He would know if Pte "Bloggs" was not there and Pte "Smith" turned up. Under certain circumstances in early 2002, I suspect it was left at that and the guard commander would have assumed that that had not just happened by accident and that in some way the Squadron Sergeant-Major and so on had directed that. I suspect that in early 2002 and certainly again, with the benefit of a degree of hindsight, that it was an issue that we uncovered and then tidied up, that that was loose.
- NB: I wasn't aware that that was an issue that anyone had applied their mind to before DAG's report. E
- CE: No, but of course, in the case of Pte Collinson, if memory serves me correctly, I think the evidence would suggest that he had exchanged the duty.
- NB: That's why it's dealt with in the report.
- CE: Whether or not that was with the agreement of the chain of command or outside the chain of command, I don't know. F
- NB: If you had a Board of Inquiry into Collinson's death, was it the sort of issue that you would have expected the Board to be looking at?
- CE: The appropriateness of the orders, the constitutions of the guard and whether or not they were appropriately nominated for guard, having been appropriately trained, that in the case of under-18s, the appropriate checks had been done on their suitability and so on. I would hope that one would have uncovered if a soldier had appeared for guard G

- A having not been appointed by the chain of command. Was there a little deal going on outside the chain of command for whatever reason?
- NB: The reason is, without getting into the particular facts of the particular case, but I think it has been explained to me that recruits that live far away in the north of England or in Scotland, don't get home for a weekend. If they don't get home for the weekend, unlike their colleagues who live in Surrey or Hertfordshire, they're hanging around. They then become, as it were, available, a bit like the soldiers who are on SATT, they're available to do guard and then, because that is a factor which repeats itself during the duration of their stay at Deepcut, they are more likely to end up doing more guard for those reasons. They're presumably not being forced to do it, but they are doing it. It seems difficult at the moment for that to have happened without the guard officer or NCO being aware that X wasn't on the list assigned for guard duty, but X has turned up.
- B
- CE: I think the first point which is were or are soldiers living in close proximity to barracks doing less duty because they can get home at weekends, would not be a policy at all. In fact, in terms of allocating duties, the chain of command, and again this is handled routinely at squadron level, SSM and so on, would do their very best to make sure that duties were equitable. And frankly, it didn't matter whether you lived in Fiji or Fulham.
- C
- NB: So you start off by equitable distribution?
- CE: Absolutely.
- NB: I think this is an example that is meant to have happened in other cases, of the equitable distribution being subverted by trade-offs, because some people are able to get home.
- D
- CE: Whether you're going home or any other reason. There were, I think, some allegations of money changing hands. In other words, "I'm a bit short of cash, I'll do you duty for you on Saturday for £20".
- NB: I appreciate that in this particular case, one must be careful about making any judgments as to what the facts may or may not prove to be, but it has been intimated to me in the course of this review that it is not infrequent that people who are known to be unlikely to be going home because they live a long way away, are then either people who are going to be approached for a swap or possibly, may even want to sell their capacity for a swap. Whatever it is, that subverts the equitable distribution of guard duty. And that's the point that DAG has made.
- E
- CE: Yes and indeed, whether he is going home or not. They go to the nightclub in Woking, meet some girl and whether they come from Fiji or not, they want to spend their weekends in Woking. The key point is that as a result of the death of James Collinson, a weakness in terms of the control over soldiers turning up to perform guard as it were, was identified. How widespread it was, whether it was just the odd isolated incident, I cannot say.
- F
- NB: DAG does say "trainees", so it's not just one.
- CE: But we're talking about 1800 a year. Is this applying to 20, is it applying to a 1,000.
- NB: If it's applying to more than one and for reasons you've explained, that's not what was intended to happen, it doesn't sound as if there was any mechanism in place to say "don't let them swap".
- G

- CE: No. A
- NB: Right. If there was no mechanism in place, we now don't know at this stage of the game how many were in fact swapping.
- CE: In terms of mechanism in place to prevent them swapping, given that the requirement for the checks and balances associated with under-18s, suitability and so on, it was implicit that they should not swap. And if the chain of command had realised that this was happening, firm measures, as indeed were taken when it was identified, would have been taken to make sure it could not happen. Because taking Sod's Law, you end up with potentially the most vulnerable doing what you least want them to do which is an isolated armed guard duty. B
- NB: Quite.
- CE: The problems is exacerbated in the case of Deepcut at that time by the fact that you had a guard commander and NCOs in the guard room to whom the guard reported, who were unfamiliar with the barracks, who were unfamiliar with RLC Phase 2 trainees and so on. Particularly at weekends, they were Phase 3 trainees from across the Army, so you could have someone who was not cap-badged to RLC who did one duty in the space of a three-month course and that was it. So when he's expecting 20 soldiers, 20 soldiers turn up, he calls the roll, doesn't check their ID card. Checking the ID card wouldn't have been common practice prior to this. C
- NB: Someone could be answering in the name of X?
- CE: I have no evidence to support that, but theoretically, it would not surprise me if that situation could have occurred, given the situation. How do you prevent that? You either have an NCOs who knows the individuals and would recognise them or you actually have an organised roll and then it changes to an authorisation on a piece of paper etc. And you use the ID card. D
- CE: That level of checks and balances, to the best of my knowledge, was not in place in early 2002.
- NB: It doesn't appear to be. The Phase 3 soldiers being the NCOs supervising the guard, that's been a constant from 1995 through to 2001, hasn't it? That's not a change? E
- CE: To the best of my knowledge, no, it wasn't. That was because you had nowhere else to go for your NCOs except the duty of care NCOs who were doing their other duties and were hard-pressed anyway.
- NB: But there has always been a problem of staff ratios and therefore, you've always had a pool of Phase 3 trainees coming through the system who would have been available to do those duties? F
- CE: And at times, there was an active policy that you actually retained Phase 3 trainees, the Phase 3 NCOs, to do those duties. You can imagine how popular that was with them and their units.
- NB: It was something you stressed in your previous answer and I was just trying to work out in my mind whether that was a new feature of Deepcut or something that had been constant throughout the period. G

- A DB: Possibly one of the changes during your tour of command is that you get more people coming from the other Services, so someone from the RAF.
- CE: That was a factor, but in fairness, we didn't get junior NCOs. So it's certainly a factor in terms of Orderly Sergeants and Orderly Officers, but really, that's the beginning of 2004.
- NB: I want to test this out. It seems to me that if the problem was that if the orderly Sgt of the night comes from Regiment X and happened to be passing through, you probably would need to do an ID check? How would you even know that it's not some enemy of the state dressed up in an Army uniform saying "can you give me a rifle?"
- B CE: You would assume that within the barracks and within a secure area, they wouldn't have been let in if they are.
- NB: There had been a problem of other people getting in to Deepcut at times through the gate.
- CE: Really? Are you referring to Cheryl James and soldiers from elsewhere?
- C NB: Yes.
- CE: If a soldier turns up at a barracks and shows an ID card, they will get in.
- NB: However, a system which doesn't ensure that people who are not considered to be suitable, either by reason of mental capacity, age, lack of training or because they aren't on the roster, aren't the people turning up to do the duty, is a system which has a hole in it.
- D CE: Yes, it has a weakness.
- NB: I'm testing a system rather than an individual case.
- CE: Sure.
- NB: If you don't want 16½ year olds to do guard duty, just as a hypothetical example, but the person is desperate to do guard duty and to have a weapon. And if this person turns up and says "I'm X", then your system for preventing a 16-year old doing duty breaks duty unless there is a check.
- E CE: What was the RSM's response to this?
- NB: To what?
- CE: To the question you were putting to me about the identity check of guards.
- F NB: I don't know.
- CE: You quoted from him earlier.
- NB: I quoted from the fax he sent to Surrey Police.
- CE: It would be worth interviewing the RSM on this specific issue, because he would be far better placed to give you a better indication.

G

- NB: I suspect there may be problems in terms of the Collinson inquest. What about the Adjutant? Would he know about these matters? A
- CE: Yes, he should do, but the guy who really would know is the RSM, who as you know is still serving. I'm putting to you what DAG said at the end of the year and I'm saying "were any of these features preventable, identifiable or matters of concern or debate before?" That's the process we're going through.
- CE: And on this particular issue, this is something that has been highlighted as a result of DAG's work. But if memory serves me correctly, it was also an issue that was actually mentioned in passing in the Evans letter, as a result of his work, as to say "a procedure is in place, all we've got to make sure is that it is watertight, being followed and so on". B
- NB: Evans of course was dealing with a specific case of a weapons swap rather than a duty swap.
- CE: But Benton was not on duty.
- NB: He was assigned to the guard. C
- CE: But he was basically placed under the general supervision for his own wellbeing.
- NB: And he took the weapon off someone. However, (a) Collinson appears not having been rostered for duty and (b) having been rostered for duty, he wasn't assigned a weapon. Did DAG speak to the RSM?
- CE: I don't know. D
- NB: Because it seems to me that he must have had some information other than whatever information he had about the death of James Collinson about how trainees were able to exchange duties under minimal restrictions.
- CE: Yes. DAG conducted his work largely single-handedly. He spoke to a large number of people at Deepcut and indeed elsewhere.
- NB: But DAG, putting all those factors together, comes to the conclusion that the guarding regime at Deepcut inadvertently created an extraordinarily high level of opportunities. E
- CE: It clearly represented a level of risk, the fact that something had happened bears that out. He is putting that into the wider context of the ATRA and the Army in qualifying it with "extraordinary". I can't comment. If DAG is saying that in his judgment, based on his work, it was extraordinary, fine.
- NB: Quite strong words.
- CE: They are. F
- NB: Moreover, "the simplicity, objectivity and extremity of this factor lead to the ultimate conclusion that it may have been the most significant in these four deaths". That is, the opportunity risk is the single most important factor in these four deaths.
- CE: That was DAG's conclusion.
- NB: Which is why you get resources, staffing ratios, the MPGS and all the rest of it. G

- A CE: Absolutely.
- NB: What is it about James Collinson's death which leads to that conclusion when all of these features were there before?
- CE: The media.
- NB: So however unpleasant the media have been, which is what we are going to talk about now, it may have had this outcome. Focusing the attention of DAG at least upon the problems that were going on at Deepcut.
- B CE: I don't wish to appear glib, but despite the seriousness and the tragic incidents that have taken place, in the broader context of the Army and resource priorities and the struggles that the Army face and is facing, any major shift in balancing resources away from other areas into training, will only be done under circumstances which were judged to be, if you like, threatening the very heart of what we're about.
- C NB: So you wouldn't have this inquiry but for the media campaign following the death of James Collinson? Is that right? You wouldn't have got DAG's hands-on inquiry without that campaign?
- CE: What was the then AG's view the answer to that question? And forgive me, because he directed DAG. If you want my personal view, my personal view is that the level of media attention influenced the level of ministerial interest, Government interest, and that combined was a major factor in influencing the balance of resources. I guess it's been a wake-up call, not just for the Army, but for all three services, where after years of priorities being elsewhere and risk being taken across the board with training in a very turbulent and difficult environment in terms of numbers, infrastructure, pressures etc, we've been taking risks across the board, with building service ability and staff ratios and so on. And this has been a wake-up call. I cannot say whether or not without the DAG would have been directed to study these issues and so on, but what I would say is that the profile this was given as a result of media attention has had a direct bearing on the various reviews and investigations and the outcome and on, I guess, why we are here now.
- D NB: OK. What I want to do with the remaining time, is to talk about your liaison with the police and how the Joint Learning Account got set up. It seems that may have something to do with what you've just said as well. I'd like some details as to how far you were informed about the Fifth Report, its publication and the schedule contained in it and then ask you some questions about staff abuse of power. That's more or less the line of inquiry. The Joint Learning Account, how did that come about and what did you think about it?
- E NB: An early meeting and the precise date of that meeting I don't have on top of my head. It was conducted at the former Army Staff College in Camberley between the Adjutant-General, the Chief Constable of Surrey, the ACC Ops of Surrey Police and DAG and I was in attendance.
- F NB: And who suggested that a Joint Learning Account took place and what did you think about that idea?
- CE: I thought it was an excellent idea.
- G NB: Why were they suggesting it should be done?

- CE: Because the then Chief Constable, as a result of his previous experience not least in the Lawrence Inquiry, had found these extremely valuable and partly because there needed to be shared ownership of the issues although the investigation was very much Surrey Police. The Army were very keen and Surrey Police were very keen that if, in the course of their investigation, without in any way compromising the confidential nature, they came across issues from which the Army should learn and take immediate remedial measures to prevent recurrence, then that should be enabled. A
- NB: I've got minutes of a meeting "joint army / civilian police meeting, 29th of May 2002 at Deepcut, HQ Defence Logistic and Training Group"⁷. You were there at the beginning, I think you then left shortly after the beginning. How long before that meeting had the decision to set up the Joint Learning Account been taken? B
- CE: To be frank, I can't recall the date of the AG's first meeting with the Chief Constable, but it was the first time the AG had met the Chief Constable to consider this. The meeting on 29th May and the decision to set up a joint learning account were not directly linked.
- NB: If they started their inquiries at the end of March, it was within two months, probably. The 23rd was the death of James Collinson. C
- CE: Yes. I think it's fair to say that it took several weeks after the death of Collinson despite the media furore, that it was felt necessary for the Army chain of command to become involved at the more senior level.
- NB: But was the Joint Learning Account therefore something that the AG agreed with the Chief Constable and you had to implement or was it suggested at local level and the AG backed you? D
- CE: Right. Initially, I dealt with ACC Ops and the matter was handled at the strategic level by the two of us. Then, after a period of a couple of months or so, it was clear that there were going to be bigger political issues, there were going to be wider issues concerning the Army and at that stage, the Chief Constable and Adjutant General agreed that they needed to take strategic ownership at their level and AG then appointed DAG to lead. I was then being relegated to a more tactical level because there were going to be bigger issues potentially for the police. The concept of a joint learning account emerged at the first meeting of the AG and Chief Constable of Surrey at Camberley which I attended sometime after mid-June 2002. E
- NB: Taking that process to have been in place by June 2002, what were the bigger issues that you saw coming up then? I can match this against the developing press issues –
- CE: Police primacy, preservation of evidence linked to potential other deaths within the Army, procedural issues within the Army, both in Land Command and the ATRA, issues around alignment of authority, accountability and responsibility for a whole raft of things associated with this, the regional chain of command, the difficulties of the police to understand that our chains of command are different to theirs. For example, a Chief Constable is pretty much omnipotent within his boundaries. The same does not quite F

⁷ Brig Elderton requested that the following note be added "The minutes of the 29th May meeting, which is referred to in detail in this section, was a preliminary desk-level meeting which was an early attempt to derive a media strategy in the face of the storm of ill-informed and hostile media reporting. The meeting predated by a few weeks the initial meeting between AG and Chief Constable Surrey, at which the Joint Learning Account was first muted. In 2002 AG first visited me at Deepcut on 11 June and the meeting with Chief Constable was sometime later." G

- A apply in the Army. And also, dare I say, the Whitehall dimension, because fairly soon, there were political issues around arming and soldiers under 18, you started getting the MPs lobbying. And as soon as Ministers start getting interested, then the Chief Constable of Surrey Police is going to be under pressure and he's been briefing Ministers.
- NB: But the police were investigating how James Collinson died.
- B CE: Initially, Surrey Police were focused on James Collinson. Within a very short space of time, given the action of the Grays and then the Collinson family and the media furore and the fact that both occurred at the same place. The Grays were protesting against the Coroner's verdict and there was a call for a reinvestigation. Surrey Police felt they should reinvestigate then the Gray death and then decided that actually, there was Benton and James as well, and should they reinvestigate those too. But initially, Surrey Police were called in to investigate the Collinson death.
- C NB: Is it after this has broadened out that you have the Learning Account or is it from day 1?⁸ Because if you are just investigating the death of James Collinson, I'm not sure what you hope will come out apart from stopping killers killing people with armed weapons.
- CE: What you hope will come out of the police investigation?
- NB: Yes.
- CE: You want to know how it happened, why it happened and what you can do to prevent it. But again, you're correct in terms of the initial response being very much about James Collinson, then you get the Grays lobbying and so on. But the bigger issues and the furore really didn't bite in those early weeks.
- D NB: But they had by May 2002?
- CE: Yes to a certain extent. And the AG visited me in June 2002. It was part of a routine visit and again, the date eludes me, but you can check that very easily. I updated him and briefed him on this and expressed my severe concern about where this could go and in particular, the completely uncontrolled, scurrilous, corrosive media reporting. At that stage, he was not concerned. This pre-dated the first meeting with the Chief Constable of Surrey and the start of the Joint Learning Account.
- E NB: I'm not going to spend the rest of the afternoon going through and asking for your comments on media items.
- CE: No, but the point is that in terms of Army response, at that level there was concern, but people thought it would blow over.
- F NB: I want to stick with what I've got because the minutes of this meeting in May 2002 has recorded some general deductions. (a) "the Army would be consulted before the Surrey Police put out press statements, thereby ensuring that the words expressed our joint and constantly co-operative interests"⁹. Is that an aim that you were party to broadly speaking?

⁸ Brig Elderton requested that the following note be added "After the investigation broadened out and AG had met with Chief Constable of Surrey".

⁹ Brig Elderton requested that the following note be added "This is not the Joint Learning Account."

- CE: Yes, absolutely. A
- NB: Do you think that has been maintained by Surrey Police?
- CE: No.
- NB: When do you think that was not maintained?
- CE: On and off from the start. B
- NB: Did you take up the question that you thought they were briefing the press without consulting you?
- CE: Yes.
- NB: With whom?
- CE: Both my chain of command and the Assistant Chief Constable. My motive was in no way to collude but simply to avoid others capitalising on what may appear as a disconnect, if you like. C
- NB: I'll go through the list but I want to come back to that one just to see if you've got any specific examples. "Consideration will be given concerning the families' visit to the sites". I think they have visited the sites.
- CE: They all have now.
- NB: Which was the first family to actually visit the sites? D
- CE: I have a feeling it was the Bentons and then Des James. And then there was a media circus with the Collinsons.
- NB: "Are we to visit the incident room?" Is that the Police incident room?
- CE: Yes.
- NB: Did they visit that? E
- CE: Yes, as far as I know.
- NB: "ATRA, AG, will be asked to visit Deepcut to extract lessons learnt and to ensure Army-wide best practice for the prevention and handling of this kind of incident". That's the Learning Account.
- CE: And that's the DAG. F
- NB: DAG and the RMP.
- CE: This is more at a tactical level. The DAG/Chief Constable Learning Account was more strategic.
- NB: "Engagement with the principal journalist ... BBC Scotland". Did the Army engage with her? G

- A CE: Well, of course that was Director Corporate Communications Army's responsibility and he did.
- NB: "Telling the families first and 25 Regiment having a contact to match the family's police liaison officers". Did that work?
- CE: No, frankly. It varied depending on circumstance. Ron Laden actually established quite a close and productive relationship with Des James which lasted for probably about a year, until such time as Frank Swann came out with his postage stamp verdict, which concluded it was murder or something. And then the thing just blew off.
- B NB: And that lost the relationship between Laden and James?
- CE: Yes.
- NB: I've seen the letters between them.
- CE: And in the case of the Grays and the Collinsons, really very, very quickly we were on opposite sides of the canyon.
- C NB: "Acknowledging that the Army should get out the good news in parallel to the police investigation rather than waiting for that to conclude". Do you know what that means?
- CE: I think that is rather an inelegant way of saying if, during the process of the investigation, there are good stories to tell, in other words, what we were trying to do was take the opportunities as they presented themselves for giving good news.
- D NB: I think this is a memo that is signed by a Colonel.
- CE: He was the Directorate of Corporate Communications Army SO1. So this meeting was a corporate communications-focused meeting.
- NB: You were there and you saw this memo at the end of it?
- CE: Yes, I saw it.
- E NB: You "set the meeting up, disclosed concerns, then left it in the hands of the DCOS and DCC"
- CE: It was a desk-level meeting¹⁰.
- NB: In Item 7 of this note, the Colonel says "a main aim would be to prepare the ground to enable any call for a public inquiry to be defeated". Whose aim was that or why was that?
- F CE: It had nothing to do with me. That's Director Corporate Communications Army, and I don't know why he even thought a public inquiry was on the cards at that stage.

¹⁰ Brig Elderton asked that the following be added "This was a desk level meeting which pre-dated and was not connected with the initial joint learning account discussion between the then AG and Chief Constable of Surrey. The 29th May Meeting was essentially led by Director Corporate Communications (Army) staff to discuss media handling in light of the intense media attention and potential for misunderstandings caused by the uncoordinated timings of military and police media briefings. The meeting between AG and Chief Constable of Surrey at which the joint learning account was first discussed was held sometime later than 11 June 2002, which was the date on which I verbally updated AG on the subject during his routine visit to my HQ."

G

- NB: I don't know but if we went back to the coverage by the media, it may be that some people were calling for it. But even if it was, do you know what the thinking was behind it? A
- CE: I think my DCOS was at the meeting and maybe you could ask him, but I think it was more, as you say, as a response to what was appearing. It was Director Corporate Communications Army who was giving directions at the time. Brigadier [...] and I, to the best of my recollection, didn't discuss that.
- NB: Whether that's what's going to happen or not, I don't know, but was the Army anxious about a public inquiry from the start or just didn't want the media circus again? What's wrong with a public inquiry if it might get to the good news or the bad news or the truth, whatever it is? B
- CE: I agree. I think we are committed to getting to the truth by the most appropriate means of doing so. I think it would be fair to say, and again, I'm speaking candidly, that there is a varying degree of scepticism that public inquiries ever really deliver wholly constructive outcomes. And a knee-jerk reaction, certainly at that stage, to some sort of public inquiry, was considered to be inadvisable. C
- NB: Well, it seems that the drafter of the note thought that a lot of the purpose of the media strategy behind the joined liaison with the police was to avoid a public inquiry.
- CE: That was Director Corporate Communications Army's comment, which was reflected in the note.
- NB: Did you see that minute? D
- CE: Yes, I did. But it was a desk-level meeting and there was no doubt that at that time, the Army were very keen that this didn't get any more out of control than it had already got and if possible, actually confine this to Deepcut. And I assume the concern with the public inquiry was that it was inappropriate at this stage before police investigations were concluded.
- NB: OK. But you're not quite sure what was behind it?
- CE: No. E
- NB: So this is a reconstruction of someone else's thinking?
- CE: Yes. I think you have to have a word with Brigadier [...] and the Colonel.
- NB: Brigadier [...]?
- CE: He was Director Corporate Communications Army. F
- NB: Well, maybe.
- CE: In fairness, he played a significant role and if you're looking at the media, he is the person who is best placed. He was regularly meeting with AG and Chief of General Staff and so on.
- NB: I said I'd come back to (a) on that little list, Surrey Police telling the Army before they briefed the press. Are there specific occasions when you felt they didn't follow that? G

- A CE: There were a number.
- NB: We can do this by a supplementary if you want to think about it. Otherwise, I'm going to ask you when and what it was about. But if you're not prepared for that question.
- CE: Suffice it to say that there were certain occasions with the release of their reports where we didn't even know that the report was being released and indeed, at times, they changed the timing and date of the report. So this is not the question that we wanted to know what some story would be. It was simply that as soon as a Surrey Police report was released, whether it be a verbal briefing or whatever, immediately, Director Corporate Communications Army would be besieged with "what's your response to this? Surrey Police have now said this". I would then come under pressure, both from Director Corporate Communications Army and all the hacks queuing at the gate and around the fence and pestering the locals. So it was simply a request to say "look, guys, before you put this out, can you just give us a little bit of warning so that we are aware?"
- B
- NB: I imagined that an occasion which might have caused concern would have been the release of the Fifth Report. Is that one of those occasions or were there others?
- C
- CE: No, by the time we got to the Fifth Report, we had been at this for quite some time and to the best of my knowledge, the Army at a strategic level were aware that the Fifth Report was going to be released. You're probably aware that it went through several redrafts and they changed the release date frequently.
- NB: I'm not too well briefed on the drafting process. I'm now getting some information from the police side about it but I haven't had any information from the Army side. Were you involved in the Fifth Report? Had you seen drafts of it? Did you have input into it or was that happening above your level?
- D
- CE: It was focused in HQ ATRA because of course it reined fairly wide, it wasn't just Deepcut. We received certain parts of it, often at very, very short notice to say "comment on factual accuracy and context".
- NB: So the Fifth Report itself isn't an example of a unilateral briefing, that was something which the Army had opportunities to make inputs into.
- E
- CE: Yes and comments of facts, accuracy and context.
- NB: And knew when it was coming out?
- CE: Yes, though the date had changed quite a lot. But earlier on –
- NB: So in between May 2002 and May 2004 when the Fifth Report comes out.
- F
- CE: In the early parts of the investigation, you are aware that Surrey Police tried to take the families into their confidence and they did so on an agreement of confidentiality with the families. "We're going to share this with you, but this is part of a police privileged process. Don't go talking out there because it can only make life more difficult". And of course, they would go straight out and talk to the media.
- [NB shows CE newspaper clipping]
- G
- NB: That has you on the front in 17 September 2002, four months on from our memo. Was this something that had come out into the public domain that you were having to respond to. I imagine you didn't just call a press conference?

- CE: No, I'm not empowered to do so. A
- NB: Would you have asked someone for the authority to call a press conference?
- CE: No. It wasn't a press conference.
- NB: What is it?
- CE: For four months, pretty much, the Army had been effectively silent. There was no face; the MOD spokesman said "no comment". Opinions differed widely over whether or not the gates should be opened wide, we should let the world's press crawl all over the place to demonstrate that it wasn't actually the death camp that was being portrayed in the media and that trainees were not ritually abused and so on. B
- NB: Was that the tone of the reporting at that time?
- CE: Generally, yes.
- NB: That's what you're talking about. C
- CE: If I remember correctly, this appears on Tuesday the 17th. I had a feeling it was a little earlier than that, on a Friday. I think it was Director Corporate Communications Army – Brigadier [...] – who had summoned the press and I would say the more responsible press were actually quite keen to say "look, there's all this sensationalist stuff, we either just want to put this to bed or is there a real story here?" And from recollection, I think it was [...] from the BBC who was allowed to come. We showed him around a bit and had a good chat and we showed a couple of other journalists around as well. And they said "would you be prepared to do a piece before the camera" and I said "yes, sure, no problem". And fairly hastily, that was approved and I said what I said. And they picked up a soundbite which you've probably seen. It says that I deny there was bullying at the base. Actually what I said was that being described by implication as somebody who presides over a death camp where bullying etc is commonplace is deeply offensive. D
- NB: So you didn't deny that there was bullying at the base?
- CE: No because I couldn't do so. In any organisation, and certainly within the Army, there is unacceptable behaviour from time to time. Although they had been selective in quoting me, I actually made that point. I said "we have a zero tolerance policy and where we identify unacceptable behaviour, bullying, sexual harassment, we will deal with it very firmly and swiftly". E
- NB: So the words in quotes are accurate?
- CE: Yes.
- NB: But the editorial – F
- CE: Yes and that's only quoting part of what I said. But what is in speech marks is correct.
- NB: Because clearly you said "bullying goes on from time to time"?
- CE: Yes.
- NB: In any place and in the Army. G

- A CE: Yes.
- NB: And at Deepcut.
- CE: Yes.
- NB: Deepcut 2002-2003?
- CE: There were incidents of unacceptable behaviour which were dealt with.
- B NB: Did you have an idea of what the unacceptable behaviour was that you wanted to deal with in this context? There was no problem about definitions?
- CE: A problem for me personally? I'm very clear about it.
- NB: So you know what's on and what's not on?
- CE: Yes.
- C NB: There may be some nuances about whether an instructor can order a recruit to do physical exercise that are not press-ups. Can they?
- CE: Sorry, "not press-ups"?
- NB: Can an instructor order a trainee to do press-ups?
- CE: No, not in Phase 2.
- D NB: Not in Phase 2 at all?
- CE: Not now.
- NB: What does "not now" mean?
- CE: To the best of my recollection, it couldn't be done in 2002.
- E NB: Right. Running with a pack. I mean, these are punishments.
- CE: Yes. Providing it is neither excessive nor beyond the capabilities of the trainee and it is an activity that they could be reasonably expected to perform, then physical training is a useful tool.
- NB: Physical fitness is an important part of being a soldier.
- F CE: Yes.
- NB: What I was trying to draw you out upon is that if a recruit has turned up on parade in incorrect uniform or he makes a comment that he shouldn't have made, then something is going to happen.
- CE: It depends. He could be invited to go and double three times around the square and come back.
- G NB: That's not bullying?

- CE: If it was done on a continual basis to a specific individual without justification and didn't fit the crime, in other words, an individual felt victimised, that's where you get into difficult areas because you and I, personally, may have different levels of what we would personally consider to be victimisation. So everybody has got their own sensitivity. A
- NB: Well you, or probably more Ron Laden, I suspect, had to have a clear idea of what's above the unacceptable.
- CE: Yes. And he had. And indeed, so did his instructors. And you cannot be absolutely precise, as in "you cannot give more than one lap of the square". More generally, what you would say is that if it is causing significant distress or you're imposing something which is likely to aggravate the situation or cause any physical or emotional distress, then that to me would be unacceptable. B
- NB: And of course, people have different physical capabilities.
- CE: Yes.
- NB: How does it work out that you as Commanding Officers without supervising this activity which is not policy can draw the line between legitimate disciplinary sanctions and bullying? C
- CE: I think it is generally a matter of degree, appropriateness and individual judgment.
- NB: If someone's judgment is a little harsher than others, how do you get to hear about it?
- CE: NCOs and the chain of command don't work in complete isolation. I think if an individual instructor was being unnecessarily harsh, hopefully that would either be reported by the trainees in whatever way, which could be a casual comment to the WRVS lady in the NAAFI saying "God, Corporal so and so is a real beast. He's making me do a lot of press-ups" and he spreads it informally that way. Or alternatively, to go through the existing chain of command. D
- NB: That latter suggestion, the existing chain of command, is assuming that the trainee has the confidence, maturity and lack of fear as to what the consequences would be if he complains about X, and human psychology plus practical experience of the whole story shows that there have certainly been occasions in the Deepcut history when people were being upset about things and people weren't reporting it up until much later. E
- CE: But forgive me, I think that is not unique to Deepcut.
- NB: I'm sure it's not.
- CE: That's probably organisation-wide. But the recognition of that at Deepcut as a result in 2002 of DAG's work etc, closer, clearer guidance was given to all the staff and the appointment of Empowered Officers were put in place outside the strict chain of command, almost like the soldiers friend. F
- NB: Yes. I've looked at the evidence [COS ATRA] gave about the Empowered Officers to HCDC. I think going around Deepcut itself and speaking to the Empowered Officer, there was a sense that if you were having to use that, then something has already gone wrong, because if you have the confidence, you ought to be able to speak to your ordinary officer unless the ordinary officer is actually the source of the problem. And putting responsibility on the trainees to complain up is of course one aspect. You G

- A mentioned first a casual conversation with the WRVS. Are the WRVS trained to tell you or is that just common sense if they hear that trainee X seems to be having a hard time about trainer Y or is there a standing order saying "please let me know"?
- CE: No, I'm not aware of any standing order but one of the responsibilities of the duty of care network, which includes the WRVS and the doctor within medical confidences etc, and a part of the routine chain of command management where they are going through and look at at risk and so on, these issues would hopefully surface. And indeed, dare I say that I have also personally, when speaking to young people, you do get the impression if an individual is bright-eyed, bushy-tailed or if they're a bit cowed. I would detect it and sometimes trainees would tell me. I'd think "crikey, this is a youngster of 17-18 who's been in the Army three or four months talking to a Brigadier". But actually, some of them don't know what a Brigadier is and they would open up to me.
- B
- NB: I'm sure there are trainees who would be able to do that and equally, I suspect that there may be a number who probably would, if they had a problem, have difficulties telling people they had a problem.
- C
- CE: Interestingly, if the youngster is having a problem, providing you have sufficient staff who are chatting routinely, who knows these individuals, if we knew each other over a few weeks, I could instinctively feel when you were slightly out of character.
- NB: But you qualify that comment by providing that you have sufficient staff.
- CE: Correct.
- D
- NB: And the given for this conversation is that until –
- CE: End of 2002.
- NB: DAG's report, you haven't got that provision. So therefore you are on a bit of a wing and a prayer.
- CE: But at the time I made that comment, all the indications I had from spending a lot of time talking to instructors, trainees and so on, did not give me the impression that I had soldiers, young trainees, who were cowed and where sexual harassment and bullying was widespread or a major issue. And interestingly, subsequently in the survey of the Surrey Police work were from memory they had something in the order of 117 allegations over a range of time, to the best of my knowledge, on further investigation, I don't think any of those cases were taken forward. They either didn't exist or the individual said "no, no, it wasn't anything really".
- E
- NB: I think it's fair to say that the picture in 2001-2002 is very different from 1995-1996.
- F
- CE: Yes.
- NB: And certainly, there are differences in terms of what is the end product. In 1995, I think they looked at quite a lot of direct evidence, either of people who were sexually harassed, touched up, seduced.
- CE: You've got the whole Skinner issue.
- NB: That's even before Skinner comes on board and we've got quite a lot of that and we've got Sergeants saying "oh, [RSM Z] is notorious for chatting up women or leading
- G

- drunken nights in the Sergeants' Mess or something else". They were saying that to the Surrey Police in 2001, they weren't saying that presumably to the Commanding Officer in 1995. Why not? It may sound like a conspiracy theory. They keep quiet because of a code of loyalty. Is that right? Is there pressure on staff not to grass up their fellow colleagues at times? A
- CE: I can't comment on the environment before January 2002, because I was not there. Everyone has their own leadership style. I have mine. There are things that are very dear to me in terms of principles and standards. The environment you just described, wherever it was, would be completely unacceptable to me. B
- NB: How did it come about that there was credible evidence it existed for a period of time?
- CE: Sorry, it was in the period prior to January 2002?
- NB: Yes.
- CE: I don't know because I was not involved. I'm not trying to duck the issue. C
- NB: No. I'm going to come to an example in your period very shortly.
- CE: But from my limited knowledge based on the Management Board etc, I am aware generally of an organisation that was under significant pressure, had problems with pipeline, SATT, people awaiting driver training and so on.
- NB: I really have got that message. I do understand that. I'm now trying to talk about how do you, recognising that every organisation is going to have these problems, recognising the sorts of things that can go wrong, how do you stop it? First of all, we talked about the trainees, informal to the WRVS, formal up the chain of command or Empowered Officer. I'm now talking about the training staff themselves maintaining standards on their brothers and sisters, their comrades in arms. All I was trying to abstract, based on facts, because I would like to proceed by evidence rather than by speculation, that we have evidence of people not reporting practice which they deemed to be unacceptable, in terms of press-ups, punching, running, dragging heavy weights, shouting, screaming, losing their temper in the most horrible way as well as alcohol and sex. I then suppose there are other people visiting the base, because you've got Phase 3, you've got people who are not generally on the permanent staff with that kind of loyalty. Did you ever have them be a source of information to you about unacceptable practices at Deepcut? D
- CE: Not to me personally.
- NB: Would you have got to hear about it if a visiting Sgt saw something that shocked him?
- CE: I think I would have done if it had been of a serious nature. If it was a bit of tussling in the corner, in the bushes or something, then it would depend on who he actually spoke to and the action taken and so on. E
- NB: But it didn't cross your radar?
- CE: No.
- NB: Look at that [shows CE a letter dated 13 August 2003]. This is August 2003, during your tour of duty. F

- A CE: Absolutely. Now of course, this is written at a time when the whole sensitivities around Deepcut, I'm not making an excuse, but in terms of the context and there was significant reluctance on the part of the other services to actually serve at Deepcut. This was for a number of reasons, one of which was actually that it was still a pretty Army-centred organisation. Charges in the Mess were higher because the rules that dictate them are higher. Have you got the follow-up to this?
- NB: I was going to ask you about the follow-up to it.
- B CE: Have you got the follow-up to it, the action that was taken?
- NB: Do you know what action was taken?
- CE: This was again to the best of my recollection, thoroughly investigated and this was the Orderly Sgt from the RAF, it was a weekend and something that he was not particularly pleased about. What he is stating here was to some extent exaggerated and the appropriate action was taken then by the Commanding Officer to deal with this. You've presented me with a letter dated 13 August 2003 on the specific issue and I would wish to take this away and actually now do the research to provide you with a substantive answer. Superficially, what this Sgt is reporting here is completely and utterly unacceptable behaviour on the part of the staff.
- C NB: Yes, what he is reporting is unacceptable behaviour of the staff.
- CE: But this letter was not ignored.
- D NB: I've shown it to you to provide a focus for the conversation. Question 1: were you aware of this incident?
- CE: I was aware that at this particular time, as we were starting into the tri-service environment, there were some significant tensions, particularly with RAF and senior NCOs.
- NB: Were you aware that this complaint was made by this Flight Sergeant?
- E CE: I was aware there was a problem with this individual and that issues had been raised. And my Chief of Staff –
- NB: You were aware of this problem?
- CE: Yes with the individual.
- NB: He's writing to the Commandant of the School.
- F CE: No, he's writing to my Chief of Staff. He's writing to my deputy.
- NB: Your deputy took this up to you or did he deal with it?
- CE: He dealt with it with the Commanding Officer and indeed the senior RAF officer who was a Squadron Leader who was there at the time, because there were wider issues associated with this.
- NB: Did your deputy bring it to your attention?

G

- CE: In general terms. A
- NB: Did he show you the letter?
- CE: I can't recall seeing this letter.
- NB: In my open question before, it didn't ring a bell.
- CE: No. There's a line in here: "I also consider the inappropriate interviewing of me by the RSM as indicative of the Deepcut state of mind. An apology would be in order". That's not the key issue that is being raised in this letter, but that was a major issue in the context of inter-service relations, because trying to actually create a tri-service organisation and what happened is the Flight Sergeant turned up to hand over the duty unshaved and in a dishevelled state and the RSM basically told him to go away and come back when he was properly turned out. B
- NB: Just to remind myself of the contents of this letter. He says that he saw "five soldiers being paraded and shocked to observed the JNCO screaming at a young soldier" and there was apparently a barrage of abuse. An unnecessarily abusive manner, aggressive stance. "All of the JNCOs involved adopted a very aggressive stance, up to the soldiers nose to nose". He complains and he then says he gets some heavy treatment. C
- CE: And the allegations he makes in that letter I am confident were fully investigated and dealt with. I can't tell you precisely what the outcome was.
- NB: But confidence in the outcome –
- CE: I have confidence in the Colonel who dealt with it. D
- NB: But if you didn't know about the letter beforehand it would be difficult for you to predict exactly what happened.
- CE: No, the issue there about him feeling inappropriately treated by the RSM was an issue in the tri-service environment which was of major concern. And as I say, the problem was that he turned up to hand over the duty in a way that was pretty naïve, I think, for any service. That then exacerbated the whole thing. E
- NB: I have to say that anyone reading this letter I hope would be concerned about the events that it recalled.
- CE: I agree. Absolutely.
- NB: Because he says (1) shouting at a recruit, which he thought aggressive and inappropriate; (2) that shouting joined in by other JNCOs such that someone who had no particular reason to give them orders has to intervene using his tri-service rank. F
- CE: But he was the Barrack Orderly Sergeant on the 6th and 7th. It was his responsibility to deal with this and if he saw the NCOs acting inappropriately and so on, then he was the individual who should have –
- NB: OK, then I withdraw that. He would then have a duty to intervene, which he did. He ordered the NCOs to withdraw and dealt with the soldiers by himself. He then reported it to the RSM and he then says he gets dealt with in an aggressive and intimidating way. He says "well, if the RSM can do that to me, God knows what the JNCOs can do to the G

- A soldiers”.
- CE: Yes.
- NB: That sounds a bit familiar.
- CE: In what way?
- NB: That sounds part of the story of the Deepcut picture which emerges from time to time throughout the schedule and yours is supposed to be a system that’s working.
- B
- CE: But forgive me, you’re quoting from a letter written by a Flight Sergeant who does not particularly want to serve in what he perceives to be an Army environment, who is disgruntled about being on duty over the weekend, who turns up to hand over duty and reports to the RSM in a dishevelled and unshaved state and who has come from an RAF environment where there no doubt are differences in terms of environment. Now, the behaviour that he describes in that letter is wholly unacceptable, but I can neither confirm or otherwise the precise accuracy of what he is saying, because I don’t have detailed knowledge of the investigation and the outcome.
- C
- NB: What would you have expected to have happened? I’m a bit surprised you weren’t shown this letter in the first place, but what would you have expected the Colonel to have done having got the letter?
- CE: To investigate.
- NB: How?
- D
- CE: Basically, to establish the circumstances surrounding this incident and the facts of exactly what had and what had not taken place.
- NB: Him making his own police inquiry?
- CE: No.
- NB: How do you investigate it?
- E
- CE: You don’t necessarily involve the police in local investigations until you have some indication that a crime has been committed or it is appropriate. He could, if he had felt it appropriate, involved the service police.
- NB: I’m interested in procedure here. That’s what I’m trying to get at. What happens next? The Colonel investigates it himself or speaks to the RSM who speaks to the JNCOs on duty that night?
- F
- CE: He would have spoken to the Deputy Chief of Staff of the organisation. He certainly would have involved the Commanding Officer and then the individuals would have been interviewed to establish generally what happened.
- NB: Would he have taken a witness statement?
- CE: Not automatically.
- G
- NB: I’ve spent a lot of time down at Upavon trying to work out the difference between

criminal action and administrative action and at what point you call in the service police to actually do the investigation. I don't quite understand, if you're not going to call in the service police, how far the officers investigate themselves and if they do investigate themselves, how they investigate. Because that seems to me like a disciplinary inquiry in which you would have to do note-taking or a witness statement, which we could find one day and then we can see what happened. But I suspect we won't find anything.

A

CE: I think I can come back to you within half an hour of making a phone call to find out precisely where this went and the precise facts, because the Colonel, although no longer serving, is actually working in the City. But the fact is that if at any stage during an informal investigation into an incident which has taken place, there is in the view of the person responsible a need to start to escalate with the service police or start taking statements under oath and so on, then that will be done. This did not lead to that, because if it had, I would have been aware.

B

NB: So it looks like it was dealt with internally.

CE: Yes. The only issue I know that was left with me to deal with at a senior level was over this issue of tri-service harmony. Because the Chief of the Air Staff has what he calls the Chief of the Air Staff's Warrant Officer, who receives letters from the entire RAF on issues. And if he gets a complaint then he has to look at it. And this individual copied the letter to the Warrant Officer of the Chief of the Air Staff. Now he has escalated this to a four-star level, so therefore, I'm not in any way trying to dismiss the very serious allegations being made, but what I'm saying is that this guy here had written to the Warrant Officer of the Chief of the Air Staff. The consequence of that is that immediately, he has escalated this to four-star level. So whether the Colonel or I like it or not, we, in this case, had to satisfy the Chief of the Air Staff that this was being dealt with properly and that the Flight Sergeant had not been mistreated and so on. What I'm saying is that I certainly got involved, but I've got a feeling that 13th of August was around leave time, and I'm not sure that I was actually in the barracks at the time, which is possibly why he wrote to the Colonel. I'd have to check my diary.

C

D

NB: It seems to me that he is copying to that level, so even more reason that you would have been informed about it.

CE: And I'm sorry, but there's a huge amount of water flowing under my bridge since August 2003, Deepcut-related and elsewhere, but what I'm saying is that this incident was not brushed under the carpet, nor could it have been brushed under the carpet in view of the Warrant Officer of the Chief of the Air Staff being involved.

E

NB: But you don't know what happened and I'm not in a position to tell you what happened.

CE: There are still questions that require answers.

NB: Right. I think I'm very much coming to the end, but equally, I don't think we should conclude the interview without me pointing out that Col Laden's own disciplinary interview book deals with – on a regular basis – Cpls having inappropriate relationships with females.

F

CE: There were certainly a number of incidents, yes.

NB: And I think without recapping it, there was something like 6-8 a year.

G

A CE: Yes. And on arrival, all the NCOs, certainly in my time, the first point made was “do not mess with any of the trainees”. And we uncovered a case where there were two female trainees who were actually trying to have a competition to see who could trap the highest number of NCOs.

NB: In terms of the James Board of Inquiry, that sounds quite familiar territory.

B CE: But James was different. I wasn't at Deepcut at the time, but when I read the James Board of Inquiry and the statements made at that time, that regime was different to 2002. In 2002 NCOs coming from the field army, some of them were found unsuited, some of them did stupid things and some of them formed inappropriate relationships of various sorts and were dealt with. The difference in the Cheryl James era was that I sensed that nothing was being done about it.

NB: Yes. We've gone through interview books as far back as we can capture to look at what is going on. We've identified a number of incidents during Ron Laden's command. We've talked about Ron Laden. We've talked about the fact that he does seem to deal with NCOs who were doing it and that looks like –

C CE: Good stuff.

NB: Good stuff by comparison to what didn't happen before. So either you've just been terribly unlucky. You've just got a bunch of NCOs who got into sexual shenanigans which others haven't had or it has been going on for a long period of time and no-one has been doing anything about it.

D CE: I'm not in a position to comment upon whether it was less or more frequent. What I would say is that during my time, I was aware of a few serious incidents of this nature and they were dealt with.

NB: When these are dealt with, are they criminal matters where they are being fined or are they administrative matters?

E CE: Without the details and the context, I can't tell you precisely why Ron Laden decided to give a fine and a reprimand and not immediately have them posted, but the general rule, the default setting, was “inappropriate relationship, you're on the next bus out”. You were posted out immediately.

NB: How do you do that?

CE: It's very simple. A phone call to Manning & Records Office at Glasgow.

NB: And you tell them what?

F CE: “Cpl X, inappropriate relationship, I need him gone” and if necessary, you send him on leave and they just go.

NB: One phone call and that's it?

CE: Yes.

NB: Any document trail?

G

- CE: That they had been prematurely removed from post following an inappropriate relationship. If formal disciplinary action, in other words they had been charged, because in some cases, there are allegations but there is insufficient evidence for formal disciplinary action and in those circumstances I guess there would not be an audit trail as such. But in a case where you're being charged under the Army Act, that's on the conduct sheet and will stay there. A
- NB: Does it get to Manning & Records so that next time he's up for a posting, Manning & Records will know that he may not be an ideal candidate for a training regiment? B
- CE: At that time, the answer is no, because Manning & Records don't check conduct sheets. They would have on his file if he was court martialled but at this level, where it's summary dealings, no.
- NB: So that is where there is a formal disciplinary proceeding that is short of a Court Martial and Manning & Records don't get access to the conduct sheets?
- CE: No, they could have them if they wish but certainly at this stage, to the very best of my knowledge, the Army Personnel Centre had no formal screening process to look at the discipline records or medical records of soldiers being posted into the ATRA. C
- NB: That is the information that I am being given. At this stage, however, I'm interested in when it changes?
- CE: I guess the wake-up call in this instance is Leslie Skinner, which is a catalogue of disaster.
- NB: Do you mean Leslie Skinner's recent conviction? D
- CE: No, the re-emergence of Leslie Skinner and the subsequent accusations and allegations that were made against him, for which he went to trial in the civil court.
- NB: September 2004.
- CE: A key question was obviously how this could happen. How could the Army post a guy who had been court martialled for flashing in Northern Ireland to a training regiment where he was exposed to vulnerable youngsters? E
- NB: One would have thought that that question would have been asked when the Army booted him out in 1998 for sexually assaulting youngsters, having moved into that training regiment.
- CE: One would have thought so.
- NB: But that's still four years before the incident we're talking about where we are now finding that Manning & Records don't have data about this activity. F
- CE: And of course at the time Leslie Skinner was at Deepcut another change to the Deepcut environment was that at the time, Deepcut was providing a depot function for the RLC so that soldiers that were awaiting discharge for disciplinary purposes were posted to the depot. That is not the case now.
- NB: Wasn't one of your squadrons still for the lame and the sick? G

- A CE: But they are normally trainees. Discharges are made from the parent unit, wherever that is. In the past, if you were awaiting discharge on a count of discipline from Germany, you'd be posted back to the depot and de-kitted and that sort of a thing. So at that time, Deepcut had a little bag of rotten apples from elsewhere.
- NB: We've used all these examples to see whether there is a system and the question that I'm posing to you is whether there was a system in 2002-2003 that when something has resulted in these kind of actions by the Commanding Officer for this kind of conduct, it gets logged in so that we don't have a repeat of opportunity.
- B CE: Yes. The simple answer to your question is that I am certainly unaware and I don't believe there was any check of the nature you are referring to in 2002-2003.
- KN: So with premature removal from post, you wouldn't say why that would happen, you would just record that it was premature?
- CE: It would depend on the circumstances.
- C NB: I should point out that Kaspar and Darren have been up to Glasgow to see what is there.
- CE: In which case, you probably have a more robust answer than I can give you, but I am certainly not aware that that was any formal process. But what I would say is that a losing unit knows where a soldier is being posted and if a CO or an OC was in a process of getting rid of a soldier who he knew was a bit of a liability and that it was inappropriate for him to go into a training environment, one would hope that common sense would move him to pick up a telephone and say "you're posting Cpl so and so from me to X, I don't think that's a very good idea because whilst here, we've had a bit of a worry with him".
- D NB: Yes.
- DB: There's an issue there in terms of the guys who have got into trouble there. Where indeed we've got someone who has been fined, there's nothing on their files to indicate there was ever a problem.
- E CE: Have you checked his file?
- DB: Yes.
- CE: Then you know the answer.
- DB: Yes. So the issue then is that the posting branch has an indication that it is inappropriate to post them back to the training regiment.
- F CE: I agree. You black spot them or whatever. But to the best of my knowledge, that system was not in place.
- NB: You're right, it wasn't in place. That's the problem.
- CE: We put in place, shortly after I arrived in Deepcut, a system with the Phase 1 school, essentially Pirbright, to actually black spot trainees who were coming from Pirbright for whom there were worries. When they came to us, they had passed Phase 1, but if the staff there had some concerns. If you read the reports from Phase 1 training
- G

establishments, there were quite a number who caused concerns.

A

NB: Vulnerability to bullying?

CE: All sorts of things. It could be that they were excessively homesick or a bit of a liability on first aid training. The reason for that goes back to volume and numbers of staff and the danger if that wasn't flagged, the risk was that a weak individual would slip through unnoticed, so we put in place a system where their files were marked so that every Monday, when they received these new people, they stood out.

B

[NB shows CE extract from interview book]

CE: You have taken these from the interview books? You can go through and identify, I guess from interview books, conduct sheets and so on, what lay behind this. In those interview books, are you saying that all of these soldiers here, when you talk about discipline interviews, actually means inappropriate relationships?

DB: The ones that are inappropriate relationships are marked. It's a list of all NCOs who are in for disciplinary reasons.

C

NB: That's because Ron Laden happened to write on the end of the column "inappropriate relationship" which is useful for us.

CE: Yes.

DB: In most instances, that's the only indication of the crime.

CE: There are four inappropriate relationships here.

D

NB: That's less than the number who were posted.

DB: In the interview book, when it says inappropriate relationships, in many cases, these are the only indications of what it is. If you look in their personnel file, career file, unit personnel file, it is generally so generic.

NB: In this little extract, for completeness, we've got July 2002, "Cpl, relationship", we've got March 2003, another Cpl, inappropriate relationship. In the same month, ten days later, a LCpl, improper relationship. On the same day, another Cpl, improper relationship, then later another Cpl who has been disciplined earlier coming up again for an improper relationship within a month. That's just from July 2002 to June 2003.

E

CE: So about 12 months.

DB: You mentioned before that Ron Laden is considered to be a bit strict and there were concerns in Upavon. What did you get for NCOs having improper relations with trainees?

F

CE: The sanction is that they left, which in my view was entirely appropriate, because it was number one on the list of don't do it on arrival.

DB: It doesn't appear to have acted as a deterrent in that you've got this constant turnover of NCOs doing certain things. It doesn't appear to have got out that this is something you shouldn't do.

G

A CE: I guess the message is spread largely in the field army by word of mouth. "What are you doing? You've been posted to a training organisation". Is that promulgated more formally? You would hope that the duties of NCOs include avoiding inappropriate relationships as they do for officers. But unfortunately, these things do happen. There is another issue associated with this, which is quality of the NCOs being posted into the training organisation and I think there's a perception if you serve in a training role it is going to hold you back from promotion, you're not actually on operations. There is a concern that in some cases, if you can, you do, if you can't, then you end up in the training world. So the concern is in 2002-2003, the NCOs we got were not necessarily the cream of the crop. We had some very good people, but the training world did not get 100% really good people.

B

NB: Do they now?

CE: At the time I left, I believe quality generally was improving because there was increased recognition of the priority for training.

C

NB: It is now nearly quarter to five. Is there anything else you want to tell me?

CE: I hope I've been able to give you some useful information that will help in the prosecution of your work. The issue surrounding the Flight Sergeant, I regret I can't give you the details about because I simply cannot recall.

NB: Where do you think we could find out the answer to what happened next?

DB: The Chief of Air Staff's Warrant Officer would presumably have a record?

D

NB: Yes, but Deepcut itself should have retained documentation. This is not ancient history.

CE: No, it's not. My first port of call would be to speak to the Colonel.

NB: Is there a sense of not keeping a record of complaints, investigations, responses, actions, conclusions?

CE: Sure, but in this particular case, I would first speak to the Colonel to say "do you recall this incident? What did you do?" That would then give me a clue where to look.

E

NB: If you want to check with him.

CE: No problem.

NB: We're hoping to get the sort of information from Deepcut in order to see how it's done.

CE: Is there any other issue which you would wish to raise that you want me to get further information about?

F

NB: In terms of questions which we know arose during your period of command I think I have covered in the course of today the bullet points that I wanted to raise and I've got answers from you. Anything to do with the MPGS issue is still alive and a focus of this review.

CE: I think you will get that data from Land Command.

G

NB: I think the others are policy issues. The question of misbehaving NCOs are of interest just to see how the system worked. There's a strong sense that I get of a short corporate memory at Deepcut or in the Army generally. You don't keep records as to how you dealt with X or Y therefore you can't be sure what happened. A

CE: Given the constantly changing population and management structures and organisation, doing an analysis is quite difficult and there's a danger that everything is seen in isolation. And there were the issues of resourcing.

NB: I'm not at all sure that the Army as a body ever put it to the Minister that "this has got to stop. We can't carry on training unless you give us dosh". No doubt the Army is a can-do organisation. I haven't pursued this up to the political level simply because at perhaps DGATRA level someone was saying "no, I never took it up". B

CE: Of course, it's all a question of priorities. When we give you 25, 30, 35 billion pounds a year, don't complain about a lack of resources, it's just a question of priorities. There's plenty of money. The way you choose to spend it is up to you. And have you ever said "no, we're not able to deliver on operational commitments"? C

NB: Isn't that the case in the RAF? They can say "if you don't give us this plane, we're not going to flap our wings".

CE: One of the things that the Navy and the RAF find a lot easier is actually describing components of operational capability in terms of ships and aircraft and so on. The difficulty the Army has is that it is a larger, more complex organisation. So what is Army capability? We come back and say "what do you want me to do?" And of course the Navy and the RAF are rather more equipment intensive than the Army. D

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Appendix 4/4

Meeting with Brigadier Evans

Present: Nicholas Blake QC (NB), Brigadier (Retd) Evans (BE), Julie Albrektsen (JA), Darren Beck (DB).

Location: Matrix Chambers

Date: 22 June 2005.

NB: One of the most important documents that I was first given was your report of the 14th of December 1995¹ and in a sense that has set the scene for my review quite comprehensively, together with the Board of Inquiry into Cheryl James, which happened after you left. But it would be helpful – I think you are about the earliest officer of the Royal Logistic Corps in terms of its history after the merger that I am probably going to meet unless I have to meet someone else that I don't yet know – so I wonder whether I could use you at the beginning just to get some background information about the merger, though I think you took over 6 months after the merger.

BE: Yes.

NB: But I mean if you don't know because it's in the mist of time, too bad, but I thought it would be worthwhile doing it. What section of what was to become the RLC had you first had a career in?

BE: I was commissioned into the Royal Corps of Transport. It was one of the forming 5 corps.

NB: That's Leconfield?

BE: No, its home was in Aldershot. Leconfield is driver training.

NB: So am I right in imagining that some time before the merger in 1993, that someone who wanted to join the Royal Corps of Transport or indeed the Royal Army Ordnance Corps would go through the equivalent of Phase 1 training – whatever it was called at that stage and would then join the Headquarters, possibly be sent up to Aldershot or Leconfield to do driver training but come back within the unit of a particular defined cap badge and probably quite speedy to get from Phase 1 to what is now called Phase 2. Is that right?

BE: Well, in those days all the training was done by a single corps.

NB: So a Private who was going to join the Royal Corps of Transport would come to Aldershot, get general military training, get specialised driver training, all within a sort of unit and then be assigned to a unit.

BE: Yes. The perceived advantage of that was that the individual was what you might term "branded" very early, he knew which regiment he was in, he was wearing the uniform of that regiment, he was then part of the family, and then once trained – and of course you were training then in much smaller numbers, because it was only about a fifth if you like.

¹ The Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995.

- A NB: Right, people got to know the individual, and their strengths and weaknesses?
- BE: They did, and they were all part of the same family. What happened at Deepcut, you were trained at Pirbright and although it was only a couple of miles down the road, it might as well have been in Aberdeen, because there was virtually no contact at all between Deepcut and Pirbright from a cap badge point of view. They were cap badged Royal Logistic Corps soldiers but were Phase 1 trainees; we were Phase 2 and beyond. Indeed we had different chains of command.
- B NB: I've got some evidence that there was informal contact between the NCOs say at Pirbright, saying "oh, we've got a good one, or we've got a difficult one".
- BE: Because they might know each other. And there was some contact, because you had to allocate soldiers a trade, otherwise what training were they to receive when they came from Pirbright to Deepcut? So they were allocated a trade if they hadn't got one when they arrived at Pirbright or if they decided to change their mind regarding the trade they were going to undertake.
- C NB: My impression is – and correct me if I'm wrong – that round about 1993 about three quite ambitious things were going on, certainly in the RLC. First of all, the formation of the RLC as a Corps with all these different sub-entities. Second, we have the Army training regime moved to a Single Entry regime for all ages, and essentially the abolition of the Junior Leaders' Scheme by 1993 although retained at the Harrogate College. And thirdly, we have the decision to put young women into training alongside young men at the same time. Quite ambitious to achieve all those three changes within a short period of months. Do you have any comment on that?
- D BE: I think it is easy to look back with hindsight, isn't it? It clearly was ambitious and probably never thought through in the way that you describe it because they were being implemented by different parts of the organisation.
- NB: Who would you have expected to be doing the thinking in the round? Up at Adjutant-General's headquarters? Or General Staff?
- BE: Yes, that would have been where it would have been netted out. There was also a training element involved and, of course, there was the Corps – the headquarters of the Royal Logistic Corps was then in Andover, reported to the Quartermaster General, so there was another bit of the Army. So that was important, too. My own headquarters in Deepcut reported to the 4th Division's headquarters, so another bit of the chain of command. And everything was very new, in the sense that it was immature. And it is therefore not surprising that some of the things that I recommended were never implemented, were never considered. Because nobody felt that they had control, and of course you have to remember that when we formed the Corps, we brought five separate homes into one. Each of the five former Corps had a home, the choice of Deepcut as the home of the Royal Logistic Corps was in my view the best choice. It had lots of space, it's away from a local village, so it's nicely controlled in that sense, in terms of security-type control issues. But it was a difficult time, when I arrived literally six months after the formation, and therefore we were just settling in, and we were getting the first cap badge recruits coming out, and of course, as you said, getting that influence of female soldiers.
- F NB: Why was your predecessor there for just 6 months or was that traditional that when you start off you literally just kick-start it and then hand over to someone else?
- G

- BE: He was thinking of leaving the Army at the time and a job came up and he was, to be fair, getting towards the end of his tour, and his career. So he was at the end of his career, whereas I took over when I was in my early forties, it was my first posting as a Brigadier. A
- NB: So you take up the post as the Commandant, is that right?
- BE: It was Commander.
- NB: It later becomes Commandant. Anyway, the Commander of the whole garrison, as I understand it, plus responsibility for all the sub-groups. B
- BE: Of course, you're commander of the Training Centre, which then became the Training Group. And also, you were the Garrison Commander.
- NB: You take over in September 1993, and your scheduled tour ends in January 1996. And you reported in terms of your role as Commander to the regional divisional headquarters, but you also had connections with the ITO individual training organisation, whatever it was called then. C
- BE: And also with my Corps headquarters, so there was a three-way connection.
- NB: And then what is going to become the later years for the 25 Training Support Regiment which I think then was Training Regiment & Depot at Deepcut, is – well it's actually not until March 1994 that Lieutenant Colonel Josling takes over – so who did you have before Lieutenant Colonel Josling?
- BE: I can't remember – but I can remember given time, naturally. D
- NB: And whoever that person was, did he join at the same time at that post as you or had he been in the post?
- BE: He was there when I arrived.
- NB: So there was a continuity factor.
- BE: Yes, he would have been in the post for 12-18 months. E
- NB: As a general question, if I might throw that out now, I think the Adult Learning Inspectorate, I suspect even the House of Commons Defence Committee Review into duty of care in the Army generally, posed the question whether a two and a half year tour for a training regiment, is a sufficient length to understand the problems and make a difference to the solutions. Do you have any views on that in light of your experience?
- BE: I think there is some merit to that, and it is different from an operational regiment where two and a half years is probably a sufficient amount of time. I think the place would benefit from a slightly longer tour by the Commanding Officers. And there is no reason why that shouldn't happen, because I would hope that they select a Commanding Officer with care for a training regiment. Obviously they select any Commanding Officer with care, but with particular care, because the experience would be somewhat different from an operational regiment. F
- NB: And selection of the Commanding Officer is done by whom? G

A BE: By a series of boards, it's done by Glasgow, which in effect is in charge of personnel. It's done by recommendation and it's done by individual reports. An individual is put into a category where he is assessed for promotion, and once promoted, to decide what he is to do.

NB: So Lieutenant Colonel Josling joins you in March 1994 – did you know him before?

BE: I did actually. We never served together, but we served in the same organisation.

B NB: Was he Transport before?

BE: He was in the RAOC². We had been in the same Brigade before.

NB: And were you consulted on that appointment, or was that something that you were assigned?

BE: Generally speaking, an individual is assigned, probably would have been assigned before I even took up my job. Before they even selected me to take up the job.

C NB: He would have been earmarked.

BE: If you are in the post before that takes place, you don't necessarily have the right to say "no", but you might be able to state a preference.

D NB: The Police in the course of their enquiries have come up with a couple of charts which seem to change a little bit between the Benton and James case but I just wanted to check whether this sounds about right to you. I've got Lieutenant Colonel Josling as the Commanding Officer, I've got for most of the time of 1995 [RSM Z] as a Regimental Sergeant Major, we need to come back to him. Do you know when Captain Whattoff took over the role as Adjutant?

BE: It was not long before I left, because Charlie Whattoff had actually served with me before.

E NB: Just in terms of medical staff if I can just deal with this, I understand we have a doctor who was the civilian doctor attached to the Depot for most of the period. I get the impression that there were problems with her of a certain sort, although I'm not quite sure what the problems were. There's a casual reference in a statement I've read that she had returned from suspension in April 1995 and I rather got the impression from speaking to Lieutenant Colonel Harding yesterday that he had particular views about her. Did any of this reach you?

BE: It did infrequently, but enough for it to be an issue. She had been there a long time and knew everybody, was a civilian and found it quite difficult to get on with her own staff.

F NB: The nursing staff?

BE: Yes, there was a tension there. She found it difficult to get on with the locums. A complex character, and very forthright, and very strong. She was quite a character, but I believe a good doctor.

NB: She was there when you left?

G ² Royal Army Ordnance Corps.

- BE: Yes, she was there the whole of the time when I was there, but she did have this period of suspension. A
- DB: Was she suspended by the medical chain of command as opposed to by you?
- BE: She was suspended by the Commander Medical, I'm pretty sure of that.
- NB: So she has her own medical rank structure, although she's a civilian?
- BE: Yes that's how the medical organisation was commanded. In fact, I didn't command the Medical Centre. I commanded the bricks and mortar, but they had their own medical chain of command. And I remember hoping when she had been suspended that she would have been found somewhere else to work, but she came back. B
- NB: Were there problems between her and the officers in the Training Regiment or indeed in the Garrison generally about what she ought to be revealing or about what was the balance between confidentiality and keeping the Commanding Officer informed of any concerns? Have I sketched the area in question? C
- BE: I think that is always a debate, there's a thin line between confidentiality and the need to know.
- NB: I've seen data from some privates who were complaining to Surrey Police that they wouldn't trust the doctor because they thought that she was as it were going without their consent to senior officers and telling them things they didn't want to come out. And I'm probably getting the impression that if she were part of the welfare early warning system, there were some early warning signs that she missed or failed to pass on. But she is probably in a bit of a rock and hard place situation. D
- BE: It's a difficult area, and I think it is probably sharper now than it was then, although I'm not sure what they do today.
- NB: But if she had a trainee who was self-harming, or threatening self-harm, or indeed complaining about bullying, this is a hypothetical question, is she under some duty to warn someone?
- BE: I would have expected it, as I would have expected it from a number of others who I loosely put into a welfare/governance box. The Padre, the WRVS, the officers who were dealing with the recruits. And again, you have to remember that it was a very new organisation, so some of these things were not bedded down. So one of the things I recommended was that the welfare structure should be linked, so that they were meeting on a regular basis to resolve any issues that arose. E
- NB: And that happened after your time? You delivered your report on the 14th of December? F
- BE: Well, I did, simply because I knew I was leaving so quickly and I wanted to try to get to the bottom of it before my successor came in, without this hanging over him. I wanted to try and leave it as clean as I could in terms of recommendations to be progressed internally and externally.
- NB: From the fact that you were recommending it, can I infer that there wasn't a welfare committee in 1995? It was one of the things you were recommending ought to be done. G

- A BE: You ought to talk to Nigel³ about that, but if there was something, it wasn't obvious to me during my investigation. There was nothing I could grab hold of in terms of reports or minutes of meetings.
- NB: In terms of minutes of meetings, there is nothing I have been able to grab hold of, but I suspect that's because they have disappeared, or in fact, from what I was told yesterday, whether there had been any minutes kept. Can I just take you back to our staffing structure. I've got B Squadron that is eventually to become 86 Squadron, I think after you left. Major Gascoigne is the Officer Commanding throughout the time in 1995.
- B WO2 Milne as the Squadron Sergeant Major and then a couple of corporals including [Lance Corporal(f) E]. Does that ring a bell?
- BE: The names are familiar. I wouldn't have known them that well. I mean, I knew of them, of course.
- NB: Well just going down then with that second caveat. The squadron is divided into two troops as I understand it, 1 troop, 2 troop, each with its own lieutenant and a sergeant. And our lieutenants in 1995 were [Lieutenant C] and [Lieutenant(f) A]. I've got [Sergeant B] as a sergeant. Did you know a [Sergeant L] there?
- C BE: The name is familiar. I think the interesting thing about that is the name of the regiment was the Training and Depot Regiment. And that's important, because it did actually fill both of those functions.
- NB: I think that comes to light later on.
- D BE: It did. So therefore, the only reason I mention it now, is because we had two different types of soldiers, those who were doing training, and those who, for some reason, were being held in the depot.
- NB: It could be discipline or sickness or pending early retirement.
- BE: Exactly. So you had this mixed collection.
- NB: That was C Squadron at the time.
- E BE: Yes. Although it sounds as though they were apart, and indeed they were in that they had a separate squadron, you couldn't stop the influence.
- NB: I understand Lieutenant Colonel Josling reports to you about what he is doing. Did he report to you in writing? Quarterly reports, or half-quarterly reports?
- BE: We'd have regular meetings – scheduled meetings, I think once a week, though I can't remember. And he'd write reports to me, formally.
- F NB: And did you issue reports about the Corps or the Garrison to Divisional HQ? I've seen them for the period 1997. I don't seem to have retrieved them from your period.
- BE: No I guess that was because there was probably a different reporting system, there wouldn't have been formal reporting system.

G ³ Colonel Josling.

- NB: So you can't recall actually having to write yearly or half-yearly reports on events in the Regiment? A
- BE: No, but I would have had to send reports into the training organisation in order to justify my bids for funds. There must have been reporting and there must have been regular training returns going out of headquarters.
- NB: On the topic of money and training then, you are the man who makes bids for funds to be distributed down amongst the various functions. Was there during your period up until you left in 1995 any problem of numbers for training? B
- BE: There was a resourcing problem. Full stop.
- NB: What was the resourcing problem?
- BE: The lack of resources, in the sense that the whole training organisation was going through a "squeeze" if you like in terms of resources. We had consistently declining budgets. We're not talking about a percentage here and a percentage there, but great chunks coming out of the budget. C
- NB: And this is the period 1993 – 94 – 95? Presumably you had three budgetary years during your tour. And budgets were actually reduced?
- BE: Yes.
- NB: And what impact did that have – I appreciate you had wider responsibilities – but looking at my narrower focus, what impact did you know that it had on the Training Regiment and Depot? Where does the squeezing of resources affect the work of the Regiment? D
- BE: Well, I think some of the pressure on us to reduce the budgets was right. I think it was part of Army policy to get us to reduce some of the "fat areas", slimming those down. And we were probably inefficient in some areas. It was really all designed to try to make us more efficient.
- NB: Efficiency sounds rather like motherhood and apple pie, a good thing, but where does efficiency become lack of essential resources? E
- BE: Well I suppose, again with hindsight, I believe, we should have had a greater ratio of instructors to students.
- NB: Can I pursue that? I've seen your report and I sort of want to lead you there. Was that something that Nigel Josling was complaining about, or did you just know it anyway from observing what was going on?
- BE: I think everyone in the training organisation knew that our instructors were under a fair amount of pressure because of the ratios, and the ever-increasing numbers of students coming through. We had the male-female problem and we also had great bottle-necks in the training, so that we had to deal with more soldiers than we should have done. I mean, in theory it should work like a well-oiled machine – someone coming out of Pirbright, a quick bit of Corps familiarisation training from us, some trade-training if it could be done with us or trained elsewhere, then back with us, final bit of polishing up and out to a unit. It should have been as simple as that. F

- A NB: You said everyone in the training organisation?
- BE: And we didn't have a computer in the place, so this was not a sophisticated training establishment.
- NB: Well, it seems to be somewhat more sophisticated down there now. But are you referring to the RLC training, Deepcut training or upwards into the Army? Some of these are very specifically RLC problems it appears to me.
- B BE: I think so. I think I do remember other corps experiencing similar difficulties, but I think certainly ours was unique in that particularly Leconfield caused a real problem in that they couldn't cope with the through-put of soldiers. Of course, Leconfield was not an RLC driver training, it was the Army's driver training. Everybody who needed a driver's licence had to go through there.
- NB: Well, just to explain that or so I understand that, if everyone even before 1993 who needed a driver's licence in the Army used to go to Leconfield, what was it about the reorganisation that increased the pressure on Leconfield that was causing this backlog in the RLC?
- C BE: It was just numbers, I think.
- NB: You mean the Army was just recruiting more people?
- BE: There seemed to be more soldiers, certainly we had great bulges of soldiers coming through. It is hard to assume that an individual will have gained a licence in two weeks, so it's an open-ended system, so you don't actually know, I don't even think the poor guys in the Training Regiment knew on a Friday who they were sending to Leconfield on Monday.
- D NB: Was Leconfield the sole problem of SATT in the RLC, or did you have other problems with ammunition specialists, supply specialists?
- BE: Well, for example if somebody was wanting to be a port operator, we only have x number of courses a year, so someone would have to sit there until a course came up.
- E NB: Was that a phenomenon that was exacerbated by bringing them into the Depot?
- BE: Yes, that must be true. By putting them all together, you just compound the problem. Anybody that might be frustrated, annoyed or concerned about a delay in the training would suddenly be put together in one place. So you had an infectious issue.
- NB: Boredom is a very strong factor that is coming across from these statements. At least of people who felt they were hanging around not sure of what they were going to do, losing the impetus of the rather intense training of Phase 1, and then some individuals, like Private Benton, who was not very successful doing his training, are hanging around for quite a long period of time, probably becoming a worse and worse soldier as a result of it.
- F BE: I think boredom is relatively easy to say, I think there was a myriad of factors leading to that boredom, including, as we discussed earlier, the instructor:student ratios. And the fact that they were in leafy Surrey in a barracks out in the middle of nowhere.

G

- NB: Yes, things that made it ideal from your point of view made it less than ideal from a young person's point of view. Just to pick up the theme of the staff ratios. By about middle to the end of 1995, coming towards the end of your tour, what kind of ratios were you aware of with which the Regiment had to manage? A
- BE: I can't remember the precise figures. I just remember it always being a difficulty, always being the pressure on the instructors.
- NB: I'm told that the Army – the field Army – tends to work on something like one NCO to every 15-25 privates. Does that sound roughly correct? B
- BE: That's about right in terms of the size of the sections within a military organisation.
- NB: But this training regiment was running very, considerably higher than that, at about 1:80 to about 1:300.
- BE: Well, you can't necessarily relate those two, because an operational unit is just what it is – an operational unit. There's a reason why there is that number of soldiers to the number of NCOs. And therefore you shouldn't necessarily apply the same ratio, or the same logic, But that said, it was clearly not right for it to be of that sort of order. C
- NB: Does it have any formula, or do you just sort of have to start off with your own "what is the right sort of number" in order to do efficient training and run the Depot?
- BE: I think you probably need more detailed knowledge and data to come up with the number.
- NB: What is the number? D
- BE: I would certainly put it at no more than a teacher-pupil number in the classroom, at 20-30 kids. I would have thought that someone could have an intimate knowledge of those recruits with that sort of number.
- JA: But you are putting the ratio problems down to a lack of resources at the time?
- BE: There's not a direct correlation there. If we had had more resources I would certainly have had more instructors, but it wasn't quite like that, I didn't gain a great deal of support for the influx of 15 corporals for example. E
- NB: Well let's just try to tie this down, because it has been around very much as part of the official response to these events, the training ratios. The lack of resources means specifically what? We have tried to explore the staff ratio, that has some relevance, but you thought there were other factors to explain the staff ratio. Is it that they just haven't got the personnel? Do you mean by resources money or money and/or available personnel? F
- BE: Yes, I guess it's both. I think you also have to remember that I was not given a particular sum of money to manage the training regiment, and therefore was unable to make a major trade-off.
- NB: So what were you given?
- BE: You were given an establishment. A piece of paper – several bits of paper – with your structure, it was an agreed establishment. G

- A NB: Agreed by Divisional HQ or by ATRA or its predecessor?
- BE: Yes, by ATRA and by our own Corps.
- NB: And that establishment presumably is based upon some expected throughput of trainees. Or is it simply that they took the view that this is your establishment, irrespective of the number of trainees that you were going to be progressing?
- B BE: Again, you have to remember we were a new organisation, so that establishment was also new.
- NB: So there was room for error, room for experiments?
- BE: Absolutely. We needed to mature as an establishment, as it would have been put in place certainly before the formation of the new corps.
- C NB: In your 2.5 year tour, do I understand you right in saying that the experience of the numbers of trainees coming through from Phase 1 into Phase 2 RLC Training Regiment & Depot was greater than had been expected, and growing, faced with actual substantive cuts in the budget, or simply that the numbers were as expected, but that the relevant establishment as had been agreed was proving to be inadequate for the numbers that had been predicted? Do you see what I mean?
- BE: I think probably the latter rather than the former, in the sense that the establishment wasn't right, and if you tested the current establishment and compared the two, you would see what has happened over a period of time. Which would give you an indication. And then of course the establishment was compounded by more numbers. I mean, constantly, the key agenda item for any meetings was how do we deal with the pressure? So I would have been writing out to Corps HQ saying, for example, "can we detach these recruits to the field army? Are there ways we can do something about Leconfield?" It was a constant issue for us to try to get the establishment right.
- D NB: So you were doing this, and this was in a written report as opposed to an oral briefing. Do I understand that?
- E BE: I would have sent several letters.
- NB: To Aldershot, to your Corps HQ?
- BE: No, Aldershot was our Divisional HQ.
- NB: Where were you sending these letters?
- BE: To our Corps HQ. But at that time it was in Andover.
- F NB: So if the Corps HQ was in Andover at the time, who were you writing to?
- BE: General [...] who was the Director of the Corps.
- NB: And were you copying it in to ATRA or was that his job to negotiate with ATRA?
- BE: Again, the establishment was actually held by our own Directorate, our own Corps HQ, they had functions of the RLC establishment, so if I wanted anything to do with the establishment it would have to be through them.
- G

- NB: But I mean, aren't you able to say to ATRA "look, you're setting up these training establishments for one Single Entry army, my Corps HQ gives me an establishment. That establishment simply is insufficient to cope with the numbers that you – ATRA – are expecting me to put through". Because ATRA are setting the targets, aren't they, throughput of the trainees into the field army. A
- DB: What I was going to say was that ATRA didn't actually then exist. And I thought the manpower targets were being set by your Corps HQ.
- BE: That's right. It was set by the establishment. B
- DB: So it's slightly more RLC-centric at this stage.
- NB: So there is no general Army training review organisation following Single Entry implementation. I thought that there was. It may not have been called ATRA.
- BE: If I had a garrison-type issue I would have written to our Command HQ in Aldershot, 4th Division's HQ. Because I was on their patch, if you like. Anything to do with the establishment and with bricks and mortar came from my Corps HQ. C
- NB: And establishment means the number of Corporals, Sergeants?
- BE: That's right. And regarding training issues, I would have gone to the three-star HQ in Upavon.
- NB: But did both Upavon and Andover at the time get a clear message from you that the Regiment was asked to deliver on the input of trainees that you didn't have resources for in terms of personnel, the ratio, or any other aspect of expenditure that you would need to facilitate the task that was being expected of you? Did they get that message? D
- BE: They would almost certainly have got that message but I think it's easy to look back trying to make that the only problem, but it wasn't like that. There was a whole raft of issues going on at the time because of the environment in which we lived, and resourcing was one of them, security was another. But there would have been constant dialogue between my staff and our home in Andover and indeed our training organisation in Upavon. I was commanding a pretty big HQ with staff who were engaged in this on a routine day-by-day basis. E
- NB: Would this dialogue have left any records of its existence, because people are going to be asking me, well, if I'm reviewing how these circumstances of the events of 1995 came about, have I pursued as it were, the answers that I have been given to see what was being done and to identify these problems? Would this correspondence be reports, or just letters?
- BE: There would be letters, but there would also be reports. These staff officers would have been constantly producing numbers and throughputs and problems and accounts issues and so on. There would have been a constant dialogue. There must be files on this. F
- NB: Not a single file of any of this has been disclosed to me.
- BE: We had a couple of staff officers who did nothing else besides look at training.
- NB: This was your Adjutant? G

- A BE: One of the staff officers working in my HQ.
- NB: Who was that?
- BE: It would probably have been – we had an SO2 for training – so it would have been a Major, he had 2-3 retired officers working for him. I had a deputy chief of staff who would have done everything to do with the guard and security issues for instance.
- NB: In addition to Andover, are you getting the message up to Upavon?
- B BE: There were constant visits from Upavon, we had management meetings, so there would be a general understanding of the pressures and issues we were facing at the time.
- NB: Just let's now deal with guard duty. In your report you're pointing out that you have to maintain a constant state of 22 guards on duty at any one time, on rotation, which was making a significant demand upon trainees who were doing day on/day off. Who sets that state of guard duty, is it you or is it someone above you sets an x number of guards to deal with security issues?
- C BE: It's unlikely to have been anyone saying "you need 22 people to guard your barracks" from above. It's absolutely the responsibility of the Commanding Officer of the Training Regiment at the time. He was responsible for security of the barracks. But again, it was a constant issue for us because of the numbers, and again you have to remember the environment: the IRA threat at the time was immense, absolutely immense. And you shouldn't underestimate the pressure that put on us in terms of our requirement to guard the barracks. And the fact that the barracks was quite difficult to guard. (a) because of its perimeter size and (b) because we had an external Sergeants' Mess, the Regimental HQ and an Officers' Mess.
- D NB: By that time, had they sold off that land to private housing?
- BE: No, I had signed the paper that had made that possible, but that hadn't been done. It was outside the fence. But it did make a little bit of difference in that it was a barracks, it was still part of our responsibility. And it was falling apart and we had to make sure it wasn't used by people who would do themselves harm by being inside it.
- E NB: The decision is to issue live ammunition – or rifles with live ammunition – when you issue rifles, you issue live ammunition, you never go around with rifles without live ammunition?
- BE: It would not be normal practice to do that. If you took away the ammunition, you would probably take away the rifle.
- NB: And that's happened in the past, has it?
- F BE: That does happen.
- NB: Except I've got a statement from a Major. I think he retired in April 1993, so he probably retired just before you took up your command. He said he was there right from 1971, which of course, there were IRA concerns in the 1970s and 1980s as well, I appreciate a long-standing concern, but there were peaks. He says that according to his knowledge of the tour of duty, they didn't post armed guards at the Royal Army Ordnance Corps. I don't know whether you have any knowledge of that?

G

- BE: I just don't believe that to be true, because when I took over, there were armed guards in the barracks, and I took over from an RAOC Brigadier who had been there for two and a half years. Indeed, my own residence had three-quarters of a mile drive, had chained fencing all the way down this drive, and a one-to-one radio with the guardroom and an armed guard visited the house every hour, on the hour. So I just don't believe that the guards were not armed; I just find that unbelievable particularly having commanded a regiment in Germany that was actually attacked by the IRA during my tour, which was only two years before. We were also wearing civilian clothes to cover up our uniforms. You didn't ride around in any sort of insigniaed or staff cars. The threat was enormous, absolutely enormous. A
- NB: So you strongly disagree with that recollection. Secondly, if you're going to have guards, how about using Ministry of Defence Guard Service, that was a possibility in 1995. B
- BE: It was a very early possibility and I think one of the recommendations I made was that we should do that. That's not necessarily to reduce pressure, but I thought it was a better way of guarding the barracks on a permanent basis, rather than young soldiers coming out of training and then having to guard. But in that sense, as soon as these young soldiers arrived at their units, they were obviously having to guard their barracks. There were very few MGS around about that time, and of course – again going back to resources – there was no money to deploy them. And they would have come from my Aldershot HQ. C
- NB: Do you make the suggestion of Military of Defence Guard Service for the first time in the 14th December report, which we've got, or had you been making that suggestion earlier?
- BE: I recall that we had had conversations with the Aldershot HQ; I remember my staff talking to me about it, saying "we're going through this process and there's no money anywhere". Of course, if for some reason the number of recruits in the organisation dropped, there was a smaller pool of people to guard the barracks. D
- NB: There was a sense I quite couldn't understand in your report of December 1995 the concerns about the difficulties – you didn't quite have enough people available to maintain this 22 guards on a rolling register, at the same time one of the other things was too many people coming through. E
- BE: But it's just that if someone was under training and they were completing a course they might well be in the barracks, but of course you couldn't use them.
- NB: If they were in the barracks doing a course?
- BE: Because they would be falling asleep the next day and it's likely you would fail more. So there was a constant juggling.
- NB: I've seen a memo from a [Major M]. There seems to be an exchange in 1993 between him and Major Gascoigne about this issue, complaining that people were having to do guard duty during training and that they were tired and asleep. So this seems to have occurred at some stage. F
- BE: Sometimes, yes.
- NB: Major Gascoigne didn't seem very pleased about that. Did that cross your radar or was that down to Nigel? G

- A BE: It was down to Nigel but I remember the issue.
- NB: But the problem – you have a security threat even assuming contrary to the Major’s recollection – a constant security threat from the 1970s through to the 1995 period. But you’ve now got younger people, joining training at 16 yrs 10 months, and therefore in your camp at 17, who now have to perform armed guard duty. Did the age of these people cause you concern?
- B BE: Not particularly. They had finished their Phase 1 training, so they had done their basic training. And as soon as we finished training them, they would have been going out into regular units where they would do exactly the same thing. And they’d also be liable for deployment on operations.
- DB: Presumably, though, when you go to a unit and get deployed on operations, you’d have a closer relationship and a greater level of supervision than that you would have in a training regiment?
- C BE: That’s true, but I think you’re confusing a sort of general governance relationship with what happens on guard. A guard is quite tightly controlled by a guard commander. They moved into the guardroom to be part of the guard.
- NB: 24 hours?
- BE: Yes.
- NB: But the guard commander doesn’t exactly know the ups and down and the psychological foibles of the characters.
- D BE: No.
- NB: On the face of it, these are young people who may be less able to deal with boredom, stress or the opportunities and they are being put in possession of a lethal weapon. And perhaps under different circumstances to operations, when there is a closer esprit de corps, a more obvious unity against them, a more obvious enemy. Did any of that filter through to your thinking or anyone else’s thinking at the time?
- E BE: You have to remember that the Army is a young organisation; it’s amazingly young. I’d grown up with the Junior Leaders’ Regiment.
- NB: You didn’t do armed guard duty in the Junior Leaders, did you?
- BE: Not with the Junior Leaders, no. But I’d grown up with, all of my career was with young men, and therefore I did not think age was an issue.
- F NB: 16-17-18?
- BE: No, these soldiers were trained soldiers; they’d been through their training, they knew how to handle their weapons, they were given responsibility in terms of guarding the rest of us, keeping everybody else safe. It’s always been part of the Army.
- NB: So, in your report you say it’s desirable to look at this, but not with a particular degree of emphasis that it was necessary or essential or undesirable to be doing what was going on, other than the ratio.
- G

- BE: The reason why I gave the recommendation that I did, was that I thought it would have been beneficial to have the guarding done by somebody completely different. This would have allowed everybody to focus on their training. A
- NB: Am I right in thinking it's obviously very unpopular amongst the trainees, this guard duty. Is that correct?
- BE: It's unpopular with anyone.
- NB: Because of the demands that the security duties created that means that people lose their weekend leave, or plans they may have had to go away, or where they would otherwise have been required for training or ROPs may have been interrupted by extra guard duties. B
- BE: Yes. I conducted a series of meetings with soldiers, both collectively and individually, and the real frustration was not necessarily having to do the guard duty, but not knowing precisely when it was going to happen. Returning to this training issue again, staff were having to juggle resources minute by minute rather than being able to be predictive. I can understand completely that, when you set your heart to do something over the weekend, and Friday afternoon someone tells you that you have to do guard duty, that can be very frustrating. C
- NB: You wrote the report in December looking at training issues. Why did you write it? Isn't that down to Lieutenant Colonel Josling?
- BE: I wrote it myself – I had no direction to it – I wrote it because two soldiers had tragically lost their lives, I felt awful about that. Was there something we could do to reduce and remove the possibility of that happening again? The other reason was that I was coming towards the end of my time there; I knew I was to be posted to the Ministry of Defence. D
- NB: So you were posted up to Whitehall?
- BE: To Whitehall, yes. And I wanted to try to get to a situation where everybody understood what had happened before I handed over my command. So, in effect, the new Commander could take these recommendations and move forward rather than have to look back. And thirdly, I did it because I didn't think Nigel could do it. There was the sense of looking at himself. It was better for me to take the pressure off him and to allow him to continue to command his regiment. And would it be more credible if I wrote something rather than the Commanding Officer and of course as a Commander I wanted to get to the bottom of this. E
- NB: But presumably he might also have wanted to get to the bottom of it if he was commanding effectively in his regiment.
- BE: Oh, and we discussed my report – at length. But I wanted to be able to write in an objective way and having conducted much of the interviewing myself. F
- NB: With soldiers, trainees?
- BE: Literally across a whole spectrum.
- NB: How many did you interview?
- BE: What, in total? Oh, hundreds. I'd have meetings with groups, sometimes up to 30-40, including females. G

- A NB: Over what period were you doing this?
- BE: Virtually since the moment after the second death.
- NB: So Cheryl James dies on 27th of November, and you produced a report by 14th December, so 17 days.
- BE: It was absolutely constant. I didn't do anything else. I wanted to get full clarity as quickly as possible. Not because it necessarily needed to be quick, but because I felt it was important to catch every piece.
- B NB: Now, actually, Josling was due to do another 8 months after you left, so he was basically short-toured by 8 months. Do you know whose decision that was?
- BE: I'm just trying to think whether there was a reason why he left earlier than he might have done.
- C NB: I don't know. I think it be fair to say that strong indications were given to me yesterday that his replacement was told that he may be advanced into his post. It wasn't your decision the, in a sense?
- BE: I can't remember making a conscious decision to shorten his tour, if that is the implication.
- NB: That's the implication. Did you write a report on him?
- BE: I wrote – I think – 2-3 reports on him.
- D NB: Your own report deals quite fully with a certain level of problem: you've got self-harming trainees – particularly young women trainees, you've got people whose suitability to be in the training regiment at all is under doubt, as to whether we've got the wrong calibre of person coming through Pirbright, not being weeded out. You've obviously got within any engagement of the background to Cheryl James' death, you've got quite a bit of discipline problems about men in female accommodation, females in the male accommodation, which you highlighted. I don't think your report particularly pins out the theme of fraternisation or relationships between NCOs and trainees. Was that a problem that you knew anything about?
- E BE: It didn't emerge as a general issue and it certainly didn't emerge as a result of the interviews that I did. And indeed, the general rule was that the instructor would have been disciplined. So I'm not saying that it didn't go on, it just wasn't something that I was aware of. We did have issues, as you suggest, of soldiers who should probably not have come out of Pirbright coming to us. And again, you have to realise what was going on at the time, that organisation was being looked after by another organisation. They had their own objectives to meet.
- F NB: Just numbers. As opposed to appropriate people.
- BE: Because it would be better for Pirbright to have – say – a 95% throughput of individuals. But if 5% of those were soldiers really should have been weeded out for whatever reason, then of course you'd just be transferring the problem to Deepcut. And of course in those days you could leave within a certain time, and quite a lot of soldiers came to us within days of that time running out.
- G

- NB: DAOR⁴? A
- BE: Yes.
- NB: 12 weeks or something?
- BE: Yes. So we could get them literally within a week or so of them having to make a decision whether to stay or not. And all of that should have been sorted before they came to us. B
- NB: Were you able to form any views as to whether Private Benton was one of those soldiers that should have been weeded out? Or do you think Private Benton should have had a fair chance to prove himself as a soldier?
- BE: I think Benton was a problem soldier. And from recollection, he would certainly fit into the category of someone who probably should not have been allowed to pass through.
- NB: He seemed to have improved towards the end of his formal training, I mean the tests. C
- BE: There was always the possibility in those days of someone saying at Pirbright "well, if you don't like it, when you get to Deepcut, you can then make a decision, or change your trade". So there was a sort of artificial barrier between one part of training and the next. There was a sort of separation. And then I think you have the female-male problem, almost for the first time. And again, you have to remember the environment: we were a big barracks; the female accommodation was isolated and we didn't have the correct number of female NCOs and officers. And so the female accommodation became an island – it was off limits. It was the only place in the whole barracks I couldn't walk into. I had to find somebody to walk in with me. It was the only place which I couldn't command, in a sense. I found that the women that we were recruiting at the time to be, not surprisingly, much, much more mature. Some of them were very vocal, very strong and their influence could be infectious. D
- NB: So like [Private(f) AC] or someone?
- BE: I can't remember the names.
- NB: She was a close friend of James and came along on the night. E
- BE: Some of these trainees had an amazing influence.
- NB: In the sense I've got that. You never saw the James Board of Inquiry, I take it, because you would have been gone before that. A Major sits on that and is, I think, concerned about the sexual activities that are going on. By that stage I think [Private(f) AC] and one or two others who probably would have given their statements to SIB, there are hints that when they were talking about block parties and alcohol they are inviting some NCOs. So there is a – just – a thread, that there is some level of contact between some of these women and the NCOs. I'll come back to that, because that's not something that you noticed or picked up in your interviews. Can we go back to [RSM Z]? What was wrong about [RSM Z] that you knew about? F
- BE: [RSM Z] came highly recommended.

⁴ Discharge as of Right. G

- A NB: When did he arrive? Was he there when you arrived or came during your tour?
- BE: He came during my tour. He came highly recommended and to all intents and purposes was single, and I say that because I genuinely do not know what his marital status was. But he lived in the Sergeants' Mess, had a flat in the Sergeants' Mess. Nigel is the best person to talk to because he naturally worked very closely with his RSM. He was a fairly strong guy; he had a very strong Sergeants' Mess
- B NB: What does that mean, strong Sergeants' Mess?
- BE: They often say that the success of any organisation is influenced by the Sergeants' Mess, and how good the Sergeants are, and largely the success of the Sergeants' Mess is directly related to the RSM. And he was an extremely smart, fit, tall, impressive individual. I was absolutely staggered when he had to be removed.
- NB: I just want to explore the procedures generally before going back to the individuals. Is this administrative action or disciplinary action? What's the difference between the two?
- C BE: It was administrative action in the sense that they were removed from their posts.
- NB: But they're not put on a charge?
- BE: No.
- NB: They're removed from their posts, so they're interviewed by the Commanding Officer. Does that get into the Interview Books?
- D BE: Yes, [RSM Z] certainly should have been – both of them – should have been interviewed.
- NB: By whom?
- BE: By their respective Commanders.
- NB: Josling?
- E BE: Yes. So Josling and the Regimental Colonel.
- NB: I think we're having some problems tracking down the record of this interview. We know from what Josling told the police, that [RSM Z] was let go, sacked from the post. That's all we know. Subsequently, the manager of the Sergeants' Mess has made a statement saying he was often drunk by 10 o'clock in the morning. And a number of women have said that he used them for his personal domestic sexual gratification when he was drunk. He ordered them up to his room and then invited them to have sex with him. The Sergeant who is in the Quartermaster stores describes him as a power-crazed drunk.
- F BE: Again, all of that is with hindsight, and none of that was obvious at the time.
- NB: Alright, "[RSM Z] was a power-crazed bastard – the worst thing that could happen to Deepcut. He used to order girls up to his room to make him breakfast and tidy up. He had an affair with some of them and was an obvious womaniser". Etc, etc etc. I mean there are two or three references from the women who were involved.
- G BE: Certainly, Nigel never discussed this. I can't believe Nigel knew about any of that.

- Otherwise he would have come to talk to me about that. A
- NB: But he has to rely upon his RSM. Does he get to know his RSM?
- BE: Oh yes, you get to know the RSM like your best friend.
- NB: And do you rely upon your Lieutenants? How does a Commanding Officer get information about what's going on on the ground? How does a good Commanding Officer get a feel of what's going on in the Regiment? B
- BE: His Adjutant is key; his RSM is absolutely fundamental. A Commanding Officer couldn't do anything without an RSM.
- NB: So if you have what turns out to be – and I stress those words – someone who abuses alcohol and sexual blackmail and sexual improprieties for example – has sex with trainees, period – then that is going to set a pretty poor example for the rest of the Sergeants.
- BE: Oh, awfully. C
- NB: Apart from [RSM Z], three Sergeants, three Corporals, and then we move up the chain of command to the Lieutenants. [Lieutenant C] has been denounced by Privates and Sergeants as a serial womaniser of trainees. Taking women out for social occasions, touching them up, making sexist remarks in their presence about their bodies and their breasts and the rest of it. And I was told that [Lieutenant C] was considered to be completely unsuitable for military service. So that was someone else. The other Lieutenant, who was a woman Lieutenant, who was the kind of person you would hope would help with the problem. I think there was strong evidence that she was having an affair with a Corporal in the chain of command, which made it quite difficult for people complaining about the Corporal. And so it goes on. D
- BE: Again you have to go back – it was a relatively new problem for the Services to cope with and it was also – I made the point several times – about how we selected our instructors. They may have been good soldiers, but were they suitable to be instructing, teaching? I always had a concern about that. And then, of course, you had this male/female issue on top of that. I used to make a point of going to classrooms where the instructors were instructing and just look at the style of their instruction, particularly when dealing with a female student. So we were as aware of the issue in that, by introducing female soldiers into the Training Regiment, we had introduced a new aspect. And again, how many female instructors did we have? Certainly in the beginning, the ratio wasn't right. E
- NB: Were there for instance NCOs in the male and female accommodation designed to ensure that the rules were obeyed? Or did people go home after a certain hour?
- BE: We did have male and female NCOs. Most often the instructors that were posted at places like Deepcut were, simply because of age, married. F
- NB: And therefore were outside barracks after night. It seems to be after hours, after 5-6 o'clock that things hot up there. Both drunkenness, some violence and fighting as well as people being out of bounds.
- BE: But at all times there were people in the barracks who should have taken responsibility. G

- A The distance between the guardroom and the NAAFI is not a great distance. And of course a lot of the socialising was done outside the barracks.
- NB: As far as you can recall, was anyone else, only [RSM Z] was sacked for this activity, and the Corps Sergeant Major. You had problems with other NCOs?
- BE: No. None were brought to me by Nigel. Nigel at his level could deal with a range of disciplinary offences – and they would come to me if for some reason they were things he could not deal with.
- B NB: What's the jurisdiction at hand?
- BE: Well it's either by type of offence or the grade of punishment, or a particular rank. So he couldn't deal with an officer for example, he couldn't deal with a substantive WO.
- NB: So if he were investigating [Lieutenant C] – just for the sake of example – would he have told you about it?
- C BE: He would have had to.
- NB: Because he couldn't have taken any action.
- BE: No, he couldn't have done anything about it.
- NB: And he never told you about [Lieutenant C]?
- D BE: Never told me about [Lieutenant C]. There wasn't one single thing that Nigel told me about that involved a senior NCO, instructor or officer, relating to his conduct with students.
- NB: I appreciate that it is a problem that first you have information that may be quite difficult to pin down in the form of a disciplinary charge, but would you expect him to have communicated concerns about for example fraternisation?
- BE: Of course. And the person would have been out of there like a shot.
- E NB: That was possible? You could get him to go?
- BE: Yes, very quickly.
- NB: By administrative action.
- BE: Yes, and then if you subsequently decided for disciplinary action, that could still happen.
- F NB: I'm trying to find out for myself what lawyers call a double jeopardy problem, namely that if you don't have sufficient evidence to discipline someone formally or prove that they touched someone or made offensive remarks, something like that, you're precluded from taking administrative action because you've got 2 or 3 people warning you that something is going on.
- BE: There is also a procedure where you record concerns about an individual's conduct or behaviour. There was an administrative procedure for that. Because I remember dealing with an officer like that in the Training Regiment – not connected with any student or anything like that.
- G

- NB: I'm going to test this out by way of procedure rather than by way of assuming the facts. But let's make it concrete. If Nigel Josling came to you and said "we've got [Lieutenant C] and a number of members of my staff have indicated to me that he is constantly asking women trainees out, for dancing, skating or sailing. We know he took a number of women out for sailing, but we're not quite sure what happened there. There's a sense coming through that he is overly familiar with women trainees and indeed privates who are permanent staff". If you had been informed of it, what would you have done, what were the procedures? A
- BE: I would have first of all suspended him, and removed him from what he was doing and confined him to the Officers' Mess. Then conducted some form of investigation. B
- NB: By yourself, or by bringing in SIB?
- BE: Initially, we would have conducted something internally to see if there was a case. And then of course at the time, we'd had bullying incidents in the Army, so it was right in everybody's mind. And if there was something to the case, we would have called in external investigators. C
- NB: Would he have been court martialled for inviting the girls out? Or taking them out, inviting them out, or having an affair with them, or only if it had been indecent assault or touching?
- BE: He crossed the boundary – he would have crossed the boundary in two different ways: he would have crossed the officer to soldier barrier and would have also crossed the instructor to student boundary, which was an absolute barrier.
- NB: Would that include going out skating or dancing, if he hadn't done anything? D
- BE: Absolutely, he would have crossed that boundary, and therefore could have been disciplined. And he would have crossed the officer to soldier barrier, which again was a complete barrier. There's nothing that could have been argued for that. So he would have fallen over on two counts. He should have been removed from the job.
- NB: Removed from the job and disciplined.
- BE: And investigated. E
- NB: And would that discipline have been Commanding Officer disciplinary action or would that have been under full Court Martial?
- BE: Before he was court martialled, he would have had to come before me on a charge.
- NB: And if he had come before you on a charge, you would have then had the power to sack him? F
- BE: Yes, I did have the power to punish him.
- NB: You wouldn't have had to send it off to a District Court Martial?
- BE: We could have taken whatever was the appropriate action, which could have been Court Martial.
- NB: But you could have sacked him without a Court Martial? That's what I'm trying to get at. G

- A BE: I don't think I had the power to sack an officer; I had the power to remove him from his post.
- NB: So it's different – the use of the word "sacking" can have two meanings. Because a number of people have told me they can sack someone – which I think means they can remove them from their training posts to somewhere else. But you can't boot him out of the Army.
- B BE: No. He would have had to go through a process which allowed him to appeal and so on.
- NB: But you could have booted him out of his post and therefore out of the Training Regiment and out of the barracks, simply on the basis of reasonable suspicion of fraternisation?
- BE: Yes, immediately. I could have rung his posting officer in Glasgow, particularly given that it was a training post.
- C NB: Well, I've given you an indication of the material that is coming to light.
- BE: The rules were very clear in those days. I suspect they're even clearer now. But they were extremely clear, because they were relatively new. With the sudden influx of female soldiers and officers, someone had to write down the policy.
- NB: Where was the policy written – by you or?
- D BE: No, no, it was an Army policy.
- NB: Was it the policy that was handed down in 1993 by the Adjutant-General?
- BE: I would have thought so. That's where it would have come from.
- NB: I'm pressing Adjutant-General's HQ for precisely this. It so happens that Surrey Police picked up from [Major M] this document, can I just show it to you to see if you recognise it. Adjutant-General's Disciplinary Standards Paper. October 1993.
- E BE: Yes.
- NB: You would have seen this?
- BE: Yes, absolutely.
- NB: There's mention of fraternisation, bullying, sexual harassment. It says premature removal from post is not to be used as a substitute for administrative or disciplinary action.
- F BE: And that was just to make sure that the problem wasn't hidden in the sense that "just go away and it won't come back to the unit".
- NB: How is that achieved? When [RSM Z] is removed from post, he wasn't formally disciplined as I understand it. He was removed from the post, which is a form of administrative action. The reasons why he was removed from post would appear on his record?

G

- BE: Yes, his record would show why he was removed. In his case, what actually happened to him was hugely damaging to his life, in that he was removed from a senior post in the Corps and whatever aspiration he had of being commissioned in the Army was gone. And therefore what you were doing was shortening his career, in that he couldn't serve after the age of 40. He could have otherwise expected to serve up until the age of 55, and of course gain the pension that went with it. So it was dramatic for him. A
- NB: By reason of the sacking from their posts – not from the Army – their Army careers were severely curtailed, with the financial implications, the pensions etc. You don't know what happened to them? B
- BE: They both left the Service.
- NB: Shortly thereafter?
- BE: Almost straight afterwards they both left the Service. And I can understand why, as they were both very senior WOs.
- NB: There is some suggestion – I am obviously going to have to pursue this in much more detail with Nigel Josling – that he took some action against a Sergeant. I think a Sergeant at the time; I'm not quite sure whether he was a WO1. Administrative action for suspected fraternisation. Again, I just don't know whether it got onto his file. And whether there is some guidance for Commanding Officers to say "if you're moving on because you've suspected of having crossed the line, you've got to make it clear why". So they're not put in post with trainees in the future. C
- BE: And that's my understanding. D
- NB: That's logical, but I just don't know how it's done.
- BE: But equally, there is a requirement of the Commanding Officer to make sure that these things are properly investigated so that an individual's career is not affected for something which perhaps is just a rumour. And I guess there might have been circumstances like that.
- NB: But the problem that seems to have arisen in respect of some of the incidents that I've been divulging to you, and that seemed to have arisen in the next tour of duty, in 1996-1998, when we have the problem of former WO2 Skinner back at Deepcut, is that some of the young people who are the victims of these approaches, feel that they were destroying their careers in the Army if they were to proclaim it. E
- BE: I mean, these are all concerns, that might happen. So complaining about ones superiors is always difficult. We should, as an organisation, be big enough to be able to cope with that.
- NB: The sense that one gets of the Army is that it's very close, people are living on top of each other, even closer than ordinary civilian employment relationships where at least you can go home on an evening and talk to family or friends or someone else about the awful experience you've had and they may or may not give you confidence to go back to the personnel department. The problem is if the people who are making these kinds of approaches are your next level of command, then that's quite tricky. Who are you meant to go to if you had a problem with a Corporal or a Sergeant, who should you be going to? F

G

A BE: I think you just have enough levels for that to happen, welfare officers, there's now a welfare organisation, the doctor – all of that. There has to be a number of ways to ease the pressure, so to speak. In the same way that civilians can. What do you do on the outside, apart from talking with your parents or friends, where do you go outside? At least there were people in the barracks that these soldiers could have gone to. The question is whether they felt they were able to, or whether they were approachable enough.

B NB: Just to jump a little bit ahead, the Army told the House of Commons Defence Committee that they've responded with this notion of an Empowered Officer, that you can jump outside your immediate direct chain of command to go to. I wasn't sure that your successor at Deepcut altogether thought that was a particularly good idea on the basis that he thought all officers should be empowered to stop abuse. To build in an extra layer going up that way may not have been altogether helpful. Do you have any views on that?

C BE: I share his belief that all levels of management must exercise their responsibilities, but I don't quite share his view about the empowered officer. I think if something can be proven to be a good thing to do, in terms of allowing people to make a complaint, outside of their chain of command, that can't be a bad thing.

NB: I suppose if you have a welfare Major who was identified as that, then that might be different.

BE: Again I think it gets back to this problem of who do you trust. A Welfare Major is a Major, and therefore is part of the system?

D NB: Would the Army be doing itself any kind of favour by having some kind of independent ombudsman? Or someone who is not going to interfere to the extent of making the performance of command functions difficult, but is there outside. And having the SIB report to him, in order to get closure. Do you have any views on that?

E BE: I don't have a problem with a sort of independent ombudsman, but I know that some in the chain of command do. I guess the chain of command view will be that it is the responsibility of management and that you don't need an external body. But I never had a problem with the notion of an independent body.

NB: When you wrote your report, how did you expect it to be received?

BE: I expected all of the recommendations to be put into force. I felt we would be a better training organisation if we implemented them. Even down to little things like the name of the squadrons and so forth. It was really important to get that identity.

F NB: Turning A, B, C into 85, 86, 87, which is what happened, I'm not sure how that gave that extra.

BE: It was just that within the RLC, all units are numbered. You have a regimental number and a squadron number. Trained soldiers were coming out of Pirbright to units that had no numbers. These were simple things that could be done.

NB: Part of your report⁵ – I mean para 33 is the external recommendations, review of suicide, I think they did implement that, the revision of Land Command instruction of reporting

G ⁵ Evans Report, 14 December 1995.

- of suicide, I'm not exactly sure what happens there. A review of the recruiting procedure to even out the distribution of recruits as far as possible. A review of screening procedures to minimise the number of unsuitable recruits. I suppose this is always a problem, how far the recruit informs the recruiting officer about psychological or social problems. And there is always the sense that the Army can do quite a good job with some children with difficult backgrounds. A
- BE: But I think for me there ought to be reports kept to show that they were making huge progress or to show that they were making no progress at all. B
- NB: But the screening procedures may or may not pick up sufficiently the signs and then you're going into this intense training in Pirbright. Now you expressed regret about the passing of the Junior Leaders' Scheme. My understanding from a paper I've seen, I mean there was a discussion about it from 1988 to 1992, my understanding is that they wanted to look at junior leaders and Junior Entry, and that there was proposal that they maintained undivided Junior Entry with 12 months training before going elsewhere. But ultimately, the top brass said "no", Single Entry except for what's going on at Harrogate. But the nature of the training regime, the environment of those 12 months in the Junior Leaders' Scheme, would be very different to the kind of experience young people were experiencing at Deepcut. C
- BE: In those days, the young soldiers were there for 2 years.
- NB: Two years, so from 16-18?
- BE: Certainly. The quality of the instructors was outstanding.
- NB: Because they were teachers, or were trained to deal with the emotional needs of young people? D
- BE: Yes, they were young, and the young soldiers were young, so there was a real chemistry around the place. And these young soldiers not only did military training, but also huge amounts of adventurous training and leadership training and educational training. There was a large part of their time spent on education, and when they left there, they left as a group, it's a bit like public school, and although they were scattered around the Corps, there were so many of them, so two or three of them would often end up in the same place. And then a few years later, the senior members of the Sergeants' Mess, they were almost to a man ex-Junior Leaders. So the proof was in the pudding. These Junior Leaders had been so well trained, and they did extremely well. E
- NB: Presumably in that regime you're dealing with the difficulties of leaving home or difficulties of not even having a home, living away from home, which is the boarding school phenomenon, doing that without some of the extra things that were going on at Deepcut.
- BE: The instructors were all quite young, and were generally unmarried, so it was a bit like boarding school I suppose, where you would have your Masters and work and work and work and work. I think the abolition of the Junior Leaders' Scheme for the British Army was probably one of the worst decisions made in this century. F
- NB: Right. Can it be reversed? Is there not a case for the training of 16-18 year olds to take place in a different environment from those who are over 18? G

A BE: Yes. That's exactly what happened in the Junior Leaders Scheme. When you left there, you didn't actually have to come into the Corps in the sense that they were already part of it. They left us to go into their regular units.

NB: So did they pick up their drivers licences and things like that?

BE: Yes. And we didn't have to use Leconfield, we conducted our own driver training.

NB: So all the things that you wanted could have been factored in.

B

BE: And of course it was all resourced, the physical training the adventurous training.

NB: Although when I was taken round Deepcut I had a sense that things were better in the past.

BE: We were fortunate in the RCT in that we had our own home for Junior Leaders, in that we were completely separate from anyone else. I think the Army is missing an opportunity, because the kids are still there to be trained. And of course what you were recruiting at 16, you were recruiting the parents, in terms of giving their children a better education, making them fitter, healthier and a promising career in front of them.

C

NB: That's useful that you've been so strong on that. Liaison with parents, again that didn't seem to be particularly brilliant at the time. When the two young people died, who should have been the liaison with the families?

BE: Well there was – and I think there probably still is today – a process whereby you identified where the parents lived and someone was identified as their officer for contact. A liaison officer.

D

NB: As far as we can see, Nigel Josling never wrote to any of the families⁶. Would you have expected him to have done that?

BE: I personally would have expected him to have done that. Whether he received advice not to do it, I don't know.

NB: Certainly Ron Laden wrote to the families.

E

BE: And he certainly wouldn't have received advice from me not to write.

NB: Who else might he have received advice from?

BE: He could have rung the legal department at Divisional HQ. But I personally see no reason why a letter should not have been written. I always wrote to parents when, say, soldiers had bad accidents or something.

F

NB: Is there anything else you want to ask of me?

BE: I still think that the two deaths were unfortunate suicides.

NB: And nothing that I've come across indicates that the cause of death is likely to be dramatically revisited. Certainly, for these two, I can't talk about the later ones yet. But of course that in a sense poses the question why, what was the regime under which people may have self-harmed and destroyed themselves? And was there opportunity to prevent them in terms of providing the means to die? Let's close it there.

G ⁶ A letter of condolence to Mr and Mrs Benton was subsequently found on Pte Benton's personnel file.

Appendix 4/5

Meeting with Lieutenant Colonel Govan

Present: Nicholas Blake QC (NB), Lieutenant Colonel Stephen Govan (SG), Kaspar Nazeri (KN).

Location: Matrix Chambers.

Date: 17 September 2005.

NB: What I'll do is take you through some issues about your career at Deepcut, and who you were serving with, and then talk generally about problems that you inherited or passed on or which arose in the course of your tour. That's the general theme of the conversation today. Clearly, I'm principally looking at two deaths preceding your tour, and two which came after. But I think you're probably now the last of the Commanding Officers of the Training Regiment, so I've now met Nigel Josling, David Harding and Ron Laden. And there are some themes which clearly develop through the period of command, so that's why it is useful. Now, you took up your command in October 1998. And you were there until Ron Laden took over from you in June 2001.

SG: May or June. I can't remember the exact date.

NB: It was June, (a) from the record and (b) from what he told me. But precise dates I'm not sure of. Is it the 1st of October, is there a conventional date, or is it just any time in October?

SG: Now, what happens is they publish the 1st of the month as being the handover for a command, but then you liaise between yourselves to sort out which dates actually suit you both.

NB: It's just that I don't think I've got anything more down than October for your tour. Although when we come to look at something which happened just at the end of September, I might ask you about that to see whether that crossed into your line of command or not.

NB: So how much notice did you have that you were going to be transferred or appointed to command at Deepcut?

SG: A lot. I can't remember exactly when I heard. It's over a year, generally.

NB: Over a year?

SG: Only for commands, principally.

NB: Which part of the RLC had you been in?

SG: I was in the Royal Corps of Transport.

NB: Where is the HQ of the Royal Corps of Transport?

SG: It no longer exists, but previously it was in Aldershot.

NB: Had you once been based at Aldershot then?

- A SG: Yes.
- NB: But never at the Blackdown Barracks Deepcut?
- SG: No, I had never been to Deepcut.
- NB: Now, in the year that you are given advance notice, do you then start to take an interest in the problems or the challenges or whatever it may be called, of your future command or do you just wait until you are actually there?
- B SG: I can tell you what I did, and I think every officer does it slightly differently. I had never served in a training organisation at that time before. I recognised that I had got some time in front of me and I went down to speak to David Harding, simply to ask him if there was anything that I ought to do by way of preparation so that I was fully prepared when I arrived.
- NB: And did he suggest that there was anything that you wanted to do?
- C SG: I think the answer was no. I don't think that there was anything he recommended that I should do. But this is now seven years ago so the details of the conversation I can't remember. So I let him crack on with his job and I cracked on with mine.
- NB: OK. I might come back a little bit on that, but for now, I will leave that there. They then give you the Commanding Officers' Designate Course training, is that right?
- SG: Yes. The Commanding Officers' Designate Course is, as far as I recall, about a week long. It's principally briefings.
- D NB: About command in general or this command post in particular?
- SG: Command in general and it's particularly oriented towards people going to command in regular battalions in the field army.
- NB: So it's a uniform course, not a training regiment-specific course?
- E SG: No, it's not even an RLC course, it's all arms.
- NB: Is there anything you can remember from that briefing that turned out to be helpful or particularly relevant to the things that you were going to face at Deepcut?
- SG: No, not on the side that we are talking about. A lot of things were for example on the responsibility for service funds, non-public funds, and also for the equipment husbandry. There was then one presentation on medical issues, where the Royal Army Medical Corps gave a presentation of things that the RAMC doctors had referred to or dealt with, with their Commanding Officer.
- F NB: Now, that may be relevant. Can we just explore that for a moment? What kind of information or what kind of pointers were they giving you?
- SG: I really don't know. We had a number of scenarios. I can't remember how many of us there were; I think we were in syndicates, probably about 8 to 12, something along those lines. The doctor would then give an outline of a scenario. He would then say "what would you do?" But I can't remember the details.
- G

- NB: ATRA was established as an organisation by then. A
- SG: Yes it was, yes.
- NB: And did it have any input into the training programme that you can recall?
- SG: To be honest, I don't know what the structure was, but I suspect it was one of their courses. I think it was run at Warminster.
- NB: But was there any specific training about dealing with young people? B
- SG: No. It was really one of the things that I was very unhappy with when I took command, was that I felt that we had insufficient briefings or training preparation for dealing with the under-18s. And this was something that concerned me, because I did feel that the Army had not got it right when they had gone some years before to the Single Entry. And I asked – I forget who I asked – “what guidelines have we got for dealing with the under-18s”, and they said “well, it's a Single Entry”. And that was the only answer I got.
- NB: Right. C
- SG: I thought that actually what we should do was segregate them in some way into their own accommodation, so that we knew then that those were the under-18s, and everybody was against it. I'm now talking about people in the Regiment that I was speaking to.
- NB: But that's when you actually take up your post.
- SG: Yes. It came to light when I joined. D
- NB: Right. There's not much more I can ask you about the Commanding Officers' Designate Course, but I take it that self-harm wasn't a particular issue that was flagged up either.
- SG: Not that I can remember.
- NB: Right. And apart from the Commanding Officers' Designate Course, you're not given any other specific training to take up this post? E
- SG: Not as a Commanding Officer, no. There was the ATRA Induction Course and I attended some of that. I think that was a course that was still very much under development.
- NB: Yes. And you attended that how long before you took up your post?
- SG: I was in post.
- NB: So that's after you take up the post? F
- SG: Yes.
- NB: How long after you took up the post did you go on it?
- SG: I have no idea. And I certainly presented to some of them afterwards, whether I did it at that one or not, I don't know. And the ATRA Induction Course was run locally, so there was one at Deepcut. And the aim was that everybody should do that prior to taking up their responsibilities as an instructor. G

- A NB: Right. And this was for all instructors?
- SG: Yes.
- NB: And what did you get out of that course, if you can remember?
- SG: Not very much.
- B NB: Again, if I just press the two themes which we ought to pursue through this conversation, under-18s and self-harm. Was that covered?
- SG: I don't recall either being particularly prominent. They were, if you like, going at it from a slightly different perspective. I do remember that one of the presentations – and in fact, it is one that I subsequently gave, which is the only reason why I can remember it – was to do with values. So trying to beef up the values of the British Army and the importance of shared values. But I can't remember the details of it at all.
- C NB: Well, in a sense, we've now got you in post, if I'm going through more or less a chronological sequence, although the ATRA course sounds like it took place after you took up post.
- SG: Yes.
- NB: And your Brigadier is Dalby-Welsh.
- SG: That's correct, yes.
- D NB: Did you reside in married quarters in the barracks, or did you live out?
- SG: No. He wasn't terribly happy with this, but there's a house on the Deepcut estate which is essentially supposed to be the Commanding Officer's quarter.
- NB: [pointing at map]. That's somewhere up there, isn't it?
- SG: Yes, I think it's actually that one there. David Harding hadn't lived in it because he wanted to live in his own house. So there was another officer living in that. Had that been available I would have definitely moved into it. But it wasn't. And I was offered one of two quarters, neither of which were enough to get me to leave the house that we had just bought and moved into.
- E NB: So how far away, roughly, were you?
- SG: About 40 minutes.
- F NB: So like David Harding you weren't living in then. But did you get a briefing from either Brigadier Dalby-Welsh or a handover briefing from David Harding about any particular problems that they had encountered during their tours?
- SG: I specifically remember David Harding talking to me and I specifically remember three aspects to that conversation. One concerned the weakness of one of the officers, one concerned the problems that he'd had with the doctor and the other one concerned suicides. And this was the first that I had heard that there had been any suicides at Deepcut.
- G

- NB: You hadn't correlated the command post you were about to take up with the two deaths in 1995? A
- SG: I hadn't heard of them.
- NB: Right.
- SG: Where was I in 1995, I was in Zagreb for 6 months of that year and the previous year was in Rwanda from August to November, and we were extremely busy. I just didn't pick it up. I didn't actually pick up much UK news whilst I was in Zagreb. B
- NB: No. So this is the handover conversation round about October?
- SG: Yes, indeed.
- NB: So what did he tell you about suicides, then?
- SG: He said that he hadn't had any in his time in command, but that his predecessor had had two. He did say to me "you really don't want to have any while you are in command", which was actually a pretty redundant statement in that nobody goes out to do that. It was clearly something that was important. He did show me a copy of a letter or report, I don't think it was a full report, but it had Brigadier Evans' signature on it. I can't remember the details or whether it was his report¹, because I know he did one. So I was alive to that issue when I took command, by the end of the handover. C
- NB: Right. Pursuing that theme, did he tell you anything that he had done to monitor or prevent or reduce the risk? D
- SG: The principal thing that he mentioned that I recall now, bearing in mind that it is some years ago, was the establishment of the welfare committee.
- NB: Now, what did that consist of when you took up command?
- SG: The CO chaired it, then we had the doctor, occasionally the dentist, we had the Army Welfare Service, we had the nurse from the medical centre, we had either the OC or the second in command of the Squadron that had the trainees, the WRVS were there, the Adjutant was there to take the notes. I can't remember whether the RSM was there or not. E
- NB: How often would this meet?
- SG: Monthly, as far as I recall.
- NB: I haven't had any minutes of this. Did you ever take any minutes?
- SG: Minutes weren't taken. What it was, was a list, now I was slightly uneasy about this, because one of the people on the Welfare Committee did say that we might be in danger of actually breaching confidentiality. F
- NB: That's a feature which I am going to try and explore with you. Let's just get the method: monthly meeting, these people that you mentioned are there at the meeting and then you have a list of names that you discussed.

¹The Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995. G

- A SG: Yes. The whole point of this was that we wanted to make sure that if anybody was at risk we could identify them and that all of those that were engaged in the provision of welfare for them would know about it. And what often used to happen was we'd go through the list from top to bottom and one or the other of the people who attended the meeting would say "OK, well, he's been to see me" and then explain whatever the outcome of that was. We would then get perhaps one member of the Committee there who would say "OK. I can take that forward", whatever the problem was. Now, again, at this time I can't remember any of the specific issues.
- B NB: No.
- SG: But it did include a number of people who had self-harmed. Low-level self-harm.
- NB: The next question is: do you know how people got onto the list? By doing that, by self-harming?
- SG: It didn't have to be that serious. It could be almost anything. Anything that any member of the Committee felt needed to be raised at this meeting. Now, that could come from the Squadron, and often did. And I think it was normally the second in command that attended, and it tended to go along the lines of "Pte 'Smith', a bit worried about him, has anybody got anything to say? Has he been to see anybody?" And perhaps the WRVS would say "yes, he comes up and has a chat with me from time to time or sits there in the WRVS room". As I say, the whole point was to make sure that we got as many people involved in the welfare system as possible, and have it flagged up. There were so many people there and the population is so transient so it was definitely a risk that somebody could go unnoticed, or go to one part of the system and not to another.
- C
- D NB: Can I just pursue that? The very strong picture that I have of Deepcut from 1995 to 2001, at least, is the very large numbers coming through, and particularly in Brigadier Brown's time, but I think before as well, very strong representations about the staffing ratios slipping from up to 1:90, 1:250 at night. And because they are being trained elsewhere or on continuation training I sense that you don't get to know your soldiers terribly well during this period. Is that an accurate picture?
- SG: In terms of generalities, all of the above is absolutely the case. We got to know some much better than other.
- E
- NB: Was that because they became problems?
- SG: That's one of the issues, absolutely. That's how I got to know people a bit better, to the point that I remember going to the OC and saying "look, I'm forming a very negative picture of the average trainee, because all I'm seeing is the people coming through on orders for one offence or another". And I remember saying "I want to see more of other aspects of the trainees". But secondly, it's related to the other aspect which you just mentioned, which is the poor staffing ratios. If you just look at the gymnasium, in particular. The staffing ratio there was just appalling. I compared it to other Phase 2 establishments, to see what they had, and ours was by far the weakest. But one of the things that I did to try and mitigate that, was that when I lost my driver, because I was entitled to a driver and there's a post established for a driver there, that individual got promoted and then went to drive Brigadier Dalby-Welsh. I had a female Pte who had been lent to us from one of the regiments, and we employed her in the gym, made her a local Lance Corporal and employed her in the gym. I had her posted in as my driver, but we were going to lose her, because 27 Regiment wanted that post filled. We agreed that she would be posted to the Depot and Training Regiment as CO's driver. We then
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- employed her in the gymnasium and I had a series of Phase 2 trainees as my drivers. This did two things, really. The principal reason for it was to try and get the extra manpower into the gymnasium, where I was very concerned that gym lessons were being taken by one junior NCO or one NCO or civilian PTI with too many trainees. A
- NB: How many people were there?
- SG: On occasion, as far as I could make out, there were two hundred people there. It was far too many. But the other bonus was an unexpected bonus. It did give me the chance to see some of the trainees who were going through. B
- NB: Who had presumably learnt to drive by that stage?
- SG: Yes. I would interview them before they started. The aim was that they should be approved by the Sergeant Major of the Squadron that was sending them.
- NB: If we just get back to staffing ratios and you mentioned the gym as a particular example of that. And I want to link that back to how people got onto the welfare meeting list. So apart from if someone happens to notice even though there is a real difficulty it seems to me in noticing if you've got too few trainers to trainees, is that they may not get to know these people very well. C
- SG: Exactly.
- NB: So apart from actually doing something – cutting your wrist or overdosing on pills or something – what other ways would they come to notice? Through the doctor or through the WRVS? D
- SG: Yes, certainly the doctor could raise any of it, the WRVS would mention when somebody has been up to see them.
- NB: Did you get the impression from these welfare meetings was the most effective way of getting to know of people who may be at risk of self-harm? Which of the constituent parts seemed to be producing the most reliable information?
- SG: I don't think that I've got the view that there was one that was more than the other. The Squadron were definitely high up on the list, as was the doctor, as was the WRVS. The AWS – the Army Welfare Service – didn't as far as I recall, but they were involved in the subsequent management, if that was required. E
- NB: Yes, I'm not sure I have a clear picture what the AWS role is at Deepcut.
- SG: They weren't one of the major players in the welfare, to be honest. They were not actually on the main part of the camp, as far as I recall.
- NB: Just then pursuing this through. The doctor, was that still Dr [...]?
- SG: Yes.
- NB: And I notice you did have some problems with her.
- SG: We did, yes.
- NB: Did she go in your tour? G

- A SG: During my tour, she did something that was then professionally compromising.
- NB: And I think there had been previous times when she had been suspended for periods for non-cooperation, or something like that. Did you pick that up from Lt-Col Harding?
- SG: Oh yes. This was one of the subjects of the briefing when we did the handover bit. When you take over a new post and somebody briefs you that an individual is that way or the other, and then, it's either not followed to the conclusion that that would suggest that it should have been done, you're then in a position where "let's see". Let them
- B prove to me one way or the other and let's see if we can make this work. But she could be excellent sometimes and then we'd start getting problems with her.
- NB: In so far as she was part of the welfare antennae of the base, given that aspects of her performance seemed to have caused concern over a period of time, did that diminish her utility as a source of information or source of care or source of prevention?
- SG: It's a difficult one to answer. All I can say really for sure of how we were managing at the time, was that we were very glad that the nurse was also on the team. And I think
- C we were all impressed by her.
- NB: And what was the doctor's approach to revealing names of individual patients who may have been a cause of concern to the welfare meeting?
- SG: I don't recall having any difficulty with it. The person that arranged it was actually the nurse. What I did was I raised it for comment at the committee meetings. So we did have this confidentiality problem. I can't remember which way around, whether I actually said my view up front, or let them speak first. But I had got the view that on balance, I
- D would rather run with the committee than without it, because I felt that if we didn't have that forum, there was a real risk that somebody would fall through the net.
- NB: And how did you resolve – or did you just not resolve – the confidentiality vs being warned of danger?
- SG: I asked at the committee meetings "did anybody feel that we should stop the meetings due to concerns over the confidentiality?" And nobody took the view that we should stop them.
- E NB: So if the doctor said "I want to put the name of X into the meeting, because X has had a medical visit and has either told me things or I saw things on X's person that made me think that X might be a self-harmer". What happens next? Is someone going to speak to X, and does that then reveal the fact that X's medical conversation has come to you?
- SG: I couldn't give you a firm answer to that. I certainly did not ask to see Pte X. What I believe happened, was that then the Squadron would take note of that and identify that
- F this individual was at risk, and they'd just keep an extra eye open for him.
- NB: Right.
- SG: And as I said before, if X went up and spoke to the WRVS lady who had not met him before, it was possible for them then to fit into the jigsaw puzzle.
- NB: So maintain confidentiality within the working of the group.

G

- SG: I also considered whether I should step away from it and reform it so that it was a target group and not involving me. But I decided I didn't want to do that, because at the end of the day, it was going to be my responsibility if something happened. And if I hadn't been aware of what was going on, then there would have happened things that I should have been aware of. A
- NB: Now, in the absence of any documentary traces of this committee, I'm afraid I'm just going to have to ask about broadly the scale of its activities. Are you able to give me any indication of roughly how many names a month would be on the list? A ballpark figure? B
- SG: I would say that at any one time, there might be in the order of – because I can't remember exactly – in the order of about thirty or so names. And in terms of new entries to the list, I don't recall there being that many at any particular meetings, five to eight.
- NB: So there's usually a similar group of 30?
- SG: Some of the ones who were on it, will have been on it for a while. C
- NB: And that is against an average capacity of your Training Support Regiment, as it becomes, of five to nine hundred? What's the average size?
- SG: That fluctuated quite dramatically. As far as I recall, and I may not have got this right, when I took over there were about eight hundred on the books. And that would have been as big as it had ever been. I've got a feeling that it went up to about twelve hundred at one stage, but obviously, not all at Deepcut.
- NB: You've got Aldershot and the Catering as well? D
- SG: Yes, but I think that is before that particular change. These are people who were under training, including at Leconfield. There's also Ammunition, Port operators down at Marchwood. As far as I recall, all of those were still managed to a greater or lesser extent by 86 Squadron. Because we had tracked them through their training and out the other end.
- NB: But if someone is doing, let's say, a month's course at Leconfield. And there is reason to have concerns about their well-being or capacity to self-harm whilst on course at Leconfield, does that get through to you back at Deepcut, or is that dealt with locally at Leconfield? E
- SG: It wouldn't have come to me. I did not know in individual cases whether it did or didn't. It would have gone to the second in command of the squadron.
- NB: But would their name have gone onto your Welfare Committee list, or would you only wait to see whether you've got a problem after Leconfield before it goes on there? F
- SG: I couldn't tell you that. That would have been down to the Squadron.
- NB: How many could train at Leconfield at any one time?
- SG: I have no idea. It was defence-wide. All services.
- NB: So how many Phase 2 trainees were actually at Deepcut, being trained there? G

- A SG: There's quite a lot of courses run at Deepcut.
- NB: Or SATT.²
- SG: Indeed.
- NB: If we have a ballpark figure in your tour of eight hundred to twelve hundred as a range, are half of those actually going to be at Deepcut?
- B SG: I would think about half.
- NB: So four to six hundred, and sometimes thirty or so names. I appreciate these are not exact figures, but it just gives me a flavour of the activity. Did it change at all? Did there come times during your tour when more names were coming on, or fewer names?
- SG: Not that I recall.
- C NB: And if you had a name that was persistent, what do you mean by that? More than six months on the list or more than twelve months? Or two and a half years?
- SG: Hopefully not. Our aim for many reasons was of course to get people into training and out and into the field army as quickly as possible. Of course, to keep the field army filled up, but from my perspective, we wanted to get them through as quickly as possible, because we recognised that there was a danger of people hanging around at Deepcut. There were obviously a lot who were inactive at Deepcut. We tried very hard to make sure that that was not the case and we tried to make sure that even when they were not on formal courses that they were actually doing something useful and getting something out of it. There were a range of things that that involved, mostly run at the Squadron level – they change it from time to time – but at one stage they were working towards a six-week programme. And it was done like that, because there shouldn't be people there to go through that more than once. I can't off the top of my mind remember what it was that was delaying some individuals through training, but there were a number of factors. One was the inability of some people to pass the driving test.
- D NB: The basic one?
- E SG: Yes, the basic driving test. And some I think had a medical issue or failed to pass the final medical test in order to be fit to go into the field army. I only remember this in one instance, and that was a girl who had actually been my driver for a long period. A big lass, good girl and I'm sure she would have done alright had she been out there. But she was well overweight and the doctor wouldn't pass her as fit for being in the field army until she lost a bit of weight. That's the only time I remember that happening.
- NB: So she's held back?
- F SG: Having completed the training and so she didn't pass the final medical.
- NB: And she's still in 86 Squadron?
- SG: Yes.
- NB: So she's not moved across to 87 Squadron?

G ² Soldiers Awaiting Trade Training.

- SG: That's a level of detail which I can't remember. I think she stayed in 86 Squadron. A
- NB: But you go to 87 if you are about to be passed out of the Army as medically unfit or otherwise.
- SG: That's right and the other people who came into 87 Squadron were those who were rejoining. So they had been through all their training.
- NB: So rejoining goes into 87 Squadron as well? B
- SG: Yes.
- NB: I thought 87 Squadron were disciplinary cases, retirement cases, medical unfitness.
- SG: No, they tended to sweep up a lot. So if we had a rejoiner, he would go in there.
- NB: You're dealing with causes of delay. You mentioned inability to pass the driving test. What about not having a driving licence when they came out of Phase 1 training? C
- SG: That was a constant problem, yes. And we did address that with Phase 1 and also with the DVLA.
- NB: How did you address it?
- SG: We briefed them, we made sure there was a communicational link between 86 Squadron who were responsible for managing this and the squadrons at Pirbright, where most of the recruits came from. We also took some from other training establishments, I think Bassingbourn³. And literally, they provided one of those in response to the fact that we didn't have the staff to do it, so they were basically told to get on with it and do it, because I think in that case we raised it and I think it went to ATRA. And ATRA gave them clear directions. D
- NB: Making sure that they applied for driving licences when they were at Phase 1?
- SG: Absolutely.
- NB: Alright. E
- SG: Then there was another cause of delay which again is very rare and one that was reported to me at some stage, but we reckoned that when they did the test and they were friends or girlfriends and boyfriends doing the test on the same day, the first one to take the test, if they failed, would phone their mate, and then they would fail as well. So that they didn't get to be parted. But that was a minor cause.
- NB: Except I think that was a problem which was mentioned by Lieutenant Colonel Laden when he takes over your post. F
- SG: Did he?
- NB: He said he stopped them having mobile phones. I've heard about this problem of driving licences from three Commanding Officers.
- SG: It was a nightmare.

³ Army Training Regiment Bassingbourn. G

- A NB: So you just can't fix it once and for all, it just keeps drifting back in.
- SG: Yes. And sometimes, it wasn't actually anybody's fault, because we dug into some. And you have to provide a birth certificate to get your licence. A lot of these kids have no ideas about birth certificates.
- NB: Don't they have to produce one to the recruiting office?
- B SG: I don't know about that, but they certainly weren't able to produce them at ATR Pirbright for the licence. And some of these, it appears, had actually changed their name by Deed Poll. I think on one occasion, the individual had changed it because he had already lost his licence, so he tried to do it again by applying for it under a new name.
- NB: Yes, so those kinds of problems. I think I've heard that other reasons for this delay in throughput is the limited places at Leconfield, and most of your trainees were going to have to do turn at Leconfield.
- C SG: That's correct.
- NB: There could be a number of weeks waiting to go up there.
- SG: I couldn't give you a firm number for that but it was a problem. We did try to do some things about it towards the end of my time. Finding ways around it, if you like. To try and reduce the numbers, what we tried to fix up was that if you somebody whose trade was supply specialist, as an example, he had to do the Supply Specialist Course and get his heavy goods vehicle licence. If we could get them first onto the Supply Specialist Course, but then couldn't get them quickly onto the driving course, we tried to get them posted out to the field army and go and do the driving once they were at the field army. This was not universally popular with the field army who felt they were getting a half-trained soldier.
- D NB: Is that Operation Straight Through? What was that?
- SG: Project straight through was something different. As far as I recall this was an ATRA initiative which was an attempt to ensure that trainees finished Phase 1 training in time to start their Phase 2 training without a long gap. This would have been achieved by calling them to start their Phase 1 training later than would otherwise have been the case.
- E NB: Whose initiative was that? Yours or the Brigadier's?
- SG: We had two. They were complementary. One came from us and one came from his HQ, because we also tried to do it the other way around, in that if we had somebody who had got through the licence that was then awaiting the other trade course, we'd try and get them posted and then return to do that. But that was towards the end of my time, and I don't know whether that ever got off.
- F NB: So back to the question of when you talked about some long-term members on the Welfare Committee list, how long is long-term?
- SG: I'm sorry, but it's too long ago.

G

- NB: Was it three months, six months? I've seen from the earlier period, from 1995, Pte Benton was probably at Deepcut for 15 months. Did you ever have anything as long as that? A
- SG: I recall, just only vaguely, there being something very similar to that, but for almost two years.
- NB: In 86 Squadron or in 87? Awaiting training?
- SG: It never was quite that bad. For somebody who had been there that long, there would have been a series of different things, one of those would almost certainly have been an absence, one might have been medical and the other cause for some of the delays was awaiting training. B
- NB: If you had someone on your welfare list for a long time, however long "long" is, what, apart from keeping an eye on them, what else are you doing for them or to assess their prospects?
- SG: It would be basically down to the Squadron, because the Squadron knows them the best. I can't think of anything specifically that we would have done. They would certainly have reviewed why the delay was that long and I believe we had a system in place where we had to report on individuals for over a certain amount of time, but I can't remember any of the details. C
- NB: I really picked up on the third of the issues that Lieutenant Colonel Harding briefed you on when you took over: suicide. Have we touched already on medical, or is there something else you want to say about that? D
- SG: On medical, generally, yes.
- NB: Your three issues were a weak officer, a problem with the medical team –
- SG: It was the doctor, that was the issue that was raised.
- NB: And we talked about that.
- SG: We did to a degree, yes. I think there's one other aspect which is on the medical side, which is relevant. And that is the workload on the medical centre and on the doctor. Because, as well as dealing with the general health and well-being of the permanent staff, there was co-dependency, because it was the permanent staff, trainees and various other people who were in the local area. There was also the requirement for medical examinations. E
- NB: These are the six-monthly examinations?
- SG: The sick, discharges, for driving licences they had to have a check for that and prior to going up to the field army, they had to have another. With a throughput of trainees, that created a work-load on her which was very heavy. And we got some support from, whether it was 4 Div or whether it was South West District or whatever, but the HQ is based in Aldershot, Colonel Medical. And he provided locums to assist in that. F
- NB: By the time you finished your tour, what was the medical staff comprised of. You had one doctor? G

- A SG: Yes, but she was suspended, so that was filled by – as far as I recall – a locum. We had at one stage expected to get an RAMC serving officer as a doctor, but I think that never happened. What we did get was more support from Pirbright, because they had an RAMC doctor. I think probably more than one, but there was a Lieutenant Colonel there and he and his practice manager decided to provide some oversight.
- NB: So there's a medical centre at Pirbright, a medical centre at Deepcut and Pirbright were lending you an RAMC doctor. Or were you sending people to Pirbright?
- B SG: I can't quite remember. I remember that he was providing some oversight. Whether he came up and ran the clinics or whether one of his doctors came up, but I think he took a bit more interest.
- NB: OK. Have we covered the medical topic, or is there anything else you want to tell me about that? Did you think you were getting on top of it by the end, or was there still much work to be done?
- C SG: On the medical side, I was unhappy with it from the start to the finish of my tour.
- NB: Too few numbers, not the right person in one of the key jobs?
- SG: In two of the key jobs. Because the Sergeant who was the practice manager, we'd also had difficulties with.
- NB: What were your difficulties with him?
- D SG: There were a number. In the end, we ended up having him detached from us to Mytchett.
- SG: He went there and I think he was employed there for a while as the Provo Sergeant.
- NB: But you lost him away from your establishment?
- SG: Not permanently. As far as I recall, he came back to us. We had problems with him from start to finish.
- E NB: What were the nature of the problems in broad terms?
- SG: Well, certainly he and the doctor didn't get on and that created a bit of friction down at the medical centre.
- NB: I got the impression that she didn't get on with medical centre staff.
- SG: I think she only got on with one of them. As far as I recall.
- F NB: So friction at the medical centre, which is not helpful, with your practice manager and your doctor at loggerheads?
- SG: Yes.
- NB: Other problems with your Sergeant?
- SG: Yes, but I can't remember in detail. That's the only thing that really sticks in my mind. I know he tried to change some of the practice procedures and they were universally
- G

- unpopular. It wasn't just that the doctor and he didn't get on, he didn't get on with the other staff either. So two difficult people. A
- NB: And you had inherited those from Harding?
- SG: The doctor had been there for many years and the Sergeant arrived once I was in post.
- NB: Right. So, not the right personalities for two key posts, problems of a particular variety with the doctor and probably too few anyway to do the range of duties which the medical centre needed to do? B
- SG: That's right. That being said, that was tempered slightly by the fact that the medical branch did provide locums, and a locum was regularly provided to help out with the medical examinations.
- NB: And is this a feature of changes in Army policy, because once upon a time the Royal Army Medical Corps would provide medical doctors, and now we're moving into civilianisation? C
- SG: I think outside the field army, there have been civilian medical practitioners for many, many years. So that wasn't new. I think she had been there over 20 years.
- NB: And the first of the three issues that you told us that Lieutenant Colonel Harding mentioned to you was a weak officer. Can I find out whether that's someone I've already got in my sight? Do you know the name?
- SG: [Major BA]. D
- NB: Now, what was his command post?
- SG: He was OC of 86 Squadron. He was key to the organisation.
- NB: What happened to him?
- SG: David Harding had found him to be not very good, to say the least. He had warned me that he was a problem. I arrived in October. Shortly after that, there was an incident at our TA training establishment. Quite why he was up there, I don't know, I think he was up there with some of the trainees for a sporting competition of one sort or another. But there was then an issue at the guardroom, where he had obviously had too much to drink. He took issue with the MOD Police or the MGS or whoever it was that was manning the gate. Wrote in their incident book. The CO there sent me a copy of that and a letter saying that this was not the behaviour expected from a Major. I got [Major BA] to write a letter of apology back. Just before Christmas, we had an all-rank's Christmas function. E
- NB: Which is 1998? F
- SG: Yes. And I don't know the names, but there was a trainee, as far as I recall, who was about 28 years old, so much older than the average, who got into the female accommodation, which of course was out of bounds to him. I don't recall the details but I think there was a bit of molestation that occurred. [Major BA] then became aware of it; he took some actions that were not appropriate. And one of the NCOs had pretty much a shouting match with the OC, which is almost unheard of, but the OC still didn't report the incident up to my HQ, the Regimental HQ. So the NCO did. He reported it up to the G

- A RSM, he reported it to me, and we called the RMP. The RMP started to investigate the initial incident, and half-way through their investigation, came to the conclusion that [Major BA] should also be investigated for his handling of it all.
- NB: For sexual misconduct or just failing to handle an allegation?
- SG: No, for failing to handle it properly. As I recall it, the individual who had perpetrated the offence, he had actually dropped his ID card in the female accommodation and [Major BA] gave it back to him. He had, as far as I recall, an impromptu identity parade and the girl failed to pick out the individual.
- B NB: So [Major BA] was doing it all off his own back, was he? Not calling for SIB?
- SG: No. So when the RMP Sergeant who investigated became aware of this, he decided to investigate him. That was then reported up to the Training Group Commander, Dalby-Welsh, and he confirmed what I had already concluded, and that was that [Major BA] should be suspended. He was subsequently posted; he was near the end of his tour.
- C NB: Do you know where he was posted to?
- SG: He went to Rheindahlen, to UK Support Command. As you can imagine, his Confidential Report from that era was less than glowing. He then put in a redress to that.
- NB: And he was coming to the end of his tour, so it sounds like this was happening in January 1999?
- SG: The incident was in December 1998 and the suspension would have happened within the same week, I think.
- D NB: I see. So December 1998. His tour would probably have been about two and a half years?
- SG: He was a Major, so it was probably around two years.
- NB: So he would have probably joined in 1996?
- E SG: I don't know.
- NB: Or probably 1997. But anyway, Lieutenant Colonel Harding said he had problems with him. Did he just say he was a weak individual or did he have specific problems of failing to get a grip on discipline?
- SG: As far as I recall, and I don't know whether it was David Harding that told me this or whether it was the Adjutant or the RSM, because they both also mentioned this to me.
- F NB: I don't have much information about your time for various reasons. Obviously, I have quite a lot of information about 1995 and I've got quite a lot of information about aspects of David Harding's tour for other reasons. But I think 1998-1999 was pretty much a blank page, except for the fact that we have been through the guardroom logs, which I am going to go through with you shortly. But the [Major BA] incident would have been dealt with by the Brigadier, would it? I mean, who suspends him?
- SG: I did.
- G

- NB: But wouldn't that be in your interview book? I mean, this is not your interview book, but extracts from it. My team has been going through your interview book to see whether there is anything of interest to us, which is what I'm going to come onto later on, but I haven't got that part. I would have thought the suspension of a Major would have been there. A
- SG: Honest truth, I can't remember.
- NB: OK. Well, we'll see whether we can find anything else to follow up on that. Now, I started off with what were the problems you inherited. Were there fresh problems that you hadn't been warned about that you discovered during the course of your tour? B
- SG: I'm not sure I really follow.
- NB: That's an open question. You've been told three particular topics, which we've spent some time examining the details of. You're now in post, have had the benefit of your ATRA lesson. Were there things that you discovered about the Training Regiment and how it was operating that caused you concerns other than the ones we discussed? C
- SG: There were individual incidents that happened during my time in command, which we dealt with as was felt appropriate at the time. In terms of organisation or structural elements, then no. I began to understand it better. For example, I went to see the recruit selection centre and had my eyes opened there. I discovered that the first thing that they do when they arrive is search them for weapons and the officer who was there showed me some of the things they had confiscated from individuals, including a photograph of a pistol that some prospective recruit had taken along for his interview. Others tended to be knives. D
- NB: Things someone thought it would be a good idea to bring into the Army?
- SG: The pistol, which of course did stick in my mind, it wasn't a real pistol, it was a replica. It was a recruit from a rural area of Wales and his dad was concerned about him having to go up to London to get to Deepcut, so he said "you'd better take this one with you to look after yourself". The fact that they don't ask them if they've taken drugs but "when did you last take drugs", again, that rather surprised me. The overall quality of the individuals that were coming into the Army was very varied. At the lower end, ones I tended to see because they were disciplinary problems, some of them were very poor indeed. But on the other end, I also met some young men coming into the Army that I thought were absolutely outstanding. E
- NB: When we started this conversation, I think quite early in our discussion, you mentioned precisely about under-18s. And that, I got the impression, was something you were confronted with once you had started your tour.
- SG: Yes. F
- NB: Some of your recruits have clearly got problems in terms of attitude or previous social experiences. What about youth? Did you think they were the right age to take on this function?
- SG: I'll answer that by going back a few years. Because a few years ago, we had the Junior Leaders Regiments and Junior Soldiers Battalions and then the youngsters were in a completely different regime than the soldiers coming in as adults. To my mind, the previous system was successful, it was better for the youngsters. G

- A NB: You're not the first person to have mentioned that.
- SG: Oh, really? Good. I'm convinced that bringing in 16-year olds in particular, because we did have the occasionally have those who were 16 and 3/4 or something, they weren't yet 17 when they arrived at Deepcut. I'm absolutely convinced that that was the wrong way to do it.
- NB: Yes. This is a theme that I have been exploring with some degree of interest and intensity. But let me just put back to you my understanding. The Junior Leaders Scheme,
- B was it a one-year or a two-year course?
- SG: I don't know.
- NB: So you're not quite sure? But it was much lengthier than the twelve weeks at Pirbright?
- SG: Oh, yes.
- NB: And you could join at 16 and then you would come through at 17 or something?
- C SG: I honestly don't know the details.
- NB: Now Single Entry, since 1993, is defined as entry at 16 years 9 months, isn't it?
- SG: I don't know but I'll take your word for it.
- NB: But there is still a Junior Entry at Bassingbourn, where you can join at 16 on the dot. And you can join at 16 at Harrogate.
- D SG: That was just starting at that time, literally just starting.
- NB: But even with Harrogate, which is a very different regime from Single Entry, you still could get these people through on their 17th birthday. And I think then they would be joining your Phase 2 contingents at 17, which is still not quite what society considers to be the age of adulthood. But certainly, you were getting under the Single Entry Scheme, some young people under the age of 17 at Deepcut Phase 2?
- E SG: I remember being told that we'd had one. But it's possible that I got that wrong. It's possible that he joined at Pirbright and when he joined us he was already 17.
- NB: I think you've got it right. 22nd of January 1999, that's three months into your tour⁴, "it was brought to our attention that there was a 16-year old carrying a weapon on guard. We informed the Adjutant. He stated that if he had carried out Phase 1 training, he is qualified to carry weapons. RSM informed". Did that ever come across your radar?
- F SG: I don't recall it, but that may be where I got the word that there was a 16-year old.
- NB: My understanding is that if you can join at 16 years 9 months, and Pirbright is meant to take you 12 weeks.
- SG: He shouldn't be 16 when he comes out.

G ⁴ Reading from the Daily Occurrence Book.

- NB: No, but it can happen if you get through quickly. We'll have to pursue that matter. But whether they were 16 years 11 months or 17, did what you saw about the way they were behaving cause you concern about their age and suitability to be Phase 2 trainees at Deepcut? A
- SG: No, but it would have been dealt with at the Squadron. The Squadron would see more of the individual trainees than myself. Where I had concerns, was I was unclear as to any specific responsibilities we had to them as opposed to those who were over 18. And the only thing that I was really confident about in terms of that, was that they should not be allowed to drink alcohol. And I don't know whether you have seen Army figures for alcohol abuse and that sort of thing, but I don't think it's specific to the Army, I think the youngsters today certainly do go for heavy drinking, as is in the press often now. But I was always concerned that we would have somebody underage who would get totally drunk and then drown in their own vomit. And there was an incident whilst I was in command where a female sports team went away, and I remember being told that the person in charge of the team, trying to look after them, had taken them out together. One girl who was under 18 said she didn't feel well, didn't want to go out and was going to stay in the block. When the rest had gone, she went out by herself and got very drunk. I was pretty concerned about that. We emphasised it on a number of occasions, we talked to the NAAFI manageress to see what we could do about it, and her staff were supposed to check their ID cards when they ordered drink. And very often they picked up under-18s that were trying to buy alcohol. Sometimes, they'd try to amend their ID card with a biro. And as far as I recall, we segregated an area for the under-18s in the Junior Ranks Club. I say segregated, but this was a matter of putting tape on the floor, so it was never going to completely segregate them, but it was apparently common practice and it was at least something that provided a demarcation. B
C
- NB: Presumably the most efficient way of getting around that was to get someone over 18 to buy you a drink? D
- SG: As far as I recall, that wasn't supposed to happen. I can't believe this worked properly, but as I understand it, you were only supposed to buy one drink and not buy a round. But I doubt it. It gets horrendously busy with a mixture of Phase 2 trainees and trained soldiers who are in the same bar.
- NB: What about alcohol being brought into the barracks? E
- SG: As far as I recall, as is normal in most barracks, it was not permitted. You've visited the barracks?
- NB: Yes.
- SG: Did you find it easy to navigate around the accommodation? If I didn't have a guide, I would get lost almost every time, I think. It's appallingly badly designed and I don't think that we could guarantee that we prevented it. F
- NB: You recall you read something signed by Brigadier Evans when you were given an induction. Did you ever read the Evans report⁵ or the Board of Inquiry into the death of Private James⁶?
- SG: No, I don't recall ever seeing it.

⁵ The Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995.

⁶ Board of Inquiry – Pte James (deceased), 18 January 1996. G

A NB: Were you aware of the fact that the place was awash with alcohol and block parties was very much a feature of the findings of that?

SG: No, I wasn't. But we had NCOs on duty and I would say that, actually, I was not aware that there was whilst I was there. We had lots of suspicions about drugs and I tried to get a search of the accommodation with a drug sniffer dog and was told "no, you can't". Because we had to have something more positive than just tales that the drugs were within in order to search the accommodation.

B NB: Who told you that? Is that coming down from the Brigadier or from 4 Div or ATRA?

SG: I think I spoke to the SIB.

NB: Right.

SG: And they said I had to have something more.

C NB: I see. I just want to pursue this theme of under 18-year olds. So, you're aware that you have people certainly 17, and it seems that at least one occasion, under 17, and I think I've seen more than one occasion over the period of my whole review. Not necessarily your command.

SG: I don't think it was very frequent, but as you say, it happened.

NB: Alcohol we've talked about. Just dealing with alcohol in the block, one of the problems is, you've got a low staff ratio to supervise quiet hours activities.

D SG: Absolutely.

NB: You didn't have enough people, I think, to even have one NCO sleeping in each block.

SG: No, certainly not.

NB: So you just had one NCO for all blocks? Did you have any NCOs sleeping over in your time at all?

E SG: They wouldn't have slept in the block. They would have been a duty NCO. The duty NCO had a bunk.

NB: But is that in the guardroom?

SG: I'm trying to remember. I can't actually remember what the arrangements were.

NB: The accommodation blocks are all up here, aren't they?

F SG: Yes.

NB: I have only been to a sample. I've been to a female block and a male block. Dealing with the female accommodation, if we can, there is one female block?

SG: Whilst I was there, it was that block there. So it was close to the guardroom.

G ⁷ Pointing at map.

- NB: Any particular measures dealing with women? I know I'm now mixing up 18-year olds and women generally, but I think it would be easier to do that. Was there anything special about the female block? A
- SG: I can't remember. I remember there was a sign outside saying clearly "out of bounds to all male personnel".
- NB: But that's regularly flouted throughout your tour?
- SG: Yes. Absolutely. B
- NB: What happens if they did flout it?
- SG: They would be charged with an offence. Which would be contravening our standing orders.
- NB: And you would have to give the penalty for that?
- SG: In the first instance, it would have gone by the OC, the squadron commander. He then makes a decision as to whether he feels that he's got sufficient powers to deal with it, or whether it needs to be raised. I cannot remember dealing with any male in the female accommodation, but that doesn't mean it didn't happen, it just means I can't remember dealing with it. C
- NB: I see. There are signs up saying don't go in, but there are no video cameras at this stage?
- SG: No. Not to the best of my knowledge. The only place that I actually recall we had video cameras was inside the JRC⁸. D
- NB: So basically, if someone wanted to disobey the instruction on the sign, they would hang around and hope to be let in or climb in a window or something?
- SG: Yes.
- NB: No female NCO available to be guard? E
- SG: To the best of my recollection, I think we had two full Corporals that were female. And we certainly couldn't put them day on/day off standing outside the female accommodation.
- NB: Quite. And they weren't in a room?
- SG: No, they were both married as far as I recall. Even if they had been, they wouldn't have been there. There was a separate accommodation block for permanent staff, which trainees were barred from entering. But again, sometimes that was flouted. F
- NB: For the men similarly, no NCOs sleeping or resident at night, as it were?
- SG: Not in the trainees' accommodation block, no.
- NB: So it's just a question of what the guardroom patrols might pick up at night?

⁸ Junior Ranks' Club. G

- A SG: There was a duty NCO who I think probably did sleep in the accommodation or was based in the accommodation who used to patrol during the evening. Separate from the bulk of the guard force, which was really there for external security, the duty NCO was responsible for our own behaviour inside the camp, if you like. He would spend some time in the JRC, spend some time going around.
- NB: Is the JRC different from the NAAFI?
- SG: No, it's the same.
- B NB: So one duty NCO who is on a 24-hour shift or does it just cover working hours?
- SG: No, they're specifically not working hours, it's probably after work. I can't remember off the top of my head whether he had responsibilities during the day time.
- NB: The NAAFI closes around 11 o'clock?
- SG: Yes.
- C NB: And what are the duty NCO's functions after that?
- SG: Very often, it's the process of closing the NAAFI. There will be people still up and around in the accommodation so he will make his presence felt, trying to make sure there is no misbehaviour.
- NB: Drunkenness or violence?
- D SG: A bit of both. Very often I'm sure they're related. But I can't remember at this stage what his duties were, but I presume you've had copies of the standing orders and those would have been explained in there.
- NB: I'm not sure that I have, but we're getting papers coming through all the time. You mentioned at the beginning of the conversation that you thought it would be an idea to put all the under-18s into one dormitory. That wasn't what was going on when you took over? And you changed that around?
- E SG: I didn't implement it. It was one of a number of things that we talked about that was my idea. Nobody else wanted it to be done, so I just let that one drop. What we did do, to try to create a bit more of the right atmosphere, and a bit more coherence in there, was I think the troops had been called A and B.
- NB: Yes.
- SG: I said "let's give them names of battles". They came up, I think, with Arnhem because they knew I was an airborne officer and had an interest in that and Alamein. I said "don't do Alamein. Do somewhere that's reasonably close that we can actually get to and then use that for a tour". So we gave the troops the names, and again, I told the Squadron Commander and he implemented it. But we also tried to split up the trainees, so that instead of being allocated to one or the other, the aim was to have the trades together so that a block, or a part of a block, or a number of rooms, would all be people that were going to do the same course and going into the same trade. So the aim being for them to gel a bit more together, to have something more in common than just being at Deepcut. The effect of that I don't know. I don't even know if it was
- F
- G feasible to actually implement it fully or not. But that was the aim of that particular idea.

- NB: So were there any other measures that you took that was directed particularly at the under-18s? A
- SG: In terms of the potential for alcohol abuse, I was asked by the RSM to come in one morning and address all the trainees who were at Deepcut. Which I did. And that was to reinforce the message that under-18s were not permitted to drink alcohol. And then I had some people come up on orders for underage drinking, including one person who was caught underage drinking that very night who was rather harshly dealt with.
- NB: How was he dealt with? B
- SG: I sent him to jail. To Colchester.
- NB: How long does he get for that?
- SG: I can't remember exactly. It would have been two weeks or more.
- NB: For up to two weeks you're kept in the guardroom? C
- SG: Generally speaking, yes.
- NB: That's Army detention as opposed to prison.
- SG: Yes. It's the Military Corrective Training Centre at Colchester.
- NB: We touched upon it, but I never really pursued it through. Whether you were dealing with it or not, what was the penalty for out of bounds in accommodation? D
- SG: I don't remember. I don't remember ever having been asked to deal with one that was straight forward out of bounds.
- NB: I've got the extracts from the incident books. We've got the ones from when you actually took over.
- SG: This is the guardroom occurrence book?
- NB: This is not your discipline book. Your discipline book is, as I say, not particularly full of this, but this is just getting an impression of what the guardroom is reporting is going on. When would you call in the civilian police? E
- SG: Generally speaking, I wouldn't. We would call the RMP in and then the RMP would.
- NB: So, we're now a year into your tour. "Taking a shower together", "female in male accommodation", then these are all self-harms. I want to talk about this Scottish mafia. Then we get to November, it seems to be someone in the female accommodation, someone on a female bed, and then the following night, quite a few of them out of bounds. Some of them slightly drunk in the female accommodation. We're now into 2000, we've got underage drinking there, some self-harms. Quite a lot of self-harms. Female accommodation. "Three male trainees with two females in female accommodation" and alleged rape. On the 2nd of December 2000, the guardroom log is "I received a phone call from Squadron Sergeant Major incident ref alleged rape on F

A this person. RMP have been informed and will come to do an initial interview to tell me whether or not to call in the SIB". And then they say the next day that SIB would not be following it up, it would be investigated by General [Duties Branch]. Does that mean the RMP?

SG: Yes, I believe so. I've never seen it written that way, but that's what it would be.

NB: On the face of it, if that was the allegation, that I would have thought should have been civilian police. But we've got actually the same person who is involved in the out of bounds incident. One gets from that a sort of snap shot of what is being reported. If this was a persistent problem, was there anyone who was thinking "oh, we'd better have a deterrent sentence regime" or emphasising this in the same way as you wanted to emphasise the prohibition on alcohol and underage drinking?

B

SG: I recall it being an issue, but I don't recall ever discussing it in detail as to what should be done in terms of punishments and response. And I would also just mention that some people felt that as long as they were over 18, what was the problem? I'm getting that feel from society in general, not necessarily my staff, but by this stage, we were beginning to question male/female and the policy of the Army segregating them. In some regiments, as I understand, with the new accommodation schemes, they're not segregated in the same way as we try to do here. I don't think we could successfully do that at Deepcut anyway, because of the layout of the accommodation. But there were other issues such as senior NCOs, again wider Army, not at Deepcut, senior NCOs having relationships with junior NCOs or Privates. And then, they were not allowed to take their girlfriend, in some cases these were relationships that went through to marriage, they were not allowed to take them whilst they were girlfriends at least into the Sergeants' Mess, but a Sergeant who went out with a civilian could take her in regardless of anything. And those questions were certainly floating around at the time.

C

D

NB: Was there any policy on those questions?

SG: At the time, I'm not sure. As far as I was concerned, the policy was that the female accommodation was out of bounds to males, the male accommodation was out of bounds to females. And the permanent staff accommodation was out of bounds to trainees. And that was the way I think it still should have been there. In terms of policing it, clearly the record shows that it was often flouted. Sometimes with quite tragic results.

E

NB: Such as?

SG: The incident I mentioned right at the beginning that dealt with [Major BA] and then the girl was, as far as I recall, physically molested whilst she was either asleep or certainly not a willing participant.

NB: Was she raped?

F

SG: No, I don't think so. Groped would probably be the appropriate term. There was one, at Christmas I think, during the Christmas Stand Down, where a female trainee was in the permanent staff block. That resulted in a rape trial. The soldier was a trained soldier and was a member of the guardroom staff. As far as I recall, that went on for about a year, but he was acquitted.

NB: Was that in a civilian court?

SG: Yes.

G

- NB: Were there to your knowledge problems of training staff having relations with female trainees? A
- SG: To the very best of my knowledge, no. I can't think of any.
- NB: It was certainly quite a feature of Lieutenant Colonel Laden's discipline book and there is evidence of it beforehand, so I wondered whether it was just not picked up or whether it wasn't happening.
- SG: I don't know. I couldn't put my hand on my heart and say it wasn't happening, because we did have this incident with the NCO. B
- NB: And I can well understand why it is that you want to maintain segregation on the base because there could be incidents affecting female trainees, notwithstanding adult autonomy issues.
- SG: One of the problems that needs to be recognised, is that the girls themselves should have prevented the males coming in and/or reported it when it had happened. Which was not always the case, because very often they were in there at their invitation. C
- NB: Quite.
- SG: It is also a fact that if we kept them out of the accommodation, they would just have found somewhere else. And there's certainly plenty of evidence that sexual relations were happening in quite strange places, including on the roof of the cookhouse on one occasion.
- NB: But I don't get a sense from speaking to you that there was a particular policy to suppress it by severe sentence. D
- SG: It's simply a matter I can't remember.
- NB: Now is this the case of a relationship between officers⁹?
- SG: It would have been, yes. She was the Adjutant at the Army School of Catering. He was my Adjutant and it was reported up. E
- NB: Do we know what the outcome was to the RMP investigation?
- SG: I'm afraid I can't remember.
- NB: This next one sounds of particular interest. What can you tell me about this?
- SG: I remember this one quite clearly. [Sergeant BB] was one of the senior NCOs in 86 Squadron. A Troop Sergeant. He was quite a lively individual. This came to light, and I see what's written but the only thing I can really remember was the mountain bike incident, where it wasn't reported by one of the lads that had him ride over him. It wasn't reported by one of the other 86 Squadron soldiers that were there at the time. It was reported by a rejoiner who was in 87 Squadron, who knew instantly when he saw it that this was wrong. F
- NB: So just tell me what it was that he was doing.

⁹ Pointing at the Daily Occurrence Book. G

- A SG: As far as I recall, there was 1, 2 or 3 – I think there was more than 1 but not more than 3 – so 2 or 3 soldiers that he felt were overweight. And with other soldiers on parade, he got them to lie down and then rode his mountain bike over them.
- NB: Over the full parade?
- SG: No, over those 2 soldiers but in front of the others.
- NB: Which could be 200 people?
- B SG: No, it would have been smaller.
- NB: What's the size of a parade?
- SG: I'm hazarding a guess, it would probably have been a group of soldiers awaiting trade training that were being occupied.
- NB: Continuation training?
- C SG: Yes. A very loose term that, I'm afraid. That came to my attention, I think it was the RSM that told me, and I think it says there that the SIB was called to investigate. To be honest, I'd forgotten that. But I do remember feeling that he'd got to go very quickly and not await the outcome of the investigation. I wanted him out of the Regiment straight away.
- NB: And did they accede to that request?
- D SG: Oh, yes. It was all arranged before the letter. They said they needed the letter, so the letter followed.
- NB: This letter is one of the only examples we have of a formal written request in this way. Other ones seem to have been dealt with informally, so it stands out for that reason. But I'm interested, since we've got this, to examine the material from a number of points of view. So I understand therefore that we have this Sergeant in 86 Squadron, riding his mountain bike over 3 Phase 2 trainees, in front of a parade of however many it was who were there, who may well have been on continuation training. The other people on parade don't report it, but someone from another Squadron does because he saw it.
- E SG: Because he saw it and because he's had experience in the Army before, was able to say "that crosses the line".
- NB: And he reports it up to the RSM, does he?
- SG: I can tell you how I would expect it to be handled, rather than how it was specifically handled. I would have expected him to go and speak to the Sergeant Major of 87 Squadron, because that is his Sergeant Major. And let him take it forward. I would then expect the Sergeant Major to inform his OC as a matter of courtesy and the RSM. I would expect the RSM to tell me. It would equally be likely that he came up to Regimental HQ, spoke to the RSM and they both came to see me, but I can't remember the details.
- F NB: Right. You then have [Sergeant BB] in for an interview?
- G SG: Quite probably not, but I can't remember.

- NB: Really? Would you just call in the RMP? A
- SG: I'd call in the RMP. We're not supposed to conduct any kind of investigation.
- NB: Not any kind of investigation. The allegation is made, then RMP get called and they're involved. To my mind, it was a serious allegation of assault?
- SG: I can't remember the terms. But a serious allegation of misbehaviour. You could call it assault, you could call it abuse. B
- NB: Presumably there's no standing order saying "do not ride your bike over trainees".
- SG: No. Incidentally, I think it was also a concern for me that perhaps it wasn't intended to humiliate, it was just a bit of a laugh sort of thing, but I felt it had to be investigated properly and he had to go.
- NB: I was looking for that whilst we were going on, so I think you did see him.
- SG: I did see him, yes. C
- NB: And you had seen him on the 28th?
- SG: Yes.
- NB: So eleven days previously. Do you know what that was about?
- SG: I don't. It may well have been the same issue, I'm not sure. D
- NB: It would have taken that long for you to have decided that he is going to have to go? It looks like "see reference unsubstantiated allegation. Warned as to future conduct". That doesn't sound like unsubstantiated.
- SG: It could well be that all we got was one allegation. I think, if you look at it from his perspective, if I'd called him in and said "you have done this" or "you are guilty", that would have been a bit premature. So at that stage, it was still an allegation.
- NB: But he might have admitted it. E
- SG: If I had put it to him, I think that would have rather upset the RMP.
- NB: Because you would have been taking over their brief?
- SG: Yes.
- NB: But what did you have him in for then? A discipline interview? I can see in this one, you're telling him that he is suspended. But what is the purpose of a discipline interview if you can't put to him the allegation to see whether you have an issue which he accepts or not. F
- SG: What it says there is "warned as to future conduct". This is six years ago, and I'm trying to remember. But the detail of it I don't recall.
- NB: I'm interested in the procedure. G

- A SG: I don't think there's something that's laid down, so this would have been what I decided was appropriate at the time with the facts that I had available.
- NB: Did you have an AGAI 67 at the time? I'm certain I've got a text from 2000 which would have covered a part of your tour but not this incident.
- SG: We would have had a full set of AGAIs in the unit library, which is our HQ.
- B NB: From your point of view, is there a major distinction between administrative action and penal action?
- SG: Absolutely. And this was not following the administrative action route. This was an allegation. It was serious enough to call in the RMP.
- NB: Yes, certainly this one is. I just want to know whether we can draw any inferences as to what route you were going down if you call it "discipline interview. See reference unsubstantiated allegation. Warned as to future conduct". Well, who has failed to substantiate it? The RMP?
- C SG: I'm only trying to see how I might have handled it. I can't remember the details. I suspect that I had him in, told him that this allegation had been made and warned him to behave in an appropriate manner.
- NB: Which includes presumably not riding his bicycle over trainees.
- SG: Which includes that, yes. I would see that those would be the same incident. I don't think they are two separate incidents.
- D NB: Using this as a guide, by the 8th of February, first of all we get more details of what might be called abuse of recruits, which I want to come back to in a moment. But we also then get para 3 of your letter which reads "aside from the current investigation, he's already banned from 27 Transport Regiment RLC as he is alleged to have an affair with a recently posted trained soldier in the female accommodation".
- SG: Again, it says "alleged to have had an affair". I didn't even know about that until somebody told me. And the only reason why I found out about that, was because of that. I was not aware of that when that happened. He had been to 27 Regiment before he came to us. And the way I would expect that I found out about that, was that the RSM of my Regiment and the RSM of 27 Regiment might have had a chat.
- E NB: I want to focus upon this for a few more minutes, if I can. I appreciate it is difficult because it is a long time ago but again, I'm looking at the procedures here. But I'm right, from refreshing your memory from this passage, at some point - let's call it the 8th of February 1999 - you discover that a Sergeant in 86 Squadron, so the Troop Sergeant, had been banned during his previous posting from 27 Transport Regiment for having an affair with a recently posted trained soldier. So this would appear to be a Sergeant having an affair with a soldier, differential ranking of significance - Sergeant to trained soldier.
- F SG: Yes. At that regiment. Before he arrived.
- NB: So the Regiment gets rid of him?
- G SG: Yes. That's what it looks like.

- NB: Yet someone decides that a good place for him to go next, is your Regiment. A
- SG: Yes. And they don't tell me.
- NB: Who decides that? APC Glasgow¹⁰?
- SG: Yes.
- NB: Is there no system for ensuring that someone who has been banned because of that conduct has got his card marked for future postings? B
- SG: The only people who would know that at the time, would be the Regiment he has just come from – 27 Regiment – and the people in Glasgow.
- NB: Not speculating on what they did or didn't or might have done, where is 27 Transport Regiment?
- SG: Aldershot. C
- NB: If this had happened in your Regiment, i.e. you had said to a Sergeant "sorry mate, you overstepped the line, you're having a relationship with a Pte or a trainee. Therefore, you're out". What would you have done to ensure that someone else knew about it?
- SG: Glasgow would know about it. Glasgow are the career managers.
- NB: How would Glasgow know about it?
- SG: You can't just post a soldier early because you think that you don't want him anymore, you have to justify it. And that's exactly what that letter is. Telling them what the problem is, albeit under investigation. But it was not appropriate for him to stay with me. But when he went to the next unit, there is no mechanism for me as the losing CO to write to the new CO. D
- NB: But in the annual Confidential Reports you can tick suitable for training post?
- SG: Yes, and I would not have ticked it for him. E
- NB: But that of course is not going to come up until October 1999. So you've got 9 months of posting capacity, which may have happened before.
- SG: The people at Glasgow, they know this individual is going to be posted and they know why. So Glasgow know the background.
- NB: I'm going up to Glasgow, because I understand that they are saying in the vast majority of cases, this letter being the only shining example to the contrary over the entire 8 year period, they do not know, at least in any recorded sense, why it is going on. And therefore, it seems, people who have been dismissed from training regiments for sexual activities with trainees, could get posted back to training regiments. F
- SG: That astounds me.

¹⁰ Army Personnel Centre, which includes the Manning and Career Management office. G

- A NB: But it happened in the sense that your para 3 demonstrates that you were the recipient of one of these persons. And we are able, more than once, it seems, on the data that we are picking up on, which of course is a somewhat hit and miss affair, seeing that that seems to have happened. And Glasgow are telling us that apart from a CO who writes a letter, as you happened to have done, they do not know or they do not have any data retention. It seems like a lot of it has been done by phone calls, and a phone call does not result in the data being retained.
- B SG: Right. It surprises me. I expect that I spoke to Colonel [...] and he asked for the letter and we sent the letter. But that's how I expect that would have happened.
- NB: But you're not briefed by ATRA or anyone up in the training organisation, saying that we've got special standards, we're not just in the general army, but we've got special standards of what we expect from our trainers and if X or Y activity happens, then you've got to put a mark up?
- C SG: What I would say, is that there would have been the ATRA version of the Code of Conduct. The ATRA Instructors' Code of Conduct, when that came in, I can't remember.
- NB: 1996.
- SG: But what it doesn't say is "if this happens, then you are to".
- NB: That's exactly the point. I did have this out at Upavon¹¹, too. I'm not traversing this for the first time. This was an example we discussed. Going back to para 2 of this letter. Did you speak to the Pte from 87 Squadron, who was the source of the information?
- D SG: No, I didn't.
- NB: So your knowledge is all reported accounts.
- SG: The way I recall it worked, the RSM, possibly the Adjutant, would come in and say "OK, we've got a problem. This is an allegation that's been made. It seems credible" and then they would either advise or ask for my decision, or advise and then ask for my decision: should we call the RMP? Sometimes, they would actually call the RMP and then tell me that they had called the RMP. And I was quite happy with either way, because if you call the RMP and it's not necessary, their people will tell you.
- E NB: But what are the guidelines given to you as a Commanding Officer?
- SG: I don't recall having had any guidelines along those lines.
- NB: Just to use what we know in this case to tease out the system, which is what I'm trying to do here, riding a bike over someone is probably assault, unless they could show that they all agreed that this was a really good idea and they were all happy to do it.
- F Consent. Does it have to be a crime under civilian law to call in the RMP or is it any breach of standing orders or anything that you think is seriously out of line?
- SG: If someone steps out of line, then we would deal with it within the regiment. Properly, through either the OC dealing with on orders or him referring it to me to deal with it on orders.

G ¹¹ Headquarters of Adjutant General and ATRA.

- NB: So men being in women's accommodation is just out of line? A
- SG: It's a breach of standing orders. That's the offence. You would not normally call in the RMP or refer it for a Court Martial for a breach of standing orders of that nature. If it's a breach of standing orders and there's a male in the female accommodation and then there's an allegation of an offence, rape, groping or something of that order, then we would call in the RMP and they would decide.
- NB: So that example suggests to me, listening to that, that it's the fact that it's a civilian criminal offence as well as being a breach of standing orders that turns it over the top. But that's not always the test either, is it? B
- SG: No, I'm trying to think of what the dividing line would be.
- NB: But what you're telling me is, wherever the dividing line is, it's where you decide it is rather than where someone tells you it is or where a standing order tells you where it is.
- SG: No, I don't believe that to be the case, either. There would be some offences for which it would be mandatory. C
- NB: An NCO having consensual sex with a trainee?
- SG: I would not have that investigated by the RMP.
- NB: Supposing he denied it?
- SG: I think it would have to depend upon what the circumstances were. To the best of my knowledge, I have never had to deal with that as an incident at all. Other than the one which was an allegation of rape, which I heard about afterwards. It just went straight through, as indeed it should have done. I think it comes down to judgment. There will be some offences where it is absolutely obvious. D
- NB: Squeezing as much as we can out of the fact that we have this letter. So you've got an allegation of riding mountain bikes over these trainees. Then by the date of this letter, you seem to have got some more information. "The trainees further alleged that they had been systematically beaten, including being ridden over by a mountain bike, if they are deemed to be overweight". Does it ring a bell as to what you were dealing with there? E
- SG: I think that would have come out in the aftermath of the mountain bike incident. It was the mountain bike incident that was the trigger.
- NB: But who's making the investigation. Do you report back as to what SIB had come up with?
- SG: No, it's formally to be investigated. F
- NB: What I don't understand is this relationship between what you, the officers and your team of NCOs and RSMs on the post, how far you can make inquiries into allegations of this sort before you call in the SIB. And where the outcome of those inquiries is lodged. Who then makes a judgment based upon what material to do what?
- SG: I can't remember what happens as a result of these. I don't remember how they came to my attention. But I think I can give you some guidance or some ideas on the processes. G

- A NB: If the offence is one that is going to be dealt with by Court Martial, then we call in the RMP. If the offence is one that I feel I can deal with myself, then we will deal with it. And something of that nature, that was clearly something that would have to be investigated, because if it were found indeed that these were true, then it would have to be dealt with at least by Court Martial.
- NB: Because it is too serious to be dealt with by –
- B SG: Yes. I would not deal with a senior NCO for that kind of offence. It would have to be done by Court Martial, otherwise you're sending the wrong message to the remainder.
- NB: And you don't know then, except someone must have asked some questions of some of the trainees before calling in the SIB?
- SG: I think, and I mainly go from memory, I think once it became known that this was happening, I think trainees came forward and spoke to their NCOs. So a bigger picture emerged.
- C NB: So the range of misconduct, apart from riding a bike, is other forms of assault, "systematically beaten", that's quite strong words. And you would have had strong information to have written that down, I presume?
- SG: No, it's set down as an allegation.
- NB: But I mean information of what the allegation was.
- D SG: Me, probably not. I was probably writing that letter and I should imagine –
- NB: Did someone dictate this for you?
- SG: No, absolutely not.
- NB: "The trainees further alleged that they had been systematically beaten". I would suggest that the author of that phrase has got quite a lot of information to know what the allegations are.
- E SG: I think, and again it's a long time ago and I don't remember the detail, but I think that what was likely to have happened, is that the NCOs would have spoken to their Sergeant Major who would have spoken to the RSM, who would have told me that there are other allegations of systematic beating. But as I say, it is six and a half years ago.
- NB: Was never anything captured in a written report? Was it all oral?
- F SG: At that stage, yes, because the SIB or the RMP would investigate. They would take the statements and deal with it.
- NB: So this is not a guardroom log issue, so we don't get data capture there?
- SG: No.
- NB: We don't get data capture apart from the fact of your letter going out, and I'm not quite sure whether I have the RMP record.

G

- SG: I was going to say that the way to find out the detail of that would be to speak to the RMP. Having said that, I don't know whether the RMP Company that was in Aldershot at the time is still there now, but presumably they've got a central record. A
- NB: I'm not sure until we come up with his name, because this is not my major period of the inquiry as regards names that we had asked inquiries about, but it certainly will be after this conversation.
- SG: I can tell you this came as a shock to me. B
- NB: And then there is also this other allegation. "Having to remove excrement by hand from a block toilet". Now, if that had been the only allegation, is that going to be RMP or is that going to be you? Supposing your RSM tells you "we have a credible allegation from trainee Y that he or she has been having to remove excrements as part of a punishment".
- SG: I can't believe that I'd do anything other than call the RMP.
- NB: Because it is so nasty? C
- SG: Absolutely.
- NB: He was "alleged to have struck a female soldier in the face and told the trainees not to report the incident". Do you know what happened to this guy in the end?
- SG: No, I don't know.
- NB: So once he's out of your Regiment, out of sight, out of mind, because he is not your responsibility? D
- SG: No. It's a matter of starting the disciplinary chain, and once it has been reported to the SIB or the RMP, pretty much the worst thing I could do is actually try and get involved again.
- NB: If he was court martialled, wouldn't you have to give evidence?
- SG: I don't think so, no. E
- NB: You wouldn't have to give a statement as his Commanding Officer?
- SG: No.
- NB: So you wouldn't hear about it?
- SG: Once he had gone from my Regiment, I would not be on the distribution list for the documentation that followed. F
- NB: And in an incident like this, where he is suspended in February, you don't get to write his Confidential Report the following October assuming he is still in the Army?
- SG: No. The new Commanding Officer would have to know him for at least six months, generally, so I wouldn't actually initiate his report anyway. G

A NB: I'm asking these questions for obvious reasons and I don't know what the end product of this investigation is, but it seems to me if for some reason you move him out on the allegation, you write the letter, if the RMP investigation doesn't result in a Court Martial or an admission of guilt and summary adjudication by his new Commanding Officer, you don't have anything more to say about him. His new Commanding Officer, presuming he's still in the Army, writes a Confidential Report which is not based upon his knowledge of what happened in his previous regiment, and so the guy could get a clean bill of health. That appears to have happened when he was transferred to you.

B SG: I think you have to draw a distinction between having a relationship with a trained soldier, albeit junior rank, and the allegation that he is facing here.

NB: If you look at the ATRA Handbook, it is absolutely forbidden.

SG: I can't really speak about this particular one, because I didn't know about it until later.

NB: You did say here "if the SIB investigation proves some sort of conspiracy, I will have him back as an instructor".

C

SG: Right. If the SIB investigation showed that actually there was no case to answer, and what it was, was the trainees, for reasons of their own, perhaps he was a bit of a disciplinarian, then I would have been prepared to take him back.

NB: Anyway, you didn't take him back. A suspension rather suggests that you do keep some control over it.

D

SG: Premature removal from post is what I say on that one.

NB: OK.

SG: Suspension was [Major BA].

NB: All I've got here is "banned from camp pending". It's not quite a tie-up, because that looks as though he might come back.

E

SG: Yes, indeed.

NB: Was this the same matter¹²? It is four days later.

SG: I don't remember but I would think so.

NB: You can't remember if you had two senior NCOs with these allegations in the span of four days?

F

SG: I can't think of another occasion where anything remotely similar to that occurred, and as you say, it is only four days later. I would expect that what happened there was that a woman who worked at the HQ Training Group is simply referring that up.

NB: And warning people.

SG: Yes.

G ¹² Pointing at Daily Occurrence Book.

- NB: This is [Major BA] and this is a briefing that you put out to the media. A
- SG: We would have told them the details at Media Ops.
- NB: But this is a Corporal saying that the doctor wasn't dealing with her properly?
[Edited to preserve medical confidentiality].
- NB: When did the doctor go? B
- SG: Very close to the end of my tour. I would say within the very last few months.
- NB: So early in 2001?
- SG: I would think so, yes.
- NB: Do we know what you saw these two about? This is a discipline interview.
- SG: I wouldn't think so. This one here if it's the one I'm thinking of, we liked to have a female on the Regimental Provost staff, obviously to deal with the female problems. We had a female NCO posted into us, who just was not the right person for the job. I think her trade in the past had been stewardess, when the WRAC had such a trade. She wasn't up to it. She didn't like it, but she hadn't done anything clearly wrong. C
- NB: Why is it called a discipline interview?
- SG: It shouldn't have been a discipline interview. It should just have been an interview. D
- NB: What about this one?
- SG: I can't remember the detail. The only time I remember having a Second Lieutenant to deal with, he was not in the Regiment, but I was his Commanding Officer, because I am the Commanding Officer for officers that go through the Troop Commander's Course. So he was an officer on the Troop Commander's Course. He got something wrong. I was then briefed by the people who ran the course. We had to speak to him and just record that that had happened. He then worked with me for about two weeks, and was then posted on to another regiment. E
- NB: Leaving all those topics aside now, and then going back to how the camp was being run, one of the features of Deepcut Garrison is that you've got this long perimeter fence and you've got a lot of posts to guard.
- SG: There were too many people on guard, yes.
- NB: Were you conscious of that as a problem during your tour? F
- SG: Yes, I tried to get the MPGS. I had real concerns, particularly having been made aware by the time I was settled in command of the two suicides that happened on guard duty. I was very concerned at having trainees doing armed guard at all. And it is also worth looking back at what the rules have been for armed guard.
- NB: Tell me what they were. G

- A SG: I don't mean in the Regiment at the time, but across the Army. For a long time, even I think during the height of the IRA threat, servicemen on guard duty were not armed. Or they were armed with staves. When weapons were first used, you had to have the magazine with ten rounds, a tape across the rounds on the magazine in your pocket, so the weapon itself was not loaded. Subsequently, we came round to having loaded weapons with a magazine in it.
- NB: Can I just pause you there? The first proposition, no armed guard at all. I have seen a witness statement from a Major saying precisely that in the 1980s. Other people have said he's got that wrong.
- B SG: Certainly during my service, we have had people on guard duty without weapons. And then it was weapons but not loaded. I've got a feeling that there was even a stage where they had the weapons but they didn't have a magazine. The magazine was in the guardroom. It may even have been that we actually had a stage where the weapon had a magazine on but that one was empty and they had a loaded one in their pocket. I can't remember the full detail of that. But it has not always been the case that we have had armed soldiers on guard duty.
- C NB: And the changes come through 4 Div, through your regional chain of command?
- SG: Yes.
- NB: I am trying to chase down the history of the armed guard states, but it is not proving easy.
- D SG: When I considered the welfare list that we have spoken about and the number of people who were on there for self-harm, and indeed, the quality of some of the trainees, by no means the majority, but enough of them for it to be a concern, I was actually very worried about having them with live ammunition in their weapons. I felt that there was a risk of suicide simply because of that. It just makes it too easy having access to weapons with live ammunition. I think that the benefits in terms of security were very limited and outweighed by the risks involved. I would have been quite happy to have had the MPGS on armed guard, because they are mature individuals who know what they are doing. I was as concerned about the potential for suicide as for using a weapon inappropriately.
- E NB: Having a pot-shot at someone you shouldn't have.
- SG: I think we came close on one occasion, where a guard out of the Sergeants' Mess was concerned that somebody was trying to come over the fence there. Fortunately, they didn't fire the weapon.
- NB: So these concerns are not ones that you have with the benefit of hindsight? These were concerns that you had during your tour?
- F SG: At the time, yes. And that's why I asked for the MPGS.
- NB: Who did you ask?
- SG: As far as I recall, this was at a conference with the Training Group. So Brigadier Brown would have been in the chair and his staff. Because at that time, the MPGS had only just been formed or were coming into the ATRA and I said we'd like some.
- G

- NB: Did you say to Brigadier Brown at this Training Group meeting that you wanted the MPGS in, because you were concerned about the risk of self-harm by trainees on guard duty? A
- SG: I don't remember exactly what I said at that time.
- NB: I've got his quarterly reports to ATRA and I suspect that on at least one occasion he raised the MPGS issues. But I'm not sure that his understanding of why he is asking for MPGS is quite the same as what you just told me. So if I can see if I can push you a little bit more on what you recall as the reason you gave for your concerns. B
- SG: I simply don't recall.
- NB: The reasons you're giving to me are not reasons you've come up with later on? These were reasons at the time?
- SG: These were the reasons which were in my mind at the time. There was that and also that guard duty has never been popular. C
- NB: No.
- SG: And we wanted not to have the trainees spending too much time on guard duty. There was a danger, not so much when we had too many SATTs, but when we had too few, that they would spend too much of that time doing guard duty. One of the RSMs came up with a scheme which he, I think, had operated elsewhere, where a guard was formed for a week. And they did a week's worth of guard duty and then they would never have to do guard duty at Deepcut again. The next RSM stopped that and went back to the more normal 24-hour guard duty. And I suspect that was largely because we didn't have enough people to man the old system. D
- NB: So you're under pressure with the number of gates. You have an unusually high guard requirement. ATRA finds out eventually that it is four times higher than at any other training establishments.
- SG: I wasn't aware of that. The problem that we had was that the Officers' Mess was in a separate compound and the Sergeants' Mess was in a separate compound. E
- NB: And you've got three gates even within the main compound.
- SG: This one¹³ was not always open. I can't remember the details, but at certain times or for some of the time, that wasn't open. But as well as having those gates and sufficient bodies to do that, there had to be enough for roving patrols as well as the gates.
- NB: How long into your tour did you become concerned as to the desirability of using trainees generally, or trainees that may not have reached the quality that you would be comfortable with on guard duty? F
- SG: I don't recall. I simply don't recall.
- NB: Going back to the entry I showed you earlier in our conversation, where a member of the guard staff queried whether a 16-year old should be on armed guard duty, did that never reach you as an issue?

¹³ A2 Gate. G

- A SG: I don't remember it.
- NB: Were there any local instructions saying you've got to be over seventeen and a half before you can take a weapon out?
- SG: None that I was aware of.
- NB: Were you able to give such an instruction, or was that outside your power?
- B SG: No, I could have given that. I could have given instructions like that if I felt that it was necessary.
- NB: Did the Adjutant ever come to you to ask you whether there should be such an instruction, or did he just make his own mind up do you think?
- SG: I don't recall it ever being discussed.
- C NB: If you were concerned about trainees doing guard duty generally, would you have been particularly concerned about very young trainees doing guard duty?
- SG: Yes, because they are much more vulnerable.
- NB: But that didn't get onto the agenda somehow?
- SG: I'm not saying it didn't, I'm saying I can't remember it as an issue.
- D NB: That's the only one in the guardroom log where we've got that. It stands out and I wanted to bring it to your attention. So I can't say what happened thereafter. Certainly, I'm told by Lieutenant Colonel Laden, that answer is the answer that was in force when he took over and indeed through his tour. And you asked Brigadier Brown for the resources to employ MPGS?
- SG: It wasn't as much up to me how it was arranged, whether they gave us the budget and then we had to employ them, but I don't think that's the way that it worked. ATRA were wheeling it out, but they were going to do, as far as I recall, the Phase 1 training establishments first. Because that's where they've got the majority of people who are not trained to undertake guard duty. And that was the reason why we couldn't get it earlier. But there would have been a financial implication to this.
- E NB: It's not until the autumn of 2002 that they released the funds. Did you attend ATRA Management Board meetings?
- SG: No.
- F NB: It's only Brigadier Brown who attends?
- SG: Yes. He then ran Training Group Management Board meetings which I did attend.
- NB: Are they minuted?
- SG: Yes.
- NB: Where did those minutes go?
- G

- SG: They would have been at the Training Group HQ, at Brown's HQ. A
- NB: Back in Deepcut?
- SG: Yes.
- NB: I'm not sure I've seen those. So if we've got those minutes, we might find, if we're very lucky, a record of the conversation where you are asking for guard duty to be done a different way. B
- SG: It's possible. I say that it is possible, simply because I don't know that it was at a Management Board meeting that I raised it. It may well have been as any other business, it may have been in some other forum. I don't know. The Management Board is the one that strikes me as being the most likely. But they're not full sets of minutes, as in verbatim Hansards or something like that. Very often, we in the military use a record of decisions rather than full minutes.
- NB: Did you ever write a memo about this? Did you do the quarterly or annual reports to the Brigadier? He must be getting your perspective to write his quarterly reports up? C
- SG: Yes and I do recall writing something for the Brigadier. I can't remember the frequency or exactly what went into it.
- NB: Do you know whether this issue was one of the topics?
- SG: I don't know.
- NB: I think it is fair to say from my recollection of my meeting with Tweedie Brown that I pushed him on this particular point, and he said he hadn't thought about self-harm, that he was more concerned about staff working more than 40 hours, rather than self-harming on guard duty. Does that surprise you? D
- SG: I'm surprised that he would raise that particular issue.
- NB: I was raising the issue with him saying "have you ever thought about moving to MPGS to reduce the opportunity for self-harm". E
- SG: It probably wasn't one of the issues that he was most engaged with, but I'm surprised that he should note the particular issue of the 40 hour week. That was an issue for a while, because, as you already know, we were under-resourced for what we had to do. We tried to impose the 40 hour week as well.
- NB: I got the impression you had a waiver eventually.
- SG: They were working a lot longer than that, but we had to do the sums because of course, it's not done over a short period, it is averaged over a longer period, so it wasn't surprising that they worked long hours for some weeks. F
- NB: We very briefly flicked through my list of extracts from the occurrence books, and I mentioned to you that some of them were self-harm cases. There was one that I'd like to take you to, where I'm pretty sure it is a female due to go on guard duty. She says that she is going to kill herself if she does. I don't think she went on guard duty. Do incidents like that get reported back to you? G

- A SG: What would happen with the occurrence books, is every morning, it would be brought up to the RSM. The RSM goes through it and then brings to my attention anything that he feels should be brought to my attention. That particular one, I've got no recollection of, but I would be quite surprised if he didn't if I was there.
- NB: But you don't have any recollection of that being brought to your attention?
- SG: No.
- B NB: Is that just going to be memory-fade, or would you have remembered something like that?
- SG: I might not have remembered that, to be honest. As I say, it is quite a long time ago.
- NB: This one was November 1999. "Came to the guardroom upset. Threatened to commit suicide. Placed in detention. BDO informed".
- C SG: If it says "placed in detention", what they mean is protective custody.
- NB: Yes. But there are these incidents of people being drunk when they turn up for guard duty, or appear to have been under the influence of alcohol and an assessment is made at the time. Did any of these things filter back up to you to feed or to accentuate or give emphasis to you concern about the safety generally of trainees doing guard duty?
- SG: Not that I recall.
- D NB: I've got a couple of people falling asleep whilst on guard duty, which suggest that they aren't brilliantly effective. Does that get back to you?
- SG: I don't recall it, but if you've got the discipline books for both the Squadron and for our HQ, you should be able to follow that kind of incident through those.
- NB: What is difficult is that one action taken usually would be the exit line. It's difficult to know what comes next unless it comes into the RMP books.
- E SG: If someone is sleeping on duty or turning up drunk or under the influence of alcohol for guard duty, those should have resulted in a disciplinary action.
- NB: Via the Squadron?
- SG: It would go to the Squadron first of all. It should go in front of the OC and it would then be recorded in his discipline book. And if he refers it to me, it will say so in his discipline book and it will then come forward to the regimental one.
- F NB: I think we have your discipline book. I think it is very patchy as to whether we have the OC's discipline book. There are a number of times when the fence is reported to have been cut or broken or people seem to climb over the fence.
- SG: That's right.
- NB: Why were they doing that?
- SG: A shortcut into town and to avoid checking out and checking back in again.
- G

- NB: And why would they want to avoid checking out and checking back in again? A
- SG: Certainly at some of the times, if not all of it, there was a time by which we expected them back in.
- NB: And if they were late? On orders?
- SG: Should be, yes.
- NB: So there would have been some reason to avoid facing punishment for being late back. When was that, at midnight? B
- SG: Yes, as far as I recall. I don't remember the exact time to be honest with you. Eleven or midnight sounds about right.
- NB: I think one of them was jumping over the fence to the Sergeants' Mess.
- SG: Was it a soldier? Do we have the details of it being a soldier? C
- NB: No, they never catch him.
- SG: This is one where there was a danger that the guard might actually have taken a pot, which would have been tragic.
- NB: But you can't think of any reason why anyone would want to be jumping over unless they were late back.
- SG: They wouldn't go into the Sergeants' Mess. The Sergeants weren't under curfew; the trainees were. D
- NB: Is there any particular reason why anybody would be jumping over these fences by the cricket pitch outside the Officers' Mess.
- SG: None that I can think of.
- NB: The shortcuts are going to be happening down here, aren't they? E
- SG: The majority of the jumping over fences that I became aware of, because I went along and had a look at the fence, I don't remember exactly where along this road but somewhere along this road there is – I think it is behind the pavilion – there's a bit of a quiet area and they were jumping over the fence there to get into the village.
- NB: To Deepcut village?
- SG: Yes. F
- NB: Which is where?
- SG: Deepcut village is like a ribbon in that it goes along that road and that road.
- NB: This may be the one that I was thinking of. "Pte turned up, threatened suicide, indicated that he may use rifle on himself". Presumably, he only gets a rifle either when he is on guard duty or range duty. G

- A SG: It would be guard duty because we didn't have a training allocation beyond, we didn't take the trainees out onto the rifle range as far as I recall. At least not frequently.
- NB: As it happens, while we're on this page, you can see, January 2000, 4 self-harms, "threatened to kill himself", "wanted to kill himself", "tried to cut his wrists", "possible overdose" and "threatened suicide, indication might use rifle on himself". All within the space of 28 days. Unusual? Or you wouldn't know about that? Is that an increasing pattern?
- B SG: I didn't spot any pattern with this, but then, this would not have been brought to my attention, probably.
- NB: So you only pick them up at the welfare meetings?
- SG: Yes. Unless the RSM or someone standing in for the RSM actually brings it to my attention. But then it would be a matter of saying "make sure that he's on the welfare list".
- C NB: It sounds like the RSM is the crucial person to add these up.
- SG: In terms of this book, yes, because he is briefed on it every day.
- NB: Final matter, the Scottish mafia. Now, I think I may have heard about this from Tweedie Brown. What was all this about?
- SG: It was very difficult to get a handle on. We didn't even know for certain who was actually involved in this, but there was clearly a group of people that had formed into what was described as a gang.
- D NB: Yes.
- SG: And we were aware that they were behaving in a manner that we would not wish. There was clearly some element of bullying and cajoling and that sort of unpleasantness. But one of the problems with bullying of that nature is actually getting any evidence to deal with it.
- E NB: Because the victims don't complain?
- SG: Yes.
- NB: Why don't they complain?
- SG: Because they're frightened of what will happen to them by other members of the same organisation, the Scottish mafia. If we could have got evidence against individuals, then we would certainly have taken proper action against them. By which I mean calling the RMP in, having it investigated in that way. As far as I recall, we never got to that situation. If we go back to the [Sergeant BB] bit, there were some trainees that were, if you like, siding with [Sergeant BB].
- F NB: A "good for them" kind of line? Being ridden over by a bicycle is good for you?
- SG: Yes. It makes you robust and all that sort of stuff. To the point where I think they put razorblades in some of the trainees' boots. Again, we didn't have any evidence to say who that was.
- G

- NB: Was that the RMP discovering this or your staff? A
- SG: As far as I recall, this was reported to me by my RSM. That would be the normal conduit for that. Whether it came from the RMP or whether it came up the unit chain of command, I really don't know.
- NB: Which does to me suggest that there is a real problem of under-reporting of bullying.
- SG: Absolutely. I don't know to what extent it was going on, but we did have a feeling that this particular group was responsible, if not for all of it, then for the vast majority of it. B
- NB: This one you did call the RMP on, on the 13th of October.
- SG: We must have got something then if we felt it could be investigated.
- NB: 12th of November is the report. "Kicking doors and starting fights. No-one to leave in guardroom but no option of calling the RMP. The following personnel arrested". That's at 23.11, this is at 01.50 the next day. C
- SG: I remember him. I don't remember the others, to be honest. And I don't remember what happened as a result of it. 1999 – about half-way through my tour, I suppose. A little under. I can't say. But clearly, we got something to deal with it.
- NB: So, generally maybe you were lucky on this occasion, but what you tell me about [Sergeant BB] is again a matter of rather great concern. If other trainees are intimidating trainees who report him, is there any counter-action you can take to ensure that you know what's going on in your Regiment? D
- SG: We did our best to make sure that there were banners and posters about anti-bullying and various other things. Those were put up in appropriate places around the barracks, in all of the accommodation blocks on the notice boards. It was one of the things I used to do on a Friday morning, I'd walk around a part of the camp. You can call it an inspection, if you like, but it's really trying to identify that we've got the building maintenance under control. Because that's another big issue, that. That we've got things like those notices properly displayed on the boards. And we tried to encourage them through that to report bullying, but to be honest with you, I don't think that it worked. And I don't think that we had enough NCOs to make it work. E
- NB: Which is back to our staff ratio.
- SG: Yes.
- NB: Which I think I've rather got the picture of.
- SG: One of the things about the staff ratios, some of the documents that I've seen on it have not been as clear as they could have been. Some of them are better. But if you look at the way the infantry do their training, they have a section commander who's responsible for his eleven soldiers – the people who were dealing with the trainees on a day-to-day basis. That is 86 Squadron staff against the number of trainees. When ATRA were doing it, as far as I could make out, they were also including all the personnel in the training schools, and then, of course, you get a much healthier-looking figure. But actually, they were not helping very much in terms of the welfare, of looking after trainees in the evenings etc. In fact, not at all. There's a couple of things which I wanted to bring to your attention, because I haven't seen it recorded anywhere else. What we F
- G

- A tried to do, apart from get more manpower and get the MPGS, was to reduce the number of trainees so that we could improve the ratios that way. And there were a number of things that happened to that end. We sent some of the soldiers awaiting trade training out to regiments in the field army, with some caveats. We did a trial run with 16 Regiment, which was at Bicester, and the CO there looked after them extremely well. 16 Regiment was to do with the stores that were held there. And some other we sent out on specific tasks. We sent trainees out to work there. Not very exciting work, but it was a job. They were actually well looked after and they enjoyed going out to do that. A previous attempt to send trainees out to the field army had actually caused a bit of a problem. This happened before I got there so I'm going on what I've been told. But the regiments put the soldiers awaiting trade training on guard duty and then went on leave, which I don't think was the way to treat them. We discussed the posting of trainees to units with elements of training still outstanding. I'm sure Brigadier Brown told you about moving the drivers down to St Omer and bringing St Omer under my control as well as Deepcut. The effect of it was to even out some of the ratios between Deepcut and St Omer, because St Omer was slightly better. It wasn't helpful to St Omer.
- B
- NB: Was that when it becomes 25 Training Support Regiment?
- C
- SG: Yes.
- NB: Which I know in your Confidential Report you're talking about added duties, that's what you mean?
- SG: Yes. I believed that most of the NCOs that I had working for me were very good or excellent and actually worked very hard to make the training interesting for the trainees as well as to look after them when they could. We had adventure training in the summer in Scotland. We sent the soldiers up for a week or so of activities, some of which were not strictly speaking adventure training but they were fun and the whole idea was to bring a bit of fun into it. In the winter, we subsidised skiing trips to Italy, which I'm sure Ron Laden may have mentioned to you. We had one expedition to Peru, which was quite a major undertaking. It involved my second in command, the civilian from the gymnasium, trainees and one other member of permanent staff. We engaged in clay pigeon shooting at the back of the range. There was an NCO in the Regiment who was keen on it and very highly qualified. He built a very decent clay pigeon range at the back. Again, this was another activity simply to bring variety and interest into the training. We sent soldiers up to Twickenham as marshals. That was organised by the gymnasium. So some of the international rugby matches they were helping to marshal. We provided the arena party for Horse of the Year Show a couple of times, which meant that we got a donation from them. We tried to form a motorcycle club with the padre in charge. The padre was one of the ones who were always at the welfare meetings. I had three padres. The last one was absolutely excellent, best padre I've ever come across in my thirty years of service. One of the officers ran squash lessons in the evening. One of the NCOs ran golf lessons and again, we resourced the WRVS lounge as much as we could to try to encourage non-alcohol related entertainment. We got them onto the internet, as well. Have you been to the WRVS lounge?
- D
- E
- F
- NB: I met the present ladies there during a discussion.
- SG: That was well-frequented place. As I say, there's no alcohol available there, but there were pool tables, two internet terminals. They were actually in the office. The WRVS lady had her desk where yours is, and then against that wall, there were two internet tables for the soldiers to come in and use it if they so wished.
- G

- NB: Is that something you inherited? A
- SG: The WRVS lounge was there but the internet we did. As I say, what I'm trying to show is that we took what steps we could within our power to mitigate the numbers and to make the training as interesting as we could.
- NB: Although I think during Brigadier Brown's tour, which overlap with yours, there was a sense that numbers were rising.
- SG: There was, yes. B
- NB: He also I think thought that they were getting younger at some stage, because I think because there were some shortfalls in Army recruiting, that may have been.
- SG: I didn't have the feeling that they were getting younger. There was a time, which I think was a mistake and still think it's a mistake, they let people in who previously would have been turned away.
- NB: On the qualification threshold? C
- SG: On the quality. And I think that created far more problems than the few that may have made it through to the field army. As far as I recall, and again, I'm not certain about this, they recognised that the success rate for those people was not high enough to justify the expense of actually bringing them in.
- NB: How long did that experiment last?
- SG: I don't remember. D
- NB: Is it possible to link that with the particular incidents we've got marked down from the guardroom log?
- SG: No, because I don't think the timing is quite right for that. I don't know for sure. But I did see on one of the soldiers that we had to get rid of, I called for his file, and on there was the recruiting form. On the back there is a bit from his Headmaster or his school teacher, and basically, the school teacher said "no way should you let this guy join the Army. He's completely unreliable and not up to it". And he still got through Phase 1 training, got to Deepcut and it all went wrong there. E
- NB: That means that there were two filters not working. The recruitment centre ought to have had that report in the first place.
- SG: They would have done. They did their interview with that in front of them.
- NB: But they thought he was worth a crack. Is that the pressure of numbers? F
- SG: That's why someone would be allowed in. I mean, there are some other things. I don't know if you recall that there was a girl who joined. It sounds like she had been lying about her age, and she was actually 38, not 28, 28 being the upper limit. But on the same form, it showed that she had put an 18 year old daughter. If she was 28, that means she was a mom at the age of 10. And that could really have been picked up as well, but she got through that. There's another aspect, this is a point of view. I do feel that some of the press coverage has highlighted all of the problems and created a slightly skewed view of it. You get people like Portillo referring to Deepcut as one of the G

A sewers of the British Army. I really don't believe that was the case. Clearly, it was not at the standard we would wish it to be, through under-resourcing and some other issues like that, but there were some very good NCOs working there, some of the brightest people I've come across as NCOs in the Army. Two or three of them that really stick out as being first class people. In the press, that's not the way they portray it at all.

NB: It is very difficult when you are looking retrospectively over a six year span, conscious that thousands of people have been through the system during that time, but perhaps only picking up things that are of legitimate concern. And having to form a judgment as to whether it can be said to be endemic or systematic or something else. A pretty clear picture emerged in 1995 from the Evans report and the Boards of Inquiries. A number of things on self-harm emerged through to your tour that we've discussed. It seems to me that although you could offer alternatives of the sporting and recreational variety that you mentioned, people are turning in on themselves, for whatever reason.

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Appendix 4/6

Meeting with Lieutenant Colonel Harding

Present: Nicholas Blake QC (NB), Lieutenant Colonel (Retd) David Harding (DH), Julie Albrektsen (JA), Darren Beck (DB).

Location: Matrix Chambers.

Date: 21 June 2005.

NB: I think what Surrey Police did was that they were reviewing the four deaths in 2002. That came to an end some time in 2003. As a result of that review, they then found quite a bit of material, principally relating to the 1995 period, so before you took over, but some relating to 2001, which was the second pair of deaths. And that material raised some concerns about duty of care regimes. In the midst of all that, then along comes Skinner, and therefore, there appears to be – or there may be – I’m investigating whether there is some nexus between the issues that arose in 1995 in terms of duty of care regimes, not of course about the deaths themselves, because he wasn’t there at the time, but about the duty of care regimes. And in a sense we will see whether lessons were learnt or what lessons there were to learn etc. One of the first sets of questions I am going to ask you about is personnel. From the reading that I’ve done – as I say, there’s quite a lot of material about things that were going on around Benton and James and things that don’t seem to have emerged into the public domain by any of the inquests or anywhere else which I’ll touch upon – either sexual misconduct or fraternisation or questions of those sorts. Matters of that sort have come to light, which is really what the Surrey Police material is doing. So obviously, there is very little outside the Skinner question which relates to your tour. But your tour follows on Evans and Josling, and so it’s of interest to me to see whether what was going on during that regime was picked up on and was responded to. In terms of what I propose to do this morning, I’m going to ask you about posting, what you remember about personnel that you were working with, block in some data because it is a bit of a blank sheet.

DH: My only limitation will be memory.

NB: I’ve tried to get as much as possible that may be of relevance to you, so that I can maybe give you some prompts, but not much, because the police never investigated this era in much detail. I’m going to ask you some questions about records-keeping and things which we think ought to exist. I will then deal with the sort of problems that were identified from the previous period, the 1995 period to see whether they affected your regime. I’ve got some guardroom logs; I’ve got your interview book.

DH: Oh, have you? You’ve got it?

NB: Well, the police have it – Julie and Darren have been going through it.

DH: The police during the Surrey Police inquiry I said to them “look, the best thing to do is to get my interview book”. And at that stage they didn’t have it.

NB: Well, we’ve got that. And then I’ll ask you some questions about the implementation of the Evans report, and then we’ll end up with some specific questions about Skinner. I know you were in post the same time as Dalby-Welsh, January 1996. Can you tell me, were you advanced into the posting, was that out of the blue or was that just a normal 2.5 year tour?

DH: My understanding was that I was advanced into it.

- A NB: Nigel Josling hadn't quite done 33 months.
- DH: I can't remember how long he actually did. I do remember that I was due to take over I think in August and my Brigadier said "pack your bags now, you could be going this week or this week", and in fact I went in about 10 days – I went very quickly.
- NB: Do you know why they pulled you forward from August?
- DH: Nobody spoke to me about it.
- B NB: What were you doing before as a matter of interest?
- DH: I was DCOS – Deputy Chief of Staff – of 145 Brigade in Aldershot.
- NB: So not so far away. Though not directly on site.
- DH: No. And I had asked to go to Deepcut.
- C NB: Why was that?
- DH: Because I lived in [...].
- NB: So for personal reasons?
- DH: Yes. I knew the chances were that I would leave the Army immediately after command. I had a house in [...], my children were at a day school. That, and I must admit, that I thought that I did have something to contribute to the Depot & Training Regiment. You know, as an ex-instructor at Sandhurst, that sort of thing. It did fit.
- D NB: So you asked to be assigned to this job, or just to Deepcut?
- DH: No, no, to that job, just to that job.
- NB: Because of a combination of personal convenience in terms of your career and the location and because of something in your background about training.
- E DH: Yes, but when I did that, it was prior to the incidents at Deepcut.
- NB: So what's the turnover routine?
- DH: You get selected for promotion, and then there is a Command Board, and as I understand it, the Command Board decides whether you are going to command first or go to staff. So I wanted to go to command
- F NB: So are we talking about 1995 here?
- DH: Yes, about the autumn of 1995.
- NB: In between Benton's death and Cheryl James' death?
- DH: I can't remember when Benton's death was.
- NB: June.
- G

- DH: Yes, it must have been. I would have thought so. But it wasn't something I was particularly aware of. I wasn't particularly aware of what was going on at Deepcut, because I wasn't in command at Deepcut. Nobody was feeding me future information about Deepcut or anything. And then I knew I was going, and then my Brigadier at the time kept sort of drifting in to me, sort of saying "you need to be away in a month, and I can't tell you where". And I can't remember whether I had already been posted to Deepcut or whether Deepcut suddenly came up, but it's where I wanted to go. A
- NB: Do you normally start the same time as the Brigadier? B
- DH: I don't know how unusual it was, I hadn't thought too much about it, but in an ideal world quite clearly you would not start two bosses at the same time.
- NB: That would be a starting point.
- DH: Well, I thought I was due to go in August 1996, so I ended up going on the same day as the Brigadier.
- NB: One or two others I've spoken knew this was their last command, and thought that that freed them up to be a bit more imaginative or otherwise. C
- DH: I don't know who that would be. In my organisation?
- NB: Yes.
- DH: Knew it was their last command? What, commanders or whatever?
- NB: Command of this particular post. D
- DH: Oh, I see.
- NB: You can probably work out whom I mean. Is that a culture: in your last command post you can stamp your personality a bit more, or you don't recognise that?
- DH: Yes. I recognise it, I do. It's like any career. You command at troop level, you command at squadron level, if you're really smart you get a Brigade or whatever. But if you're RLC, as I was back then, it is unlikely that you're going to command a Brigade. E
- NB: Just to get back to this post, did they then give you any training for this particular post, or is that something that you just picked up in the course of your career?
- DH: I did the Commanding Officers' Designate Course.
- NB: Just before you took up command?
- DH: I can't remember if it was before or after I took up command. F
- NB: How long does that last, roughly?
- DH: I can't remember – two or three weeks or something.
- NB: And that identified particular features of this post? G

A DH: No it was a general sort of course, on those things that we were going to experience as a commander. Very general, you know.

NB: Now, did you get any briefing from either Evans or Josling before you took up command, or is that not the done thing?

DH: I think I had – again I can't be absolutely specific, but I believe I arrived there for lunch on the day, about the 14th of January. Lunch, and I joined the Commanding Officer and his wife for lunch at his house with my wife. We then went from there direct to
B Brigadier Evans' office, where he gave me my briefing

NB: *

DH: Probably, you know, probably. And then I probably had some time with Josling. Well, I did have some time with Josling. There was a briefing pack. They did send me a briefing pack. My view was that the book was there to help me, more as a reference book than anything. Clearly I would be making up my own mind.

C NB: So you had a manual?

DH: A kind of manual of things that had occurred, things that were live.

NB: Well, presumably you by this stage, early/mid-January 1996, were aware that they had had two deaths?

DH: Correct. Yes, I'm sure I did.

D NB: Benton in June and James in November 1995. Were you aware that Evans on the 14th of December – the previous month – had written a report?

DH: Yes.

NB: Did you read that report?

DH: I'm sure I did, yes.

E NB: Did Evans bring it to your attention specifically?

DH: I'm sure he did.

NB: During that meeting?

DH: I'm sure he did.

F NB: The report calls for a fairly fundamental review of the Training Regiment.

DH: There were all sorts of things, I can't remember specifically. But basically, whatever was in the Evans report as I remember it was instigated. It was dealt with and done.

NB: I was going to ask you about that.

DH: The specifics I can't remember; there were a load of things in it.

G

- NB: I'll take you through it. I have the report, and I will take you through it in a second. Your recollection is that you would have read it, but it is a little bit vague what was in it. A
- DH: It's completely vague. Yes, I'm sure I would have read it.
- NB: What about Dalby-Welsh? Did you discuss the Evans report with him when he took over? He is taking over at more or less exactly the same time.
- DH: I have little recollection of my initial interview with Brigadier Dalby-Welsh other than discussing my domestic arrangements. In all fairness he won't have had time to decide on anything by that stage. Evans did his report Brigadier Evans was the Brigadier, he was quite clearly upset about the whole business, quite clearly wanted to put whatever it was right. So we're going to have a report. So we did the report, and there were things that came up in it and a lot of those things were dealt with. I don't know what they were, I can't remember what they were, but there were bound to be issues there, for a start, anything that was involved with financial aspects would have crawled at snail's pace and probably didn't occur at all. B
- NB: I'll try to take you through some. This is his report of the 14th of December. "A Review of Phase 2 Training System within Deepcut". Looking at the suicides, and with a bearing upon things like the motivation of soldiers, with respect to B Squadron. One of the things he does, is he turns A, B and C Squadron into 85, 86 and 87 Squadron. Is that right? C
- DH: Well I can't remember whether he did that or I did that.
- NB: He recommends it. D
- DH: Maybe I did it.
- NB: He does his report, then you're in post a month later, so you're going to have to do it.
- DH: Probably.
- NB: I'm interested generally in this changeover of command. As to whether you being in command meant chucking the report out. E
- DH: Oh, no. No.
- NB: Well what is it then? There's continuity through the report or continuity through briefing? It didn't seem like you had much of a briefing, apart from lunch. So it's the report or the documentation.
- DH: No, you just don't take command and ignore everything that occurred before and sort of start with a blank sheet of paper and crack on. Not at all. The Regiment had taken a hammering when I came there. I mean, for obvious reasons. There were other incidents as well. Those two deaths were undoubtedly the most serious incidents, but there were one or two others as well. F
- NB: Yes. Which are mentioned in this report.
- DH: I can't remember.
- NB: "Schedule of self-harm"? G

- A DH: What about the Regimental Sergeant Major?
- NB: Well, that's not mentioned in the report, but I know about that.
- DH: And I don't know a lot about it. At the back of a bus or something?
- NB: There's quite a lot of things going on, but I think that was the main one.
- DH: And in the Sergeants' Mess.
- B NB: You were briefed on that were you, on [RSM Z]?
- DH: I can't remember formally being briefed, but I must have been, since I know about [RSM Z]. But I do know, for instance, that it was me who got [RSM AO] in. And said "get a grip in the Sergeants' Mess".
- NB: I'll come on to personnel. I'm still trying to deal with these questions of transfer. This is the report. I've marked some things out: low morale, problems with training, men in women's accommodation, women in men's accommodation, some self-harm or suicide attempts by young soldiers, problems of administration, not enough female NCOs, quality of recruits. And he then comes up with external recommendations, which I suppose were not on your plate: a review of suicide policy. And then internal recommendations for the training group about training and induction course, and then para 35 we've got a whole number from (a) to (r) of internal recommendations which I'll come back to. But you don't have a particularly live memory today, but you would have seen this and you would have been working towards it as a task?
- C DH: I'm sure. I was responsible for the Regiment and responsible to the Brigadier. My relationship with the Brigadier was good, in fact very good. No problem at all. I felt able to talk to him about whatever the issues were, we discussed all the issues informally, it was no problem. And he gave the policy.
- NB: And Dalby-Welsh was carrying on the Evans policy? Or implementing it. Or you just don't know?
- D DH: I don't really know. He was his own man.
- E NB: Final thing before we move on to personnel then. Did you ever read the Bol' into Private James, the private who died on the 27th of November?
- DH: The answer to that is I probably must have.
- NB: Because the Bol took place in January, after you were in your post. But you don't know whether you did or not?
- F DH: I can't remember. Almost certainly I did.
- NB: It says "the Board finds that the existing structure of Phase 2 RLC fails to provide, for immature recruits, sufficient opportunity for character development"². Is that something that would come across your radar?

¹ Board of Inquiry.

G ² Board of Inquiry – Private James 18 January 1996, para 37.

- DH: Yes. Specifically whether it did in that form, I can't remember. A
- NB: But it ought to have done?
- DH: Yes.
- NB: "The Board recommends a radical review of Phase 2 RLC training"³.
- DH: I mean, I did, certainly a review to the structure. The real problem I have is that it's a long time ago. You should be under no doubt that the Regiment I considered to have poor morale, and it needed a shaking up. It needed direction. B
- NB: Since you've put it into the conversation, can I take you up on that? Poor morale may be obvious, but tell me what you mean by that?
- DH: There was a sort of feeling that the world was descending upon the Training Regiment, and the permanent staff were working bloody hard. [RSM AO] arrived, and he was my RSM. C
- NB: I've tried to prepare this, largely replicating a structure chart that the police had done the previous year. And I appreciate this may be a memory test game for you, but let's see how far we go. It was you on top. Who was your Adjutant?
- DH: Whattoff.
- NB: So he was a continuity from the previous regime?
- DH: Both these two the Adjutant and the RSM were critical to the Commanding Officer. Because one is advising you on the soldiers side and the other an admin officer and staff officer with a particular responsibility for the discipline process.. D
- NB: The Adjutant does the latter?
- DH: Yes.
- NB: But does he tell you how they run smoothly? And does he give you a run-down of whether you have any particularly weak officers? E
- DH: Yes, and whether there are any particular issues.
- NB: And he's been through the 1995 deaths. How long did Whattoff stay with you?
- DH: About half of my tour.
- NB: So about 1997. The RSM, you brought in [RSM AO]? F
- DH: No, [RSM AO] was already there.
- NB: Probably some months before you arrived.
- DH: Yes.

³ Ibid para 40. G

- A NB: And did he last your whole tour?
- DH: About half.
- NB: So he's another 1997. Do you know why?
- DH: He was commissioned.
- NB: And that is because they think he's got talent to make that jump?
- B DH: Yes and I wouldn't disagree with that.
- NB: And he then becomes your eyes and ears with the NCOs, and the troops as well?
- DH: Yes. He is the senior soldier. He is a very important adviser. He's the guy who does the discipline, he runs the Sergeants' Mess.
- C NB: When he does the discipline, what do you mean by that? He gives disciplinary awards?
- DH: No. He would run the discipline for instance if someone comes before the CO they're marched in by the RSM, RSM does the book, I think. Does the charge sheet.
- NB: So he's responsible for the administering of discipline?
- DH: Yes, but he also runs the guardroom, he's very influential. If you're a Lieutenant, you see the RSM as 9 feet high and with a halo. He's a big man.
- D NB: During your tour of duty, as far as you were concerned, was he doing what you wanted him to do?
- DH: Yes.
- NB: So whatever problems there had been before weren't problems on your tour?
- DH: Not that I'm aware of. Was there anything specifically want to discuss?
- E NB: No. I know about the previous RSM.
- DH: As far as I'm aware, the Sergeants' Mess was an issue. Only what had been going on in the Sergeants' Mess, and I had probably been told by [RSM AO]. There had been the previous business with the RSM. A number of unauthorised guests, that a lot of booze, the normal sort of shenanigans that probably shouldn't have been going on, were.
- NB: So excess booze, unauthorised guests and the business with the previous RSM you understood to be, what, sexual?
- F DH: Yes. Something on a bus. And the Sergeants' Mess was being run like a personal club. And it had got to that sort of stage. [RSM AO] then took over and I was being briefed. And I didn't need to know the particulars of what had been going on. All I needed to know was that the Sergeants' Mess was now being run in a particular manner by the RSM.
- NB: So he is ultimately accountable to you?
- G

- DH: Oh, yes. A
- NB: And by analogy, therefore, [RSM Z] should have been accountable to Josling?
- DH: Absolutely.
- NB: Moving then into the squadrons. Before your tour, I understand we had A, B and C Squadron. And B Squadron is the Phase 2 trainees who are going to go somewhere. C Squadron are the Phase 2 trainees who are not going to go anywhere either through injury or discipline. And I understand, tell me if I'm wrong, that B Squadron is renamed 86 and C is renamed 87. 85 as I understand it is all Phase 3, continuation training. B
- DH: That's right.
- NB: Do you know who the Major was in charge of 86 sq? [Major N]?
- DH: Are you aware I got rid of [Major N]?
- NB: No. C
- DH: I don't know where all this is going. In terms of personnel, I can tell you from memory, but I don't want to be unfair to people. There was an incident with [Major N], and [Major N] had to go. The one that followed him went as well and the one from 85 went as well. The first one I got rid of was the OC of 85.
- NB: I won't ask for his name, but can you tell me the nature of the incident?
- DH: The first one, 85, I was dissatisfied with the performance of the guy in general and I thought he was the wrong guy in the wrong job. There was an incident in May Bank Holiday, and on the Thursday after the bank holiday, this guy had been to see the doctor, and it was all about threatening to commit suicide. I was completely dissatisfied with that. I hadn't been briefed; I had found out by however I had found out. D
- NB: But not by the doctor?
- DH: Yes, I should have done by my mind. On Tuesday morning, so to speak. E
- NB: But she didn't tell you?
- DH: No she didn't. I can't remember how I got it, but I did get it somehow. The result of that was that I was totally dissatisfied by that, and I had him removed from post. There was a process we had to go through.
- NB: But it was administrative removal or disciplinary?
- DH: Yes, effectively. So it went through whatever the process was that it had to go through, and he went off to – I think – Catterick, which were the sort of doctors and that sort of thing. And I subsequently found out that he had been under medication for some considerable time, and he hadn't taken the medication and I don't really know the detail. And there was then, I obviously as the CO had deemed him for whatever reason to be unsuitable for the post and removed him. The days of being able to do that as a CO, of being able to make a clean sweep and get on with it, were well gone. So there was a paper mountain to follow that process through. It would sort of wind its way up through the command chain. F
G

A NB: I'm interested in the process at the moment. So you're in a position early on in your tour where you are dissatisfied with the Major commanding a squadron, as I understand it you don't have evidence that he has committed a disciplinary offence which is going to lead to a Court Martial?

DH: No.

NB: So instead, you're using your administrative action available to you as a CO?

B DH: Correct. Through the doctor.

NB: So you're asking for a removal from the post on medical grounds?

DH: Effectively.

NB: And therefore you have to co-operate with the doctor to find medical grounds?

C DH: And the Brigadier. And I had warned off the Brigadier that I was dissatisfied with this guy some considerable time before. So during our conversations, he would say "so how's OC this, OC that", whatever. So it's my job to make sure that the Brigadier sees and meets the officers of the Regiment, both good and bad. So if they're good, they move on. Because he is their first senior reporting officer, he is a critical guy to them, and he is a critical guy to me.

NB: But it's the Brigadier who reports on them, not you?

D DH: Oh, I did all their annual assessments, and then the first senior reporting officer is the Brigadier. But prior to doing that, I would discuss it with the Brigadier, so he knew.

NB: But what is the paperwork that you mentioned?

DH: Well there was a redress of grievance by the officer, because he wasn't happy about it.

NB: So he then petitions for a redress of grievance.

E DH: So he did that, and it went through the system and ended up I think with the guy who was the head man of training.

NB: At ATRA?

DH: ATRA, that's it. Ended up there. From my point of view, the Brigadier supported my action. To this day, I support my action

NB: There was a system.

F DH: Well the next one: [Major N]. Now we're into 86 Squadron. The incident that cost him his command. I can't remember when it occurred, specifically, but there was a party in the Officers' Mess during which time he fell out with his wife. I can't remember what exactly happened. Eventually they went home and there was a continuation of the argument. It resulted in the police coming out. The police ended up coming out and the result of that is that [Major N] is in Woking Police Station. Instead of calling me, in which case maybe, I don't know to this day, maybe I would have done something differently, what he decided to do was to call his Squadron Sergeant Major.

G

- DH: The Squadron Sergeant Major got him out of jail, collected him – whatever he had to do. The long and the short of that was that this whole incident was now effectively in the public domain. I then had a number of meetings with him and the Brigadier, and you should be under no illusions as to the Brigadier's view, the Brigadier's view was quite categorical: "he is to go". My view was in my heart I knew he had to go but I had a loyalty towards the officers, and I didn't want to cast him to the wolves, so to speak. So I argued that he should remain. To the Brigadier. The Brigadier did not even flinch. I reached a point where I did not have anything to say against what the Brigadier was saying. A
- NB: Just pausing there, because letting him go, as I understand it, means he loses his command post, but he's not booted out of the Army. B
- DH: Oh, crikey no. Not booted out, no.
- NB: So he just has to move on to another job.
- DH: Yes, but it's a bit of a career downer. C
- NB: I can well understand that this is not a good thing, but it is transfer and it will all be on his personnel file.
- DH: Yes. And I'm sure he felt bitter about it and I had a number of reports back that he felt that he hadn't been defended properly. But actually he had been.
- NB: So it's because it filters into the public domain?
- DH: Correct. The point being, that he was in charge of the discipline, the meting out of discipline to a large number of youngsters. Now, we've got incident with the OC, booze etc, all those things that you don't want to be advertising to the youngsters you've got this guy wrapped up in who's now doing the discipline. So there was no doubt – the logic was he should go. The only reason to keep him was "well it's a real career downer". It's an instance of, yes, he's done really badly, can he get away with it? D
- NB: Before we move on to his replacement, whatever happened to him, I'll make a feeble attempt to see whether we can identify the SSM. E
- DH: But you've got my interview book. He's in there. Because I interviewed him, he had to go.
- NB: For what?
- DH: Can't remember.
- NB: This is simply an extract of entries which appear to be of interest. So we haven't got it there. And none of those other names ring a bell to you? F
- DH: No. He may have gone administratively or whatever. I can't even remember what he did. I think what you get from my business book; I had a lot of discipline to deal with. I mean, a lot. I made no allowances. If the permanent staff had done wrong they got hammered. As simple as that.
- NB: So hammered means? G

- A DH: Well, they got dealt with. There was no sort of "oh, forget all about it". For instance, there was one Corporal, the name I can't remember, I had gone to see all the Corporals and I had explained to them about behaviour with the young ladies. I had set it out to them in words of one syllable.
- NB: Which was?
- DH: No. Do not muck about with my girls. Simple as that.
- B NB: Well, when did he do this?
- DH: A while afterwards.
- NB: Well, we may have that one. So tell me what happens.
- DH: He comes in, he is guilty and he is out. There and then.
- C NB: Guilty of?
- DH: He had got involved with one of the trainees.
- NB: And you can't remember this chap's name?
- DH: I probably can if you prompt me.
- NB: There are things which we are finding in the occurrence book which we don't find in the interview book, but let me suggest that maybe you are talking about Cpl [...].
- D DH: I think that's right.
- NB: Corporal [...] on the 3rd of May 1997, four males were found in the female block, one of them was Corporal [...]. The SIB at Aldershot investigate. It seems like Corporal later that night or the next day inspection of the male accommodation "Corporal [...] (see previous entry) having sex with Private [...] from St Omer barracks, Aldershot". Is that right?
- E DH: Well, I can't remember the specifics.
- JA: But the name rings a bell?
- DH: Yes, I know I can remember, the name rings a bell. Whether that was the one. My problem is, I don't want to say "oh, that's the one", and it might not be.
- NB: I'm putting to you something which has been retrieved from the daily occurrence book.
- F DH: That would then be transferred to my discipline book.
- NB: I couldn't see his name in your discipline book.
- DH: Well then it's not him, because the bloke I saw was definitely in my discipline book.
- DB: In the extracts from the CO's interview book, there is an NCO who is immediately removed.
- G NB: "Immediate posting. Corporal [...]"? Discipline section 36 1aa. What does that mean?

- DH: Whatever that section is in the Army Act. A
- NB: So that doesn't ring a bell?
- DH: What I'm trying to say to you is that it was an issue in my time; it was something I was aware of and took very seriously. It was something I wanted to make sure – we convinced everyone on the permanent staff – it's one thing that guys want to sleep with girls and girls want to sleep with guys, but if you're in a privileged position as in fact all the NCOs were, because they're looked up to etc, it's not right, so you've got to be pretty forthright. I tried to make it understood that there was black, there was white. B
There was no grey. And therefore, when I got them all together and told them in one syllable exactly what the score was, sometime later, an incident occurred, a Corporal came in front of me I hammered him as hard as I possibly could.
- NB: What does that mean?
- DH: Whatever were my powers.
- NB: And what were your powers? C
- DH: They vary for each whatever it was.
- NB: Having a trainee woman in your bedroom at night – what do you get for that?
- DH: There wasn't a "what do you get for that". It was something I took very seriously, so I would be advised by the Adjutant what my powers in the case may be. So it might be 28 days in jail, a fine, reduced to rank, whatever. There were various things that could be done. Within my powers, I could say that that was an incident that I did not want repeated, I wanted it well known that it was not acceptable and that one would get a harsh punishment or whatever within the rules of what I could do. D
- JA: So there didn't exist a precedent as to how much you would get as punishment?
- DH: No, there was a certain amount of judgment involved, of course.
- NB: What is a harsh punishment under your regime? E
- DH: Well I got rid of him, didn't I?
- NB: Dismissed him from his post?
- DH: Dismissed him from his post and I think he was fined.
- NB: Let me just give you this example, and obviously, we have to be careful about marrying up, but we've got, therefore, Corporal [...] 13th January 1997 – so this is 12 months into your tour. Guilty, fined £500, immediate posting from regiment. F
- DH: Well, that's the one. If you look at my book, there are just loads of entries. There's a lot of discipline.
- NB: One of the themes of the interviews that I am going to be having with each of you is that sort of question. Therefore I'm trying to find what the particular approach, style or tariff – in the law we talk of "tariff" as the notion of what you're going to get for doing G

- A something – but I just don't get a sense of tariff for this. You don't get court martialled for it?
- DH: Oh, you can.
- NB: Has anyone been court martialled?
- DH: No.
- B NB: Did you court martial anyone for it?
- DH: I don't think so.
- NB: I have to say, I haven't seen evidence of anyone being court martialled for it in the RLC. And that's only looking at the RLC.
- DH: Whatever the incident, when a discipline case came in front of me, if I felt that I could deal with it, and the Adjutant would advise me, because there are certain things you're not allowed to deal with and you must advance to a Court Martial. So they would come in front of me for remand for Court Martial. Or I'd say, you know, this is outside my powers, there's nothing I can do, so I'm going to remand you for Court Martial. That's it.
- C NB: But I'd like to get a sense of how the discipline system works.
- DH: I'd like to think it worked fine.
- NB: And I'd like to get a sense of what that means in your conception, so that I have a solid identity of it. However, we're running in two different directions with one set of questions. We were going through the staff, and this was all inspired by the Squadron Sergeant Major. And this Squadron Sergeant-Major, what did you get rid of him for?
- D NB: I can't remember.
- NB: We'll finish off 86 Squadron before we move on. So [Major N] goes for what we talked about, and then you have another Major to replace him, and I think he had to go too.
- E DH: Well, there was a long period, because when [Major N] went and this other guy was selected – not by me, it was an external selection.
- NB: [Major N] was someone who was there when you arrived?
- DH: I inherited him, yes. And [Major N] did well; he was a good, solid, dedicated officer. He had his faults, but he was good. There was a gap, and there was quite a large gap. And that was because – as I understood it – you couldn't appoint someone to a command until such point as it had been agreed through the paper work or whatever that the last incumbent should go. So it gets reviewed and all sorts.
- F NB: So there was a gap when you didn't have a Major?
- DH: Yes.
- NB: So how does 86 Squadron run without a Major?
- G

- DH: I can't remember whether I moved across the OC of 85 Squadron for a while. I was acutely aware of it, but what specifically I did, I don't recall. I would have done as best I could. A
- NB: And then whoever it was at some point you get a new OC of 86 Squadron?
- DH: Yes.
- NB: Does he work out?
- DH: No, he's not particularly a star. I think he survived my time. B
- NB: So he moves on to Govan, who was the next one?
- DH: Yes, Steve Govan. I think he did, I can't remember. But there was an incident, I can't remember whether I got rid of him or Govan did.
- NB: What was it about?
- DH: I can't remember; I know it was something. C
- NB: Was it this kind of thing – alcohol and sex?
- DH: Can't remember.
- NB: You inherited [Major M] in post?
- DH: Yes. D
- NB: And he was in charge throughout – did he do a full tour?
- DH: He was there when I came and was in post when I left.
- NB: I see. Was he efficient, effective?
- DH: A Squadron Commander at the latter end of a career, you know, he's a bit eccentric, not a career officer, he's doing his thing. E
- NB: He's not going to go places?
- DH: Not going anywhere.
- NB: But that doesn't necessarily prevent him from doing a good job.
- DH: Correct. But he's not a soldier, so he doesn't fit that mould. He's very good at looking after young soldiers, and so, as a result of that, [Major M] I used to look after those that were a problem. F
- NB: Did you write his job description or did the Adjutant do that?
- DH: Don't know.
- NB: Because it so happens that we're extremely document-light on this era, but he has been interviewed by the police, and he happened to have kept his own job description. And G

- A one or two documents from the 1993 period, long before your time. Which is quite an insight. But I'd quite like to know how I approach this chap.
- DH: [Major M] I've known on and off since I was a youngster. Sort of hunting, fishing, shooting chap. I used to shoot, and I'd shoot with my father, and I met him. So I knew him, he was a Major forever, and I was a youngster and I came through and one day the day came when I sat on the top. He worked for me. He was never going to go anywhere.
- B NB: Did he tell you that he had done a memo about the Training Regiment in 1993?
- DH: I've heard of this.
- NB: Have you ever seen this memo?
- DH: Could be.
- C NB: Because it does deal with some of the issues about the trainees.
- DH: I mean, we had endless conversations with [Major M]. I used [Major M] as my families' officer for dealing with the problems that we had that were not containable within 86 Squadron.
- NB: That's in his job description. That's about the only such thing I've ever seen. It's a brief job description. But you don't put him in charge of 86 Squadron – he's 87 Squadron.
- D DH: That's right. Throughout my time in command 86 Squadron grew and grew and grew – in terms of numbers.
- NB: Roughly, if you can give me a start figure and an end figure, how many were you – were the average number of trainees you had?
- DH: I think at the most there were 1600.
- NB: Lowest?
- E DH: I can't remember. It was growing constantly.
- JA: Did this start before your time?
- DH: I think it sort of started getting really big during my time.
- NB: And is this a steady curve, or is it up and down?
- F DH: I can't remember any "down". I instigated the welfare meetings. Whether they were a result of the Evans report or a blinding flash to me, I don't know. But I instigated those welfare meetings. They occurred every 4-6 weeks and there were a number of people there: the doctor, the Padre, the WRVS, the RSM, myself etc. And the idea was that they would highlight their concerns – anybody they were concerned about. With vast numbers, you're clearly not going to be starting with A and ending with Z and going through everybody. You're in the game of saying "right, you're looking after everybody; now hone that down to issues that you are concerned about. Bring those to the fore, and if we can find a better authority to look after that person or deal with that problem, hopefully we will find something around this table". Now, I would chair it, I didn't
- G

- always, we would go through and the format as I remember it was that the Squadron second-in-command had a list that they wanted to go through, and they would do so. And we would discuss the most appropriate action to take, whatever the circumstances were. And some of them quite frankly were just keep an eye on someone. A
- NB: When did you institute the welfare meetings?
- DH: Early on.
- NB: Is three months early on? B
- DH: Probably.
- NB: Did they have minutes kept?
- DH: Probably not.
- NB: Probably not? By decision or design or omission? C
- DH: Omission, probably. Though I say they probably weren't, maybe they were. Whether it was minutes or a record, there must have been something.
- NB: I have got a sequence of questions about document retention policy coming up. Let me just fire away. As you know, we've got the CO's interview books, and I gather we've got the Squadron interview books as well. They seem to have survived, although they don't tend to tell you very much about the nature of the charge.
- DH: They never do. D
- NB: We only have the guardroom logs from about December 1996. Was there any policy as to whether they should be kept?
- DH: No, no.
- NB: And this never came up to you for a decision?
- DH: No, nor did I sign anything in there? Ever? E
- NB: It's actually quite difficult to tell. Obviously, some of the entries are signed, some are not. It's difficult to tell whose signature it is.
- DH: I think the RSM signed it.
- JA: I think that's right, yes.
- DH: Sorry, he would go in every day, and he would look at the occurrence book. F
- NB: I think I had the impression that the Training Regiment and Depot had its own Provost or someone there looking at guardroom log incidents.
- DH: Yes. That's right – we had a Provost Sergeant. But there was only one, and he'd deal with all problems Deepcut.
- NB: But if somebody got rid of them after 2-3 years, that wouldn't have surprised you? G

- A DH: To get rid of the documents? Honestly, that's something I never considered.
- NB: Your disciplinary awards, they're only going to be recorded in your interview book? Are there any other documents which are retained? I appreciate your RSM would have had to prepare the charge.
- DB: There's a charge sheet.
- NB: But they'll find their way into the personnel file?
- B DH: Correct. I would assume so.
- NB: Apart from on the personnel file, do they go anywhere else?
- DH: Discipline in the Army is a very strict process. It's a very strict process, and it's geared so that you can't make any mistakes. There was a process that brought the soldier through the system, and eventually, he reached me. When he came in front of me, the charge sheet was probably prepared by the Sergeant-Major, checked by the Adjutant, put in front of me. It's all documented. We're all making sure that we're staying within whatever the rules may be.
- C NB: I can understand you need to ensure that you don't exceed your powers.
- DH: And every now and again I would apply for extended powers. If I wanted to have extended powers, I would apply for them.
- NB: Let's just start with the Corporal. Supposing that the staff at the Depot finds someone in the female accommodation that shouldn't be there. An entry is made in the guardroom log. That's presumably reported to the RSM?
- D DH: He would probably be the next person to see. But the Squadron Sergeant Major would normally go to the guardroom as well. There would be a conversation.
- NB: But then somebody has to take a decision. Do you call in the SIB from Aldershot?
- E DH: Normally, the Commanding Officer OKs that.
- NB: Right. The Commanding Officer as opposed to the OC – so that's you?
- DH: Yes. I would have thought so. I can give you an example. The Paymaster came in one day and said "there's bits of shenanigans going on – fiddling with petty claims and so on. We need to get the SIB in". And I said "go away, I'll have a think about it, just make sure you're not making any mistakes" – because this is a Major or whatever. Before I called in the SIB, I wanted to make sure I didn't damn this guy because of some error. So the guy came back to me, and said "no, no, I've been through all this, it's a bona fide case", so I called in the SIB. Simple as that.
- F NB: So you make the decision to call in the SIB which could lead to a significant prosecution?
- DH: It did.
- NB: But in this example I've given to you which starts off at the bottom, something that's already come to the attention of the guardroom staff, do they then progress it, or do they call someone else in to investigate?
- G

- DH: It could be either depending on the nature of the case. A
- NB: But suppose all you know is that a Corporal –
- DH: But that's never going to be all you know. You're going to know more than that. It's not going to be "all I know is this little bit, so I'm going to call in the SIB". If there was a sort of reason to call them in.
- NB: But what would be a reason to call them in? B
- DH: I don't know. I know I called them in for Skinner.
- NB: Well, you called them in the second time around, not the first time.
- DH: But there was no case for it the first time.
- NB: Well, we're going to come back to that. But what I am asking you about is the system in principle. C
- DH: In principle, if there was a case that wasn't simple and not criminal.
- NB: Was a Lance Corporal being in the female accommodation at night when he shouldn't be there, SIB material?
- DH: Probably. Did I, or did I not do something? I can't remember. It seems likely.
- NB: Where do you draw the line? D
- DH: I can't remember. I can't tell you.
- NB: Is there a book which tells you? If there is, does that book still exist?
- DH: No. There was no book.
- NB: So it's your discretion?
- DH: Correct. E
- NB: How do you exercise it?
- DB: Would the Adjutant advise you?
- DH: Well, yes. Problems would come in and I'd get advice from the Sergeant Major, the Adjutant. There's no problem calling the SIB in. If somebody suspected drugs in the block, I'd get the SIB in. Simple as that. A sex case. F
- NB: What's a sex case?
- DH: Well, Corporal in the block would probably be a sex case. Probably not a breach of civilian law, but a breach of military discipline.
- NB: I'm going to stick with this for a while, because it seems to be of some importance to see how the system is working. You have a Corporal reported to be in the female accommodation. Let's therefore assume that at least he admitted to being in the female G

- A accommodation, though questions could arise as to what he's in the female accommodation for. He could be saying "oh, I was trying to deliver some telegram to a private, telling her that her mother was sick" or he could be after some girl for some other purpose.
- DH: The girl would probably have been asked the question.
- NB: I just don't know how much is investigated. And who does the investigation? Your staff or the SIB?
- B DH: It wouldn't be me. I think it would be the squadron Sergeant Major. It would sort of occur.
- NB: So, either an incident becomes a serious matter, or it could become a non-event?
- DH: Correct.
- C NB: And if someone gives an excuse to why they were in the female accommodation, and there's not a female complainant, then that may not go anywhere.
- DH: Probably.
- NB: Even though this may be a recidivist groper or something of that sort, and if you'd done a search and arrest, and you'd find in his possession pornography or something, you might have found out more about him. Now, that's the problem. That's all down to the discretion of the staff on the ground?
- D DH: Yes. If you sense that something is going on, you're not going to ignore it. We didn't ignore stuff.
- NB: But you've explained it to me how important the role of the RSM is, how he is your eyes and ears, you've just taken over from a regime where the RSM was a bit of a disaster, where he was doing all the things that you didn't want your recruits to be doing. Therefore not going to be a very effective eyes and ears. You're now getting reports of NCOs who were in the female accommodation. Difficult to know what to make of it, but you were relying upon the same, the Sergeant Majors, to basically decide whether or not to conduct an investigation.
- E DH: Yes.
- NB: If they were not doing it efficiently – or had some reason not to – I'm not suggesting they were, I just wanted to look at the issues, you'd therefore be none the wiser.
- DH: Oh, yes, that's right. But I mean, at the end of the day, you command as best you can, you can help it along, but you've got to trust people. Until there's a reason not to. Like in any other business.
- F NB: There's a reason to think that the Regiment had not been functioning well. Probably shortly, I'll give you the views of some of the recruits of the regime that you took over from. "Hell on Earth".
- DH: What, the regime I took over from?
- G NB: Yes.

- DH: Are they talking about mine as well? A
- NB: No, they didn't. On yours, and I'm being absolutely straight with you, the police had not been doing interviews with trainees who were passing through in 1996, 1997 or 1998. Except for incidentally to the Skinner incident, which we will come to as a separate issue. You've taken over a Regiment that has had some trouble. The trouble is at least two deaths, it's a number of self-harms, it's all that was spelt out in the Evans report and in the James Board of Inquiry if you've read it.
- DH: I'm certainly under no illusions. B
- NB: You know that there was sexual activity amongst the privates. But you also know that this was not simply confined to the privates.
- DH: Well, I didn't know, but I suspected that that would have been the case.
- NB: You knew, because somebody had told you about [RSM Z].
- DH: Yes, sorry. C
- NB: So you knew.
- DH: When I took over, I didn't know anything. I suspected it, I suppose.
- NB: One of the main purposes of our discussion is to find out how far you imposed your own grip on it. How did you do it concretely, and how did you get to know what was going on? Or did you just rely upon being told by others? D
- DH: Well, to a degree that is going to be the case. And I'd go out and talk to the soldiers, my RSM, the NCOs, the senior NCOs.
- NB: Does living on the base or off the base make a difference?
- DH: It wouldn't have made a jot of difference.
- NB: Didn't Evans think differently? But are you away always by 7 o'clock in the evening or something? E
- DH: Yes. But I could be back in an hour if I'd need to be. There was a system for everything.
- NB: What was the system?
- DH: Well I can't tell you exactly what the system was. There was a duty officer at night – there was a duty Sergeant. There would be a duty field Officer.
- NB: Let's go back, we've got a concrete example from the guardroom log. So we have our errant Corporal found in the wrong place. It's reported to the Sergeant Major, and if someone thinks this is out of order, you just lay down the law, this is completely unacceptable. Who decides formal discipline or administrative action? F
- DH: What sort of administrative action could it be? G

A NB: Removal from post. I don't think [RSM Z] is dismissed as an RSM; I think he's moved on. And I think it's called administrative action. One of the issues that I may have to grapple with if I can is whether that's satisfactory.

DH: My guess is he's a very senior person, a senior soldier. Sacking the RSM by disciplinary action was not deemed to be in the interests of anybody; he was therefore moved. Probably through a telephone call.

NB: This is speculation on your part?

B

DH: Yes, it's speculation.

NB: We've found the name of the Corporal. How would you deal with him?

DH: That would be a straight discipline case.

NB: As far as we can see, that Corporal didn't get into your interview book.

C DH: That particular one didn't get into my interview book?

NB: As far as we can see, no.

DH: Well, in that case I didn't deal with it.

NB: Who did and why not?

D

DH: It was dealt with – one assumes – at Squadron level. And it was deemed by the Squadron Commander to not be of sufficient note to report to me. That would have been the reason. And it may have been a wrong one. If I had known about it, I would have wanted him in front of me.

NB: Because it looks as if – and we've got to be careful here – a) he's in the female accommodation and b) a few hours later or the next day he's got a female in his accommodation. And we know the girl, she is sent back to Aldershot.

E

DH: She is sent back to Aldershot?

NB: Yes. Here is the case. I've read it out to you already, but have a look at it. What I'm told is that that name does not appear in your interview book.

DH: If it's not in my book, then it's not come in front of me.

DB: But that doesn't surprise you necessarily? It's entirely possible.

F

DH: Yes, it's entirely possible. So whose book is this?

NB: It's the guardroom log.

DB: Yes, that's an extract. And what you were saying was that the RSM and/or the SSM would have been looking at that book.

DH: And perhaps made the decision between them.

G

- DB: And would refer it to the Squadron Commander or not. And if they did, he would have to determine whether to deal with it or refer it to you. A
- NB: So it may not have made it to the Major, assuming we have a Major in place at this stage.
- DH: Somebody would have been doing the discipline. Any case that took place in the Regiment would normally start at sub unit level and it would then be progressed, and at each appropriate level of command, a decision would be made as to whether to refer it up a level of command. B
- NB: And you have no control of those lower processes? It is only when someone serves it to you on a plate that you then activate your function?
- DH: Yes.
- NB: So you could say "I take a very serious view of Corporals who go into the accommodations of trainees". C
- DH: And I'd wish them to be remanded to me.
- NB: And someone else says "we don't think that's necessary, we think this guy had a good reason to be there at night, he's a good mate of mine".
- DH: I think that's perhaps a jaundiced view, but it's perfectly possible. I think that wasn't the case, but I can't say it didn't happen.
- NB: And we have no control mechanisms to rectify this. D
- DH: So effectively, a case could be brought in front of me, I view the evidence and find that the case can't be substantiated, and the case is dismissed. That's the end of it. If there is something, and I then decide to deal with it, I'll deal with it.
- NB: But the authority to investigate is down to someone else, whether they bring in an interrogator or not is down to someone else, and the level at which it is dealt with is down to someone else. E
- DH: Pretty much.
- NB: Well obviously we will look to see whether this chap we mentioned earlier turns up in the Major's interview book. And I can tell you that's a blank space at this stage. But if he doesn't turn up in your book, or in the Major's book, and yet he appears to be caught red-handed doing something which you disapprove of, then we have a problem it seems to me.
- DH: Yes. F
- NB: And you think according to your knowledge that if he doesn't turn up in either book, then we have to draw the inference that someone decided that it's not worthy of formal disciplinary action.
- DH: You have to draw that inference, I suppose.
- NB: Is there any other explanation? G

- A DH: Not that I can think of. But I'm surprised. [RSM AO] was my RSM, I always thought he was pretty straight up and down. I would be surprised if he thought it wasn't necessary to do anything about something that seems as blatant as what was in the book there.
- NB: That is the most apparent example, that's why I've spent some time on it. For the record, there's about six out of bounds cases with men in women's accommodations which have come through, some privates, some NCOs. On this theme, the impression I get listening to you, is that you thought that you actually had to discipline quite a few people for this type of activity.
- B DH: No, no. Not necessarily for that activity.
- NB: I'm interested in three types of misbehaviour: 1) Physical bullying by NCOs of recruits, violence, verbal harassment. 2) NCO complicity in drunkenness, i.e. offering drinks, allowing others to get drunk. 3) NCO indifference to sexual activity, particularly when the NCOs are being the instigators or letting themselves be seduced by recruits or whatever way it is.
- C DH: All of these things I would have taken very seriously.
- NB: Do you have any ideas of how many times you had to do this?
- DH: I mean, I was there for three years, or the better part of three years.
- NB: 5 a year, 10 a year?
- DH: I don't know. I just had a number of cases.
- D NB: Not a lot but a number?
- DH: More than I would have liked. I can't remember whether it was 5 a year, 10 a year, 3 a year. I can tell you that every case I dealt with is in my book.
- NB: What we know is that we just get these kinds of things in the book. So it doesn't tell us a great deal about what they're up to, what they're doing, what the degree of severity is or the antipathy their actions have created.
- E DH: No.
- NB: Did you report quarterly or half-yearly to the Brigadier about the activities within the Regiment?
- DH: No, he was about 300 yards away, so I reported to him but I also saw a lot of him. If he had a concern I made a particular point of keeping him informed.
- F NB: He has to report up the chain of command to ATRA.
- DH: He would definitely have.
- NB: So we have for example 10th of July 1998 we have a reference to issues in the training group, proposals for improvement of the moral developments etc, the ATRA Code. Things of that kind.
- G

- DH: This is Tony Dalby-Welsh. So "Soldiers Awaiting Trade Training. Phase 2 soldiers". I would have done all that. A
- NB: But you didn't do a formal written report?
- DH: We as a Regiment may well have done.
- NB: You don't remember?
- DH: I would have discussed any issues with the Brigadier. B
- NB: But at the moment in terms of the search for documentation, which was the issue at hand, I've got nothing for certain between the interview book, which is not very specific, and these kind of general reports from the Brigadier upwards, which again are pretty general, although one gets a certain amount of data capture.
- DH: I can't remember what happened when a charge occurred. I would deal with it, sign the charge sheet, there would be either documentary or spoken evidence. Now what happened to the documentary evidence I can't remember. It may have been destroyed. C
- NB: What about the personnel file?
- DB: I'm aware of one example I think in relation to Sean Benton, where on his personnel file, in relation to one of the charges, there's a photocopied entry from the guardroom log.
- DH: There would always be evidence.
- NB: So if you had a formal disciplinary procedure, there would have been documentation? D
- DH: Correct.
- NB: You're unaware of whether there was a document retention policy?
- DH: What I cannot remember is what the system was.
- NB: Can I just mention a few more names, to make some progress. Do you remember who your Lieutenants were in 86 Squadron? Does the name [Lieutenant C] - E
- DH: He was the one.
- NB: How long was he there for?
- DH: I'm not sure.
- NB: What happened to him? F
- DH: He went. He reached the end of his short-service commission, applied for a regular commission which I did not recommend him for. He applied for an extension, which I think I did recommend him for; there was no reason not to for an extension. So he had his extension, and I think he went to Aldershot, to a Regiment in Aldershot.
- NB: For your information, I get the impression that he's out of the Army by 1998. G

- A DH: He was an, at best average officer. I mean, he came in front of me on a couple of occasions for I don't know.
- NB: For what?
- DH: I don't know. I have no idea.
- NB: A Lieutenant coming up?
- B DH: There'd be the odd interview with a Lieutenant because they couldn't get out of bed in the morning or whatever. And he came in front of me for something else, but I can't remember what he did.
- NB: And that affected your view as to his suitability for a commission?
- DH: No, well, it would have done. Sure. But there were other things. It would be more general, I'd talk to people, the Adjutant and so on, saying "what do you think of [Lieutenant C]?"
- C NB: What about the Commander?
- DH: Definitely. I'd talk to the Squadron Commander, and find out what he thought about him. Was he good at this, that and the other? Because definitely, I wrote his confidential reports.
- NB: Well, I hope to see those.
- D DH: Why is [Lieutenant C] in particular an issue?
- NB: He was around for James and Benton.
- DH: Really? Well, of course, he would be.
- NB: A lot of the female recruits have made complaints about him
- E DH: Oh, yes, I've heard about this. Somebody mentioned it to me. Why don't you have a word with [...], because I think she knows something about – was it a boat trip?
- NB: I think Josling investigated him for taking girls out on a boat trip. A yachting trip. I mean, how does this filter through to you?
- DH: My driver was on that boat trip.
- NB: One of the girls invited out on the boat trip?
- F DH: Yes, I think she was on it.
- DB: If she was your driver, was she permanent staff as opposed to a trainee?
- DH: Yes. She was a Private in the early stage. I think she was a Lance Corporal by the end.
- NB: Apart from the boat trip, did you hear anything else about him?
- G

- DH: I don't know if I did or I didn't. I just recorded in my mind that he was a pretty unsavoury sort. A
- NB: As it happens, and I can tell you this, when [Corporal F] heard that Benton had got a weapon and was near the Officers' Mess, he thought he was going to shoot [Lieutenant C], because the entire Regiment hated [Lieutenant C].
- DH: That's a bit extreme.
- NB: But I wondered whether any of this filtered through to you, since you inherited him. B
- DH: No. I don't think that would have filtered through. If I had thought that one of the officers was in some sort of danger.
- NB: I don't think he was going to shoot him. I was just trying to show that he wasn't very popular. [Sergeant V], was he around at your time?
- DH: Don't know. C
- NB: Quartermaster's stores at the time. [Sergeant V] was under the Quartermaster. He also makes some strong comments about [Lieutenant C]. "Complete knob. He came to the storeroom and talked about female recruits, making various comments about their bodies, he used to do it in front of them. He was a bad manager, because of his character, people didn't go to him for advice, and nobody had any faith or respect for him".
- DH: Yes. And nor would anyone, if that's right. D
- NB: Well, I have to say I've got a number of references to [Lieutenant C] from the material I've read. It doesn't necessarily all have to be correct, but it's an extract of people's views. [Lieutenant(f) A]? Was she with you?
- DH: Yes, for a period.
- NB: What happened to her?
- DH: She just got posted; I don't know where she went. I think she may have gone north or something. E
- NB: Any comments about her efficiency or her ability?
- DH: Not particularly. I remember recently I heard – and don't ask me where I heard it from – but only recently I heard that she had had an affair with a Corporal.
- NB: Yes. Do you know the name of the Corporal? F
- DH: [Corporal O].
- NB: And where did you hear that from?
- DH: I don't know. It was only recently.
- NB: So you didn't hear that at the time? G

- A DH: No. I would have done something about it if I had known at the time.
- NB: And if you had, what would you have done? Moved her on?
- DH: Definitely her. That's unacceptable. So I'd have no problem, she would have gone.
- NB: OK. Of some of the staff you'd inherited from the previous regime, the two Lieutenants of 86 Squadron were not top notch.
- B DH: No, they weren't top notch.
- NB: One was having an affair with a Corporal and [Lieutenant C] is chasing after any woman he can get his hands on.
- DH: So I hear now. But there was another one.
- NB: Another one? So you had three Lieutenants? There were three troops?
- C DH: Maybe. Or did the other one take over from [Lieutenant(f) A]? The red-headed girl must have taken over from [Lieutenant(f) A].
- NB: What's the structure? You see my little chart here.
- DH: A would be one of those, and so would [Lieutenant C]. Then they get replaced.
- NB: So B Squadron just has 2 troops?
- D DH: I can't remember whether it was 2 or 3. 2 probably.
- NB: So if your numbers expand, do you then create another troop?
- DH: Well, we've got no structure, so we've got numbers, but no structure to put on top of that. And there are endless reports I wrote about that.
- NB: Let me just do some other personnel. [Sergeant B], had you heard about him?
- E DH: Yes, I hadn't heard anything about [Sergeant B]. What I remember about [Sergeant B], is that he joined the Army Welfare Service.
- NB: He did. He left you in 1997-98 to go up north and join the Army Welfare Service.
- DH: That's it. He had a load of interviews or whatever.
- NB: You did a report on him in October 1997, which I've got. But he was from the previous regime. He was a Sergeant in one of the troops, I think under [Lieutenant C]. And he's always got pretty good reports from the Army, including from you. But he doesn't seem to get very good reports from some of the recruits, who seem to think he's a power-crazed bastard.
- F DH: Yes, I think the police mentioned that to me.
- NB: Did you hear about this?

G

- DH: What, at the time? No, because if I had heard about it, I would have done something about it. A
- NB: [Sergeant V] says: “[Sergeant B] was a very experienced soldier. I disagree with some of his techniques. He invented his twin brother, who when he became, he was a complete lunatic, mad. The recruits could not reason with him and could not do anything right when he was his brother. He simply had no control over it. For example, I’ve seen him hit recruits in the chest with his fist although he never drew his arm back”.
- DH: When was he with me? B
- NB: He was with you until some point in 1997.
- DH: OK. As far as I know, there was no indication of his behaviour.
- NB: You wouldn’t have liked that?
- DH: Of course not. C
- NB. A female Corporal says [Sergeant B] was very disciplined. But then she describes an incident where a female was falling behind on a run, I quote “This caused [Sergeant B] to lose control, which resulted in throwing a tirade of abuse at the female. His face was purple with rage which was inches away from the females. What I witnessed caused me concern. This outburst stunned me and sickened me, and I couldn’t believe what I was witnessing. Which caused me to comment about it back at the Squadron, only to be told “you’ve now met his twin brother”.
- DH: Well, I never saw anything like this. D
- NB: I have to say that when we went down to Deepcut, and they put together one or two people who had been trainees at the time, who were now on the staff there, and I mentioned [Sergeant B], and they said “oh, yes, twin brother, jerry can”.
- DH: Well that’s totally inexcusable.
- NB: I appreciate they’ve got a tough job. E
- DH: No, that’s totally unacceptable.
- DB: Can you assume that the RSM at the time would have been aware of it?
- DH: I don’t think he was. Because the other side of it is that he is aware of it, and he does nothing about it. Which I find totally unacceptable. So I have to go along the road that my RSM did not give me any cause for concern, therefore I have to assume he didn’t know. I only wish I’d known. I’d have every reason to do something about it, because the whole regime was dependent upon us to bring the youngsters on within a firm but fair regime. But that’s not acceptable. F
- NB: A female Private says, “[Sergeant B] picked on me for extra PT. He had mood swings and in fact, for no reason, he’d go mad on you. I, like others, have been punched for no reason. I was punched once on the right side of my face. He walked past me. I’d seen him order a soldier to take their cap off, bend down and then [Sergeant B] punched him on top of his head. [Lieutenant C] had no interest in the problems”, and she wanted out G

- A of Deepcut because of the way male NCOs treated females. And there are also one or two making complaints about sexual invitations. None of that comes through to you?
- DH: No.
- NB: The way in which it should have come through to you is through the RSM?
- DH: Correct.
- B NB: There is some material that the police have picked up in which there are one or two allegations against people, but [Sergeant B] I think we're dealing with many allegations. It's a very significant volume.
- DH: What I cannot understand is, when there were so many allegations, that nobody picked up on it.
- NB: That's the problem. The Army sees this man as a good, efficient Sergeant, comes with high recommendations, goes on to Army Welfare. Whereas a lot of people – not everyone – some people say he knows his job, when he takes an interest in you, he takes an interest in you positively, but there are a lot of people who have experienced the other side of him. Your report into him – 1st of October 1996 –
- C DH: It's drafted by the OC. Well, from what you say, it doesn't make sense, that's as I saw him at the time.
- DB: Are those actually your words, or would that have been drafted by the OC?
- D DH: Probably mine, I would have thought.
- NB: About the lack of bite?
- DH: Yes, he was a bit, when I saw him. You see, what was so surprising, he was a fairly old Sergeant by now, he didn't have much about him, really. I probably just saw him about wanting to go into Army Welfare. I wouldn't have seen much of him. [Major N] thought he was alright.
- E NB: Well, so did Gascoigne, so did everyone else. And he did OK.
- DH: But you see, the other thing is, can you imagine, here's a report that says "here's an A-grade soldier potential". So he's A-grade recommended. So he's not outstanding, he's getting on in time, his chances of going much further. He comes in front of me. I write, [Sergeant B] is awful, whatever. But you can't do that. The only way you can do that, I would discuss with the OC what their grades were, so I had some idea what was coming up before me. So for instance, you can't have 27 NCOs, and [Major N] decides they're all outstanding. With my knowledge of [Sergeant B], that's as I saw him at the time. If I'm wrong, and quite clearly it seems I am.
- F NB: Other people quite clearly have very different views.
- DH: If I knew that, my view would be very different. If I had had any inkling of that, I would have looked at it very carefully.
- NB: Assuming that what I've just been reading out to you has any credibility, where is the system going wrong? Why isn't it getting to you?
- G

- DH: Well, I would look at the RSM. I'd have to. I'd then look at the Squadron Sergeant Major; I'd had to find out what was going on in that Squadron. So you're looking at the OC of the Squadron, the Squadron Sergeant Major and ultimately, from my point of view, the RSM. A
- NB: Do you think the Army at the time – the RLC in particular – was dependent upon trainees complaining? And unless they complain, nothing is deemed to be wrong?
- DH: That's probably true.
- NB: I think if you're a trainee, you may not want to upset your Sergeant, and they think it's not going to do their careers any good. B
- DH: I can see that.
- NB: So they may want to suffer in silence, rather than complain. Is that a possibility?
- DH: It's got to be. Given what knowledge we've now got, it's got to be. C
- NB: In the Army they've got to think about this, to see what they can do.
- DH: But in any organisation, there is a system of trust until such time as it's seen to be abused. So for instance, I would trust my Adjutant and RSM until there was a reason not to. And hope my Brigadier trusted me. I did not find a reason not to, and had I had any inkling of that, I would have had a reason.
- DB: Is this one of the issues you hoped would have emerged from you welfare conference, someone from the WRVS raising it or? D
- DH: Maybe, but it did not come up.
- DB: But wasn't that the purpose?
- DH: The main purpose of the welfare meetings was to highlight those youngsters who there was some concern over, and direct those concerns to the most appropriate resources within the limited resources we had. And they were very limited. So you've got what you've got, and you get on with it as best you can. It wasn't perfect, because there wasn't a forum in there for saying "[Sergeant B]'s a head case", or whatever it may be. Unless someone had the balls to come forward. And they didn't. Because if they did, we would have done something about it. Because nobody can say from a command point of view that I was not prepared to take any action. You only have to look at the Majors. If you're prepared to take action and get rid of a Major that wasn't up to the task, I'd have no problem with getting rid of a Sergeant who was inappropriate or whatever. E
- NB: It seems incredible that that would have been completely off the radar. F
- DH: Absolutely. Somebody would have known.
- NB: And it's not just night-time activity.
- DH: No, it's day-time activity. If they had been encouraged, because there had been some sort of a physical activity going on, I would have had no problem about it. But there's a line to be drawn, and smacking people, well, that's well across that line. And it does no good. G

- A NB: Do the Sergeants in the squadrons have power to award their own minor discipline?
- DH: Theoretically not.
- NB: Evans said in December 1995, that they ought to be recording their own minor disciplinary punishments, which suggests to me a) they had power; b) they should be recorded.
- B DH: I think they could put them on ROPs, but I don't think there's a formal Army disciplinary process that the Lieutenants could take.
- NB: I'm sorry, I'm thinking about the Sergeants themselves. I.e. [Sergeant B] himself being able to say "your parade is bad; I'm going to put you on ROPs". Would he have powers to do that?
- DH: I think theoretically not.
- C DB: Couldn't they charge somebody?
- DH: Yes, you could charge somebody, but then that's not dealt with by them. And there probably in reality was some sort of informal system. And yes, they should record it. But it would all be very minor.
- NB: That's one of the things Evans recommended⁴.
- DH: Yes, but I can't remember whether that was implemented or not. But as I remember it from the Adjutant, we had implemented all those recommendations.
- D NB: I certainly can't find any trace of it.
- DH: No, there's not going to be a formal record, almost certainly not.
- NB: The recommendations are: "Maintain within the squadron a register of minor punishment awarded by instructors"⁵. That's his last recommendation.
- E DH: I can't remember ever seeing it, and I did not go down there and check it.
- NB: And as far as you're concerned, they didn't even have the power to award punishments.
- DH: In practice they might.
- NB: And those punishments would have been show parades?
- DH: Yes. Very, very minor.
- F NB: Leave cancelled?
- DH: Well, that not very minor.

⁴ "A Review of the Phase 2 Training System within Deepcut" (Evans Report), 14 December 1995.

G ⁵ Ibid recommendation 35 (r).

- NB: But that's what gets people upset. They would fall out with these guys, who then have the power to say "you can't go home, you can't go out of the camp and you're going to have to show parade at 10 o'clock every night". That's quite a lot of authority. A
- DH: Yes.
- NB: Which is may be why a lot of people keep quiet. Briefly, the welfare community didn't pick up this kind of stuff, and as I said to you, the examples I've put to you are examples from 1995. But it's the same guy. The role of the doctor in the welfare community, is she supposed to tell you if someone goes to see her and says "look, I'm feeling bullied or harassed or depressed or I'm going to self-harm", would she have warned you, or is she bound by medical confidentiality? B
- DH: My view would be she should warn me, if not by name, she should warn me by issue.
- NB: So she can do it indirectly?
- DH: Yes. C
- NB: I'm getting certain information about the doctor where people say "oh, she was dreadful, we'd never trust her, she'd always be going off to the CO and telling him your secrets". On the other hand, I'm probably getting some indication that she was privy to information that she wasn't passing on. It was interesting to hear what you were saying about your Major who went to see her. Obviously, that did get to you.
- DH: Not when it should have done. By luck, quite how it got to me, I don't know. But it didn't get to me on the Tuesday morning when it should have done. D
- NB: You would have expected that to have been reported up pretty quickly?
- DH: Yes.
- NB: Even though on that particular issue there would have been a medical confidentiality issue?
- DH: Yes, there probably would have been. E
- NB: So what would have been the resolution to that?
- DH: The resolution would have been someone has got a problem. I don't necessarily need to know the details. But I do need to know enough to make a balanced judgment.
- NB: Because you can't have someone like that in charge of trainees?
- DH: That was my view. I was concerned when I arrived in the Regiment, and wanted to make sure we had a regime that looked after the trainees as best as possible, and did not give us another catastrophic incident. If that had happened, the Regiment would have been just dead in the water. F
- NB: Concretely, where are the signs of your concerns? The evidence of what you did? Where are the monuments? What should I be looking for to demonstrate this to the critical public at large? G

A DH: Nobody died. I don't know, I did the best I could within the powers I had and within the resources I had.

NB: But were you writing memos, writing reports, were you issuing instructions? Were you upping the ante on the discipline? Were you reporting to Dalby-Welsh?

B DH: I reported to Dalby-Welsh, I'd certainly like to think that I was pretty firm but fair on discipline, nobody was left in any particular doubts, I wasn't weak about it. I wrote I don't know how many reports. I wrote I don't know how many papers on the staff:trainee ratio. I wrote about the delays, the fact that we had no staff to look after vast numbers of people.

DB: Where are all these reports going?

DH: To the Brigadier.

C NB: So we don't know whether these will have been kept. Part of your answer to my question is therefore that "I wrote a lot in reports to the Brigadier, as well as implementing my own decisions as to how discipline is going to be dealt with"?

DH: Yes.

NB: My problem is that I haven't seen this material, and I don't know whether it still exists.

DH: Probably not.

D NB: So we'll have to go up to Dalby-Welsh and see what he says.

DH: Well, Dalby-Welsh was not able to deliver.

NB: Let's move on to the question of staff ratios. I understand generally in the field army there's a 1:30 ratio of NCOs to Privates. 1:25 or something like that, probably even less. Is that right?

DH: Probably less, probably more like 1:20, 1:15.

E NB: But you're operating with a ratio considerably higher than that?

DH: That's correct.

NB: I've been told 1:80, 1:300. That's because a lot of trainees are coming through, and not getting off to their SATT, waiting for their trade training.

DH: Yes.

F NB: You're writing reports on this?

DH: Yes. Well you know it wasn't an unknown problem. I didn't necessarily have to write a report about every specific one.

NB: Was the Brigadier on board on this?

DH: Of course he was.

G

- NB: So he reported the problem up to? A
- DH: ATRA, I would assume. He also used to go there, to talk to them directly.
- NB: In what we have been provided – we may not have been given every report, so be aware of that caution – there are some references, but it doesn't come out "this is an impossible situation, or the Brigade or the Regiment is being asked to do something which is completely beyond its resources".
- DH: No, probably not. B
- NB: Why not, because that was how it had been put to him, or because he watered down what you had been saying?
- DH: The Brigadier was under no illusion as to the problems. But as far as I'm concerned, I felt that the Brigadier was in no position to improve the situation.
- NB: Because he didn't get funds? C
- DH: He didn't have any funds or people.
- NB: I can't see in 1997 and 1998 that he specifically says that to ATRA.
- DH: I was under the impression that he had progressed our case.
- NB: But you never saw his reports?
- DH: I would have seen those, obviously. If I'm on a distribution list, yes. It would have come to me. But that may not have been all the things he did, they talked to each other. D
- NB: The quarterly reports – these apparently have been retained. So someone thinks that these are important.
- DH: And it may well be because they were done in a certain format, as directed by ATRA. My Regiment would provide the information that HQ asked for. What they did with it, I don't know. E
- NB: Would you have been keen to ensure that those higher up the chain of command were aware of the acute problems that you saw on the ground in your Regiment?
- DH: Of course. And I would therefore further this through the chain of command, through the Brigadier. It is not for me to jump the chain of command and bring up something to the MOD or whatever.
- NB: But could you say "dear Brigadier, you copied me in on your annual report of the garrison of 1997-98, and I don't think you mentioned at all or strong enough the acute manpower problems. Can you make sure this gets a mention next time you do your report?" F
- DH: It would be unlikely.
- NB: Why? G

- A DH: I'd discuss issues with the Brigadier and I'd rely on him to forward our case as best he could.
- NB: But if it wasn't being done?
- DH: It's in all my reports. But I don't see everything the Brigadier does. I don't go to ATRA – never went there. Never went to see DG ATRA. He went every month, every six weeks and sat around a table. He would say to me that he was progressing our case. I can't remember him coming to me and saying "It's looking good for you getting more people", but I always [remember him] coming back saying to me "there isn't any money and ATRA won't give you anything". I think I asked for far more welfare people. I can't remember how much more staff I wanted.
- B DB: Was it in the Brigadier's gift to allocate resources amongst the training units, the constituent parts of the training group?
- DH: I would have said it was.
- C DB: He could flex between different parts of the organisation.
- DH: Where was he going to flex from? I'm sure he could have done that, but you would have to ask him about that. He allocated to me whatever he thought was appropriate. His priorities were not necessarily mine. Mine were very different, because I focused on my situation. The Brigadier did not, as far as I was aware, have the ability to solve my problems. But that did not mean you could walk away from it. I couldn't control how many people were coming in.
- D NB: His reports of July 10th 1998 para 22 I've highlighted.
- DH: When was that?
- NB: 10th of July 1998, so that's just coming to the end of your tour of duty. And that's the only specific reference to funding of trainees and duty of care regimes.
- DH: There was a lot more. This indicates that he wasn't interested and that he didn't consider my problems to be of importance. I don't think that was the case. Whether he wrote it in different reports, I can't tell you. I looked at different options for the Regiment, where we could do it, how we could do it. If I remember rightly, at one stage we had trainees in one of the other regiments. I think in 27 Regiment. How do you maintain an interest? With these sorts of numbers, there was very little we could do.
- E NB: Just to go back a step, were there any problems with the doctor at the Medical Centre?
- DH: Yes.
- F NB: What were they? I know that she returned from suspension in April 1998. I have something from [Major M] saying she was caught between opposing tendencies, but I don't know. Did you have to assess her?
- DH: Yes. But there was this issue, in that I could not assess her medical skills.
- NB: What did you rate her for? In the areas that you could assess her for, where did she not deliver in your opinion?

G

- DH: We had to have things like injections done, and they were supposed to be done by a certain time, and all that sort of a thing, and I thought she was very shambolic. A
- NB: Not a good administrator?
- DH: No, and I heard bad news about the doctor; she'd come out in the corridor and scream at someone or other. I never saw it with my own eyes.
- NB: The nursing staff doesn't seem to have liked her. B
- DH: No, there was a big issue with that, that's what got it highlighted.
- NB: Would they come to you?
- DH: One did, or two did. The result was that I went to Commander Med and the process was then taken away from me, and it was dealt with by Commander Med. Now, if I remember rightly, doctors are looked after in Bath or somewhere like that. And they appointed a welfare person with regards to the doctor. All sort of reviews were done with the doctor, and I had asked for her to be moved on, but she didn't go. She outlived me. C
- NB: There won't be an Army file on her, will there?
- DH: Well, there was a Regimental file on her.
- NB: Where would that have gone?
- DH: Don't know. D
- DB: So she was a civilian medical practitioner, so what was her status?
- DH: She was the doctor. And she used to tell me that her rank was that of a full Colonel and I was a Lieutenant Colonel.
- NB: So she pulled rank on you, did she?
- DH: I said that may well be the case, but actually, I commanded the Regiment. E
- NB: So there was a problem?
- DH: Yes.
- NB: I sense there was, but nobody spelt it out.
- DH: And I can't do a lot more than that, but the record will exist of that, because it went to Commander Med. F
- NB: Where should I be pushing the buttons to get that?
- DH: Well, Commander Med was in Aldershot, whatever the Divisional HQ was over there. I went to Commander Med at a very early stage and alerted them to it, because there had been problems, and I had highlighted to them that this ought to be dealt with. G

A NB: Well, I'll try to track it down. I've got two more topics: the implementation of Evans and then we're going to Skinner. Implementation of Evans, did you ever have to do a formal report to the Brigadier to say how far you had implemented Evans?

DH: I don't recall that I did. I feel certain, however, that the Evans report was not, you know, got rid of. It was dealt with. But I can't remember whether I had to do a formal report, or whether I had to go and see the Brigadier. But we did implement it.

B NB: My impression from our conversation is that although you knew of it and you were aware that it was an important document, you're not too familiar with the contents.

DH: But it is 1996.

NB: But this is quite important to a command you've taken over at a time of crisis. And it has hit the headlines at regular intervals ever since.

DH: Absolutely. If I had known it would have hit the headlines then, I'd have kept all the bits of paper to myself.

C NB: Let me go through it briefly. "Revisit the recent review of guard commitments and make recommendations"⁶.

DH: It was done.

NB: By you?

D DH: No, but by someone within the Regiment.

NB: Because Evans thinks that the problem is that they've got these guard commitments with 22 guards and he hasn't got enough soldiers.

DH: They were doing it every other night or something. I remember that. That was in the early days.

E NB: Did you make any input into that? Did you think it was undesirable that your trainees were doing all this guard duty?

DH: Of course, and I would have put something forward to that effect.

NB: Did you think they should be doing any guard duty?

DH: Who else would do it?

NB: MPGS⁷.

F DH: Oh, we went there. There's a load of money involved in that. The biggest issue at Deepcut was resources.

NB: Who's going to carry the can for that?

⁶ Recommendation 35 (a).

G ⁷ Military Provost Guard Service.

- DH: It wasn't a case of anybody carrying the can. There was no money. The MOD priorities lay in another area. A
- NB: I imagine as I go up the chain of command I'm going to be told "well, we didn't realise it was a bad as that, or we didn't get the message".
- DB: Did you have your own budget manager?
- DH: We were in the early days with budgets. B
- DB: You didn't have any civilian budget staff?
- DH: For me? No. I think the Adjutant had to look after the stationery budget, but that was about it. We did not have flexibility.
- NB: We have to bring a close to that. (b) "Develop existing Phase 2 management procedures to involve the military welfare agencies more often and increase the awareness of their role amongst the military staff"⁸. C
- DH: Good. Well, I think we had everyone there, the doctor who was able to –
- NB: A doctor you didn't have much confidence in?
- DH: Sure, but it's the doctor you've got.
- NB: Is it make do? Make the best out of a difficult job?
- DH: Yes. It's make do. D
- NB: "Make available to soldiers information on local welfare services"⁹.
- DH: That was done. When they arrived, there was a little course, and it was baked into that.
- NB: That was the induction course. "Review the welfare training required by instructors and to make recommendations to the Training Executive HQ RLC Training Group"¹⁰.
- DH: Now, I can't remember whether we did that, but I know there was a course started for people when they came to Deepcut. E
- NB: That hadn't been there before?
- DH: Not that I'm aware of.
- NB: (e) is "Establish a welfare group". We've covered that. Which used to meet at regular intervals. (f) is "identify and establish a single focus for welfare of all soldiers under training". Did you do that? F
- DH: Yes. Initially, I think it was the second-in-command of 87 Squadron who was supposed to be that person, he's already been nominated I think before I even got there. But in reality, that became [Major M]. But the second in command of the Squadron would also

⁸ Recommendation 35 (b).

⁹ Recommendation 35 (c).

¹⁰ Recommendation 35 (d). G

A be doing it, the Commander of the Squadron would be doing it, everybody was aware. We tried to give an appropriate response to whatever the problem was.

NB: "Review existing induction procedures for newly arrived instructors"¹¹.

DH: That was done. Because it was an Induction Course.

NB: "Make recommendations as to the content of the Induction Course"¹².

B DH: I can't remember how that was done, but it was clearly done.

NB: (h) "Task A Squadron to provide the training support to B Squadron. In the event of difficulties, the School of Logistics should be tasked to assist".

DH: Yes. Of course. I had A Squadron effectively, I had B Squadron, so I had the power to move people from A to B. But I didn't command the School of Logistics, so that would have had to come from outside.

C NB: (i) "introduce an imaginative and progressive training programme for soldiers who are forced to remain within the Regiment prior to Phase 2 training or posting. The training programme must be published on a regular basis and made available to all trainees".

DH: It was done. The biggest argument would be whether it was imaginative.

NB: (j) "ensure that, where appropriate, greater use is made of leave and unit attachments". Is this the problem of guard duty versus leave?

D DH: Well in the early days of course a problem was you didn't have enough people to do the guard duty, so there's going to be restrictions to leave and unit attachments. You have to have 22 people to do guard. As time moves on, the problem is then you've got far too many people.

NB: Is that a problem?

DH: Yes. Having too many people is as bad as having too few.

E NB: (k) "Ensure that soldiers who are forced to remain within the Training Group for an extended period are given worthwhile employment".

DH: Yes. As best as could be done.

NB: (l) "publish guard rosters at least 4 days in advance".

DH: I can't quote that that was actually the case; I thought it was more than that.

F NB: (m) "introduce and monitor systems which improve communication between instructors and soldiers".

DH: Don't know what may have been done about that.

¹¹ Recommendation 35 (g).

G ¹² Ibid.

- NB: (n) "review with PB10¹³ and the RLC MRO¹⁴ procedures for the selection of instructors". You did that? A
- DH: Well, I wouldn't do that.
- NB: "Review the instructor to soldier ratio and make recommendations"¹⁵. We've covered that. (p) "Ensure that at least 20-25% of instructors are female. One of the Troop Commanders should also be female".
- DH: One of the troop commanders was female. B
- NB: (q) "increase the liaison with ATR Pirbright in order to identify trends and to reduce the number of PVRs on arrival at Deepcut". Did you do that?
- DH: Yes.
- NB: (r) "Maintain within the Squadron a register of minor punishments". I think I've covered the recommendations that fall within your responsibility. C
- DH: Within the Regimental resources, there are not an awful lot of the things in there that we can do. From my point of view, the big issue was a lack of people. Because if one says that the duty of care regime should have had this sort of structure, we clearly didn't have the ratio. And there was no way of getting there. If you didn't have enough people you can't do so many other things.
- NB: Evans attached to his report about 8 cases of self-harm in the previous 8 months. Although you didn't have any deaths on your patch, you obviously had some self-harm. D
- DH: Yes.
- NB: We've got ones reported from the guardroom log. I've got six self-harms from the period January 1997 to June 1997. I think for the following period, June to September, we've got about 3. So there's about one a month. Is that about right?
- DH: Probably.
- NB: Anything one can do about that? E
- DH: We treated everyone as individually as we could.
- NB: In the welfare committee?
- DH: No, that suggests that the welfare committee pegged these as self-harm candidates, which they never did. If we had a self-harm, obviously they'd go to the doctor. F
- NB: And try to work out what was wrong?
- DH: Yes, sure.
- NB: Did these people get released or were they simply told to soldier on?

¹³ Postings Branch 10.

¹⁴ Manning & Records Office.

¹⁵ Recommendation 35 (o). G

- A DH: It varied, I think. The only thing I would say, as far as I'm concerned, the major issue at the time at Deepcut was resources. The second thing I know we're going to cover is Skinner.
- NB: Yes, we're coming to that. Obviously, I've read the four witness statements that you made. Let me just check that there are not others. 23rd of March, 26th of August times two and the last one is 7th of May 2004. So we know from the Army's point of view that Skinner goes to Northern Ireland in March 1995, he was reported for flashing in front of a young man to the civilian police who recommended prosecution but the DPP said there wasn't enough evidence. It's unclear whether the SIB were aware of this, but they clearly became aware of it by 1996, because ten months later, January 1996, is the second flashing incident in Northern Ireland, again a 17 year old youth. He's interviewed three days later, and that leads to his charge and Court Martial later that summer. And that's when he becomes your problem. I've seen the army records of this. Just to get the context, he pleads guilty in July, he's sentenced to be reduced in rank from WO2 to Private and he's told to get out of Northern Ireland in August 1996. He appears to have signed himself into the Sergeants' Mess at 20 Squadron RLC. Then the CO there says "I don't want his guy", so he's moved on from there. He looks like he spent some time at the Union Jack Club, and then he gets to Depot. Now, is getting to Depot the default solution or was it a positive solution?
- B
- C DH: That's default solution. At some stage, I think it's the Manning & Records Office, or it may have come via the Brigadier, but it comes to me: you are to have Skinner. I made representation to the Brigadier that this is not an appropriate person for me to have in the Regiment, and I don't have the organisation or anything else that's appropriate for this guy. Wherever the decision is made, and I don't know where it is, I got him.
- D NB: So you would have put this in record verbally, or in writing to Dalby-Welsh?
- DH: I probably did both.
- NB: Well one can see the virtue of writing if one ever keeps these things. You didn't want him because you'd been told about the history?
- DH: As I remember it, I knew he had been court martialled, he was an ex-Sergeant Major who had been court martialled in Northern Ireland for a minor sexual offence, which I understood to be flashing in a public loo, something like that.
- E NB: He was flashing in a car. Did they tell you anything more than that? Did they show you the records?
- DH: No.
- NB: Are you entitled to see his P-file at that stage? You're making representations as to his suitability, so can you see that?
- F DH: No. I wouldn't. I'd obviously been told some background by one method or other.
- NB: Would this be in writing, or verbally?
- DH: I cannot remember. But I do remember that I put forward that I deemed him inappropriate.

G

- NB: Well, you said that to the police, so I understand that. Obviously, I would like to track down exactly what you said and who overruled you and why. A
- DH: Wherever he came, ultimately, that is where I was overruled by.
- NB: Northern Ireland?
- DH: No, it wouldn't have been from Northern Ireland, it would have been the Manning & Records Office of the RLC. Let's be under no misunderstanding: I didn't want him. Somebody told me I had to have him. B
- JA: Was there nothing you could do to overrule that based on your knowledge of Skinner?
- DH: No, absolutely nothing. And the Brigadier was made fully aware that this was a completely inappropriate person to have in my Regiment and the Brigadier was unable to deliver an alternative.
- JA: Was he in a position to overrule the decision? C
- DH: I don't know
- NB: Could you have called for details about the offence for which he was convicted in order to make good your objections? Or is that not the done thing?
- DH: It wouldn't be the done thing, no.
- NB: Why was that not the done thing? D
- DH: It just wasn't the process. I don't know how it came to me.
- NB: Part of the point of this is to see how the Army can learn lessons to do better procedures in the future.
- DH: Start off with a problem, if there is a Court Martial, you then have a say 34 year old Sergeant Major who is done for that sort of case, who is then demoted to the rank of Private, so soldier on. E
- NB: So he shouldn't have soldiered on?
- DH: Not to my mind. And then you've got a 34 year old Private soldier who's used to being a Sergeant Major. Where do you put him? He's not going to fit in anywhere. So it was the Depot.
- NB: Army personnel problems are not your speciality, I take it?
- DH: No. F
- NB: So you don't know whether there is a double jeopardy rule?
- DH: No.
- NB: The second question is whether you could have called for any of the files to have found out, because I'm about to tell you more about what was known about him before he was transferred. G

- A DH: Probably not.
- NB: But you're not sure?
- DH: No, I'm not sure. We got what we got. We would have got some background.
- NB: But you only knew about one incident, rather than two?
- DH: As far as I was aware, there was only one.
- B NB: Probably because that was the one he was court martialled for. But were you aware that they were involving young males?
- DH: No.
- NB: Were you aware that when they arrested him the second time around, they searched his premises and they found ammunition and homosexual pornography?
- C DH: No.
- NB: Would that have changed your view at all?
- DH: Now, hang on a minute. My view was that he shouldn't be there. So changed my view, no. It may have reinforced my view that this was the wrong place to put him.
- NB: As far as we can see, he is formally posted in January 1997, and assumes his post in February, although you interviewed him in January. Although we know that he actually arrived there in October 1996. That's 3 months before you interviewed him.
- D DH: I would have interviewed him then.
- NB: No, you didn't. We've got the dates in your interview book.
- DH: Why did he arrive before? What was he doing there?
- E DB: He arrived as a Private. Would you have interviewed him?
- DH: I would have interviewed him in this case, yes.
- NB: He seems to have arrived there before his formal posting, and he seems to have worked his way into the gym before his formal posting.
- DH: He came when he came, and I interviewed him when he came. The discussion was, he ended up in the gymnasium because that was the most appropriate place at the time where we could put him. So there's something wrong in that sequence somewhere?
- F NB: Oh yes, there's something wrong. Finding out what is the issue. We've been through your interview book and we've got the interview with Lieutenant Colonel Harding, 20th of January 1997.
- DH: What was the interview about?
- NB: He requests to remain in Regiment for the remainder of his tour. He was due to retire, I think.
- G

- DH: Ah, that's mainly a request to remain in the Regiment. I've seen him before this. That's all that is. A
- NB: That's the first record we've got of you interviewing him.
- DB: We were trying to establish when he had arrived.
- DH: I know he was interviewed by me on arrival at some stage. He went in the gymnasium, and I had meetings with people, one of which will have been with [Major M], and I think the meeting would have been something like [Major M], the RSM, myself, the Adjutant, possibly even the quartermaster, because I used him as a sort of older, well, he was a Lieutenant Colonel, been there, done that. But I suppose I decided at the end of the day after the discussion and the advice that I was given, that the most appropriate place to put him was the gymnasium. Subsequently, that's proven maybe not to have been the case. B
- NB: So what you're saying is you saw him when or soon after he arrived and you placed him in the gymnasium after a discussion with all these guys? C
- DH: Yes. After that, we put him in the gymnasium.
- NB: The alternative hypothesis was that somehow he was only formally posted in January, you saw him in January 1997 but he had already arrived, and he had found himself or somebody else had asked him to help out in the gym and he was doing that when you saw him. You then formalised it de facto.
- DH: That doesn't ring a bell. D
- NB: The reason why we know that he was physically present before the 20th of January date which we've got in the interview book, is two things. First of all, there is a statement from [Major M], referring to him being there in about October 1996, which was picked up by the Army in the review in 2004. Secondly, and this is the point which is the most relevant, the police subsequently prosecuted him for an offence which he had committed in Deepcut in December 1996. So we know that he is around and committing crimes in December 1996.
- DH: Can I just get my mind around that? What were those dates again? E
- NB: August 1996 is when he is court martialled.
- DH: That's his DCM¹⁶ in Northern Ireland?
- NB: That's right. October 1996, there's a reference in a statement by [Major M].
- DH: But that begins to meet the time when he arrived with me. F
- NB: 26th of February 1998, statement by [Major M], making a reference to him being there in October.
- DH: So that's more likely. I can't actually remember whether he was in the Union Jack Club and then went to 20 Squadron or the other way around. And then Records didn't know what to do with him, so I got him. And I think October, then that remained in the Regiment interview which is in 1997.

¹⁶ District Court Martial. G

- A NB: 20th January 1997. Where he asked to remain in the Regiment.
- DH: And I progressed that, didn't I? I think I did.
- DB: It says you're going to speak to the Records Office.
- DH: I'd speak to them. Bear in mind, at that time I'm saying let's progress it, because I know there's nowhere else for him to go.
- B NB: That's the extract.
- DH: "Agrees to speak to Records Glasgow". So there's the interview in 1997, I think if you go back you'll find an interview with him.
- NB: I suspect we won't find the name Skinner because I can tell you, that was obviously a name of interest.
- DH: I mean, unless it says Skinner, it's highly unlikely.
- C NB: That's our problem. Except the interview book does say who you are having interviews with.
- DH: Yes.
- NB: From what I was told, we didn't have any record of you interviewing him before that date. And the final date, which you may want to note down for the purposes of the next few minutes is that we know subsequently that he was in Deepcut before 20th of January 1997, because he committed two offences in December 1996.
- D DH: What were they?
- NB: Indecent assaults.
- DH: And what happened to those?
- E NB: I'll tell you. Those are the offences for which he was tried in a civilian court in October 2004.
- DH: So those are the ones where I call in the SIB and which get forwarded to DCM?
- NB: No. You do something else.
- DH: No, sorry, these are the ones that come out as a result of the Surrey Police inquiry.
- F NB: Yes.
- DH: Now, all I've tried to do, there are two. I can't remember, I'm sorry. There was an incident at some stage where there was hands under the bedclothes, or something. I can't remember.
- NB: Was it stroking an arm in the NAAFI?
- DH: No, no, this was in the bedroom. But that was what I called in the SIB for.
- G

- NB: Let me give you some more dates if you want to get this clear in your mind. Because we've done some work upon this. On the 22nd of August 1997 there is a complaint by [...] and I think another person, of indecent assault at night – the early hours of the morning. He is interviewed on the 26th and you refer it to higher authority on the 30th of September, you have an interview with Skinner on the 16th of October. A
- DH: In which I say he's being remanded for Court Martial.
- NB: And then he's notified of the charge on the 4th of November, he's found guilty on the 25th of February 1998. So that's the one you put up? B
- DH: Yes. Now that one has come in front of me, there's been presented as whatever evidence there was, there is a case to answer probably, the SIB I think was called in, it's progressing through the machinations of the legal system and it pops out the other end with a Court Martial. For which I think they threw him out of the Army.
- NB: They threw him out of the Army.
- DH: So job done in that respect. Now, I think there was another incident. C
- NB: Yes, there was.
- DH: Now, the other incident, the timing I don't know, but I seem to remember that there was another incident that I dismissed.
- NB: What was that about?
- DH: I don't know. I can't remember. I think it was hands under the bedclothes, or something. D
- NB: You saw him on the 3rd of July 1997, in the interview book.
- DH: What was that about?
- NB: We don't know. It's just a blank entry, I'm told.
- DB: You had signed before and after, but not for that entry. E
- DH: If I signed before and after, then there's a reason for that. Then I didn't see him. But I don't know. I think there was another incident.
- NB: A formal charge?
- DH: I can't remember how it came about. As I remember, there was an incident which sort of Skinner was naked or whatever. There was no evidence, and there was no case.
- NB: But how did it come to your attention if there was no evidence? F
- DH: There was nothing to tie Skinner to it. I just don't know. But in my own mind, I have this inkling that there was another case. Here is a complaint that you've seen, and it goes through the proper process and comes out at the other end. I thought there was another one, unless there was only this. Another one, where the case was dismissed.
- NB: The Army records, when they were reviewing in 2004 the whole Skinner saga, there is a brief reference to him stroking someone's arm in the NAAFI. But we can't find a charge G

- A sheet or anything of the formal process about that. What my impression from how we had a general discussion at the outset about the complaints system and how things got to you, there must have been something in order for it to come to you in the first place.
- DH: Generally, yes.
- NB: Because if it was hearsay, that would get washed out of the system. My concerns earlier was whether enough things were coming to you.
- B DH: It may well have been that incident, the stroking of the arm, or whatever. But I thought a case that could not be progressed, anyway.
- NB: But did you then hear from the complainant?
- DH: It would have gone through the Adjutant. That's where I would hear that from. I wouldn't hear it as tittle-tattle in the NAAFI. I didn't go there. So I wouldn't hear it from the soldiers. And if it was formally dealt with, it should have been in my book. Because everything was prepared.
- C NB: I think we told you about what we found in the interview book. Now, [...] is the one that went forward, and he's got problems about that. And then what happens, in 2002, the Surrey police in the midst of their general review, they then get information about an earlier soldier that apparently nobody knew about, back in 1992 in Aldershot, which gives rise to three charges. And also, and I'm not sure until I've seen all the papers which way around it is, whether it's someone who comes forward as a result of a TV programme and tells Surrey Police about a December 1996 assault, and then, working back from that, they find 1992, or whether it's someone who's working on the 1992 assault and then works their way forward. I think it's actually someone complaining about 1996. And what I'm told by the officer on the case is that when they search his premises, they find indecent photographs which identify soldiers with whom he was committing offences.
- D DH: When is this search?
- NB: They do a search at some month in 2002 in response to a complaint I believe in December 1996, and they then find photographs showing indecent acts with soldiers dating back to 1992. They then come up with some 8 charges of which only 4 are progressed. But as far as we're concerned, let's just focus on the offences of December 1996. He pleads guilty to two counts of indecent assault in December 1996. The circumstances are of concern. Apparently he met the victim in the gym. The victim is then on guard duty at a time when they're thin on the ground. Skinner goes to see him late at night and orders him to his room, using the authority as made up Lance Corporal, or something of that sort. He assaults the victim who says "I was afraid to report him because he was a senior officer and he had authority over me".
- E DH: Yes.
- NB: So it speaks for itself why I'm putting these matters to you. So it seems certainly unfortunate that he was in the gym, because it gives him I suppose the opportunity of looking at young men in their gym kit. Is that right?
- DH: I think we'd all make that assumption in hindsight. Another way of looking at it is, where else could we have put him?
- G

- NB: Could you have given him gardening leave until March 1998? A
- DH: What, send him home? No, he was sent to me. If they wanted to give him gardening leave, they'd do it via Records or something. No, I don't do gardening leave. He was sent to me for me to employ him.
- NB: And what you're telling me, and this is quite important, is that even if you'd had all the information which I've tried to throw at you just now, and you had been convinced that this man was a danger to your recruits, male or female, and you'd pass it back up, saying "I don't want him", you had no authority? B
- DH: I hope that if that had been seen by the system, that he was a danger, the system would have reacted to support me. I did not see it as a danger. If I'd seen it as a danger, I did not know about any of this –
- NB: I think you're saying that initially, you didn't get enough information.
- DH: I didn't get any as such. C
- NB: Well, you probably got some.
- DH: We got the sketchy-
- NB: You didn't get the full material.
- DH: No.
- NB: You told me what you'd got, and [Major M] talks about what you got in 1998. Now, that seems to be some information, but I agree not the full information that I have on my file. So (1), there was probably a failure to provide you with sufficient information to form an assessment. D
- DH: Correct.
- NB: (2), what I think you were telling me, is that it wasn't your assessment that counted, it was someone else's, so you could do nothing. E
- DH: I had already assessed on what little I knew that this was an inappropriate posting. And progressed that through the system, only to be told "get on with it".
- NB: Supposing as a result of further information you might have been given, you had assessed it even stronger. Not only inappropriate, but definitely a danger to your recruits.
- DH: Well if I'd got that, I'd done that.
- NB: And if they'd still said no? F
- DH: I don't know.
- DB: On what basis did you judge him inappropriate, was it the fact that he had been demoted in rank so you had a former senior NCO now being a Private, or was it because of the Court Martial for flashing? G

- A DH: Both, really. There's no proper appointment for someone of that type. In a regiment that's a training regiment and you've got a sexual case of homosexuality, all those things pointed to me that it's inappropriate for him to be posted to me. But I'm not the one to say where is appropriate. The DCM found it appropriate for him to soldier on. One therefore assumes that the Court Martial thought it was of value for him to do something somewhere. It wasn't with me.
- NB: If these are questions you can't answer, please say so. I want to know, did you take the view that because the Court Martial had not dismissed him from the Army, that there was nothing much you could do to call for him not to be with you?
- B DH: No, I don't think that was particularly important. What was important was that Records, having been told by me that he shouldn't be coming in my direction, said he is. I then represented to the Brigadier who said "there's nothing I can do". He then turns up.
- NB: But it's fair to say that you thought it was inappropriate, and you didn't make stronger representations than that.
- C DH: Oh, no, unsuitable posting. When I say inappropriate, it was clearly an unsuitable posting.
- NB: Did you say it was a clearly unsuitable posting?
- DH: Well, I made it absolutely clear that I did not think it was the right place for him to be.
- NB: In written representations?
- D DH: That I can't remember but I don't think anyone was in any doubt.
- NB: I think I put to you the information that I have received so far about this case. I think we probably agree in hindsight that the gym was less than ideal for this character.
- DH: In the Regiment was less than ideal. Had he been not in the gym, he would still have had access to the youngsters, alright.
- E NB: So you don't think the gym –
- DH: Gave him any more? Ah, the reason he was in the gym was that he was able to be supervised as far as was possible, and he had supervised access within the confines of the gymnasium or out with the gym staff. I can't remember the specifics of why we decided on that, but we looked at the various places this guy could go and make some sort of contribution to doing something.
- NB: So anywhere is equally dangerous?
- F DH: In hindsight, yes sure. I think so.
- NB: Are you sure?
- DH: Yes.
- NB: So the gym is not particularly bad?
- G DH: Well, of course the gym is bad in hindsight.

- NB: I was saying with the benefit of hindsight. A
- DH: OK, with the benefit of hindsight I would not have put him in the gymnasium. With the benefit of hindsight, I would not have taken him at all.
- NB: We know that you didn't want him at all, and we've been through that. And now, given that you've been mandated to take him, and the question is, where is the less dangerous or offensive place for him to be put? From what we now know about him and his activities, the gym didn't look particularly brilliant. B
- DH: No.
- NB: I don't know how much of this Surrey Police gave to you. Is some of this news to you?
- DH: What?
- NB: Of the history of Skinner.
- DH: Yes, some of it is. C
- NB: Because when you said in your last statement to Surrey Police "given the difficult circumstances surrounding Skinner, I still believe that when all the factors were taken into consideration, his employment in the gymnasium was the right decision".
- DH: Yes, given what I knew. Given what I knew at the time, I did not suspect that Skinner was a danger at all. If I had suspected he was a danger, I don't know what we would have done. But I have already said that he was inappropriate, it was the wrong place for him, he shouldn't be with me. Now that you've got him, what do you do with him? You don't put him in 86 Squadron, because if you put him there, he's with the cadets all the time. And he's in the 86 Squadron accommodation and has access there. So he goes in 87 Squadron, where he's in separate accommodation. You put him in the gymnasium, well, he can be supervised there by the Staff Sergeant in the gym, he has limited access. I didn't know he was jumping around in the showers or whatever it is you said. He's got limited access and we've got some sort of control and idea of where he is. And he was PT trained in the past. I think that was the other reason. D
- NB: What I'm finally going to see how you respond to is, if we had added to the information you did have, I know it's a hypothetical question, if you think that is too difficult, let me know. If you had been told that essentially there was good reason to believe that he was an active homosexual with an interest in young men over a period of time, what difference would that have made to your assessment? E
- DH: No difference, he should still not have been coming to me.
- NB: No difference? F
- DH: Maybe I would have represented it stronger than I did, I don't know how strong I'd represent it, maybe I'd go bang the table in the Brigadier's office. I don't know. What else could I do? I represented the unsuitability of this guy through the chain of command. I don't have an alternative to that. I couldn't say "shut the gate, don't let him in".
- NB: When you say "unsuitable", is that a very strong word for you? G

- A DH: Of course it is. He should not have been there under any circumstances.
- NB: I put to you danger, and you said it didn't go as high as danger. So I think we're debating some degree between unsuitable and danger. And I'm trying to find out where you would have placed him if you had known all that was available to you.
- DH: Oh, probably nearer danger. Had we all known, I mean, I'm not sure how we ended up with him anyway. If you go back up to Records I can't now reason in my mind why that would be the most suitable place for him to go.
- B NB: I don't know whether I'm going to be able to see this with what's left of the paper trail, but I'll see what I can do.
- DH: Because as the CO, it was very much "he's been sent to you, now get on with it". There was no more debating it. In the military, there's only so much debate, followed by a solution. And when there's a solution, there's no more debate. Get on with it. So I was definitely opposed to it from the very, very first moment I heard of him.
- C NB: So, summing up the exchange we've just had over the last half hour. Would it be fair to say that what you are telling me now is that you were not given all the information I've referred to – homosexual pornography, suspicion of previous offence – and if you had, you would probably have made stronger representations, but ultimately, it's not your decision.
- DH: Correct.
- D NB: If you had been forced to take on someone you had reason to believe was homosexually active with an interest younger boys – all his victims I think are between 17 and 19 – then the gym might not have been the place for him at all.
- DH: No. If I could turn the clock back, do something different and make sure that Skinner was not allowed to be a predator to young people, of course I would have done it. But I just didn't know, I mean, this didn't come out until 2000 whatever it was.
- NB: 2002.
- E DH: In all fairness, the gym was the wrong place to put him, I put him there, subsequently in hindsight, perhaps I put him in the wrong place. This isn't to say that if we had put him somewhere else it wouldn't have been exactly the same, but I can see the correlation between gym, young people, kit – I can see where you're coming from. But whether it would have been better somewhere else, I don't know.
- NB: I think I've come to the end. When you handed over command in 1998, do you think morale in the Regiment was better than when you took over?
- F DH: I hope so.
- NB: How would an objective observer measure that?
- DH: All I can say is that I did as best I could. I may not have got it all right, but I did the best job I could given the resources I had. Probably wouldn't have got it all right; probably made some mistakes, but none of them were through design or negligence. I wasn't not interested, I was interested. But perhaps I should have seen more than I did. I don't
- G

- know. And it's a long time ago. And the saddest thing is of course I think you said 9 people involved. A
- NB: By 2004 they charge him on all these counts, and he only pleads guilty to some, they decide that's enough to get the sentence he should get, so he gets 4.5 years. So the others lay on the file. I don't have the details of the other ones. And I hope I will get them soon, so I can at least log in and go back and say this is the picture. But in fairness to you, and we've covered a lot of ground today, you take over a training regiment that has had in it as the RSM someone who seems to have been abusing young women. As we now know, in the course of your posting you were assigned someone who it turns out to have been abusing young men. And we've uncovered quite a few more other candidates in the role of sexual abuser in 1995. B
- DH: In 1995?
- NB: In 1995. Allegations of fraternisation against 4 or 5 of the NCOs. And then [Lieutenant C]. So it's not a pretty picture.
- DH: A lot of that I certainly wasn't aware of when I appeared on the scene. C
- NB: But you knew little bits of rumours like the [RSM Z] stuff. But I've put you in the picture as to what my review is doing, so you can see why I've-
- DH: I think if I can say a couple of things. From a regimental perspective, there was a severe shortage of resources which became more and more acute. A lot of efforts were made – in particular by people like [Major M] – to look after people who had problems. If you've got so many people, there are also going to be a lot of problems. And as many problems as we could sort, and as many things as we could improve, we did. Or at least I'd like to think we did. Quite clearly we didn't get it all right, because Skinner was definitely in there, [Lieutenant C] I didn't know about – I didn't have a lot of time for [Lieutenant C], but I certainly couldn't have come up with all of this. [Lieutenant(f) A] I didn't know until I heard not so long ago. D
- NB: Are you still in touch with people from Deepcut?
- DH: Very, very few and very, very patchy. E
- NB: But I imagine this about [Lieutenant(f) A] wouldn't have been in the public media, so someone must have told you.
- DH: Someone mentioned it to me, maybe the police. Because I remember the police mentioning [Sergeant B], and I couldn't at the time remember who [Sergeant B] was, but I do now remember him as the guy who went forward to the Army Welfare Service. But I do not place the guy who I had in my mind then as the guy you were talking about. But as I tried to explain, there was a sort of system, but I suppose it couldn't have been very good. F
- NB: I think that's what I've been asking. Well, we've had a long session and thank you very much for your patience and forbearance. G

Appendix 4/7

Meeting with Mr & Mrs James

Present: Nicholas Blake QC (NB), Des James (DJ), Doreen James (DoJ), John Staples (JS), William Bache (WB), Julie Albrektsen (JA), Darren Beck (DB) [part of meeting only].

Location: Matrix Chambers.

Date: 15 June 2005.

NB: Only yesterday did I actually see Cheryl's personnel file. Have you had that under the FOI? B

DJ: Well, I've had a long list of documents. There was certainly one letter in there from an officer that I had never heard of.

NB: From Leicester.

DJ: No, From RLC – Deepcut. Well, I won't swear to it being from Deepcut. I've memorised the address on it – it was certainly from an officer in the RLC. It's dated the 28th or 29th of November 1995. C

NB: But you had never seen it?

DJ: No, that letter I swear I had never ever seen.

NB: I've seen the letter which you refer to, because I was working through that yesterday.

DJ: I wanted to make sure that I remembered to tell you that I had never seen it before. D

NB: Now, other things that I think you have seen, you have obviously seen the Evans Report¹, the Board of Inquiry report² and I gather from the police you had three briefings from the police about bits of information, about their own investigation.

DJ: Well I don't know how many, I've lost count of the number of e-mails and briefings.

NB: A briefing on the 31st of December, a briefing on the 13th of November. Then I've got something on the 27th of May 2004. E

DJ: I mean, there was a briefing with the Chief Constable in January 2003.

NB: I think you know that I went to the Deepcut and Beyond families meeting in the House of Commons on the 7th of June. And did we get you the text?

DoJ: Yes, we've had the text.

NB: As far as what I've been doing since I last saw you, which was some time ago, you were the first family that I saw, so at quite a rudimentary stage. I've had the documents which the police were able to give me, which was their report to the Coroner, the statements backing up the duty of care schedules. I've got most of those from 1995, with 2001/2002 there are other problems. They are still working on the basis that if anyone has objections to the disclosure there are problems which we haven't necessarily worked our way around. But I think in Cheryl's case I feel that I have most of the materials. F

¹ The Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995.

² Board of Inquiry – Pte James (deceased), 18 January 1996. G

A Regarding other matters, I think that they have briefed you; they have explained the German BKA³ reports on the forensics. Did they also brief you about the psychologist?

DJ: Yes.

NB: Did they show you her report?

DJ: I've got it.

B NB: Right. That's useful to know. I wasn't sure about that. So there is that. There is some other material – obviously I have only just had the personnel file recently. I have been getting a few bits and pieces of information from others serving at Deepcut in 1995. I think those were simply confirmatory of the picture that was emerging from those documents. We have been chasing the Army for various policy documents, and they are coming through so far as we can, any documents about the training regime, the duty of care regime, responding to the Evans Report through to everything else that was done. You have also got a file of correspondence in chronological order which you provided to Darren, haven't you? Can I check at the outset about that? Because as far as we can see, the earliest one we've got.

C DJ: It's not in my file, that is why you didn't have a copy of it. And of course, if you look at all the others, it's obvious that I've replied to all the others, so why wouldn't I reply to that one?

NB: First what I've got then is you writing to Capt Whattoff, the Adjutant, on the 25th of January 1996. So as far as you are concerned, that was the kick-off?

D DJ: Yes.

NB: Is it that you may have had some other letters which may have gotten lost?

DJ: I think it is unlikely. I am quite obsessive with it. I could never argue against that, but all I can say is that it's pretty unlikely.

E NB: It seems to me that we have got a fairly intensive exchange through 1996 and 1997, but then we come to this abrupt halt, the 19th of September 1997, where you get the last letter from MOD AG7 Upavon.

DJ: Yes.

NB: And by that stage you have raised the question in press reports of the SIB investigation into allegations of bullying at Pirbright.

DJ: Yes.

F NB: I don't think that has come across my radar. I have got a pretty extensive press file, but did that ever come to anything? Do you know?

DJ: It was said there was no connection. As I recall, the boy who had made the allegation – it was in a newspaper – his father was a police Sgt and I think he lived in the north of England, Leeds or York or something. That was the second time that bullying had even been mentioned. The first time was in the inquest, where, in hindsight, we feel that the

G ³ Bundeskriminalamt.

Coroner raised it without anything coming from us. If you read the transcript, he raises the comment about bullying, I can't remember the words. I actually wrote to the Coroner questioning that.

A

NB: Have you seen as part of the Bol materials the initial report of the SIB to the Coroner?

DJ: I can't swear to that.

DoJ: No.

B

NB: Let me show you. "Initial Case Report – Royal Military Police".

DJ: No, we've definitely never seen it.

DoJ: No, we have never seen it.

NB: I've got from the documents I have been given by the MOD, the 29th of November 1995, the Initial Case Report from the Royal Military Police. Well I would imagine you should probably ask for that.

C

DJ: I already have. They said some documents had been held back because of the Secrets Act or something.

NB: I don't think this would fall into that category.

DJ: Well, it didn't come under the Fol, that's for sure.

NB: There's two bits, really. They mention to the Coroner the [Private AA] letters and Cheryl was apparently unhappy in the Army, but they also mention that they didn't find any evidence that she was being bullied in the Army.

D

DJ: But you of course know that the Coroner told Surrey Police that he hadn't seen the letters.

NB: This is the report. Bullying is mentioned there, and I would imagine that the Coroner would be asking the investigating officer based on the information that he had got. It's not mentioned that they find any evidence of bullying. Just to return to my process – I know this is a long preamble but I want you to know what I have been doing. After some extensive correspondence and conversation about the Data Protection Act. I will now be getting a number of personnel files of people of interest, people who are a general source of information, the soldiers who died at Deepcut and the files of other people who appear to be of particular interest. That process has only just started, and I imagine that will take some time. Darren and Julie have been going through all the surviving guardroom logs that the police have retained, which takes us right up to 2002.

E

DJ: From 1995?

F

JA: No. We did not have the guardroom logs from 1995.

NB: By the time the police did their reinvestigation the 1995 ones don't seem to appear. They seem to be two-tiered. We also have the Commanding Officer's Interview Books, which do seem to stretch right through the period. I think we have also got some materials from the RMP, which may relate to incidents in the guardroom logs. It is very difficult to know how far the Surrey Police have done this already. Tomorrow begins a

G

- A series of interviews with the former Commanding Officers of the Training and Support Regiment and the Commandants of the garrison at Deepcut. I'll be going up the line, and I will be meeting the senior officers and Lieutenant General Palmer.
- DJ: Have you seen Colonel Josling?
- NB: I'm meeting Colonel Josling towards the end of that process. You've seen the very broad statement⁴ that I made to Deepcut and Beyond as to how I was minded to ask certain questions. But none of this is set in stone. As you may have seen from the statement to the Deepcut and Beyond meeting, one of the big problems that I have – which doesn't affect Cheryl's case but Pte Collinson's case – because the Coroner hasn't got a timetable for the inquest and doesn't want me to get into certain aspects of his case, which is understandable until his inquest is concluded. Which means I have got virtually no material about his death. So essentially the process which I am describing is going to grind to a halt before we get to the Collinson inquest.
- B
- DJ: What is the reason for that delay, because Surrey Police completed the investigation into that death for the Coroner?
- C
- NB: Well quite. What I am going to tell you is my understanding of the answer to that question. My understanding is that the Coroner didn't think it appropriate to fix the date of the inquest until the Surrey Police investigation was concluded. The Surrey Police investigation was concluded, and in the course of that investigation, there was the suggestion that the inquiry was not broad enough, the Devon & Cornwall issues – I'm not going to try to accurately reproduce those now. So Devon & Cornwall were then briefed to investigate the Surrey Police investigation. I understand that the Coroner did not want to set his timetable until that review of the Surrey Police investigation was complete, just in case factor X were to appear. That review was thought to be complete in 2004, then in January 2005 and it wasn't, in April 2005 they ask for an extension until May, and then Geoff Gray raises the issue of the document found on his son's personnel file, which I then think lead to Devon & Cornwall suspending the delivery of their report, as it seems to be within the terms of reference of their inquiry, so Devon & Cornwall are on hold, which means Surrey Police and the Coroner are on hold. That is my understanding.
- D
- DJ: It just fascinates me. If it was a different Coroner, then I could almost understand it, but the same Coroner that allowed my daughter's inquest to take place within three weeks without the Surrey Police, the primacy of their investigation, it's the same Coroner who is holding back on this for two police forces to complete their investigations.
- E
- JS: Is it worth Lembit Öpik MP tabling a Parliamentary Question raising these issues, why it's taken Devon & Cornwall so long? Because it does seem like an unreasonably long time.
- NB: I'm not going to comment upon "unreasonably long", it's someone else's function. All I can say, is that I can understand that once someone takes a position – as you know, I agreed very early on in January that I couldn't intrude upon the Coroner's inquest – I've stuck to the consequences of that decision. And I suppose if someone took the position that "well, I'm going to wait and see what Devon & Cornwall have to say", it's going to be quite difficult to change that position, otherwise it suggests that it was unnecessary, or that you might be accused of precluding a possible source of data. In the event, it must be deeply unsatisfactory for the Collinsons and I'm going to have to have a discussion with them at some stage, sooner rather than later. But as I say, that is about their decision.
- F

G ⁴ Statement by Mr Nicholas Blake QC to the Deepcut & Beyond Group on 7th June 2005. Available from www.deepcutreview.org.uk

- DJ: I suspect that as the Independent Police Complaints Commission announced yesterday their own independent inquiry into the existence of that document, and even if Devon & Cornwall reported tomorrow, the delay would then be the Independent Police Complaints Commission inquiry which would probably take another two years. A
- NB: That would be a very pessimistic scenario.
- DJ: Borne of experience, I'm afraid. I would love to be optimistic in all this, but I just seem to be walking in treacle everywhere I go. B
- NB: Although these are things that impact upon what I have been able to do and when I have been able to do it, I still try to stick to my brief of reporting urgently. But you always have to make a judgment as to whether to wait or proceed. That is the broad picture. Let me get back to the correspondence for a moment. I noticed in the correspondence, there is the whole Alfie Manship question which you've raised. Now, I'm not entirely sure what Mrs Manship Milligan has said about that, but there are some outstanding enquiries about that issue.
- DJ: I just find it difficult with the benefit now of looking into the details of this for three years, I cannot separate these issues. And my feeling – and I may be right or wrong – but my feeling is that the entire issue is one of the culture that existed in the management of that camp during the period which certainly embraces the period when my daughter and Sean Benton died. And I don't know when it started and I certainly don't know whether it ended. I feel there is a strange intensity in everyone for example wanting to separate the Leslie Skinner case from all these issues. Because I think what Leslie Skinner's case indicated that something was very wrong in that camp. C
- NB: Let me come back to Skinner. I was just going to deal with Manship. I'm making some enquiries. Let me just say it may well be that the outcome indicates that that doesn't add to the background because there are questions as to where he was being trained. D
- DJ: There is the link with the Sergeant who was the same Sergeant that Sean Benton had problems with.
- NB: I know that's what the suggestion is. I'm trying to see where that leads. You raised the issue of how far back. I'm sure you're right that the principal issue of my review is precisely the duty of care, the degree to which there were arrangements made to examine the duty of care. And I'm drawn to the significant changes that took place in 1993, when the RLC was established as a Corps. Things before that, it's just too many straws in the wind and it would be hopeless. Leslie Skinner you mentioned; let's turn to him. Yes, that's also an area that we are thinking about. We are getting the data held by the MOD. We are aware of your letter to the Minister and what Surrey Police have said. I understand that the MOD owe you a letter. Suffice it to say, it is sufficiently clear from what the public know already that Skinner was at Deepcut by December 1996. And I am going to get his personnel record, and when I have had the chance to analyse it in detail, I will know what to do. E
- DJ: Why it is so interesting to me in a way is the fact that there was confusion already existing in that three separate members of Government had made three different statements. And as a result of that confusion, Lembit Öpik asked the question in the House. And as a result of that, we must assume there is some internal question asked to establish exactly when he was there. And as a result of that, Mr Ingram made a very definitive statement. Well, that worries me greatly. F

- A NB: I'll let the MOD explain what Mr Ingram said. I think that in terms of the search for information, I think I can say this, it looks to us as if we know that he was in Northern Ireland in the summer and early autumn of 1996 and we know that he was in Deepcut in December 1996.
- DJ: I have been told long that there was an L Skinner at Deepcut in 1995. Whether it's the same L Skinner, I don't know.
- B NB: Is this from Mrs Manship Milligan? Certainly we don't find that the man we're interested in was at Deepcut in 1995.
- DJ: I'll ask her that question.
- NB: But I've seen that suggested. Maybe on the website. Irrespective of when he arrived, there may well be issues as to how he arrived there. I shall be asking questions in the chain of command about that. Can I just get back to you correspondence file? As I say, there seems to be that there is the letter from Upavon on the 19th of September 1997. And that's it until the letter from it looks May 2002. So the correspondence does in fact go quiet thereafter?
- C DJ: It was a decision we made.
- NB: And then I can see the exchange from 2002. Obviously, you're getting quite a bit of information out of Lt Col Laden, whom I've met. You've mentioned the press cutting about the 1997 inquiry into abuse. Lt Col Laden is entering discussions with you about what the Training Regiment did in response to the Evans Report. And he says, in his letter of the 2nd of July 2002, that he is enclosing various documents.
- D DJ: I haven't got a copy of that letter.
- NB: I just wanted to make sure I knew what they were. This is his letter. I think these paragraphs – paragraph 33 – refer to the paragraphs of the Evans Report. There is a paragraph 33. So 33a talks about the review. "The review was conducted in 1997. I have attached the results to this letter. The photocopied document is dated 1997, but it gives a gives a good overview". Now it wasn't attached to this letter. I don't think I've seen a review of the Training Support Regiment from 1997, but what I have seen is Dr Walton, Army psychiatrist, who was reviewing self-harm and suicides in the Army in that year. Occasionally we're finding that individual officers have kept documents of relevance to them or their command, which haven't sort of been retained centrally.
- E DoJ: I don't remember reading that.
- NB: So I think he would have been taking this out.
- F DJ: There is an explanation why it's not in there. If it was a thick pile of documents, then I've got a separate file where I put that sort of information, rather than putting it in the file of correspondence.
- NB: Can I just pose this question: is the 1997 document the Walton Review? If so, I'm pretty confident I've got that.
- DJ: No.

G

- NB: If it's not, or it's some RLC even summary of the Walton Review, then I don't think I've got that and I would appreciate that. The final question arising from this letter is he also says "the additional document is a much more comprehensive document from 2001". I believe that may have been Colonel Haes' Report. But I've got that. Just in case another rabbit pops out of the hat, I'd like to know where they all are. Whilst we are dealing with these matters of documentation, I'm conscious about the subject matter of the correspondence about some of Cheryl's letters that were returned to you, between January and April 1996. The first ones came February 2nd. I've had from the Surrey police a number of letters they identified. All I was seeking to do was to use you to make sure I had everything which you think might be relevant. And it seemed to me, just looking at Cheryl's letters, I know there was a letter which you wrote to her in May. I've moved on to around October and November, and it seems to me that her letters from that period may be more relevant. A
- DoJ: We were in touch mostly by phone during those months.
- NB: Yes, I noticed that. I'm not sure about some of these. I've abstracted those that were within that time-scale. We have these letters, mostly unsent, to [Private AA]. And then there is this letter to [a friend of Cheryl's from home]? B
- DJ: Yes.
- NB: That's the letter of the 19th of November?
- DJ: Yes, I think so.
- DoJ: But that was never sent. D
- NB: So that wasn't sent either?
- DoJ: No.
- DJ: To be honest with you, I get confused about the dates, what was written when, was it sent, wasn't it sent.
- NB: I think the letter to [a friend of Cheryl's from home] you did mention when you had the discussion with Surrey Police. Let me remind you about that. It looks as if it's therefore an unsent letter to [a friend of Cheryl's from home], written on the 19th of November 1995. "Dear [...]. I hope you're all right back home. I can't wait to come back on the weekend. I just hope I'm not on guard duty. I was pretty shocked about [name of friend who died in car crash], because I know how it feels. Yet I'm not there really, it doesn't affect me like you. Also, now, when people die I feel sad but I think I'm used to it. I mean, it sounds bad, but we all die sometime. Shame being so young, it's the same as [name of cousin], really". Does this ring a bell? E
- DoJ: Yes. Her friend [...], he was killed in a car crash. He was in the same year as them in school. It devastated them. F
- NB: So this had just happened?
- DoJ: Yes, it had happened then.
- NB: And [name of cousin], is that a reference to the cousin? G

A DoJ: That's right.

NB: Who had died in 1992.

DJ: Yes. I think there is a relevance there in that the fact that that had happened when Cheryl was so close to him allowed us at the time to fall in line with what we were being told. Because that allowed me to be persuaded that that was what had happened. As a result of [name of cousin]'s death, she was certain she would not do anything like that, because she had seen the devastation it had caused at the time.

B

NB: There was that letter, and then there was one to [Private AA] between that date and the 22nd of November, in which she talks about leaving the Army. That was unsent.

DJ: None of this was mentioned at the inquest.

NB: That's right. So it looks as if the man who did the SIB report was aware of this, because he had retained it. This was the Major who wrote the report. The Coroner's Officer, who was that?

C

DJ: [the Coroner's officer], who is now retired. According to Surrey Police, they traced him and showed him the letters, and he had never seen them before. So therein lays the question. You have the SIB officer where there is an audit trail and he is aware of them, and then you have the Coroner's Officer who hasn't seen them. And we have the Coroner who didn't mention them. That's the scenario. Because if I had been called at the inquest and asked whether she was happy in the Army, I would have said "yes".

D

DoJ: But they hadn't seen the letters.

DJ: If I had seen the letters before the inquest, I would have gone to the inquest and asked lots of questions. Why was she unhappy? Were you aware that she was unhappy? What was going on?

NB: When was she last home?

DoJ: October 22nd.

E

NB: For her birthday?

DoJ: Yes. Her 18th.

NB: And she'd come from Leconfield?

DoJ: Yes.

F

NB: She comes home for the weekend?

DoJ: Because her birthday was on the Sunday.

NB: So she gets to you on the Saturday, or the Friday night?

DoJ: Friday night, I gave her an early birthday present.

DJ: That was on the day, that was. The 22nd of October.

G

- NB: So looking very bright and bubbly. A
- DJ: Absolutely.
- NB: Do you agree with that description of her personality?
- DJ: Giggly, joking.
- NB: So for that weekend, still full of enthusiasm and looking forward to her posting – did she have an idea of when she might get posted, or where? B
- DJ: She told me she had chosen Germany.
- DoJ: She was hoping it would be abroad. But I don't think they knew.
- NB: She passed her test on the 16th. So she's happy about that, she comes home for her birthday. Then on the 9th of November she gets disciplined at Leconfield for being in the men's quarters. C
- DJ: Yes.
- DoJ: She never told me about it.
- NB: I think that's probably what she's referring to in these unsent letters, there's a reference to a fine.
- DoJ: The only inference to the fine was that she said she was broke. But I could take that one way or another. She phoned up and said she wanted to do Christmas shopping. She wanted to come home next weekend. But teenagers are always broke, aren't they? D
- NB: The other thing is that she does have the ability to get accommodated and fed.
- DoJ: She always seemed to be OK.
- NB: But the fine hit her, and it was probably designed to do so.
- DoJ: What we didn't find out was the actual circumstances of that. We never knew what had happened. What you just told me is all I know. E
- NB: I've also got down on my events sheet that on the 14th of November she was given 4 extra days ROPs for failing to attend the ROPs parade. I think that's what she's referring to in her letter when she talks about having to appear twice in front of the CO. That seems to tie up. And then on the 16th of November she comes back to Deepcut. It seems that maybe some of the ROPs days she should have served were in fact served or waived for some reason. I've got then on the 17th that she says that she's seeking a posting in Germany; there's this form in the personnel file. In the personnel file there's a posting order dated the 21st of November ordering her posting in Bicester, not to Germany. And the order says that she would be transferred on the 4th of December. Did you ever come across that? F
- DoJ: We were told that she had been posted to Germany and that that had arrived on the Monday that she died.
- DJ: The police told us that. G

- A DoJ: Because we never knew where she had been posted up until her death. She had no idea; or she didn't tell us, obviously.
- NB: That's a question I want to ask you, because I certainly read somewhere that she was being posted to – I knew she wanted to go to Germany – but that she had been posted to Bicester.
- DJ: We were told the posting came up on the day she died.
- B DoJ: On the Monday morning, the 27th.
- NB: This is the document I'm referring to. You've got that.
- DJ: When you say I've got this, what makes you think that?
- NB: It's in the personnel file.
- C DoJ: No, we haven't got that.
- NB: How thick is your personnel file?
- DJ: There's a lot of repetition. But I can't remember that one.
- NB: I'm picking this up from here: 21st of November, the length of tour is 36 months to 2nd Combat Support Regiment, Bicester. The effective date of TOS is 4th of December.
- D DJ: That's never been mentioned.
- DoJ: The question we've always had when she died was how long had she signed on for. We didn't know that. She never said. And when did she do this, but Mr Laden couldn't find that out for us. Had her posting come through, did she know where she was being posted to? He said no, it came through on the Monday before she knew about it. Because we perhaps could have connected that with her frame of mind.
- NB: I only read through this yesterday, so forgive me if I'm wrong, but I haven't been able to find anything about Germany.
- E DJ: We were told, I'm pretty sure, by Surrey Police. That that's where she was going to.
- DoJ: And by Mr Laden. When he came to see us, he said if we had any questions, he would try to find out. And after all this time with no success-
- DJ: According to my understanding, her posting was to Germany and it came through on the day that she died, but too late for her to know about it.
- F DoJ: We can't know for sure.
- NB: I can't recall that in the correspondence that you've given me from Ron Laden, that he was saying that.
- DoJ: I don't think it's anything written. Obviously, it's been said to us at some time.

G

- NB: There's something else. There's a telex, someone has written on it in handwriting "CO Regiment, Bicester", and it looks as if RTA⁵ 30.11 has been interchanged to 04.12. So I got the impression that she either hoped to be going to Germany on the 30th of November, I've got it as "requested Germany or all UK South". A
- DJ: I mean, if she was told that she was going to Bicester, then I would say that's quite relevant.
- NB: Well, I'm just trying to reconstruct the primary documents here. B
- DJ: With a lot more success than I've had, that's for sure.
- NB: But anyway, she never told you that she got her posting. Either Germany or Bicester. And she last phoned you the weekend before her death?
- DoJ: Friday.
- NB: Friday is the 24th. And you're sure it was the Friday? C
- DoJ: She called at about 2 o'clock. I went out with the girls for lunch. And I said "you're lucky, you've just caught me". And I was late, because I'd been out to lunch.
- NB: According to [Private AB], that Friday is the day he starts his relationship with Cheryl.
- DJ: Have you spoken to him?
- NB: I haven't spoken to him, but I'm getting the product of his interviews. D
- DJ: Surrey Police actually told me that he specifically changed his statement. He was initially saying that they were laughing and joking, and she was saying that she was going to go into the wood. Later, he told them that they had actually had a big argument.
- NB: On the 27th?
- DJ: Yes.
- NB: But the question I now have is regarding Friday the 24th. It would appear that some sort of a relationship with [Private AB] had started the previous day. But she didn't mention that to you at all? Did she ever mention [Private AA] to you? E
- DoJ: She mentioned, yes. She had asked when she came home one weekend if we would mind if she would bring her boyfriend. But she didn't say who he was. I presume that she was referring to [Private AA].
- DJ: It must have been. F
- DoJ: So I presumed it was him.
- DJ: Thursday is the same day she arrived there. She sent a letter, didn't she?
- NB: Sorry, arrived where?
- DJ: Deepcut.

⁵ Required Time of Arrival. G

- A NB: I think she's back at Deepcut on the 16th.
- DoJ: And he did come from Devon, didn't he? Well he was from Devon, because that's the one she was talking about. She did say he was from Devon. Because she didn't mention – you know they talk about so many people, they meet so many people all the time, don't they?
- NB: When she phoned home on the 24th, did she mention any of her problems at Leconfield?
- B
- DoJ: No she only said – she was supposed to be coming home that weekend – and she only said "I can't come home, Mom, I'm on guard duty".
- NB: Was she particularly upset about that?
- DoJ: No, but then again, at that age group – and Christmas was coming up – once they settle in, they sometimes prefer to be with their friends.
- C
- NB: Was she cross about that?
- DoJ: She was looking forward to coming home to do some Christmas shopping, we had plans, because she did like Christmas, didn't she? But we didn't quite expect her to come home, because she seemed to be on guard duty a lot. She seemed to have a lot of guard duty.
- NB: Yes, there is the problem of guard duty. You have seen the Bol statement and the SIB statements taken in 1995 about [Private AB] and [Private AA] and all that was going on.
- D
- DJ: Of those I've had, most are not signed and a lot of them don't flow. When you read them they don't make any sense; they simply jump around. I don't know if it's the same you've had.
- NB: I think they would be, but I think they might be different filed copies.
- DJ: Well, none of them are signed, as I say. And some of them simply don't flow. And to me, I think that's partially why I've been quite critical of the whole process, because there wasn't enough detail. It's such a serious event and we thought that it would be much more structured.
- E
- NB: The statements you've got, they're attached to the Coroner's report? These statements emerge in different forms. They are taken by the SIB, they're attached to the report of the Coroner, they re-emerge with the Bol. They're then used as the basis for the Bol transcripts. When you get home, I think it might be useful to check whether the statements you've got are pages 1-46 of the attachment to the 14th of December 1995 letter. Part of the value of bringing these documents, is that we can then capture this form of information. And obviously, from those statements and from the evidence that [Private AA], [Private(f) AC] and [Private AB] have given, there seems to be quite a lot of shenanigans going on in the form of parties and being in the men's accommodation. All of which was news to you presumably? She didn't mention this at all to you?
- F
- DJ: Well, she had no opportunity to mention this to me.
- DoJ: She told me that when they weren't on guard duty then obviously they were out and about.
- G

NB: I think she was out throughout that weekend, Friday, Saturday and Sunday. I've seen what Surrey Police have got on that, and there's more of those kinds details of this weekend. There are some differences between [Private AB] and one or two of the other soldiers there. But I suppose in 2002 and 2003 there are bound to be inconsistencies, but that is very much the picture that emerges. I suppose a problem I would like to discuss with you is how far it is necessary to deal with the details of all this. Because there is some quite personal stuff about her sexual behaviour. This is one of the real dilemmas I have about what sort of recommendation I should make. And with Cheryl directly, because of her gender as a young woman, we've got this whole question of sexual activities in the barracks. Which is a theme. And it is different from the issue you get with Sean Benton. And out of the four deaths, this is the death which brings this into focus. And questions which have concerned me are how much anybody should know about what was going on in the barracks, how much anybody was doing about it and how far the NCOs were involved or condoning this. So I think some degree of detail as to what was apparently going on is necessary to bring this theme out into the public domain. Not to cause distress to you, but I think this is part of the reason why I want to go up to others and say "you knew what was going on, why weren't you doing anything about it?"

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DoJ: It's part of the duty of care.

NB: And it's striking when you get Evans on this question, what anyone did about it. But you probably discussed this with Ron Laden?

DJ: I have, yes. And we discussed his position on it. And as it happens, I've got a lot of time for Laden. And the fact is that he wasn't there in 1995. He made it clear from the very start that he wanted to defend himself, and that the camp that he ran was OK. But none of that helped me, because that's not my suspicion. My suspicion is that that camp was out of control in 1995. And that the officers who were responsible for the duty of care failed in their responsibility to Cheryl.

D

NB: Colonel Laden was deeply concerned. He thought that things had to be done about the ratios, about fraternisation.

DJ: My feeling is that Ron Laden has gone as far as he possibly can in guiding us. He told us fairly early on – he came up to us with John Kerce, I think his name was. At that point, we were leaving the hotel, he came down into the foyer and he said "listen, I've got enough concern about my time at Deepcut, but I'm telling you, the Army are wetting themselves over 1995". This is exactly what he said. And he had no reason to say it, but he did. And I think the other issue, and you raised this quite well, when I then visited Deepcut in June 2003, we went into his office after he'd showed me where Cheryl died, and I was there for a long, long time – just the three of us – and at one stage, Colonel Laden became quite defensive, when I said that there didn't appear to me to be any accountability, and that it was to say the least insensitive that after the Surrey Police investigation, Colonel Josling returned to Deepcut. I have to say that was quite insensitive. I'm not suggesting for a moment that he doesn't deserve it, because I don't know.

E

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NB: I'm aware of those concerns. I'll get back to Josling.

DJ: The discussion in the office was that at one stage Col Laden was defending this decision, saying "well, Josling hasn't done anything wrong, nothing's been proven". And I was annoyed that he seemed to be following the company line. I said "come on, you look me in the face, and you tell me you believe that. You don't believe that, I know you

G

- A don't believe that". And he said to me "I have to be very careful. John, who is a solicitor on civvy street, is not comfortable with what I am saying. I could tell you a lot about Nigel Josling, but I cannot do that". I swear to you on my life, that's what happened.
- NB: Obviously, one of the tasks for me is to investigate that era. To look at the duty of care and to examine the evidence, as opposed to opinions. That is the problem.
- DJ: No, I understand that.
- B NB: I can assure you that that is a focus. But I wanted to bring you back to this weekend of November 1995. Of course, if the only sensible way to get to the bottom of this is for there to be a public inquiry, then everything is going to come out. And the material in the interviews about these young men is quite graphic.
- DJ: I know a lot of what went on.
- NB: And you've spoken to some of these young men?
- C DJ: Yes. And can I just say, this has been broached by both Surrey Police and Mr Ingram. Maybe the truth will hurt. But it can't hurt more than a death. And I want the truth. I want to know what happened. It can't hurt any more. It's not a question of blame anymore.
- DoJ: The sad thing is that Cheryl cannot give her side of events.
- NB: No, that's right.
- D DoJ: That's the sad thing about it becoming a public issue – you don't have anyone to take her side.
- NB: Once the theme of sexual activity and alcohol emerges, then there are other women who were there at the time who are still alive, I think a number of whom would like that part of their lives to be behind them, and who have moved on. So I don't know to what extent they would be willing and able to go through a public inquiry about some of these matters. And one of the problems I've got is whether I can use the statements I've got and draw conclusions from those. And so it's not just the privacy of Cheryl that factors in.
- E DoJ: But this talk about alcohol and all those things, a lot of alcohol was consumed, apparently. But in the post mortem, there was no presence of alcohol in Cheryl's blood. Either she had a lot to drink, or she didn't⁶.
- NB: It may well be that other people did have a lot to drink, and she didn't. But she may well be quite tired. She didn't get much sleep.
- F DoJ: But she was still classed as fit for duty. There was a statement made by one of the officers, saying she was fit for duty, so whether she was drunk or tired or whatever, she was still put on guard duty by herself. Which was wrong.
- NB: That seems to have happened on a number of occasions, that people had had a wild night the night before.

G ⁶ Des James has asked the Review to emphasise in this transcript that the post mortem specifically mentioned no presence of alcohol.

- DoJ: But then they're given ammunition and a rifle. A policeman would get you for having a drink the night before, and you wouldn't be allowed to get in a car, but these people are issuing youngsters with rifles. They're not able to control them. That's how I feel. A
- NB: Looking at the material that you are both aware of, we have all this material about partying and going out and the uncertainty in Cheryl's mind. And then the alcohol blood content suggests that she didn't have alcohol residue in her blood, so whatever else she was up to, probably that is not what she, personally, was up to. But we do have the question of block parties, and did anyone know what was going on, and was there a connection with the NCOs. B
- DoJ: Well, we know that she bought beer to take in.
- DJ: We were told when they went home on a weekend they had to take beer back.
- NB: This is what she said to you?
- DJ: When they went home on a weekend and they came back, they had to take beer. C
- NB: In Pirbright or at Deepcut?
- DJ: Well, it must have been in Deepcut, because when she was at Pirbright she didn't come home. We actually went out and got the beer, because she was just under 18.
- DoJ: And we didn't see the harm, it was just 4 cans of lager.
- NB: And [Private AB] was under 18. She had just clocked over her 18th birthday. Now, I think her friend [Private(f) AC] – you've seen the various statements – people have probed as to whether Cheryl was being sexually harassed, [Private(f) AC] says Cheryl was an assertive confident young woman who wouldn't be afraid to let people know if she didn't like their attentions or was being bullied. Is that right? D
- DoJ: She certainly wasn't bullying material.
- NB: That's what seems to come across to me. Just reading other people's accounts.
- DoJ: And the other thing about her is that she wouldn't tolerate anybody else being bullied. In school, if anybody else was being bullied, Cheryl would always take their side. E
- NB: [Private AA] has suggested that there were various NCOs who showed some interest in Cheryl, as you're probably aware.
- DoJ: Yes.
- NB: I'm wholly unaware of anything firming up. F
- DJ: [Lance Corporal(f) E] gave evidence to that effect. I've seen her statements.
- NB: She certainly gave evidence of general sexual shenanigans with NCOs. And that's a central piece in the jigsaw. Of course, she was being investigated for allegedly fraudulent conduct.
- DJ: There's a connection there, which I'm not sure you're aware of, that [Lance Corporal(f) E] said that after she was out of the Forces, she was in a shopping precinct in Camberley or G

A something like that and she went into a store and she actually saw Nigel Josling. She left, but he had actually seen her and followed her. He tapped her on the shoulder and said "I hope you realised what happened. I had to do it" or words to that effect. There's a connection there – or an alleged connected – with Nigel Josling. And she didn't understand what he meant but she says it defends that what she had done was not actually as serious as was made out.

NB: I'm certainly aware of that. But it represents a problem for us in evaluating her account by itself.

B

DJ: But I do think that it is important to explore that statement that she made before you speak to Nigel Josling to corroborate it.

NB: The suggestion that a Cpl at Leconfield is interested in Cheryl – I think [Private AA] says that she wasn't interested in him. And that's the end of it. There's been suggestions that a couple of the NCOs back at Deepcut may have been interested in her. But that she wasn't interested in them, and that's the end of that. After I was appointed there was then this other programme. So there's another informant. But his reliability is a bit suspect. And I imagine that matching up who's doing what to whom is very, very difficult. But I do think that this theme is important as a background to the duty of care regime. I don't find any evidence at all that anyone had forced their attentions on Cheryl. And as her friends have indicated, were she to get any such attentions, she would have had no problems in telling them to get lost. And one of the themes, I thought, was whether she had been depressed over this kind of sexual harassment. She had been at Deepcut before and she was fortunate, in that she went to Leconfield quite quickly, unlike many of the others. The Deepcut experience is that it is very depressing to hang around for days and days on end not knowing what to do doing a lot of guard duty but not being trained. But I just wanted to deal with that issue. And I haven't come across any direct information suggesting Cheryl was sexually harassed. And one of my functions is to look at whether the material is sufficiently coherent and cohesive as to suggest that there is a prima facie case that something was going on. But in terms of how this contributed to Cheryl's death, I'm not finding a lead.

C

D

DoJ: Although I can't say that Cheryl was sexually harassed in any way, we have had reports that other girls have been.

E

NB: Oh, yes. I've certainly seen evidence of that.

DoJ: And as I was saying earlier, if Cheryl knew that this was going on with a friend, she wouldn't stand by and let that happen. And it would have affected her in a roundabout way, if it wasn't her herself that was being harassed, if it was one of her friends. That's the only other link I can put with that.

F

NB: I've still not seen any evidence of someone saying "oh, Cheryl was upset because other people were having a problem", although I understand what your point is. I don't think that that is a feed which is supported by evidence. But I just have this sense – it's a bit like your sense with Skinner – that it looks like irregular, indeed illegal things going on, in the sense of breaching Army regulations.

DJ: I think the camp was poorly managed, and they now can't explain the facts that they are given. They cannot explain why, if she had taken her own life, why the investigative body did not want to easily, quickly and transparently prove that beyond any doubt.

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- NB: We'll come back to that. Let me just stick with this. So, I'm therefore seeing what I can do with the material and to try to draw a clear impression of what was and was not going on. And that ultimately leads to questions of the command. A
- For the purposes of the tape, it is now Mr and Mrs James, myself and Julie present. We've lost Mr Bache and John Staples. I was dealing with the general question of alcohol, sexual relations, discipline policy, possible evidence of fraternisation, and I indicated that that is an area of concern, that I'm going to see what I can make of. Although the data is not entirely consistent, but at least it seems to raise some issues. I also indicated that when we then relate that data back to Cheryl herself, although she seems to have had quite a complicated personal life, certainly in the weekend before she died, there is no trail to suggest that she was upset about being harassed by an NCO. Moving then on to the death itself. I know you've been briefed in some terms by Surrey Police as to what they have found, but I think it is fair to say that they have found no evidence that a third party was involved in Cheryl's death. B
- DJ: They would have told you that.
- NB: Yes. The only potential new theory that might have pointed to positive evidence of third party involvement was Mr Swann's hypothesis. But, first, Mr Swann has refused to send me his reports so I can take them into account. Secondly, I think I understand the hypothesis he is basing his conclusion in respect of Cheryl has to do with marks on the hand seen on a photograph, as against that I think the German forensic science service have examined what material is left to be examined and what conclusions can be made, and that doesn't appear to be consistent with Mr Swann's conclusions. So I think that is the position that I'm in. C
- DJ: I understand that you're saying that the Surrey Police have found no evidence of third party involvement, but they were saying that at a very early stage. D
- DoJ: But the BKA said they hadn't brought enough evidence to work on.
- DJ: We met the forensic science people.
- NB: And you were given a file and report. And of course, I've got the report. It is giving three propositions that I am going to put to you. First the conclusion of Surrey Police based in part on whatever forensic science could do: the pathologist, the BKA, retention of data such as photographs that was left, is that there is no evidence pointing towards third party involvement. E
- DJ: Or suicide.
- NB: That's not quite what they are saying. They are saying there is no positive evidence pointing towards third party involvement. My understanding is that it was Swann suggesting the contrary that it would have been impossible for someone to have fired the weapon. Now that hypothesis, and I haven't seen the reasoning behind it, is as I understand it not consistent with the BKA investigation. Obviously the investigation done by the SIB at the time was pretty cursory and I quite accept that it is not proven positively how she met her death. You are aware of numerous things which were not done, which might have been done, which may have made my task somewhat easier, let alone yours. F
- DJ: We would have put this behind us, wouldn't we? G

- A NB: I suppose I do have to look at whether the failings of the investigation were based upon an early honest belief of what happened and that they didn't bother to think outside the box or something more sinister. And in that respect, we must look at what should have happened during the investigation. We have equally been told that by protocol, Surrey Police have primacy over the investigation. And they were called in in the morning. And from what I gather, they handed the investigation back to the SIB pretty early on.
- DJ: That's pretty much what the Surrey Police have said.
- B DoJ: Their actual words were "we've cocked up". Pardon my expression.
- DJ: This was the first time we met them. And they said "this time, we've got to do it properly".
- NB: This document which I gather you now have in the personnel file is – I have been told by Darren who is good at deciphering these things – the original manuscript message which was sent to the Communication Centre by Whattoff and it is dated.
- C DJ: I've seen a version of it, I think.
- NB: It is dated the 27th, and it has the time in Greenwich Mean Time. I've got one which says 11.45 GMT. And then it is November 1995. So it is the slightly odd way the Army have of dating messages. Date, GMT, month, year. So he is telling ComCen who are going to create a telex which is going to be sent out to various departments of the Army. This document was itself faxed to someone else the following day, but I don't think that's particularly relevant. So it gives an account of Cheryl's body being found at 08.30 hrs "discovered in trees 30 metres from the edge of the road, with one bullet wound to the forehead. Emergency services called to deal with the incident. Police not seeking anybody in connection with the incident. Coroner's Officer now dealing with death". Have you read that?
- D DJ: I think I have.
- NB: I read that as saying by 11.45 on the day of the death the Coroner's Officer had been briefed, the police had been at the scene, the police had given an indication to the Army that they're not looking for a third person.
- E DJ: Right, well that would not be my interpretation.
- NB: What would your interpretation be?
- DJ: My interpretation is that you've got the second death by gunshot wound, unexplained, in a period of 19 weeks. And my feeling is that the CO of that camp should have realised that we'd better really make sure of this.
- F DoJ: But we can understand that in the first few hours, the CO wasn't aware of what was going on.
- NB: This is Whattoff who is the Adjutant. So clearly, Whattoff knew what was going on. We're trying to look at why the SIB investigation appears to be as undemanding as it was. And I just want to go back over those steps. One, Surrey Police under the protocol have possession of the investigation. Two, we can see that they have been called.
- G DJ: We don't know by whom.

- NB: True. I can't tell you that. Presumably, Surrey Police would have liaised with the Coroner. But it would suggest that the view was taken that morning that they weren't looking for a third party. A
- DJ: With no evidence whatsoever to support that.
- DoJ: Aren't they supposed to shut down the entire area? What is the procedure when they have a suspicious death? Is there a regulation that they should follow, because we have never had that set out to us. Well, we know that the primacy was with the Surrey Police, but there's a matter of four hours now and people are milling around and treading on evidence. B
- DJ: My view of that, by the way, is that the police made a big cock-up. My view is that maybe a couple of cops in a panda car turned up. I have no doubt that at some stage it was agreed that the assumption would be made not to take this any further. But it would take a lot of convincing for me to believe that someone in authority at Surrey Police handed over the investigation to the SIB on the basis of "yes, this is suicide". Because if that is the case, then somebody must show me the evidence that allowed them to take that decision. Because you can't just say "oh, there's a soldier, there's a rifle, it must be another suicide, let's give it to you". C
- NB: I don't know what happened. But I think, in any event, that somebody decided fairly early on that they weren't going to be looking for a third party. Which is the X-factor.
- DJ: And if they were able to say to me "the reason why we did that was because we took fingerprints off the rifle, because we did this, we did that", then fine.
- NB: I'm not in a position where I am going to seek to defend or explain, but I want to discuss aspects of that body of questions to get your input into the review. As I understand it, they find Cheryl, they find the weapon nearby and what emerges is that the Army liked to make weapons safe early on, because they are trained for combat situations. What they don't like is a weapon with a magazine in it lying around. D
- DJ: Is that reason enough?
- NB: That, I am told, is the training. And that has happened not just in Cheryl's case. So there is a tension between the needs of security and the needs of a forensic crime scene. For me I don't find emptying a magazine so as to make the weapon not dangerous an act which is destroying the investigation. It is a bit like ambulance crew not interfering when somebody is dying, because that might destroy vital information. Obviously, the primary thing must be to give first aid, but that first aid itself interferes with the crime scene. So there is always a balance between safety, common sense and the preservation of a crime scene. But as I understand it, a crime scene should be preserved as far as possible once the immediate concerns of safety and health have been looked after. But the extent to which you preserve the scene, the extent to which you cordon off and the extent to which you carry on making ballistic and other investigations depends upon the mindset of the investigator. If the investigator doesn't think there are questions to which he or she must know the answers to, they don't ask the questions. And if they don't ask the questions they don't use the techniques which might give answers to the questions. There is no set of minimum rules. The SIB I think are meant to have forensic training. The extent of that forensic training I'm going to discuss with the SIB people. Clearly, this is hopeless as an investigation if it should have been treated as a suspicious death. That means now they can't answer the questions that you want the answers to. But it seems E
- F
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- A to be crazy the way this investigation has been conducted, particularly in that they didn't do a proper fingerprint investigation.
- DJ: Surrey Police said that they had taken fingerprints off that rifle and that Cheryl's thumbprint was on there⁷.
- NB: Fingerprints for her maybe, but I'm not sure you'll find factor X.
- B DJ: But the point is, in this bundle of evidence, if there is a clear fingerprint of her then immediately that gives me less doubt.
- NB: I understand exactly where you're coming from and you're right. That this has got to be proven and that is exactly the problem in Benton's case.
- DJ: And this goes back to the CO.
- NB: The CO can't tell the SIB how to run an investigation. And in fact, I think the SIB have to be independent of the CO while there is an investigation if they are to be an investigative force at all. But nevertheless, we're left with a product where we've got scraps of data. Not a pretty picture. And you know what scraps of data there are. The best we can say is that we know a bullet killed her, it came from a batch issued in July 1995.
- C DoJ: They've lost the bullet.
- NB: You know that a shell goes into the rifle, the rifle fires off, the bullet – the lead bit – went into the skull and was unusually retained there – that's very unusual but it is possible⁸. It all depends upon the angle and the bone structure and that sort of thing. The Coroner said at one stage that they didn't retain it, because it wasn't a forensic officer investigation into a suspicious death. So the authorities didn't protect it. And it's not just one person. The Coroner's Officer didn't say "let's do the real business", Surrey Police were there and didn't say "let's see what our detective says", the SIB were there and they didn't ask for forensic pathologist.
- D DJ: You do know that an SIB officer said they retained fragments?
- E NB: I've seen bits of information.
- DJ: One of the SIB officers gave a statement to the Surrey Police saying that he or she had actually collected the fragmentation and had given it to another named officer who was writing labels on the exhibit jar.
- NB: Something must have happened at the time, but if they're not retaining this information. You have an exhibits officer, you have a continuity, you'd have lots – it's all over the place. I'm not sure whether you've spoken to the Bentons about their experiences, but it so happens that by purest happenstance they recovered Benton's combat jacket, but the way in which they recovered it shows that there was no effective system in place for control. So whether the bullet is extracted from Cheryl's body or not, there is no system in place. But that was a bit of a red herring. What then happens is that the cartridge is ejected, so the empty shell is left on the ground. And they have recovered that.
- F

⁷ Des James has pointed out that this is incorrect. He says what Surrey Police confirmed was that "had fingerprints been taken at the time, and had Cheryl fired the weapon as was generally assumed", then a thumb print would have been evident. Des James says this is entirely at odds with the MoD statement on fingerprints in their letter to him in 1996.

⁸ Des James points out that they have not seen any evidence, statistical or otherwise, to support the fact that a bullet from an SA80 fired at close range "could be" retained there.

G

- DoJ: Swann says something about the way those were lying as well. A
- NB: So we've got to then look at that one shell in Cheryl's case. That shell tells us two things: First of all it has on it the batch no. So we know where that shell came from, to whom it was issued and roughly when it was issued. If they had done what they ought to have done, they would at least have taken the shell and married it up with the rifle, to show that that was the rifle it was fired from. I think they think that they know that the ammunition that caused the fatal wound was issued to the RLC guardroom.
- DJ: How do you know that that was the ammunition which caused the fatal wound? B
- NB: Because they can tell from the batch no.
- DJ: But how do you know that that shell was the one it came from? There's no connection between the bullet fragmentation that was discarded and that.
- NB: You've got to use the shell by embodying a bullet in it. That's the connection. Let me just carry on. I'm not trying to persuade you, I'm just trying to tell you what the evidence looks like. So the shell goes back to the batch no. issued to the RLC guard room. So that seems to be the conclusion you can draw from the forensic data. So you may agree that that doesn't exclude the hypothesis of some mystery person coming along with a rifle and firing a shot and disappearing. The fact that it happened at close range just doesn't make it look like a far apart situation. And you've got then two shots that are being fired. C
- DJ: But you've only got one cartridge there.
- NB: I think that's probably the evidence they found at the scene of the death. Which, as you say, doesn't prove the contrary, but it is at least consistent with the hypothesis that it's self-harm. D
- DJ: Apart from the one thing about the bullet being retained. Everyone says that's very unusual.
- NB: It's very unusual, but it is possible. So it's possible that's what happened. And if it's possible, then it's not a clear contra-indicator. What I'm trying to say is that what a lawyer does, the DPP, the CPS or me, as the case may be, is that you look at what you've got. You ask two questions. First question, is there anything in this evidence which shows that it could not have been self-inflicted, pointing positively away from a possibility of self-harm? And Frank Swann was trying to make that theory. My understanding is that the answer to that question is "no". Second question, is whatever fragments of data have been retained consistent with, is it what you would expect to see in a case of self-harm? Self-harm being Cheryl firing the shot. The answer as far as I can see is yes, it is consistent with this. That doesn't prove of course that this is what happened, but it is consistent. Thirdly, is there any other information other than the forensic examination of the crime scene, of the bullet, the gun, if you like all the scientific evidence as to the crime scene, that helps underpin that conclusion. And as I understand, Surrey Police have suggested two things. Namely, the place and time at which this thing happened. And then the other thing which they refer to is Dr [...]s report, which you've seen. I'm afraid I haven't re-read that recently, but I understand there are certain indications that she was talking to other people about what it would be like to do self-harm. It is far from conclusive, but at least it's some data. Now, there it goes. I haven't seen anything else that destroys that line of reasoning, or that is positively inconsistent with it. I fully recognise that because of things that were not E F G

- A done, we cannot get more than probable, possible, consistent with. And that's not proof. That's not proof for the standard that the Coroner requires for a suicide verdict, and one couldn't be sure to a criminal standard that it was suicide. Now, as far as my review is concerned, that seems to be the evidential picture that Surrey Police have presented to me as a result of their investigations. I suppose it is always possible that Devon & Cornwall or the IPCC are going to report that there is still some factor X which reopens the case. But I'm proposing to proceed irrespective of Devon & Cornwall. I also happen to think that the issues that are of concern to me are issues about whether a 17-18 year old should be on armed guard duty thereby affording them the opportunity to self-harm, if that by some stupid and transient reason that is what someone gets into their head. And it seems to me those questions become more pertinent if that hypothesis is correct, rather than the hypothesis that there is insane murderer going through the woods killing people. But I'm telling you this, because what I have got to is the sort of sexual and alcohol disorder amongst the recruits at the time. Added possible participation by some NCOs. So those are the things that I will be exploring, because that is where the evidence lays.
- B
- C DJ: You mentioned bullying.
 NB: Yes.
 DJ: You mentioned sexual activity.
 NB: Yes. Bullying I'm looking at, but that comes up more in respect of Benton.
 DoJ: Is that because he is a man and Cheryl is a woman?
- D NB: No, that's where there is evidence that Benton was being bullied. Physically, mentally.
 DoJ: But when there's a female concerned, it becomes sexual harassment?
 NB: There's no evidence of that.
 DoJ: Because you don't say that men are sexually harassed.
- E NB: There is evidence that Skinner was an example of sexual harassment. It's not because there is a closed divide between women get sexually chased after and men get hit, but it's because that is the nature of the material I've been dealing with. But as far as bullying is concerned, because Benton's and Cheryl's deaths are so close in time, I'm looking at them together. I'm not compartmentalising. I'm dealing with you as the parents of Cheryl and I'm explaining my process of inquiry into Cheryl's death, because that's what you want to know.
- F DJ: The reason I ask is that nothing you've said so far is new at all. If indeed Cheryl took her own life, my concern is that *[tape unclear]*. But if she did, then the next question becomes why. And we just know that if she was living – even for a short period of time – in that sort of environment, that would have had an effect on her. Remember what we said, it wasn't a question of her being bullied; it was a question of what was going on around her.
 NB: Obviously I think that the regime had a contributory effect. You know when we first met I explained to you that I am taking a very liberal view of causation. "May have contributed to" rather than "directly caused" or the test applied by the Coroner which could attribute some blame and some responsibility to the Army as an institution. It
- G

doesn't look to me as if that's where the material lies, but it would be very difficult for anyone to stand up and say that's irrelevant to how she died, if she did die by her own hand in a camp where there was no proper supervision of trainees, where there was no proper rules. That's what I'm looking at. That's where I'm finding material. That's what I'm dealing with.

A

DJ: Don't please assume that because you are going towards the suicide theory that we entirely disagree. We don't. We never said – it's never on any record anywhere that we said –

B

NB: I know. I have looked very carefully at what you said, but I'm saying that I am aware of all the factors concerned. I've got lots of decisions to make, and I would like to have as frank a discussion as I possibly can. But I'm obviously a lot more advanced than I was when we first met. And it is likely to proceed on the basis that the most probable explanation is suicide. It is likely that I will proceed on that basis at the moment, unless something else emerges. Partly because that seems to be the direction in which some of the data which has been retained points. But also because that at least opens up the why question. And you never get near that question if the most probable reason is that somebody attacks her and she fires a shot which explains the shell, and he then fires a shot at her and the case from that shot disappears.

C

DJ: But third party involvement to me doesn't necessarily mean that somebody murdered her. Third party involvement means precisely that: that there was someone else there when it happened. Not that there had to be any intent; how can we know that there wasn't an argument.

NB: Are you saying that somebody else was there and pulled the trigger?

D

DJ: I certainly wasn't suggesting that.

DoJ: That's the problem that we have. It's ten years ago and there really isn't much evidence.

NB: Well, I can spend as much time as you like on this, but I'm simply trying to say what seems to be emerging. If we set all these limitations to the data, we are left with, apart from self-harm, well, didn't [Private AB] have an argument with her?

DJ: That's what he told Surrey Police. But he changed his statement to say that.

E

NB: He wasn't very happy about the way that she had treated him. Have you met [Private AB]?

DJ: I've spoken to him. But I always said to Surrey Police that I didn't believe his first statement and subsequently, he changed it. So it came as absolutely no surprise to me that they had had a row. And I also had the feeling that he had more to tell.

NB: He has an exit, though, because one of the Captains comes along and sees him hanging around Cheryl and says "leave her alone, she's on guard duty". And [Private AB] says "if only I'd talked to her again, perhaps I would have known if she was feeling depressed". All I can say is that it is very unfortunate that a proper investigation wasn't done. If you have talked to the Bentons, you will find that similar questions emerge there.

F

DJ: And the Bentons told us that they tried to get hold of us through the Army, and the Army wouldn't put them in touch with us.

G

- A DoJ: They wanted to contact us at the time when Cheryl died. And though we know that we will probably never know for sure exactly what happened to Cheryl, but if this situation happened now in Deepcut, a soldier found at 08.30 in the morning with a rifle beside her, would there be a proper procedure to deal with it?
- NB: Ultimately these are questions that I'm going to have to go through with Surrey Police, ACPO and the head of the RMP.
- B DoJ: Every time we have spoken to Surrey Police, the Army and all these people involved in it – Mr Ingram – they keep saying to us “we are on a learning curve, we want to learn from our mistakes”. And there has been a lot of reviews, the Select Committee and all that, but it doesn't seem to have moved forward at all.
- DJ: We're in the same situation where the Army is telling us “we've looked at this, we've learned the lesson, we've changed the procedures”. And I'm not convinced that they have. We want to know who is accountable, what happened, what didn't happen and why it didn't happen. And have complete accountability. Otherwise we can go on having more reviews, have the 8th and the 9th and now well have one by the IPCC, as well. I am so tired of hearing “what will a public inquiry find out that you don't know already?” How do we know? Well we don't know that.
- C NB: Can I just deal with that issue? It is in my power to recommend a public inquiry, but in order for me to do something that is sensible and constructive; I have to make a very good case as to what a public inquiry would entail. And to make a point as to what prima facie case it would examine. Let me just take some time out from that explanation to explain to you that you may have heard another problem the MOD had about deaths. These were the Northern Ireland deaths where the question of state complicity was reviewed by Judge Cory looking at the material. And I think that somebody probably thought that I would be doing something similar. But it turns out to be not very similar at all. But if you look at Judge Cory's report, just in terms of process, he's asking himself is there credible prima facie evidence? Now this case is so much more tenuous. The conversations that we're having and briefings that you've already received from Surrey Police tend to suggest that there is no evidence that state officials murdered Cheryl. I see no evidence that they have colluded in that sense of the word with a murderer. But moreover, even if we go down the self-harm route and say “well, she did shoot herself, but why did she do this”, I can't find you a nice cause-and-effect. Oh, she did it because she had been harassed, bullied or assaulted by an out of control NCO, which people knew about, a sort of Skinner scenario. So I can't find that. Indeed Cheryl is a confident, much-loved popular young woman who knows what she wants and can clearly handle herself. So she's not one of nature's victims. That's the strong impression I get. So we're not into that card. That may not be the case with others. So what is the case that has to be cleared up? There are weaknesses in enforcing rules about men in women's accommodation, drink, sex, whatever it is. I could recommend a public inquiry into that. Then people might say, is there a nexus between this and the deaths and why are we looking at this? And things have changed, but the level to which it has changed and whether what happened could happen again, that is a different question. And one of the things that changed was that Ron Laden did get a grip. He may not have got everything right, but he did get a grip on that. Which is why he was so devastated by what happened during his tour. I had a very emotional session with him – he was practically in tears for three hours. And those weren't crocodile tears. I still think that there may be a case – and were now talking about a bracket within a bracket within a bracket. If you look at Deepcut and Beyond, they want an inquiry into everything, which is virtually impossible. And in the case of Cheryl's and Benton's deaths in 1995, there are all these issues that come up. You are the parents whose child died at a time when there
- D
- E
- F
- G

seems to be the most to investigate, and yet through the process, it is very difficult to come up with a clear picture to say “look, there’s a prima facie case pointing in one direction and somebody needs to investigate this”.

A

DJ: One question I have is how did Deepcut get out of control? What went on, what happened, when did it happen? Whether it was 1995 or whatever, and they say they’ve put it right, but how can they know that it won’t happen again?

NB: And it seems that one of the features of the Army is that so much depends upon the personalities of the individual commanders, what they can do in the 2-3 years they are there. But I do think that the deaths of these four young people did cause shockwaves and that they are learning from what happened. Not just at Deepcut, but elsewhere. When we went to Deepcut, we did get a clear sense of that. And we did get the impression that it is a much more looked after place.

B

DJ: But they had a damning report from ALI⁹, didn’t they?

NB: That’s not quite right. They weren’t particularly critical about Deepcut itself. They had concerns about other Army bases, and in terms of document retention, data protection and systems control some of those concerns were legitimate, and they were always going to apply to the RLC. So I’m doing what I can to try to respond to that question, but it is going to be quite difficult. But there have been changes, but whether there have been sufficient changes, I don’t know. And the ALI process, it seems to me, has begun to introduce a periodical military review of training systems and management which was precisely what was missing. So there is a form of auditing now.

C

DJ: That in itself is really a point, that everyone, in particular Mr Ingram, wants to slot all these solutions into place. And it’s one thing to examine what went wrong and then do something about it, but what is happening is that every time the problem comes into the press, well, they throw another solution at it. To me, that’s why you need a public inquiry.

D

NB: And I think unless there is an acknowledgement of what the problems are there may be a case.

DJ: Ron Laden said exactly the same thing. The Army actually had that discussion not some many weeks ago. Should we actually just come out and say “we support a public inquiry into Deepcut”?

E

NB: He didn’t tell me that. I’m not surprised, and his view has been hinted at by one or two Army personnel that I’ve spoken to. In the next few weeks I am hoping that someone will have the opportunity to say that to me.

DoJ: All in all they’re mostly decent people, aren’t they? And it must be so frustrating to be tarred with the same brush.

F

DJ: And I sympathise with that. And I deeply regret that Deepcut is having a harmful effect on Army recruitment. I simply think that something went terribly wrong, which needs assessment and which needs addressing. Having looked carefully into what actually happened at Deepcut, I think everything should be done to prevent it from ever happening again. But I’m not convinced that that has happened. That process has not taken place. And with respect, your own review has limitations.

⁹ Adult Learning Inspectorate.

G

A NB: Yes, it certainly has its limitations. There's no question about that. The only other factor that I just want to put out to you, if for example the evidence of sexual activity by NCOs towards young recruits is such that my view is that that should be the subject of a public inquiry, there is of course the concern that if the allegations by the other young women at the time have passed over into history and their memories are not clear, and they would rather this disappear, then it may not be the most effective way of learning what went on. So if the data is fragile at this stage it might be better to get the message across to the Army that there is a body of credible data that suggests that there were things going on which should never have happened, and which were never properly investigated. That is the problem ten years on.

DJ: And clearly, from what I've read, there are a lot of questions to ask about Catterick. There are a lot of deaths, a lot of alleged suicides. But quite frankly, I don't have the capacity to take all that on. That is why we are always focused on Deepcut and on 1995, maybe a little before, maybe a little after. Clearly, something went frightfully wrong.

C NB: That's what I sense. I think I have trawled through some of the issues and some of the evidence which I've had to grapple with. And I have been trying to piece together what happened. Can I then move the conversation over to an area which we can deal with, which is the treatment of you, as a family, something which I think is a separate theme. Now, you've already told me, first of all, that you never received any letter from Josling.

DJ: No.

D NB: I certainly cannot see any evidence that a letter was sent. The only letter that is on file is the letter from a Lieutenant Colonel dated 28th November 1995 from the RLC Manning and Records Office, Wigston, Leicester.

DoJ: He has this file, and if we had had that name, there would have been a letter. There's no doubt about it. Because we wrote to everyone that we could contact.

NB: It seems to me, this is the record that was kept by the RLC Manning and Records Office, so it is a comprehensive set. Whether you received it or not, at least he had the courtesy to write fairly quickly.

E DJ: Yes.

NB: And not just write "I'm wondering what to do with Cheryl's service grant and please fill out forms A, B, C". So at least there was some element of that, but it had gone astray. But you heard nothing from Colonel Josling and Whattoff?

DJ: But I think what happened with Whattoff is we met him at the funeral.

F DoJ: He came to funeral and gave us a card.

DJ: The card is there – it was attached to one of the letters.

DoJ: And we saw him again.

DJ: It's not the actual card, it would be a photocopy.

DoJ: And we saw him again in the inquest, didn't we?

G

DJ: Yes. A

NB: The funeral was on the 4th of December, wasn't it?

DoJ: Yes.

NB: How many people attended?

DJ: I have no idea. B

DoJ: From the MOD, or?

NB: From Deepcut.

DJ: Two officers and a minibus with recruits.

NB: So one officer was Whattoff? And the other one was?

DJ: I don't know who the other one was. C

NB: Was it a Lieutenant?

DJ: I don't know.

NB: Was it a man or a woman?

DJ: A man. D

DoJ: And there were two or three of Cheryl's friends.

NB: Did you know the difference between an officer and an NCO at that stage?

DJ: No, I still don't.

NB: And a minibus load of -

DJ: There was a minibus of, because the six were bearers, weren't they? E

DoJ: Were there six?

DJ: I think so.

DoJ: Four or six.

Des: Boys and girls. F

NB: But they were allowed to talk to you and they did talk to you?

DoJ: Yes, the girls.

DJ: I think they were in the corridor, the officers, and it was clear – it's hard, because I'm making it sound conspiratorial – but I certainly didn't get the impression that they were free to say what they wanted to say. But having said that, we were not prepared to ask perhaps what we could have asked. G

- A DoJ: The young girls that were there I just asked "can you give me any idea why this would have happened?" But none of them, they just shook their heads.
- NB: But they didn't just shy away from you, they were prepared to -
- DoJ: They came to talk to me, but they gave me no information. Apparently, they hadn't got any. And they're young girls, aren't they? They were totally devastated.
- B NB: I get that impression. So let's just go through the process that you as a family had to hear this dreadful, dreadful news. It was given to you by a local officer, the liaison officer?
- DJ: The chap turned up at the place where I work. But he'd been to the house first with a police officer. But they wouldn't tell her.
- DoJ: The police officer stayed with me while this other gentleman -
- C NB: Because you were named as next of kin?
- DoJ: He was named as next of kin.
- DJ: He then came to where I worked and told me. He told me she's taken her own life.
- NB: What time was this?
- DJ: It's a guess, but it must have been 3 o'clock or something. Half past two. And I came home with him in the car.
- D DoJ: I can remember every detail of the phone call with Cheryl on the Friday, but that day is just subconscious. It's denial, I suppose.
- DJ: A colleague of mine brought the car back.
- NB: So you had the trauma of being told that, and the next contact you had?
- E DJ: It was via the undertaker.
- NB: Did the liaison man give you a number you might be able to contact?
- DoJ: No, no contact.
- NB: Did you know how to contact the officers at Deepcut from Cheryl's previous stay there?
- DoJ: No.
- F NB: Had you been given any paper or indication? Had you ever been to Deepcut?
- DJ: Oh, no.
- DoJ: We had a card. At the funeral, we got a card.
- NB: I'm just covering the period from the 27th to the 4th.
- G DJ: I'm trying to remember, there was a -

- DoJ: You'd had an address. A
- DJ: Yes, but that's all on the record.
- DoJ: The nearest to a liaison officer for us was the undertaker.
- DJ: We nominated an undertaker. I can't, honestly, put my hand up and swear to the sequence. It was a Monday, we nominated an undertaker. The next notable event was the Friday, which was the 1st of December, which was when we were able to go to the undertaker's property three miles from where we live, to see Cheryl. B
- DoJ: He liaised with the Army.
- DJ: He sorted it all out for us and he brought her back on the Thursday evening.
- DJ: We went to see her on Friday, so that was the first time we had seen her. The thing is, we were never asked to identify her body.
- DoJ: Up until the Thursday, I kept thinking they had made a mistake. C
- DJ: Up until the Friday when we saw her you were still saying "maybe it's a mistake". That week was just torture.
- NB: I don't want to excite horrible memories by asking this question, but I just thought it would be useful to explore this as a theme, to see how you were treated, to see whether there are any things I can say.
- DoJ: Certainly, if anybody can learn by – it's just lack of information, because people who have lost someone close to them need every single detail. It seems so irrelevant to other people, but for example a wristwatch, little things like that that belonged to them, are so important to the next of kin. D
- NB: What I'm trying to do is just have a look at that first week. 27th: you're told by someone who can't tell you very much. And you make a statement to the House of Commons Defence Committee about this. I believe I have that, but I'll check just to cross-reference. I'll abstract anything I can from that account. As far as I understand, the liaison officer doesn't give you the name of a person who could give you more information back at Deepcut. E
- DJ: I'm giving everyone the benefit of doubt. But I don't remember, the sequence of events as I recall were he told us, we're then at home, we made contact with the undertaker and we went to view the body on the Friday. In between that, I think the most likely thing is he gave us a number and we did telephone somebody and we did put them in touch with the undertaker.
- NB: But as far as you were aware, between the 27th and the 4th, you never spoke to anybody by telephone about circumstances surrounding the death? F
- DoJ: No.
- NB: Would you have wanted to?
- DJ: What you actually want – and I don't know if it's the same for everyone – but the perfect way, if there is such a thing, to manage that is that someone suitably trained G

- A comes from Deepcut to your home and tells you everything they know and then gives you a number and says "call me and I'll come straight back", and they then stay there until they're questioned out. Because you want to know everything: what happened, where were they, what did they say last? The questions are endless.
- NB: I can imagine though, that they wouldn't know all the answers, but they should certainly be able to give you some information.
- DJ: You would have the security that you have passed those questions on to somebody who will get back to you.
- B
- DoJ: It would be nice to have contact to have contact with someone in the chain of command, because the gentleman who came to see us, however polite and nice he was to us, he couldn't tell us anything.
- NB: And I think it was a similar story with the one who came to see the Bentons in Hastings. So if they're going to send a liaison officer, he should have as much information as possible to give to the parents. And have a contact back at the camp where the investigation is going on.
- C
- DJ: Yes.
- NB: And then you got some of Cheryl's possessions, but not the letters which have been retained by the SIB.
- DJ: I don't know when it was the stuff came by courier.
- D
- DoJ: It was after the funeral.
- NB: I think there is some evidence about those possessions.
- DJ: Well, there is an audit trail in the letters about what happened when. But you know that when the courier came, he telephoned us to say that he had broken down.
- DoJ: But he was only a courier, they didn't send anybody from the Army. "I've got a bike her for you, sir". But he didn't know, did he? But it was so callous.
- E
- NB: Looking at your correspondence file, what you say to Captain Whattoff on the 25th of January 1995 is, "following the death of my daughter, we were given your name as a contact for any queries we may have". Which doesn't quite sound like he talked to you at the funeral and gave you his card.
- DJ: I agree. It doesn't. I did say that my recollection from those days is a bit blurred. But I can see a card. I know it's in my correspondence file and that I stapled it to a letter.
- F
- NB: But maybe that was just sent to you.
- DJ: That's the first letter to Whattoff, is it?
- NB: Yes, it is. And I can't go back before that on documentation. "We were given your name as a contact", which sounds to me like you never met him at the funeral.
- DJ: That's right. So that means that the two officers at the funeral were different ones, then.
- G
- I just had it in my mind that he would be the one.

- DoJ: Perhaps it was Whattoff that gave us his card. I'm sure Whattoff came up to us at the inquest. A
- NB: But if you can reconstruct anything else that was before that date to the best of your collective recollection, do let me know, so I can piece together exactly what the procedure was. The next thing then, as I understand it, you haven't had conversations with the RLC, you haven't heard anything from the RLC at Deepcut. You should have had this letter which you didn't receive from the Manning & Records Office. One would have thought you should have received something from the CO. And you then have a funeral, which the Army attend. The trainees who attend, were they friends of Cheryl? B
- DJ: Some of them were.
- NB: But you didn't get much information from them about what happened?
- DJ: Well, I think it was a mix: They didn't know what was going on, we were in no state to be asking the right questions.
- DoJ: We had no queries at that stage. We thought we were being treated exactly like we should have been. The fact that they had sent soldiers as bearers. C
- NB: Well, they say that the Army do quite good funerals.
- DoJ: Yes. I mean, that's it. We have no complaints about that.
- NB: And the Army, by profession, are trained to deal with the death of their comrades. And on the battlefield, you have to grieve and then move on pretty rapidly. But I suppose that approach doesn't quite work for grieving parents. I suppose that's a military frame of mind. D
- DoJ: And they should really be able to distinguish between situations in war time and situations in peace time. And there's a total difference is there. You don't really have to move on that quickly if you're just going back to Deepcut to do basic manoeuvres.
- NB: The impression I get is that that probably was the mentality of some of the officers.
- DoJ: The psychology is obviously different. E
- NB: And then we get to the inquest. We've dealt with the 4th of December. Is there anything else you would like to say about the 4th of December?
- DJ: No.
- NB: And between the 4th of December and the 14th, is your knowledge base increasing through receiving more information in the form of documentation or otherwise? F
- DJ: Between the 4th and the 21st.
- NB: Yes, sorry. I had written down the 14th here.
- DJ: That was the date that they had a document which classified it as a suicide. Before the Coroner's report.
- NB: That's the Army report. G

- A DJ: Yes.
- NB: Have you seen that?
- DJ: I've got a document which is dated the 14th of December which refers to the death as a tragic suicide.
- NB: So what you hadn't seen was the report of the 29th of November?
- B DJ: I hadn't seen it at the time, of course.
- NB: No. The 14th of December is the report from Major [...] SIB to Mr [...] HM Coroner's officer headed "Suspected suicide" and so on.
- DJ: I'm pretty sure I've got this.
- NB: I think that's the report of the 14th.
- C DJ: But there's also the document dated the 14th.
- NB: That's the Evans Report. So you haven't seen the 29th of November, which is the initial report from Major [...].
- DJ: No.
- NB: I've done this in reverse chronological order. I've got that there, then we have the 14th. The other document of that date is the Evans Report ordering a review.
- D DJ: That's it. "Been prompted by the tragic suicide". And the Coroner's court didn't convene until the next week.
- NB: No. But that's not a report to the Coroner. And then you have the inquest on the 21st where [Private(f) AC], [Private AB], [RMP Sergeant], Gascoigne and you give evidence. Did you appear with a solicitor?
- E DJ: We didn't know we were allowed to take one.
- NB: Did you have any information prior to the inquest?
- DoJ: No. The only contact we had about the inquest was through Mr Burgess. He telephoned me and said "I'll arrange it as soon as possible".
- NB: Did you see any documents before the inquest at all?
- F DoJ: Not at all.
- NB: Did you ask to see any documents?
- DoJ: No. We didn't know we could do any of that.
- DJ: But even if we had, we wouldn't have been in any state. It was all just to fresh. On top of that of course, it was at Camberley. But we were told where it was and what time, and we had to set out something like 4.30 in the morning, because it was snowing. And my nieces' husband fortunately took us. Otherwise, I don't know how we would have
- G

- got there. Because we had to set out so early, when we got there, they had already started without us. A
- DoJ: They changed the time of the inquest for press reasons. But they didn't inform us. And they had already convened when we got there.
- NB: As I say, I'm going to consider the procedure, the information and the co-operation given to you. So you don't have any documentation at all, you don't have any representation, you don't have the chance to speak to the Coroner properly before the inquest had begun, indeed the inquest has begun before you even arrive. They brought the inquest forward, and didn't inform you. B
- DJ: That's right.
- NB: How long did it last for?
- DJ: Roughly an hour. Maybe a bit more.
- NB: Did you have any discussions with anyone after the inquest? C
- DoJ: Mr Burgess told us to come through the back doors because of the press, and he told us his daughter was the same age. And he told us "come through this way so you don't have to meet the press". So we went out the back. Where that went to, I don't know.
- NB: Was the press out in force?
- DoJ: Yes. There was a lot of press. D
- DJ: Well.
- DoJ: There were a lot when we arrived.
- NB: Did they file reports?
- DoJ: They were filming when we arrived.
- NB: I think in the personnel file there's just a little clip concerning the death. E
- DoJ: Oh, it wasn't on the scale of now. But for us, you know, one camera was totally horrendous. We just did not want any press involvement.
- DJ: Which was our reaction in 2002.
- NB: So after the inquest, you may or may not have met Whattoff or someone may have given you Whattoff's name at the inquest. F
- DoJ: I'm sure it was Whattoff that handed us the card. But we did definitely get the card at the funeral. Perhaps it was at the inquest as well.
- NB: I didn't see your letter to the Coroner.
- DJ: I wrote a number of letters to the Coroner. G

- A NB: I haven't got them. I'll tell you what we can do. I can give you the benefit of our schedule of your own correspondence.
- DJ: I can then take it off and see which ones I've missed. There's a number of letters, at least two but probably more, to and from Michael Burgess where I ask him more questions and he's answering.
- NB: Perhaps you just gave me the letters to the Army. And the correspondence starts with picking up on financial issues, the pay, the funeral grant, correspondence about the estate. Then you ask questions about the letters and then you start asking questions about the investigation. And then about the RMP never interviewing you.
- B
- DJ: Neither did the lady who wrote the psychological profile.
- NB: She had probably been given a lengthy statement by the Surrey Police by that stage.
- DJ: There was always the feeling that they were securing evidence to support the theory of suicide. Initially, we were quite excited that they were investigating. But then, quite slowly, we started having misgivings about how the investigation was being conducted. The two officers who came to see us, we weren't comfortable with. They were very young and totally inexperienced. The discussion was inappropriate.
- C
- NB: I'm not going to comment upon that. But later, Surrey Police have interviewed you about the background and they interviewed her friends, didn't they?
- DoJ: They interviewed [a friend of Cheryl's from home] and [a 2nd friend of Cheryl's from home], and from what we can gather, they gave totally conflicting statements to the police.
- D
- DJ: And [a friend of Cheryl's from home] is the one they are referring to, because [her] statement supported the suicide theory. [a 2nd friend of Cheryl's from home]'s didn't, and they don't refer to her at all. And that's a very good indicator.
- NB: What is [a 2nd friend of Cheryl's from home]'s second name?
- DJ: [...].
- E
- NB: I don't think I have seen her statement.
- DJ: It's very important, because you have Mrs [family friend] who gave a statement to Surrey police. Mrs [family friend] who had known Cheryl all her life. And Mrs [family friend] is the first one to say that she felt that they had already made their minds up. And [a 2nd friend of Cheryl's from home] statement which made it very clear that she felt that Cheryl could not have taken her own life. And it was [a friend of Cheryl's from home]'s statement that was made the most of. She was not the closer friend, she was a bit of a drama queen. But she did support the suicide theory. It's like that statement from the electrician about her saying that the only way she could get out of there was to shoot herself. And they cling to that.
- F
- DoJ: The other thing is that out of those, [a friend of Cheryl's from home]'s statement is the only one to be given to the psychologist. So she's got a bit of a tunnel view there, hasn't she?
- NB: Well, I don't know.
- G

- DoJ: Because I specifically asked – was it Mr Quick – who decided which statements the psychologist analysed, because there were so many. How can you get a character reference from people who had only known her a matter of days or weeks? But they seemed to be the ones the police put into the psychologists report. Of course, there were things we didn't know about Cheryl, but we knew a lot more about her than people who had only just met her. A
- NB: Apart from [a 2nd friend of Cheryl's from home], is there anyone else whose statements I should be looking at for Cheryl's background? B
- DoJ: The problem is, we don't know everyone they took statements from.
- DJ: [a 2nd friend of Cheryl's from home] gave evidence to the effect that she would not have taken her own life. But when Surrey Police asked her to give permission to show her statement to other interested parties she asked to see a copy of it. She never saw a copy of it. How can she give permission when she's never seen it? She never even signed it. And with Mrs [family friend] it was the same.
- NB: Can I just look at this? Cheryl is born in 1977 as Cheryl France. She came to live with you in 1979, is that right? But the adoption papers which are in the personnel file are from 1981. C
- DJ: If that's what's in there. But she definitely came to live with us in 1979.
- NB: And then her brother came at the same time. It is recorded as in December 1992 the cousin committed suicide. January 1993 Cheryl takes an overdose with a suggestion of some row. And then there is Child Guidance in April 1993. Then she wants to join the Navy in 1994. D
- DoJ: Yes, she applied but she wasn't accepted.
- NB: She leaves home in about September 1994.
- DoJ: She had a flat.
- NB: So she leaves home to go to College, but then that doesn't work out. E
- DJ: I actually found the flat for her.
- NB: And she had a fairly persistent desire to join the Armed Forces: the Navy and then the Army.
- DJ: It could have been the Armed Forces or something else. She was quite rebellious as a teenager.
- NB: I think you said that. The process by which she joins, have you read documentation in the P-files? There's much more on it than I thought there would be. F
- DoJ: She went down to London, didn't she, for her assessment.
- NB: Well, she's told to improve her fitness.
- DoJ: That's right. G

- A NB: So she doesn't join straight away.
- DJ: Now I know what you're talking about.
- NB: They do identity verification. If you have any comments about procedure, it seems like they were asking for quite a lot of information. Making assessments. More than I'd imagine that they'd do.
- DoJ: We obviously weren't aware of those forms.
- B NB: You were just asked to sign a consent form?
- DoJ: Yes, that would have been at the tail end of that information.
- NB: And you'll see how much information there is here. She describes herself as a bit rebellious and then we've got the interview, the officer's report. Then the intelligence assessment, and all this. If I'm looking at whether the Army were recruiting the wrong people to join, then this process would have been quite substantial and clearly there is no doubt that Cheryl was an appropriate person to be recruited to the Army. Any disagreements on that?
- C
- DJ: Not really.
- DoJ: Well, it's dependent upon the applicant telling the truth.
- NB: It does a bit.
- D DoJ: And we didn't have any of that information when we signed the form. The form was very small. It was nothing there.
- NB: You would have liked to have seen this form?
- DJ: For someone who is under 18, if you truly want to engage the family in that process, then yes, I would have liked to have seen it.
- E DoJ: You see, when Cheryl was filling that form in, we weren't getting on at all, were we.
- NB: That of course is a point I wanted to bring up. Whether in Cheryl's case or more generally from what I've seen it seems that a lot of young people who sign up at that age are people who have had conflicts with their families. Or they don't have any family, or they are in care.
- DoJ: But when we signed the form, things had improved and she had come back home again. She was living at home. So it was just a sort of blip on the screen. But that application form was filled in when she was at her most rebellious.
- F NB: I think I've got your comments down on the tape, taking that a little bit out of turn with the question of did the RMP after the death ever interview you. So the background material is to an extent based on hearsay.
- DJ: I read in one of the statements that one of the youngsters had said "Cheryl told me this". And that was in evidence, and I would have thought that that would either have been corroborated or removed.
- G

- NB: Removed is probably not the right approach, but the weighing of the evidence might be affected. A
- DJ: Absolutely. It wasn't balanced, that's the point.
- NB: You've seen the material. Some of it says "I have no reason to believe that she was unhappy". But if there was evidence that she was being morbid or otherwise in the days before it happened, then that would of course be relevant.
- DJ: I do think that the police have to look at it in balance. B
- NB: But there's difference in kind of a friend saying "Cheryl is the most unlikely person to commit suicide" – I don't think anyone disagrees with that – and someone else saying "whether or not she was the most unlikely to commit suicide, she did mention self-harm".
- DJ: Yes. As long as it's balanced.
- NB: And I don't think there's any evidence or suggestion that Cheryl was a vulnerable character whose self-harm was a problem. And in a sense that's relevant to my work, because if the Army ought to have been on notice that there might be problems with Cheryl, then that adds something. But whatever difficulties she's had in her childhood, everyone says that she comes across as a confident, friendly, loving, generous person. So that adds to the mystery. But that's not to say that she didn't – because teenagers can act on impulse. I'm going to look at the question of Army recruitment of people under 18, and see if I can make any contribution to balancing the pros and cons. I don't know whether you have any more thoughts on this. C
- DJ: Well, I think if there are regulations in place already, we shouldn't be looking back and saying she shouldn't have been armed and alone. What's the preventive measure you can take from that happening again? Well, you put in place a regulation. Well, that didn't prevent it last time. D
- NB: No that probably wouldn't have prevented it in any event. But let me move on. Cheryl seems to have been a little bit more successful in Phase 2 than she was in Phase 1, passing her exams and so on. So she's doing better. You never heard evidence or heard her mentioning her medical review, did you? E
- DJ: No.
- NB: She was seen again. Now, the Army policy. It doesn't appear to have been very consistently applied, and there were some doubts as to what they actually meant. My thought on it is that it was designed to protect women who were on guard duty from outsiders. That's why you need two people. I don't think it necessarily suggests that women are more likely to destroy themselves. But it does appear that there was a misinterpretation by the Regiment of that policy at the time. I don't know whether you have any views on that. F
- DJ: The view I get is that we've learnt the lessons and now we'll write a report. And then something else will happen, and we'll write another report. That seems to be the history since Benton's death. They keep writing reports and saying they need to change policy. And that's it. I mean, we're not talking about some typing error here. We're talking about an individual who has been in the Army for what, 19 weeks, and has just passed basic training, and she's given a lethal weapon at a point when there is no arming state G

- A and left alone early in the morning. Nothing can convince me that a young person with that training is ready for that. And when Surrey Police talked to us about suicide, they talked about opportunity. And what you're actually doing to a young person, is you're offering them the opportunity.
- DoJ: The means and opportunity. And as you say, teenagers are unpredictable, so that all put together.
- B DJ: I just find it very difficult to say that you take a kid off the streets, you give him nothing more than what amounts to a training course, it's not a three-year intensive course, and suddenly, he's given a lethal weapon.
- NB: And she's been in Army training since May. So she's done 6 months.
- DJ: It's the end of May, so it's 19 weeks.
- NB: I've pushed this, and what I get back is she's done her training and that she might have been sent to somewhere like Iraq just after, and there she would be on guard on her own. The policy in recent years, though, in line with the Convention on the Rights of the Child, is that they're not going to send someone to the front line until they're 18. That doesn't help Cheryl, because she's over 18. But if you suppose, for the sake of argument, that she were to be sent to the front line in December 1995, so you can argue that they have to know how to do it properly.
- C DJ: Even if this hadn't happened, there is no way anyone could have convinced me that that is a good idea. What use would a kid of that age with that training be? And I'm not sure they have the maturity to deal with it. Cheryl actually only had ten weeks of training to handle live ammunition, and that begs the question.
- D NB: In the sense there are three questions. First of all, should anyone under the age of 18 join the Army. Secondly, if you are joining the Army at that age, should you be allowed to handle live weapons? Thirdly, should you be handling live weapons after you've done your training but are awaiting trade training, even when you are 18? I suspect the answer is that the law tends to make 18 a bit of a watershed.
- E DJ: And as you say, they could end up being posted somewhere where they have to handle live weapons.
- NB: And I'm told that these young people handle themselves extremely well. The Army seems to be doing something with young people.
- DJ: What with the experience of Cheryl's teenage years, we certainly could see that the discipline of the Armed Forces would probably be beneficial. And that can be a very good thing.
- F NB: It has been put to me by others, that people who have had difficult lives find the structure of the Army very good.
- DJ: I think that's an interesting comment.
- NB: Finally, from my point of view, if I'm making recommendations, whether it is for a public inquiry or not, what should I be pressing apart from the topics which we've discussed?

G

- DJ: I think that what concerns me is that almost as soon as this whole thing kicked off in 2002, this whole thing has been driven by media attention, it didn't suddenly get picked up by the authorities. Everyone wants to take focus away from what happened. "It's a training issue. Let's have a Defence Select Committee into the Army or the Navy or whatever". Who the hell say we had a problem with that? We have a problem with Deepcut. It's the problem with the management of one camp. If there were training issues at Deepcut in 1995, then of course I'm interested. But if they're going to just make it a general issue, looking at the Airforce, the Navy, I'm not even sure that that is an issue. A
- NB: Well, I'm looking at Deepcut. I hope it is possible to say something about a collection of factors which made up the Deepcut environment. A lot of people say it's a horrible place. And there may not have been an understanding of the accumulation of sins there. That, I think, is your point. And it's a matter of seeing what can be done to make sure that those factors don't reoccur. B
- DJ: Quite right. The Defence Committee said they were going to investigate the deaths at Deepcut. But they didn't. I can give you the minutes where that is said. They went to great lengths to tell everyone they were not investigating Deepcut and then the only parents they interviewed were those from Deepcut. They didn't interview parents of recruits from the Airforce or the Navy. C
- DoJ: They interviewed the Catterick parents.
- DJ: That's right. The same day.
- NB: My understanding is, one, they didn't say they were investigating the deaths at Deepcut, only the training regime. Two, they interviewed you in terms of your experience and obviously, Deepcut was a source of information. Three, they went to Deepcut to have a look at how it was being run today. D
- DJ: And they say that they could find no evidence to support a public inquiry into Deepcut. If the investigation wasn't into Deepcut, how could they say that?
- NB: I just thought there was some confusion as to the terms of reference.
- DJ: Oh, there is confusion as to the terms of reference. Without having the minutes here, but I can send them to you. E
- NB: I've got the minutes.
- DJ: I'm not sure you've got the minutes from 2002, where Bruce George said "we're going to look at Deepcut".
- NB: Well, if you think there is something Bruce George said he was going to do in 2002, which he didn't do, then let me know. F
- DJ: I went to see Bruce George, so I know.
- NB: So is it a private meeting?
- DJ: Oh no, it's the Defence Select Committee. And by the time it came out, it was a duty of care investigation into the Armed Forces. They pulled the focus so far away from Deepcut, there was no hope they were going to do anything. And I've been so close to G

- A this for 3 years now, I know that they will do anything except look at Deepcut. My concern is that if you don't call for a public inquiry, then we will never find out. That's my concern.
- NB: And therefore I have to be very careful, and very precise, as to what there is evidence of, and that the evidence can sustain the burden of such an inquiry. A public inquiry has to be into something that is untested and undetermined, and which has to be determined out of public interest.
- B DJ: I can't help but draw parallels with the Stephen Lawrence case which went on for years, and then eventually, a public inquiry was called. Same thing. Police investigations, statements in the House. Eventually, there had to be a public inquiry.
- NB: By the time they called a public inquiry, there was some critical data into what had happened. And there was a focus as to what was being investigated.
- DoJ: And are you anywhere near a focus, or is it all just preliminary?
- C NB: I think the statement I made on the 7th of June as well as the things that I have been saying to you over the course of the last hours, should give you an indication of my focus. And I then have to evaluate the material against that focus to see whether that warrants a public inquiry.
- DoJ: But what would then be the alternative? This would then be the end of the process.
- DJ: If you get to the end of this, and you say, I really cannot come to the conclusion that a public inquiry is necessary, what else would happen?
- D NB: Suppose, and this is hypothetical, if I were able to conclude that there is a substantial body of evidence of failures of the regime, and suppose that the Army acknowledges quite quickly that that is right and that there were very serious failures, then that gives you a base line from which the future has to be measured. What would then be the purpose – many of the characters involved are no longer serving, and therefore not subject to a disciplinary regime, many of the people who could have given evidence as to how they were treated as recruits may either be unwilling or unable to go through that whole process, and if they did, it might only be to have someone else shoot them down. Now, these are some of the things that are going through my mind. When I complete this journey, I will see how this should all go. But I think those are more or less the things that I have down to discuss. Is there anything else?
- E DJ: Do you know how complete the evidence you have is?
- NB: For the period we are looking at, I think the answer is that I know the range, although I cannot with confidence say that I have got everything.
- F DJ: Well, it's just that Surrey Police have a number of statements which they can't release. How can you assess the relevance of those statements without having seen them?
- NB: I can't, although I can be briefed as to the gist of them.
- DoJ: On the whole have you had a good response from the MOD and others who haven't wanted to come forward?

G

- NB: Dealing with the MOD – which is something which in itself isn't uniform – there is always the willingness to give me the help that I ask for. Sometimes, the time that lapses between you asking for it and actually getting it may be quite long, particularly where Data Protection issues are concerned. And the MOD is a vast organisation. But I have a sense that I can meet anyone I want to meet and ask any questions I see fit. A
- DJ: You said earlier that you wouldn't necessarily wait for the Devon & Cornwall report. And there now is this document, which apparently suggests that the police had said to the military that they would find suicide on their reinvestigation. And the IPCC are now setting up their own investigation into that very document, which to me seems like a duplication of what Devon & Cornwall are doing. So if you go on with your report, and then months down the line, Devon & Cornwall report and say – perhaps not as forcefully as we would hope – that there are problems with the Surrey Police investigation. Where does that leave us? B
- NB: That is always a factor as to how I proceed. The question is whether any of these reviews will reveal any hard, new data? It is quite possible that Devon & Cornwall or the IPCC will say that Surrey Police, even in their reinvestigation, approached it with too narrow a mindset, but the product of the investigation still points one way, and there is no line of outstanding inquiry which is now available to us. Obviously, if there is reason to believe that Devon & Cornwall have uncovered any new data about the deaths, then that might create real difficulties for this review. Given those challenges, I then have to ask myself whether to freeze the review for six months or to deliver to the best of my ability? C
- DJ: I just feel so passionately that something was very wrong. I follow all your reasoning, and I'm really very grateful, because I feel it is a very wise route to be taking. But something was very wrong at that camp, which is deserving of public transparency. I need to see some measure of accountability. D
- NB: Sorry, you want a public inquiry into how Surrey Police was investigating? That's what you're talking about.
- DJ: No I'm talking about – when we first set off on this in 2002, all these questions came out, and as a result of that, Surrey Police said they would reinvestigate. And we were very grateful for that. But almost immediately we felt very uneasy about the reinvestigation, despite numerous conversations with Surrey Police about their impartiality. I still don't feel justice about it. E
- NB: But how Surrey Police conducted their reinvestigation is not the focus of my review. The issues before me are what evidence is now available or would be available if we held a public inquiry, what questions are there, is the public interest such that it would be better served by a public inquiry? And it is about what happened at Deepcut, rather than how the police approached it. So the police issue is at the periphery of my investigation. But I am very much aware of it, and I have also seen the caginess with which the Surrey Police have released documents to me. But the very mindset of Surrey Police is not going to be a focus for me, and I don't see how there could be a public inquiry into that. F
- DJ: I'm not suggesting that there should be. But I have lost my confidence in the police, and in other authorities along with that. G

- A NB: But to return to the issue, the question I have to ask myself when considering the material, is what would be the terms of reference for a public inquiry. What would it be looking into?
- DoJ: Are you waiting for the inquest now?
- NB: My present intention, as I've said, is to carry on with an intention to reporting in the early autumn.
- B DoJ: I'm sorry, yes, you did say that earlier.
- NB: So that's what's going on. And I hope it has emerged from our discussions that Cheryl's case and Sean's case are at the heart of my review at the moment. Is there any other topic?
- DoJ: I think we have covered everything.
- JA: Des has been very clear about what he wants, but do you want a public inquiry as well?
- C DoJ: No, I just want closure, really. If there's a possibility just to find out what really went on.
- DJ: Everyone seems to be able to reason their way through what happened. No matter what happened, there were two very serious incidents in that camp within a very short period of time.
- JA: So you are very clear about wanting a public inquiry?
- D DJ: Yes.
- DoJ: I just don't know what a public inquiry entails. If it has more jurisdiction that you have now.
- NB: Let's just look at this. You said, in answer to Julie's question, that you wanted accountability and closure. I can fully relate to both of those wishes, and let's just take that. It may be – and I'm not sure it is – that my own unwrapping of this material, putting it together in the way that it seems to me to be, might be a better opportunity to elicit an acknowledgement of accountability from the Army top brass, and therefore closure, on the issues that this material goes to, than say, a public inquiry. Because you might find with a public inquiry that people don't want to give evidence.
- E DoJ: That's what I mean, it's defining exactly what a public inquiry would be. Obviously, Des and I are saying a public inquiry because we just want to know what happened. It's been going round and round in circles for the last 3 years.
- F NB: It seems to me that we are touching upon an issue that is going to be very important to me, and that you are helping me here to formulate my thoughts. I've tried to put to you, though it may not have been very clear, that there may be case where I can put together a body of material where I can say "this looks valuable, this is consistent" and there looks like there is a sequence of things which have gone wrong. I say to the Army top brass "do you accept that?" They have two responses: One could be "yes, we accept that", in which case there may be a degree of accountability. Response two is "nonsense, we do not accept that, we want a public inquiry". A public inquiry happens, all of the officers and the NCOs turn up and say "no, it couldn't possibly have happened
- G

like that", and the accountability slips away. The nature of this material is mainly fragile. That's one thing I wanted you to be aware of.

A

DJ: To take option one, where does that leave us?

NB: Well, it would be an acknowledgement of the sort you were looking for. And if there is acknowledgement, there is an opportunity for closure. And I hope that this adds to what is going on.

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Appendix 4/8

Meeting with Mr & Mrs James and Colonel Josling

Present: Nicholas Blake QC (NB), Colonel Josling (CJ), Des James (DJ), Doreen James (DoJ), Julie Albrektsen (JA), Darren Beck (DB).

Location: Wolverhampton.

Date: 6 January 2006.

NB: I am entirely in your hands, but if we proceed today on the basis that both parties are happy for the record to go in as an appendix to my report, that might help set the tone as to what we are going to say and how we are going to say that. Are you happy with that?

DJ: Yes.

NB: As I say, if it doesn't turn out that way because of something that happens, that's okay. We will have another chance to think about it. If we start off with that assumption, then we will have the value of transcription. I think we have just informally introduced ourselves but for the record, for keeping a record of it I will go round. Shall we introduce ourselves just for the record? I am Nicholas Blake conducting the review. To my left are my assistants:

JA: Julie Albrektsen.

NB: and

DB: Darren Beck.

CJ: Nigel Josling. I was the Commanding Officer of what was then called the Training Regiment and Depot in 1994 and 1995 at Deepcut.

DOJ: Doreen James, Cheryl James' mother, who died in 1995 at Deepcut.

DJ: Des James.

NB: Okay. Thank you for that. So what I suggest is that I will ask Colonel Josling just to open our meeting today and then I think after probably a brief statement I think we can pursue issues, questions, concerns, that you have in your mind and any help that I can give on those. I have brought my material. I have not set up my computer but I can do that quite quickly where I have the database logged on. So any prompts that we need to go into we can and I can help on that. I am very grateful to both you, Mr and Mrs James, you, Colonel Josling, for coming along today and I hope our meeting will be helpful to all concerned. I am not going to say much more. This is not really about me. Can I ask you to say a few words?

CJ: Thank you. Yes. First of all, I welcome today's meeting. I hope to be as candid, as cooperative as I can and I hope it will be helpful for you both as an Army officer in a professional capacity and as a parent with two children of my own, I have every sympathy for you for the deep upset that Cheryl's untimely death must have caused you.

- A So anything I can do to help bring clarity I would be happy to do.
- DJ: You can clarify first of all why it's taken ten years. Lovely words, ten years too late I am afraid.
- CJ: Sorry. Is the point of your question that we have not met before?
- DJ: The point of my question is you have been not in contact, never met, never offered any sympathy or said anything even remotely similar to that before.
- B
- CJ: Right. Do you recall the day of the inquest.
- DJ: Just about, yes.
- CJ: Do you recall after the inquest you were invited back to the barracks and we had a small afternoon tea, reception for you.
- DJ: It is in your mind.
- C
- DJ: Sorry. We don't recall that. We were just hustled out of the –
- DJ: You are saying we went?
- CJ: In the back of my mind I have the impression that.
- DJ: For God's sake, come on.
- D
- NB: Let's just get the impression. After the inquest there was a meeting?
- CJ: We met briefly. That didn't take place in the barracks?
- DJ: Are you saying it did?
- CJ: I am asking.
- E
- DJ: I am definitely saying it didn't. I was pretty well out of it but I can assure you I knew where I was. Certainly never went near Deepcut camp, nor indeed was I ever invited until 2002.
- CJ: In that case I must be confusing it with another occasion. However, I am quite certain that I did, in fact, meet the two of you on the day of the inquest, and I remember being impressed as to how calm and collected you were in very difficult circumstances. I can remember exchanging a few words with you, Mr James. I can remember previously trying to engage you, Mrs James, in conversation, but forming the impression that you were understandably very, very upset and disinclined to speak. So I don't think we actually spoke, but I can remember meeting the two of you.
- F
- NB: Perhaps it would be helpful. I don't want to cut across. Do you want to answer that point?
- DOJ: We have mentioned before it is the possibility we did come in contact that day but it was a very, very brief encounter. We were saying earlier I have no recollection of speaking to you or don't even recognise your face, but strangely enough there are a lot of people and I have got a very good memory and I am sure I would have remembered,
- G

- but, as I say, I can't say for sure. A
- DJ: When we were told the name of the Commanding Officer of Deepcut in 2002 by Surrey police, that was the first time I had ever heard your name ever.
- CJ: Interesting.
- DOJ: Both of us, yes. It didn't ring a bell at all. We said to Mr Laden when he came, "Could you tell us the name of the Commanding Officer when Cheryl died, because..." – B
- DJ: Ron Laden was the person –
- DOJ: Because he came over to see us when Geoff Gray had died.
- CJ: Did you not receive a letter from me?
- DOJ: No. No correspondence.
- NB: I think that is a topic I think I raised with you when I met you in August. C
- CJ: Yes, it is.
- NB: Mr and Mrs James did show me a very full correspondence file that they have been keeping. I think the first entry was in January 1996, as I recall. It didn't have that – the CO's letter. I then went to Cheryl's personnel file, the records file that we had and I think we discovered – I went through it with you and it was there we found the letter from I think it was Leicester. Wigston was then the RLC's manning office. D
- CJ: Yes, it was.
- NB: I think the Colonel in charge of the manning office had written, but I don't think you recall receiving that either from our conversation.
- DJ: No.
- NB: That was a letter on the file, but it may be if Wigston generated the file, then they would have put a copy of their letter on the file, but we couldn't find one from you. I think since then – sorry to take up too much time – I can say I have spoken to your Adjutant at the time, Captain Whattoff. E
- CJ: Charles Whattoff.
- NB: Have we actually got the transcript of our meeting with Whattoff?
- JA: Not with us today. F
- NB: Although it might be on the computer. I think he had a recollection of either typing or saying he would have typed. I am not sure which way it is there. I think he was surprised at the suggestion it had not been sent but there it is. I am just telling you what my researches into that topic have yielded in terms of material and I think your personal correspondence files no longer exists, which is one of the problems.
- CJ: That is right. As a matter of course that has been destroyed subsequent to my leaving the unit. I have it in the back of my mind were you living in the Swansea area at the G

- A time.
- DJ: No.
- CJ: Okay. It was just a thought. I am almost certain that I did write to you. I cannot recall the words that I used. It seems to me almost unthinkable that I wouldn't as a matter of courtesy have written to you. So if it didn't reach you or if the letter, having arrived with you, the significance of me as a person writing to you or my position as Commanding Officer or the role that I played in the circumstances, if that was not apparent and for some reason the letter didn't stand out or was lost in the background, I mean – let me say now how very much I appreciate the hurt it would have caused if you had not received any communication from me, but I can assure you that was not my intent.
- B
- NB: I am just seeing whether we have the transcript of my meeting with Mr Whattoff. Otherwise I suspect that is the state of play that I can help you with on the letter. Obviously it is a matter of regret. Was it a matter of discretion or of standing orders at the time about a CO's letter?
- C
- CJ: Oh, no, it wouldn't be a matter of standing orders. It would be a matter of discretion. It would just be a common courtesy apart from anything else.
- NB: I think in 2000 I have seen a casualty visiting standing order that the Army have promulgated which now has a pretty clear instruction.
- CJ: Yes. I think we have progressed considerably in recent years, learned from experience.
- D
- NB: Right. I see. So we have this problem that you were never aware of Colonel Josling's name and you have certainly got no record of receipt of a letter from him and you have made the point forcefully. Can we just return to the day of the inquest? Can I just ask you, Colonel Josling, do we know who actually went to the inquest from the regiment?
- CJ: Major Rob Gascoigne certainly went and I think it was Rob Gascoigne who actually introduced me to you, Mr James, he having met you previously.
- DOJ: Yes, I remember Mr Gascoigne.
- E
- NB: You met Mr Gascoigne before.
- DOJ: Uh-huh.
- CJ: I don't recall whether or not there was anybody else from my regiment headquarters, Charles Whattoff, for example, whether or not he attended. I suspect he probably did not. I think there would probably have been other representatives from Rob Gascoigne's squadron, B squadron.
- F
- NB: Would that be the Troop Commanders.
- CJ: I think it was entirely possible there was a Troop Commander present. It is possible Sergeant Major Milne was present and it is entirely possible also that one or more of the NCOs from the troop would have been present. I think it would have been likely that if Cheryl had had any particular close friends amongst the trainees there were probably two or three of them who attended.
- G
- NB: Some of them, of course, were witnesses.

- CJ: Yes. I think out of respect for the family we would have been careful not to have too many people in uniform there, because we would have felt it was inappropriate that there was a military dominance to the party. So it would be a fairly small number. A
- NB: Do you know who Cheryl's Troop Commander was at the time.
- CJ: I believe it was [Lieutenant(f) A].
- NB: Sorry. I wanted to put those questions. B
- DJ: That is another name.
- NB: You have never heard of that?
- DOJ: No.
- NB: Have you heard who the Troop Commanders were at the time at Deepcut?
- DOJ: No. C
- NB: I couldn't see on the surviving records who it was. There was not a great deal of clarity on that topic from the witness statements taken in 2002.
- DOJ: I heard of Milne. Is that the gentleman that sat on the Board of Inquiry?
- NB: I can tell you that. I thought it was. It is a different Milne. The gentleman who sat on the Board of Inquiry is also WO2 Milne, which adds to confusion on these matters. We wrote to him because of the dissenting opinion he gave on the Board of Inquiry. His widow wrote back to say because he died some years earlier. I think we were under the impression from the Army he might still be alive. He is not the same Milne who is the Squadron Sergeant Major. D
- DOJ: Surrey Police knew he was deceased.
- NB: I had that and yet we were being told other information.
- DOJ: I see. E
- NB: I think that might have been based on a confusion. I can simply say from my own bitter experience those two Milnes are different if that will help you. Possibly the Squadron Sergeant Major may have been there.
- DOJ: Is [Lieutenant(f) A] still serving?
- CJ: To be honest I am not sure. I have a feeling she has left the Army since. F
- DB: That's correct. She has left.
- NB: We have written to her, haven't we, at a private address? I don't think we have Captain Whattoff's transcript, have we?
- CJ: Charles Whattoff has also left the Army, quite recently.
- NB: Yes. We have met him. G

- A JA: Yes.
- NB: Right. So [Lieutenant(f) A]'s name is not a name you have come across before.
- DJ: No.
- DOJ: Would she have had close contact with Cheryl or what is the duty of the Troop Commander?
- B NB: What was your view on that?
- CJ: She would certainly have had some contact with Cheryl. In a normal operational unit where there is a fairly consistent and stable population the Troop Commander, the troop Sergeant, the corporal in charge of the section in which a soldier is would all have a very close involvement with their soldiers. It is part of the job. Soldiering is not a job, it is a way of life. Traditionally we have become very involved in not only the professional but also the private lives of our soldiers. The difficulty with a Phase 2 training establishment, which is the sort of generic name for the type of unit that Deepcut was and still is, was the rather transient nature of the population. Cheryl amongst several hundred other young trainees completed her basic military training up the road at Pirbright at the Army training regiment there. She then moved after about 12, 13 weeks' training there, a short break in between, she moved to Deepcut to the training regiment and depot. The role of the training regiment was more as a sort of holding organisation, a base from which she operated and moved to other training schools or training establishments to do different parts of her special to arm, her trade training. So, for example, she would have spent quite a long time at Leconfield in South Yorkshire, driver training. She would have spent some time at Deepcut in the School of Logistics doing her supply training, learning about computers, stock control, that sort of thing. Now at the time the phasing of these various elements of training was not as smart as it is today. The net result was for Cheryl and for others there were sometimes gaps between the training, at which they were at something of a loose end. The Army took the view they had done their basic military training and that it was duplication to provide more of the same at Deepcut. So Deepcut had this sort of holding role, and because of that again because of force of circumstances at the time the number of staff that we had there to get to know, to supervise, to train these young people was very, very limited. So a Troop Commander like [Lieutenant(f) A] at the time I think had one troop Sergeant and two corporals. So there were four of them. They could have anything up to 600 or 700 trainees nominally within their charge during the course of a year, but people coming and going to different elements of their training. So the situation in which they found themselves was not like a normal operational unit where they had the stability, opportunities long periods at a time to get to know all their soldiers. So whereas normally one would expect a Troop Commander to know his or her soldiers intimately professionally and to some extent personally, it wasn't quite the same situation at Deepcut. So I think what I have tried to do was give you a background, give you a feel for the fact whilst one would naturally expect [Lieutenant(f) A] to know Cheryl, she would not have known her very well because of the force of circumstances.
- D
- E
- F
- DOJ: Strangely enough I would have thought a Troop Commander would have been – with an Army presence at the funeral, I would have thought her presence would have been more, you know, sort of apt than someone who didn't know her at all.
- CJ: Yes, but I took a rather personal view of the circumstances, although that may surprise you. I was the Commanding Officer of the unit. So it was my place to be there as a mark of respect to you and to Cheryl. So as a matter of principle –
- G

- DJ: What, at the inquest or the funeral. A
- CJ: At the inquest and to be involved. The funeral was rather a different thing. I was not at the funeral, because I felt that I was not personally involved and it would have been inappropriate for me to have been there.
- DOJ: Oh, yes. I am not saying about your presence at the funeral. I am just wondering about this [Lieutenant(f) A]. Where –
- NB: Did she go to the funeral? Do you know? B
- DOJ: No, she certainly did not. We have never heard the name before.
- NB: I know you met some of Cheryl's comrades at the funeral.
- DOJ: Yes.
- NB: You have given me a rough description of the people but there were some officers going to the funeral, weren't there. C
- CJ: Did Rob Gascoigne attend the funeral.
- DOJ: Yes, he was there and Whattoff. Those the two senior officers.
- DJ: Whattoff gave us the card and said "if you need anything" just call me. When I called him, I was just dismissed.
- CJ: You were dismissed? D
- DOJ: Yes. It was a waste of time. Every time I rang "hang on. We will pass you through to someone else". We sat on the phone and after ten minutes we put it down.
- NB: Telephone contact didn't work.
- DJ: No, neither did written contact.
- DOJ: 7 or 8 weeks for a reply. E
- NB: You wrote to Whattoff in January and then there was correspondence about the letters.
- DOJ: Yes.
- NB: Which you may come on to later.
- DOJ: We did correspond, yes, eventually, but it was a very long process. F
- DJ: This took us from January, when we started writing, until July before anyone even mentioned the board of enquiry had been held and then it took us – then we had a letter back which said "you may like to know a Board of Inquiry has been held a copy of which you can have if you request it". They wrote back and said "you don't request it. You have to request it somewhere else". They just play games with people's emotions. It took me nine months to get a copy. Even when I had a copy of the Board of Inquiry, I still didn't have your name. G

A CJ: I can see from your point of view how totally unreasonable and unacceptable that was. I can only apologise for that. It may interest you to know that much to my amazement I was not called as a witness to the Board of Inquiry myself. I had no access to them. Indeed, I had no access to the report produced from it.

DJ: Why did you leave Deepcut in January of 1996?

B CJ: Rather against my will I was short toured at Deepcut to go to a job in a big Army headquarters on Salisbury plain to start what eventually became known as the strategic defence review. I can imagine from your perspective that it looked rather odd that the Commanding Officer should have been removed from the unit at such a sensitive time.

DJ: There are a lot of things that appear odd to me I have to say. That is just one of them.

C CJ: From my own perspective I was very reluctant to leave because, of course, not only was it a very difficult time for you and the people who had been closely associated with Cheryl, but it was also a very difficult time for the unit as a whole. So it was not without considerable reservation that I agreed to move on to this other job. I have been asked by others whether or not I was removed from Deepcut as a result of this incident, whether or not the Army removed me from command, whether it was unusual for me to have been removed before the normal routine period of a command tour. All I can say is that there were attempts made prior to this to move me early to another job which was actually an operational job in Africa that eventually were discontinued, because it was felt that it would cause an unreasonable lack of continuity in the unit and it also would unfairly disadvantage me as an individual. So it was not unusual for somebody in my position to be considered to be moved on slightly ahead of time. I think with hindsight all of us, my elders and betters, made a mistake by allowing this break of continuity to happen at the time it did. I can see as a result of it, whereas had I remained, I might have taken' personal interest of maintaining continuity of contact with you and just as a courtesy making sure we responded promptly and properly to your attempts to contact us, but perhaps my successor was not so personally involved in it and the Army had somehow into a rather impersonal, remote process. I can see how you have suffered from that. I can only express my sympathy and apologise that you were put to that distress.

E NB: Can I just ask a question about the Board of Inquiry just following up from something that Mrs James said? We know it reports on 19th January. By then you were no longer the Commanding Officer.

CJ: Certainly No.

NB: I am not sure I can find on the face of the document – it goes to Commander 2 South-East Brigade. What is its distribution list thereafter? Do you know? It never got distributed to you?

F CJ: No, it didn't. To be honest, I don't know. I believe that it will have been convened by Headquarters 4th Division, which is the headquarters above headquarters 2 South-East Brigade.

NB: The convening order is meant to be 3rd January 1996 from 2 South-East Brigade. Whether they were acting on superior orders I can't tell you. I am just looking at the face of it. Can you tell Mr and Mrs James what you understand the purpose of a board of inquiry is and who is meant to – what happens to it once it is done?

G

- CJ: Essentially it is a process that is designed to try to determine the true course of events, identify lessons to be learned and to make recommendations whether or not further action should be taken. That might be administrative or it might lead to disciplinary action being taken, but it is not of itself a disciplinary process. It is essentially a fact finding process. A
- DJ: So the Board of Inquiry into Sean Benton's death, for instance, would have identified lessons to be learned and 19 weeks later my daughter was armed and alone on a gate. That lesson wasn't learned then I guess. B
- CJ: If you are suggesting that was a –
- DJ: I am suggesting it was a huge error to put a girl who was barely past her 18th birthday, against regulations at the time as I understand it, armed and alone on a gate. I am suggesting that was an error.
- CJ: It was certainly a unit error for that to have happened.
- DJ: You were the Commanding Officer. C
- CJ: I was the Commanding Officer and ultimately I am responsible for how the unit behaved. You are quite right.
- DJ: So the Board of Inquiry into Sean Benton's death didn't help a lot on that respect.
- NB: I think on that particular topic the regulation you have in mind which Cheryl's Board of Inquiry mentioned was about female soldiers. Sean's did not touch on that. There was something you raised with me earlier about Sean's Board of Inquiry which affects guard duty, which the Board of Inquiry into Sean Benton recommended the guards vary the posts of the that was the point you mentioned. Obviously you are right that Cheryl's Board of Inquiry revealed the fact that females should be in pairs with weapons and she wasn't. D
- CJ: Yes. That's quite correct. It was the Army standing instruction that she should have been in a pair, not by herself, yes. I think, as Mr Blake has pointed out, that was not directly related to Sean Benton's Board of Inquiry. E
- DJ: No. I accept that.
- NB: Can I press on as to the procedure then? So the lessons to be learned are lessons to be learned by 2 South-East Brigade rather than – or the new commandant, because the commandant changed at the same time as you, didn't he, more or less?
- CJ: Yes, almost at the same time. I mean, might be lessons to be learned at unit level. They might be lessons, issues of policy to be learned at a higher level. They could apply at a number of different management levels. F
- NB: It is just – I mean, this is not the only occasion. I can tell you my review has had to look at Deepcut for quite a long period of time. There have been times when there has been some incident that has been deserving of some investigation or other and then the commander moves on. It reports to a different commander by the time it comes on, which means one does not really know what was going on at the time and what the response is, but it is just not the case that you as the former Commanding Officer would be copied into the Board of Inquiry's report? That's the problem. G

- A CJ: No, I wasn't. I was aware of the interest in matters, but I was kept quite separate from it.
- DJ: There are many indicators collected by Surrey Police and reported verbally sadly so far to us that Deepcut as a camp was out of control. Do you accept that?
- CJ: No, I don't. I don't accept it was out of control. Like you, I have become aware of a number of allegations that have been made about certain behaviour there. I am aware there seems to have been some – quite against the rules that we sought to impose.
- B There seems to have been some social and even some sexual activity of a nature specifically that we proscribed that took place within the barrack bounds, but the suggestion that the camp was out of control I think is an exaggeration.
- DJ: Okay. So the fact that you had two deaths unexplained, at least ten recorded suicide attempts on the camp in 19 weeks, what does that suggest, that the camp is totally in control, everyone is happy?
- C CJ: It doesn't suggest that everybody is happy, but it doesn't necessarily suggest that the camp is out of control either. I am not sure – Mr Blake will have to guide us – the extent to which we should be discussing the other episode involving Sean Benton, but there are some particular circumstances surrounding his untimely death which led the Coroner to produce a verdict of suicide, as you know. I have become aware since the event that there is some background there that is of a very specific nature and not I think relevant to Cheryl's death. So what I prefer to do is ask you to put that to one side and ask you to agree with me the circumstances surrounding Cheryl's death or the period leading up to it and the factors at play were actually quite different to the circumstances around Sean Benton's death. So if we can agree on that.
- D DJ: No, I can't actually, but we will agree to disagree. I certainly can't agree there is clear water between the two. It was a very short period of time.
- NB: I think what Colonel Josling is reluctant to do is talk about Sean's particular social and medical and other circumstances. I can understand some concern about that going in. Obviously as a matter of public record it is going to be made public, because I am going to have to deal with it when I deal with my chapter on Sean's death, but – so it is sensitive from that point of view, but I think what Mr James is pointing out, and this, of course, is a relevant consideration, is nevertheless there were – some of the factors that are now emerging about the background of the camp relating to Sean have some relevance or significance to what was going on in November. Is that the point?
- E DJ: Absolutely. Nothing changed.
- CJ: I take issue with that. As a result of Sean Benton's death we certainly made efforts to try to identify those individuals amongst the trainees who were struggling, to put it in simple terms, and we had a, albeit a fairly informal process, of regular meetings between Rob Gascoigne, myself, the doctor in particular, it was very often at sick parade that individuals with problems emerged. We involved other members of the unit as appropriate, but we ran effectively what is now known as a risk register, but not in quite such a structured way. So we had a process of trying to identify those people who were struggling to try to give them particular attention, to address the issues with which they were struggling and to try to minimise the risks they were subject to. We also had a difficulty – it will shortly be a matter of public record – with a number of individuals who were self harming. I think there were a number of reasons why these individuals were self harming.
- F G Firstly, I think in some instances the system of recruitment and basic

training had failed to identify some people who were temperamentally unsuited to the military life. Secondly, I think because of pressures to recruit up to the required numbers at the time in a less than buoyant recruiting market that a number of people were taken in who were borderline in terms of their suitability and calibre for military training, for military life. So I think amongst this population of trainees at the time we had a number of individuals who were just not suited. One of the ways in which they demonstrated their unhappiness with military life was to self-harm. What that created was a situation where we were closely monitoring all the activities they took part in. We were seeking to try to ameliorate the pressures not only we thought they were under but where they commented to us about something in the regime, we were trying to ameliorate the pressure that they felt they were under. One of those pressures was the extent to which they were required to do guard duty. To this day, with young trainees, doing guard duty remains a very unpopular occupation. The simple matter is a lot of young people did not have an experience of being required to do things they don't like to do and they are at a time of their lives when they are developing discipline and self discipline. So managing the guard regime, trying to generate enough people to conduct it effectively and efficiently, but trying to ameliorate the impact of it on certain individuals and to avoid putting any undue pressure on people at risk of harming themselves was a factor very much in the forefront of our thinking. I can remember at the time being shocked, and I am still shocked, that your daughter Cheryl, who had apparently passed through her basic training and her trade training without any difficulty – in fact, one might almost have said was a model student – I can remember being stunned that she should have found it necessary to do something as desperate as take her own life. To this day I don't understand quite how she found herself in those circumstances. I can only speculate that there were some underlying factors of which I have no knowledge, but you and I can see that clearly she had got to a point where she must have had a mixture of emotions. One can only speculate that she didn't have someone sufficiently close to her immediately available to whom she could turn and share her emotions, share her problems, and that in a dark moment she seized an opportunity that strictly she should not have had to have taken her own life whilst on guard.

DJ: We don't know that.

CJ: We don't know.

DJ: You are living the assumption. Pardon me, but you are. It was your investigation, the investigation of your officers that made us spend the rest of our lives not knowing what happened to her. There is an assumption – there was an assumption made she had taken her own life. There is absolutely no proof.

CJ: With respect, Mr James, the investigation was immediately handed over to the police. It was properly their jurisdiction. The civilian police saw fit to involve the military police and the military police certainly are not answerable to any unit Commanding Officer. They are above the level of authority of the Commanding Officer.

DJ: But you still had what amounted to a shambolic investigation into a death on your watch. That's what happened, without any word of concern or argument or challenge from you as the Commanding Officer.

CJ: I am afraid that's not strictly correct. The matter was immediately handed over to the police. The area where the occurrence sadly took place and the whole investigation surrounding it were handed to the police, were taken out of unit hands straightaway, quite properly, in an endeavour to have an independent and objective investigation. So my involvement and my unit officer's and NCOs' involvement in the investigation was only as witnesses in response to an investigation undertaken by independent –

- A DJ: The investigation took a matter of days, hours probably. The investigation was shambolic. You don't accept it even now.
- NB: Can I just clarify it. Please let's keep that answer and we will get on to it. I think the point you made was the RMP, the Royal Military Police investigation is not under your command. Is that right? Do you have jurisdiction to tell them what to do.
- CJ: Not at all.
- B NB: I mean, is that a breach of your authority if you did try to tell them what to do or who do they report to for their investigation?
- CJ: They report through their own military police chain quite independent of the unit. Had I sought to influence the course of the investigation, I would have immediately been put in my place.
- NB: But did you ever see the product of the investigation, the RMP investigation? Were you copied into the report?
- C CJ: I was copied into the initial case reports, but not into the final full investigation report.
- NB: Sorry. I interrupted there. I think you posed the question, "do you accept the RMP was shambolic?" That was the one.
- DJ: Yes, and the inference is that you don't or have I misread that?
- CJ: No.
- D DJ: It is a generally held view frankly, whether you agree or not, that the investigation that was conducted which by the SIB, not by Surrey Police, was a shambles. The entire area was destroyed. Evidence was not collected that could have been collected that could have either proved absolutely that Cheryl took her own life or she didn't. They failed to collect easily collectable evidence, and it as been described by more than one party as shambolic. Now we can – you know, we can play with words forever. It was handed over to Surrey Police. Which senior officer was it handed over to exactly? What was his name, because I am really getting awfully tired of people playing with words like this.
- E Handed over it Surrey Police could mean the local Bobby turned up in his minivan and said, "I will leave it to you lads". Is that what we are talking about or are we talking about a senior police officer who was told "you have primacy for this investigation. Please conduct it". Do you know that?
- CJ: I don't know the answer to your question. I don't know if Mr Blake does. I am sure it is available, but I don't personally know.
- F NB: There is no senior Surrey police officer who took responsibility for signing off this investigation in 1995.
- DJ: Absolutely.
- NB: You will hear the list of all those that we captured who attended the scene. There were Surrey police officers attending the scene from Woking CID. I have the list of those who attended. I know you raised in e-mail before Christmas the question of Cheryl's letters and the search for those. I have some information I can introduce at some point into this conversation. I don't know when. I have now discovered, because I asked someone to
- G

- check it out for me, that it was certainly Surrey Police who took the letters, for example, but then handed them to SIB. I think we know from our previous discussion – I am putting this from memory rather than the documents in front of me – round about 8.30 in the morning Surrey Police, seem to have left the scene. A
- DJ: 8.30.
- NB: Yes, I think round about that time.
- DJ: Literally 8 minutes after the death. B
- NB: I am sorry. I think that is wrong.
- DJ: I apologise for being flippant as well.
- NB: Not at all. I think within hours. Perhaps it is 8 hours rather than 8.30. I think I am getting that wrong. I am probably mixing up [The intended reference was to an Army Signal at 11.45GMT] C
- DJ: If we look at the statements, I think there is one or two taken by Surrey Police and the rest were taken by SIB.
- NB: Oh, yes. There is no question that the statement taken was taken by SIB. I think when we met I suggested you ask the MOD to see whether they would provide you with the initial case report.
- DJ: That's right. D
- NB: Have a look at that, because attached to that is the SIB diary. Let me try – if you don't mind.
- CJ: Yes.
- NB: I will interpose a bit of data I have captured here. We have the SIB officer Sergeant [...] says he arrived at 9 o'clock with civilian police and Coroner's Officer. Took photographs. Coroner's Officer requested SIB to carry out the inquiry. The body removed. E
- DJ: So it was the Coroner's Officer who asked SIB to conduct it, not Surrey Police.
- NB: That's right, because Surrey Police had not wanted to conduct the investigation themselves.
- DJ: We don't know in what capacity – who from Surrey Police made that decision?
- NB: It will be at the level of the officers who turned up on the scene as far as I am concerned. I mean, I have not been investigating Surrey police. Others have been doing that. I think I have given you – F
- DJ: Surrey Police began this whole episode anyway with an apology that they messed up.

- A NB: As you know, there is – this will be mentioned, question of primacy. I have got quite a lot on it. There is clearly at the time no clear protocol, if that's not tautology. As to responsibilities that are defined, the Army take the view that Surrey Police have primacy into any violent death. I think Surrey Police took the view they only had primacy into suspected homicide. I think between those two is the room for some misunderstanding. I think only recently the protocol made it plain you start with a violent death and it remains a suspect death until someone signs off on another hypothesis. That I don't think was quite the procedure to which anyone was clearly working at the time. That is one of the problems.
- B DJ: The whole thing was based on an assumption she had taken her own life, that was an assumption that was made.
- CJ: That seems to be the case.
- DJ: In fact, that was the conclusion that the investigation came to even before the coroner's court was convened.
- C NB: Yes.
- DJ: The coroner's court was convened within three weeks which is quite astonishing really when you think it is taken four years for James Collinson's and then Board of Inquiry another couple of weeks after that. It was very, very speedy for some reason. We were certainly in no condition to attend or take any worthwhile part and to offer any value to any investigation that took place, and no-one intervened. No-one intervened at all. I am sorry. For the record I don't accept at all that the Commanding Officer of the camp cannot influence in some way. It was your camp. It was your command. You had two unusual deaths on your hands of two young people in a short period of time. I don't accept and I never will you could not have influenced in some way the way in which that investigation was carried out. I am sure that as the Commanding Officer you could within your own chain of command have made some noise.
- D CJ: As a matter of principle that is exactly what a Commanding Officer should not do when an incident as serious as this happens. It was handed immediately to the police. I was very clear from the outset this was a civilian police matter. Now I share your frustration with the way in which the various investigations and inquiries have been taken such that there is still no clear course of events. I agree with you that overall the way in which the matter has been investigated is unsatisfactory, and there are clearly a number of errors, but what I can be quite categorical about is that quite properly I handed the investigation to the police and did not seek to improperly influence it.
- E DJ: Were you on the camp that morning.
- CJ: Yes, I was.
- F DJ: So you actually actively took part in handing it over to the police, did you?
- CJ: I was actually in my Army quarter nearby when the telephone rang. I was just about to go into the office and I was told what had happened. I didn't go to the scene. It had already been sealed off by the police. I went into camp and I was –
- DJ: Sealed off, sealed off.
- G CJ: Yes.

- DJ: The camp was closed? People stopped coming in and out? A
- CJ: No. The scene of the death was sealed off.
- DJ: But the scene was on a gate. Was the gate not closed.
- CJ: To be honest I can't remember. I suspect it was, but I cannot recall.
- NB: Have you seen the Coroner's Officer's statement? I think you have, have you not? B
- DJ: I think so, yes. Not from Surrey Police.
- NB: Haven't you?
- DJ: I have not seen anything from Surrey Police.
- NB: Sorry to interject. You were aware when we met earlier this summer of the fact [the Coroner's Officer] said he had never seen Cheryl's letters. I rather assumed – C
- DJ: That was verbal. We have not had anything from Surrey police. All we have is these verbal briefings, when they tell us pieces of information that they allow us to know.
- NB: Right. Can I just see? Have you ever asked to see the Coroner's Officer's statement?
- DOJ: We have asked to see everybody's statement but they just won't release them.
- DJ: We are playing games, aren't we? D
- NB: I am checking, because I have got another meeting coming up next week where that is particularly relevant, more so than this one I have to say, than this occasion. I think I will leave this to you. As you know, he was a former Met Police officer who was working as the Coroner's Officer. Then he worked for the coroner, although I think he is formally seconded to Surrey Police in that capacity. He describes his procedures generally. If he thought it was a suspicious death, he would then take certain courses of action. He says on the occasion on the Monday he was called to the back gates. He drove there. They were manned by Army guards. Directed to some rear gates. I think police officers in uniform were already present. Also plainclothes officers arrived. Describes the road. His recollection – of course this is 7 years on – he thinks there was an Army Sergeant in Army clothing. He thinks there were about 6 people in total. He goes to the scene. Officers from CID either walked up with him or near the body. He says he can't remember if the area was cordoned off. He then says what he would have made sure of it. She had a gunshot wound. E
- DJ: Can I just interject there? You said the area was cordoned off, sealed off? How can you be so sure about that when the Coroner's Officer who attended the scene and you didn't, he says he was not sure. F
- CJ: The immediate area of the scene was cordoned off.
- DJ: How do you know? You said you didn't go to the scene.
- CJ: I didn't go to the scene. I wasn't able to actually go to the site.
- DJ: How can you be so sure about that. G

A CJ: I was informed that the police had put a cordon around the immediate scene and that all people were being kept out of that area. The Sergeant who would have been mentioned in the statement there would have been the duty or Orderly Sergeant as we call him, part of the normal duty regime of the camp.

NB: He actually mentions the Surrey Police Inspector here.

DJ: By name?

B NB: Yes.

DJ: Good. That would be very interesting.

NB: That is good. I appreciate that these are Surrey Police documents which I am handling on their behalf. I thought it was relevant for this part of the conversation to give you some assistance.

C CJ: Thank you.

NB: On that. I have read from the RMP diary as to who asked them to conduct the investigation thereafter. He talks about some aspects of procedure. I think ... introduced that to show that obviously you are and I think a lot of people have been, and the Surrey Police themselves recognise that whoever did it, the investigations into Cheryl's death were not as ordered, thorough in respect of retaining samples and doing forensic investigations upon the weapon, the bullet and such like as accords to appropriate practice in a suspicious death inquiry. Again it is no comfort, but later deaths, much later deaths seem to have pursued a different course of action. Of course, certain questions can be answered if you have certain data retained, which is much more difficult to answer many years later, sadly, and that is what creates – understandably causes you great concern. Are you as the commanding officer – you are responsible for at least ensuring that someone has called in the civilian police. Is that right?

D

CJ: Yes.

NB: Otherwise making your base available to whoever needs to conduct their proper inquiries?

E

CJ: Yes. I think you would understand, Mr James, how we would feel it entirely inappropriate for the Army to handle a matter as serious as this and therefore why we would immediately turn it over to the civilian police.

DJ: I entirely understand, which is why I find it astonishing that it was handled by the SIB and in such a shoddy way. Of course I do. As far as I am concerned, it may well have been a suicide, but we don't know that, and neither did you at the time, but there was an assumption. You had incidents of self harm. You already had an earlier "suicide" and here we had an individual found along with a rifle. So there is another suicide. I don't think there is very much doubt about that. That assumption is the root of what has gone wrong there.

F

CJ: You would understand, therefore, my particular concern that this matter was investigated by the civilian police precisely because it was the second tragic incident we had. I had hoped in the process we would have a proper, independent, and professional investigation of it. It is rather late to say so now, but I was somewhat disappointed, to say the least, at the time that the investigation was not carried out by the civilian police.

G

- DJ: I think what worries me just as much is the individual officers who have been named in various documents, SIB officers, who did such a poor job of this, no-one can give us any sort of reassurance that they didn't carry on operating in a similar way. Even up until now they can't, on the basis nobody accepts from right the way through to Adam Ingram that this investigation was not carried out as appropriately as it might have been. A
- NB: Do you just want to pause there and read to yourself that paragraph rather than into the record?
- DJ: Can I ... B
- NB: Do you want to show Doreen the passage I showed you? I think it is this one there. That is where he deals with the decision taking – the one above it actually.
- DJ: Oh, it is this.
- NB: You might want to read the whole lot.
- NB: Shall we take a break for lunch? I think that may give some further information about responsibility of the investigation at the time. I think we ordered some lunch for 12.30. Do you want to carry on for a little while? The loop into that investigation. Did you want to go back to questions about the camp or other matters? We have gone into the investigation into Cheryl's death. I don't know whether there is anything else you wanted to ask Colonel Josling about events before then? C
- DJ: Yes. There is one Sergeant whose name continually keeps coming up and is continually referred to by many, many witnesses as a psychopathic bully. Do you recognise who I am talking about? D
- CJ: Yes, I am aware.
- DJ: How well did you know him?
- CJ: I thought I knew him well enough to know that he is not as he has been described.
- DJ: But. E
- CJ: This individual, of course, has been the subject of at least one television programme, as we are both aware, and.
- NB: We can mention his name. If necessary, I will edit it out in publication of the transcript. I have not yet got a final steer –
- DJ: [Sergeant B].
- NB: – whether [Sergeant B] is going to come in. F
- DJ: And [Corporal F] as well.
- CJ: I am aware of the interest in [Sergeant B] in particular. At the time the impression I had of him was somebody who didn't entirely fit the clichéd image of a very clipped, very precise, ramrod, straight individual in an old-fashioned military mould. He was a slightly more shall I say pragmatic individual I thought. I thought he showed quite a lot of imagination in the way in which he tried to devise activities to benefit the trainees under G

A his command. The impression I had of him was someone who was actually quite caring, quite imaginative, a bit of a lateral thinker, but I did not at any time get the impression that he was a bully. I am also aware that there have been a number of allegations about different people, [Sergeant B] included, about the manner in which trainees sometimes felt they were addressed in a rather brusque or abrupt manner. I suppose again that's part of the military process in a way, but there is a limit to how far – how robustly people should be spoken to and how robustly they should be treated. I recognise that and I recognised it at the time, but my recollection of [Sergeant B] was he didn't exceed that to my knowledge. So I have been somewhat surprised by the description painted of him as a psychopathic bully. I can assure you if I had any indication that he was in any way bullying the trainees, then I would have taken some fairly stringent action.

B

DJ: What do you – I mean, how do you account to yourself then the fact that the regime that you were commanding didn't pick up on that?

CJ: I don't know. There were two other instances where, I won't name the individuals, but there were two other instances where it came to my attention that members of my staff were either acting or were alleged to be acting in an inappropriate manner as far as the trainees were concerned. One of them concerned a Sergeant, so an NCO instructor, and I immediately interviewed him, conducted an enquiry within the unit to establish whether or not he had acted improperly. Although I took informal advice from the local military police unit, at the time there was no substance upon which they felt they could act. So my investigation, if you like, was a purely internal unit affair. At the end of it I found this individual to have been exonerated and no formal action was taken against him. This individual has gone on to make a thoroughly successful career and at no time am I aware that anybody anywhere has cast any aspersions about his character or the manner in which he deals with soldiers. Therefore I would have confidence that I correctly judged that situation.

C

D

The other individual concerned was a warrant-officer in the unit, a very senior individual, and allegations were made again which I was unable to substantiate or to prove, and again where I took informally police advice on how to proceed. However, I did initiate administrative action that had him removed from his position and removed from the unit, although I could prove nothing, that he had done nothing wrong. I simply felt because of his position and because of the allegations against him that his credibility was shot, that his position was untenable, and that he represented a risk to the good management of the unit and welfare of the soldiers. Now both of those are a matter of record, and I would invite you to consider that therefore where something came to my attention which I felt was inappropriate, that I took action.

E

DJ: Yes. I mean, I don't think – I have had this conversation at great length with Ron Laden. I don't think and there is no suggestion that if something is brought to your attention you – who am I to judge? The point is every indication was there was some quite sinister, some quite horrific bullying going on under your nose and the noses of other officers under your command and you didn't pick up on that.

F

CJ: This – if the allegations are correct, this would appear to be the case, but as I have said to you, I had no indication of that.

DJ: You see, what is meant is that we have now continual reassurances, "Don't worry. We have sorted it. We have zero tolerance". Yet in complete conflict with that both yourself and Ron Laden said, "If I had picked up on that, I would have done something about it". I can't see anything having changed to allow anyone in the future having picked up on something like this if the officers involved didn't want you to know.

G

- CJ: I think there are three things that have changed. Firstly, I think the continued public gaze into what is known as the Deepcut saga and therefore the continued scrutiny of the way which the Army manages its affairs, but particularly the training system, I think the continued scrutiny has been a major factor in a change of approach. A
- DJ: But that is almost a fall-out of just a series of sad events. That means that people like myself and Doreen and the Benton's have had to give up something like ten years of our lives pleading with press and media in order for people like you to change the way you operate. To me it doesn't feel like – I don't take very much reassurance from this, because what you are actually saying is, "If you don't keep going we will go back to the way we were". There is nothing fundamental has changed because you have not as an organisation allowed anyone to look closely at what went on at Deepcut in 1994 and 1995. You will not allow that to happen. B
- CJ: If you will allow me to carry on.
- DJ: Yes.
- CJ: That's the first factor. I think the Army has generally recognised that the role of a unit like the training regiment at Deepcut is actually very much more complex than was understood at the time that the unit was formed. A recognition of that has been the increase of staffing and resourcing levels and, with some personal business I would say over the years the staff that were effectively stripped out during the course of the early part of my command as a result of decisions taken before my arrival there, over the years those staff have been put back in and as a result of that we now have a much more effective supervisory and training student-to-staff ratio. I think that was the fundamental flaw in the system then and it has been a fundamental flaw in the system for a long time and it is only relatively recently been put right, but that genuinely is a change, and one of the underlying causes of many, if not all, of the circumstances at Deepcut has been the very poor student-to-staff ratio and the very poor supervision and the lack of resources to do the job properly. So that has changed. The other thing that has changed is that the Army now has a systemic process, the adult learning inspectorate process, for taking a more holistic overview, for monitoring much more closely how people are looked after from the time they come into the Army, go through their training and then pass out of the training system into the operational – into the field army. That has been a fundamental change in the way we approach our business. I would agree with you that some of the changes that have taken place have probably been far too long in the coming and that that the situation we have today is, although I believe it is fundamentally different from ten years ago, it has taken an awful lot of pressure from all sorts of sources, including that which you and your colleagues amongst the other families have brought to bear, to bring about that change. Some of it has genuinely been inspired from within. I think there has been a recognition within the Army that we have made mistakes. I certainly recognise that I made mistakes during my time. C
D
E
- NB: I am conscious that this lunch might be getting cold. Would that be a convenient break to take, say, 20 minutes? F
- DJ: Yes.
- NB: That okay.
- CJ: Yes. G

- A NB: I hope I am not interrupting any flow there.
- DJ: No.
- NB: Thank you so far and I hope this has been of some assistance and use to you as it has been to me.
- (Lunch break)
- B NB: Shall we continue? I don't think I made a note of when we actually started. It was about 11.45, something like that. It doesn't matter. Now it is 1.15 and we are all the same people as before. We were talking about [Sergeant B] and his characteristics and matters of that sort. I don't know if you want to carry on from there. I have a question to ask Colonel Josling at some point about [Sergeant B].
- DJ: Do you want to put that.
- C NB: Yes. All right. You were talking about going too far or the sort of matters of disciplinary policy. Do you know whether there were some limits laid down in 1995 as to what training Sergeants could and could not do by way of sanction, to use a neutral word as opposed to normal discipline.
- CJ: Yes. Do you mean in a unit sense or Army policy sense?
- NB: I suppose any sense.
- D CJ: I am pretty sure that we didn't have any policy guidance or specific instructions on that. I think within the unit again we would not have had a written policy document. I think this was really – came under the heading of day-to-day man management and the guidance would have been given informally on a reinforcement basis by particularly the Squadron Commander and the squadron Sergeant Major.
- NB: Squadron Commander being the Officer Commanding.
- CJ: The Officer Commanding, Rob Gascoigne and Sergeant Major Milne.
- E NB: I met Sergeant Major Milne. I think the purport of his conversation was there was discretion afforded to Sergeants at the time as what they thought worked best. He certainly I think thought physical punishments, press ups, running round the square dragging objects would all be within the range. I don't know whether you –
- CJ: Yes, I think that's right. Equally I think it would be quite normal practice for someone like a troop Sergeant to operate a sort of dirty jobs book, admin jobs that needed to be done by someone. If minor miscreants were uncooperative or misbehaved, then he would ask them to do those sorts of things.
- F NB: So they got the worst jobs. Yes.
- DJ: One of the many allegations of this so-called discipline was when recruits were going home excitedly for their week-end leave and packed up and were walking through the guard room. One of your Sergeants was picking them off saying, "Your shoes are dirty. You stay. Your tie is undone. You stay as well" and just cancelling their week-end leave. More than two people have told me personally about that.
- G

- CJ: It wouldn't be within a Sergeant's authority to do that. A
- DJ: Who would do it then?
- CJ: The leave would have been granted by the squadron to the trainees. So the authority for that would really have to be either the Squadron Commander or the Sergeant Major.
- DJ: Are you saying then it didn't happen.
- CJ: I don't believe that would have happened. What might have happened is the NCO might have said, "You are not in a fit state to go out of the barracks. Smarten yourself up before you leave". He wouldn't be able to cancel his leave. B
- DJ: There are a number of recruits who would say that. You know that.
- CJ: I wasn't aware of that.
- DOJ: Would the recruits be aware they couldn't cancel the leave? C
- CJ: That's a good question.
- DOJ: He could say, "Stay in your barracks" and they wouldn't know any differently.
- CJ: I think you make a good point. I think there may well have been circumstances where an NCO may well have if not directly exceeded his authority, implied that he had perhaps an authority that he didn't have or else that a recruit may have understood that he had an authority that he didn't have. D
- DJ: But if that happened, and I accept it happened – maybe you would challenge it – but if that happened, how can it happen without anyone else on that camp being aware of it and doing something about it? He can't have been the only person in the guard house. He can't have been the only person who knew he didn't have the authority. There must have been a number of people than once with more than one recruit who now that that person was doing wrong, bullying, in fact, mentally bullying, and yet even today you say, "I wasn't aware of this happening".
- CJ: No. As I say, it was not within [Sergeant B]'s or any one NCO's authority to cancel someone's leave. E
- DJ: I accept that point but I also accept what I have been told, that it happened and happened regularly.
- CJ: I accept it may have happened, but I don't believe it could have been a regular occurrence.
- NB: Can I ask some follow-ups and so if we can get some clarity upon this topic? Week-end leave to a Phase 2 trainee, what's – is there policy about the grant of it or is it assumed they can do it unless there is good reason that they can't or vice versa? F
- CJ: Yes. Normally with Army service as with any other form of employment we have a leave entitlement, what is called a privilege leave entitlement. You can take so many working days a year off from your job. In the training regiment at that time, and I think this is probably fairly common practice in all training organisations, we had a policy of getting people out on to leave if we possibly could, particularly because the breaks in their G

A training caused by this lack of synchronisation of the different elements of their technical training, trade training. We very much used leave as opportunity to get trainees out of the camp rather than have them sitting round twiddling their fingers, bored, frustrated. Equally we didn't have the resources necessarily to entertain them properly at the weekend. There was a recognition that some time at home with their friends and family was very good by way of reassurance and they were entitled to have it. So we made use of leave in that way.

B NB: Now the circumstances in which leave either actually granted might be over ridden or future leaves not granted, am I right in thinking two factors might come into play? First of all, the manning requirements for guard duty.

CJ: Correct.

NB: And secondly any disciplinary sanction of restriction of privileges.

CJ: Correct.

C NB: So if either of those requirements came about, would that be a basis to cancel leave that had been granted or awarded in principle?

CJ: Yes, it would, but the restriction of privileges is something that could have only been awarded by the officer commanding or the commanding officer. An NCO would not have the authority to award that sort of sanction.

NB: So an ROP has to go up as a formal disciplinary measure.

D CJ: Yes.

NB: But guard duty.

CJ: Guard duty again was something that was run by the unit centrally. So it was part of the regimental headquarters regimental process. Normally we would prepare a guard roster a number of days, if not weeks, in advance in order to give people notice. Sometimes that was not possible because of people coming and going at short notice or because of sickness or injury, because the intention would be to give good notice to people that they were going to be on guard duty. So in those circumstances it shouldn't have been a cause for somebody suddenly to be pulled off leave the night they were about to go away. Very exceptionally would that happen.

E

DJ: If we follow the suggestion through, if I was a recruit and I had been there for a few days and I was going home on leave and the Sergeant pulled me and said, "You can't go. Go back to your barracks", what would I do? What could I do? Even if I knew he didn't have the authority to do that, what would I do?

F

CJ: You could certainly go back and complain to the squadron.

DJ: To whom exactly.

CJ: Either to the Sergeant Major or one of the senior staff in the squadron. If this happened after normal working hours, for example, say on a Friday evening, then if a recruit had the wit to realise it, he could approach the duty officer or duty Sergeant and he could do that through the NCO manning the guard room.

G

- DJ: If he did that, if I did that and the sergeant was overruled, what are the implications then for my life under that sergeant if, as the allegations are true about [Sergeant B], for instance, what would be the point of my complaining even if I knew I was right both morally and technically? What would be the point of my complaining? A
- CJ: You make a good point. There is obviously, if you like, a risk there for the individual to weigh up. I can't deny that.
- DJ: But we all agree, don't we, if it was going on, it is wrong. I don't think there is any dispute about that. B
- CJ: I agree.
- DJ: If we have learned all these lessons, how does it work today? If the sergeant carries on and he is still stopping recruits going home for the week-end, what is the difference today?
- CJ: In detail I don't know. I don't know that much about the running of the unit today. C
- DJ: I am talking generally in the Army, any training camp anywhere. If that happened and these improvements have been made and this is zero tolerance to bullying and all the lessons have been learned, what is the difference? You know, what has been put in place to prevent that, if anything?
- CJ: Certainly a much greater awareness and a much closer monitoring by the commander as to whether or not someone has gone on leave when they have been granted it; in other words, there is a much greater awareness of the importance of getting people out of camp when we possibly can and not having them sitting around. I think as a part of the natural management regime if a soldier had not gone on leave over the week-end when he had been granted it, his Sergeant Major, his company commander or Squadron Commander would want to know why and would demand good reason that someone had effectively countermanded their authority. D
- DJ: But in Deepcut in 1995 the Sergeant Major and commander didn't want to know why.
- CJ: I don't know that to be the case. E
- DJ: On the assumption the people saying that are telling the truth – let us carry on with the hypotheses – someone didn't spot them.
- CJ: Again I know of no instance where that happened.
- NB: Are your informants, informants to you directly or people you picked up from the Surrey Police material? F
- DJ: Yes. Surrey Police mentioned that a number of times to us.
- NB: I have seen suggestions of leave cancellation. Usually I think from my memory it is linked to doing guard duty.
- CJ: Yes.
- NB: That's the problem in one or two people's cases. G

A CJ: Can I just comment on that? One particular problem with guard duty, given that some people have a particular resistance to doing it, whether or not it was their fair share, would be that an individual would go sick on the morning he was due to report for guard duty as a way of getting out of that duty, and again because of the nature of the regime, the doctor would be obliged to give the individual the benefit of the doubt as to whether or not there was a problem. That I am afraid was occasionally a problem to us and was a reason why somebody would suddenly have to be pulled to replace someone notified for guard duty.

B DJ: Pulling someone, I am okay with that. That is the way of the world. I am not talking – let's make sure we differentiate. I am talking about picking somebody up as they are walking through the gate, demob happy, packed and going home.

CJ: No, that should not have happened.

DJ: A very senior officer, whom I am very happy to name quite frankly, told us that the Army were and I quote "wetting themselves over what went on at Deepcut in 1995". What do you think he meant by that?

C CJ: I don't know. What I can say to you is that informally I have often heard people in the Army say certainly now, looking back, there are many areas in which Deepcut – the unit at Deepcut has learned – has developed and applied some of the best practice in the way that trainees are dealt with today. I have equally heard people say that there are probably mistakes that have been made at Deepcut that have been made elsewhere in the Army. I think it is not unreasonable to assume that is the case. So I don't know entirely what your informant was referring to.

D DJ: Did you know the Major who chaired the Board of Inquiry? I think it is Major. I am not sure.

CJ: No.

DJ: Or the Captain on the Board of Inquiry?

CJ: No, I don't.

E DJ: Do you know [...]?

CJ: I know the name.

DJ: You don't know the person.

CJ: No.

F DJ: [Lance Corporal(f) E]?

CJ: I think you are referring to [Lance Corporal(f) E]. I recognise the name.

DJ: [Lance Corporal(f) E] told me you met her in a shopping precinct after she was out of the Army and you said to her words to the effect, "You do realise what happened to you, you know, I had to go along with".

CJ: I don't recall.

G

- DJ: Words to that effect. A
- CJ: I don't recall saying that.
- DJ: She was with her partner.
- CJ: I don't know.
- DJ: Did you ever meet her.
- CJ: I can't recall it. I honestly can't recall it. B
- DJ: I mean, if you had, don't you think you would remember that surely.
- CJ: Yes. If it happened, I think I would remember it.
- NB: I have asked you about [Lance Corporal(f) E] myself, haven't I?
- CJ: Yes. C
- NB: Do you have any recollection of the whole [Lance Corporal(f) E] saga now?
- CJ: I am afraid not really. I recognise the name. She was certainly one of the young NCOs who at the time was living in female accommodation. You have put a number of questions to me about various suggestions or allegations, but I am afraid there's nothing I can recall. I am sorry. I am not trying to be evasive or unhelpful.
- NB: I have not met her personally but members of my review team did meet her. She would be surprised if you couldn't remember her, but there we go. D
- CJ: I couldn't?
- NB: She seemed to think she made some impact on you in the events of the time.
- JA: Could you perhaps say a little bit about how much you see of the NCOs? This goes to how well you know the NCOs but also what you know of what is going on. How much do you receive of, how much do you interact with the regiment directly, in other words on a personal basis? E
- CJ: In any unit a Commanding Officer has to exercise his authority through what we call his command group. The next level of command below him, the squadron, the company commanders, principal personalities like the Adjutant, Regimental Sergeant Major, regimental administrative officer and the quartermaster. They have a much more detailed involvement in the day-to-day management of the respective functions and they get to know their staff very well because they interact with them on a day-to-day basis. Inevitably the commanding officer is slightly remote from the staff of those staff. So he tends to get to know of what is going on in the unit through his staff. Having said that, of course, walking round the unit, inevitably you do take an interest, you do see things and you do get to know people, especially if they are there for some time, but it is quite a wide net of activity even in a static training unit. At the time – this is no longer the case – but at the time the unit had three quite distinct and different functions. One was the responsibility for holding and helping to coordinate the Phase 2 training, trade training. The second was the running of the trained soldiers coming back from the Army to do career development and leadership courses and the third was what was equally F
- G

- A known as the depot function, which meant really operating as a holding unit for people across the Army as a whole within our corps who for whatever reason had been taken out of normal employment. Sometimes they might be on what is called 'held strength' because they were posted at the end the world in a non-UK unit and needed to be administered by someone in our own Army. Sometimes it would be because they were due to retire or go out of service for no reason, sometimes prematurely, sometimes on medical grounds, and sometimes it would be because of disciplinary circumstances. So effectively they had been suspended from duty. So there were these three quite distinct roles that the unit had, each of them presided over by a Squadron Commander, and each of them in which I had a role.
- B
- DJ: Would you say generally that's still the case? A moment ago you said NCOs and officers reporting directly into you, they sort of interacted with the recruits and staff and generally you got to know people through them. Would you say that is still the case.
- CJ: Yes. You have to command through your command group. There are circumstances in which you will get to know people better. If you go away, for example, on an operational tour where you live cheek by jowl with people, where you sometimes share experiences that are life threatening and life forming, you get to know individuals very, very well. If you go out on the ground in some sort of tactical formation, you obviously get to know the people upon whom you are relying. You mutually support and protect one another. So in that sort of situation – and again in a unit where there is stability, a consistency of manning and you get the opportunity to get to know someone. You know yourself it takes a while to build up rapport, to build up a relationship with somebody. I think you would also understand sometimes a young soldier, a junior NCO, will inevitably be extremely defensive on first contact with an officer or senior NCO. It will take some time before they just accept you as another human being without being concerned about your authority. So it takes a while for them to open up to you and vice versa. So all of those circumstances are still true, but it is the case that it is much easier and it is much more necessary to form that close bond in an operational unit.
- D
- DOJ: You say here now with the Phase 2 training, you know, the holding camp, do those three phases – are they – are they concerned with Deepcut? Is that the sort of holding camp you said, was it?
- E
- CJ: Yes. All those three things took place in the unit. They all took place in Deepcut. Now that is no longer the case. Deepcut now doesn't have the depot function. The trained soldier training bit as far as I am aware is carried out separately at St Omer in Aldershot in a different barracks under a slightly different regime.
- NB: I was not sure you lost the depot function which was the old C Squadron and then became 87 Squadron. When did that go?
- F
- CJ: It started to wither on the vine some years ago. I am not sure what point in time the decision was formally taken to remove the depot responsibility, if you like, from Deepcut, but certainly it was taken some time ago, and the unit no longer has the staff or the structure to carry out that function.
- NB: If you have a problem like, I know after Cheryl's death, but like the notorious Skinner problem in future, where do people get dumped, to use that unflattering term, now?
- CJ: People who have to leave the Army for whatever reason have to be administered and charged by the unit on those strength they were at the time. Only in exceptional circumstances are people moved from one unit to another. The sort of exceptional
- G

- circumstances would be either because an air gap had to be made in order to ensure objectivity, independence and perhaps a degree of protection for an individual or individuals, or else on grounds of welfare, in terms of perhaps moving someone closer to home or to their family or to the cause of whatever concern they had, but in general terms individuals are no longer plucked out of a unit and simply dumped somewhere to have the problem sorted. A
- NB: I just wanted to clarify, if I may, whether the depot function has gone altogether or just been transferred out of Deepcut. B
- CJ: No, it has gone altogether.
- NB: Now you stay with your unit and if you have to be transferred out of your unit, you are transferred to another unit where you are in a working unit rather than a residual unit.
- CJ: Yes, very much so.
- NB: I don't know. [Turning to Mr and Mrs James] Do you know about this from Brigadier Evans' report, different functions of A, B and C? C
- DOJ: This has just sort of hit home with the holding unit here. You have people suspended from duty. Mr Blake has mentioned Skinner. Were these totally separated from the young recruits, these people?
- CJ: Yes, they were.
- DOJ: They had no connection whatsoever with the trainees. D
- CJ: No connection, no, no. The only possible connection would be where somebody was suitable for employment. I mean, for example, somebody is medically downgraded. They are physically unable to carry out operations. Someone like that who is only partially functional but could be employed gainfully to use their time, then they might find themselves employed in the quartermaster's department in the stores or something like that, doing something useful, helping the staff and indirectly would come into contact with the trainees, but they wouldn't be directly involved in the day to day management or training of the individuals. E
- DOJ: I am talking about people suspended from duty for criminal offences.
- CJ: They would not normally be at large in the unit at all, and where it is humanly possible, they would not be accommodated on the camp or in the vicinity of it. They would simply be brought on to camp when it was necessary for the disciplinary process, for example, if they effectively had to be in civilian terms remanded for disciplinary action and that had to happen in front of the Commanding Officer, then they would be brought on to camp under escort for that. F
- DOJ: This didn't happen with Skinner.
- NB: Are you talking about now or then?
- CJ: I am talking about what took place in my experience then.
- NB: I must say I don't recognise this description. So I would like to – you may want to ask a question but I would like to ask a question too if I may. Can I go first just to help me. G

- A DOJ: Yes, certainly.
- NB: My understanding is that certainly C Squadron at the time had to take these people whether they were sick or disciplinary or other pending reassignment cases or whatever and unless the CO makes a suspension decision and tells them they can't live on the camp, which is difficult if you have a single man, like perhaps the name that has come up, then I mean this person is going to be on the camp. Although he is not in the same squadron and therefore not doing training alongside other trainees in B Squadron. There would be a number of occasions where they may meet each other like in the NAAFI.
- B CJ: There is potential for them to meet.
- NB: Let me push it to get the full picture. Also you mentioned assignment to the quartermaster's stores. Another place the people could be assigned was the gym as physical training instructors.
- CJ: In my experience it would be unlikely they would go to the gym as a physical training instructor.
- C NB: That's where Skinner was assigned.
- CJ: Skinner escapes me. To clarify my comments, a moment ago I did say, you recall, where possible we would not have them on camp if we could avoid it. You are quite right. Where we have a single soldier, particularly somebody who doesn't have any other home and nowhere to live.
- D DJ: He has a home now.
- NB: He didn't then.
- DJ: Maybe he should have.
- CJ: When we have someone who hasn't got another home, the Army has a responsibility to house an individual. So occasionally we do have to have people on the camp who frankly we would probably far rather not have there, but we have a responsibility to provide a roof over their heads. So under those circumstances we can find we have, if you like, undesirable personalities on camp.
- E DJ: Am I right in believing that Skinner's record, personnel records have been destroyed or do you have them.
- NB: Yes, I have them.
- DJ: So you have the dates totally.
- F NB: I am very happy that I have a complete picture on – there are many things I am not happy I have a complete picture on, but that is not one of them, on that matter. Obviously I have discussed that with your successor in some detail.
- CJ: I don't think I have ever met Mr Skinner or whatever he once was at any time.
- NB: He is a 1996 issue. I don't think you were there. In fact, there is another example of someone who was demoted for offences who actually gets assigned to the gym as well, as a matter of interest but again it is 1996, not 1995.
- G

- CJ: You make a point I would like to pick up on. It has during the course of my service occasionally been a frustration where somebody has either done something wrong or there are reasonable grounds to think they may have attempted to do something wrong, it has been a frustration of mine that not everybody in the position of authority has the moral authority to do something about that and make sure there is some sort of record. I have had experience on occasions where I have found people placed under my command for a specific purpose and function for which objectively quite clearly they were unsuitable, but it is a fact that one relies upon someone's record of service and somebody somewhere along the line having the moral responsibility to not allow something to slip under the net and to make sure that there is some sort of audit trail if there is any doubt about someone's integrity, values, inclination towards bullying, inappropriate sexual leaning, whatever, where they could put somebody else at risk. I would share with you a concern that the Army system not only makes it possible for that to happen, but that individuals within it in authority are encouraged to have that morale responsibility to act in that way. A
- NB: Say no if you think this is an unfair question. Can I ask you a hypothetical simply on that issue? If you did have the Army saying at the time when you were running the regiment and you have a depot function in C squadron you were going to have to take someone like Mr Skinner, as an example, that you may not have been very happy having to accommodate, but you do, because that is what you are told, as I understand it by Glasgow, what can you do about it? If you are not happy and you think this person is going to be a risk to the morale and health or physical health to your regiment, what can you do? B
- CJ: If you have sufficient concern about it, normally as a Commanding Officer you can go back to the manning branch, Glasgow now I think – at the time there were a number of different manning branches; they are coming together – and express your dissatisfaction with their selection. Normally if you have reasonable grounds, there will be a discussion at the end of which you will agree that person is not posted into that job. C
- NB: But in a depot function my understanding was that the depot function was like the sink where people were there until they could scratch their head and work out what to do with them. D
- CJ: Yes. E
- NB: The problem with the particular example we have been discussing, and I use it as an example because I appreciate it is not your tour of duty, the court martial didn't dismiss him from the Army. No-one decided to decide whether there were grounds for administrative dismissal. So the person concerned remains in the regiment. Where do they want to put him? No-one wants him on an operational unit. So he ends up in the depot. You can get on the phone to Glasgow. Glasgow says, "there is nowhere else he can go". F
- CJ: Correct. G
- NB: Do you recognise this picture or am I misrepresenting it?
- CJ: Yes, I think you make a valid point and you could conclude from that how thoroughly unsatisfactory it was to have the depot function so physically close to the same system that was training these young easily influenced people.

- A NB: My understanding is that a number of commanders had expressed dissatisfaction about that arrangement.
- CJ: Yes. I am sure that there are many of us who have done that, and I would like to think that that is one of the factors that has led today to that particular function being disestablished.
- NB: Is someone going to have – do we have captured a date for that?
- B DB: The change from depot.
- NB: To non-depot.
- DB: I am not sure we have a date immediately to hand.
- NB: The present Commanding Officer has briefed us on that?
- DB: I think he did, yes.
- C NB: I will look at my notes.
- CJ: It may coincide with the renaming of the unit or shortly after that. It was re-named shortly after I disappeared and became a training support unit. The decision to rename it had been taken at that point.
- NB: You have certainly got C Squadron around in '98/'99.
- D DB: I thought it was some time thereafter.
- NB: After that you rename the 87 Squadron. It is still with you.
- CJ: Well, at some point.
- NB: I am sorry. I interrupted your flow. I would just like to pursue that. I will check my notes. Did you want to carry on about –
- E DOJ: No. No. I was just concerned with these people would be integrated with trainees. You know, such a young age.
- CJ: I think you make a good point.
- DOJ: You just wonder what – as you say, if they are in different places, there are ample opportunities for them to liaise with the youngsters. That's what I am on about. With you saying about the ratio of staff to recruits was not – was way under par. You know, they could not be supervised adequately, could they?
- F CJ: No, No.
- NB: I think from our previous conversation and from other data that I have seen this was a deteriorating ratio from certainly 1995 or 1996.
- CJ: Yes.
- G

- NB: You are getting more trainees coming through after a period of time and at least either a static number of staff or in some cases possibly fewer staff to deal with them. Is that right? A
- CJ: Yes. Unfortunately there were some decisions taken prior to my arrival in command at Deepcut that effectively removed the justification for the same level of staffing in the future. The way in which the staff were reduced was a wasting out basis. If someone's job had been cut, their tour was not foreshortened. They were posted to a new job at the due time but they were not replaced; in other words, the executive decision to reduce staff took some period of lead time to be fully implemented. So effectively the situation I took over was a sort of honeymoon period during much of my first year, when the unit was still staffed at approximately its historical norm, but as my tour in command progressed, the number of staff were reduced and therefore my student-to-staff ratio was reduced and, as I have said to NB in our discussions, a constant theme of my tour in manned and of the period of other commanders in the same barracks, the other units, part of what was then the RLC Training Group was a constant pressure from above for financial savings, which inevitably primarily translated into manpower savings, as that was where most of the operating budget was spent. So we had this constant friction of being under pressure to produce savings quite inappropriate to the job or jobs that we were required to do, functions of the unit. B
- DB: Where were the posts being cut from? C
- CJ: There were some administrative staff agreeably, but primarily these were training staff, who previously had been on the strength of the unit could provide fill-in training and more close supervision than we could otherwise provide subsequently and, of course, over a period of time we are talking something in the order of 50 staff, and over a period of time about 50 staff – in fact I think it is 58 to be precise – but something of that order of staff have now actually been put back into the Training Regiment at Deepcut. So the student/staff ratio is very much better now than it was ten years ago. D
- NB: Yes. Just dealing with the historical time of your command, if I can then, we've 94 to end of 1995, January 1996, sort of roughly two year period, isn't it? You lose about 50 staff you think during that period.
- CJ: In the order of. In the order of, yes. E
- NB: Which brought down the ratio of corporals or lance corporals to trainees?
- CJ: Well, in the words of Surrey Police, they suggested to me from the information they had that our manning ratio was something like 1:60. I couldn't dispute that, but certainly it was much higher than it would normally be in an operational unit, where you were talking about a corporal section commander being responsible –
- DJ: Sorry to interrupt. When you say you couldn't dispute it, it was either familiar or unfamiliar. It must have been of the order of that which is precisely what you were complaining about. F
- CJ: That's right.
- DJ: What you wanted it to be would have been what.
- CJ: I would have been much happier if it was about 1:10, which is the sort of ratio you would expect a section commander to have the number of people in his command. G

- A NB: You are never going to get 1:10 for a training regiment.
- CJ: No, but 1:20 would have been a start, wouldn't it? That was one aspect. The other aspect, and here I am very much not talking in the name of the Army or anybody else – this is a purely personal view and I should make that clear – a reservation I still have and had at the time about the training process is that so much about what we do is about 'we', not 'I'. In other words it is inculcating team ethos and team spirit and a mutual respect for others and providing the circumstances in which one can develop that and people are stronger by being part of a team. They do draw support from one another.
- B One of the characteristics of our training system is still that there is a rupture between Phase 1 training, where the recruits have 12, 13 weeks basic military training and they are welded into a team, because they are part of a troop or a platoon where they have a troop staff and a section NCO corporal. They become part of the team and pull together and support one another. Then we rupture it when we go into Phase 2 training. Unfortunately they go through Phase 2 training largely as individuals. I think that that is one of the most important differences between our training system and the field army. It is done for, I believe, on the grounds of efficiency, but there is an alternative school of thought that says it would be rather sensible to try to combine Phase 1 and Phase 2 training into a unit and therefore allow individuals to remain largely with the teams with whom they have come into the Army. I believe training in that way would be more effective, more satisfactory for the individual. It would be more expensive.
- C NB: They do that now for the infantry.
- CJ: They do, and I believe that is something we might see extended across the Army at large in the future. I believe if we did that, the individual trainees would be far less vulnerable. They would be part of a team. They would be able to draw on the strength and support of people they have come through basic training with. They have a shared experience. There is a bond there. That gives them an inner strength. It also gives them people close to them they can turn to in times of difficulty. As I say, I must make very clear this is a personal view. I am not speaking on behalf of the Army and I don't seek to criticise the Army, but my personal view is that that would be – there would be great strengths if we were to return again to that approach to training.
- D NB: I suspect that is not a uniquely held view.
- E CJ: I suspect it is not, but if I may add, the reason why I have banged on about this is I think that might be one thing that we could do to help reduce the vulnerability of young trainees to all sorts of unhelpful influences.
- DOJ: I am going back now. Can I do that?
- NB: Of course.
- F DOJ: It is about this risk register. Who were the people – that was not in force in 1995, was it.
- CJ: No, it wasn't.
- DOJ: You still have meetings with senior officers.
- CJ: Yes.
- DOJ: Would [Sergeant B] be one of those sitting on that?
- G

- CJ: No. His Squadron Commander and the doctor were the two standard members of my little group and we also occasionally involved the padre or WRVS ladies. I was rather reticent to involve people whose role in the unit was pastoral and who would generally be regarded as being outside the unit chain of command and therefore outside the normal authority system. Neutral people to whom trainees or others might feel they could go in confidence. A
- DJ: Could I interrupt there? Just so I am clear here, never at any stage were any of these people who sat in these meetings with you never at any stage was the alleged activities of [Sergeant B] brought up, never? All these allegations that have come through Surrey Police and through us individually and all continually back in one direction, it is just – and I have heard so many times – Adam Ingram has mentioned they go and talk to the padre. All these people you say to me, never once did these alleged activities of [Sergeant B] come to your attention. B
- CJ: I certainly can't recall it and I think if it had happened, it would be viewed as such a serious matter, I couldn't ignore it. It would be something upon which I would have acted. Again I would like to think that either Mr Blake or others will have gleaned enough insight in the course of events to recognise that there were situations where sometimes quite awkwardly and with considerable difficulty and not necessarily with sympathy from, shall we say, 'the system' I had investigated people or activities where I thought there was something untoward. So I can only assure you once again if anything like this had come to me, I would have done something about it. It certainly wasn't the case of something being reported to me and being brushed under the carpet. C
- DJ: It is just I have heard so many times recently about these improvements that have been made and still we have the WRVS, the padre cited as these routes for this complaint mechanism. D
- CJ: There is now also an independent help line that youngsters can call quite outside of the military authority chain.
- NB: Are you aware of any trainee that may have spoken to you and not to me or to Surrey Police, who claims to have reported [Sergeant B] up the chain of command, because I don't think Surrey Police captured any evidence of complains?
- DJ: No. E
- NB: I have got about later periods, but not in this period.
- DJ: The clear indication from all of them was it would have been futile. It was the very point I was making. It would have been worse if they had done it.
- NB: That may have been the problem. If these things were happening, people are not complaining, and therefore there we are. F
- DOJ: The other thing I was going to ask about the self harm, you know, how far would you allow them to go with this, you know, self-harming? You say you would keep an eye on them and if they were at risk, you know, you supervised. Were the parents involved or was that totally confidential?
- CJ: To be honest, I can't remember. What I can remember is all such matters being primarily governed by the medical Hippocratic oath in terms of medical confidentiality. Certainly there were occasions when people self harmed or there was an indication that G

- A somebody was struggling psychologically where these individuals would have been referred through the doctor for some sort of psychiatric assessment.
- DOJ: What would happen then? Would they be still amongst the ordinary recruits doing the same amount of guard duty? I know you said it would be monitored, the guard duty, but the other activities. You know, would they have a certain length of time to seize if they come back to the standard of soldiering you wanted?
- B CJ: It would depend upon the circumstances, but in principle if somebody seemed to be a risk to themselves and to others, then obviously we take steps to reduce that risk, but in terms of totally unplugging them from their training and their surroundings, it would be a balanced decision in terms of did we de-stabilise someone further by putting them on one side and effectively telling them they were on life's scrap heap and weren't worthy enough to carry on training or did we allow them still to take some part in the day-to-day routine and maintain social activity perhaps with some people who were a source of encouragement or support to them. So it would be a balanced decision taken on the strength of probably Rob Gascoigne and the advice he got from his officers and NCOs, very importantly from the doctor and her nurse and we had a civilian doctor at the time, and where they had come to the attention of the WRVS ladies or the padre and those people in turn had come to me with something where they felt they were not breaking a confidence but they were trying to inform me of a situation of which I should be aware, then I would use all those sources to make a judgment as to how to deal with it, but a big part of it would be the advice that I received from the doctor and the medical people. I mean, I have had a number of conversations with the community psychiatric nurse or nurses and the local commander medical, the medical commander, about patients who were referred and about how to treat them during the course of referring them and dealing with their problems and what sort of line to take, and I and the unit are very much guided by a mixture of what the doctors thought and what our experience of man arrangement suggested, because we learned from experience sometimes doctors can be very remote and take a sort of rather purist approach where a practical situation has to be faced and a pragmatic solution has to be found. So in the end how it was handled would come back to me and the unit but it would be very much influenced by medical advice. It is not an easy area to deal with.
- C
- D DOJ: No. That's the thing. You know I am talking almost hypothetically in Sean Benton's case or any soldiers have previous history of self harm, wouldn't it have been wiser to send him home for a fortunate and say "sort yourself out and if you still want to stay in the Army do so" as opposed to him taking life on site.
- E CJ: To be honest I can't recall all details and I don't think it is appropriate I should comment in detail on Sean Benton.
- DOJ: I don't know the detail. It is just the name. It happened just before Cheryl.
- F CJ: What I am sure of is he and others in his position were sent on leave, were given time to think about things. With him in particular I remember quite clearly he was desperate to be given a second chance. He had failed in training for one trade and he was desperate to be given a second chance and we offered him the opportunity to re trade, to train in another trade. To some extent I seem to recall that some of my staff were disinclined to give him a second chance but I was more inclined to give him a second chance, because the impression I got was here was a young man struggling to make some success in his life, and I thought that he had come this far. We should give him a second chance to do that.
- G

- DJ: Sean Benton aside, if you have statistically documented numbers of recruits who have self harmed, surely isn't it the most basic action simply to not allow them access to live weapons? Isn't that common sense? Forget about procedures. Isn't that common sense, that you take away that opportunity? A
- CJ: Yes, it would be but, as I say, the decision would have to be tempered by medical advice. I am not an expert, but I obviously have a certain amount of practical experience, and sometimes a so-called attempted self harm is a complete false alarm. Somebody claims to have taken an overdose and the system reacts. Their stomach is pumped out. All sorts of things happen and Lo and behold they have not done anything of the sort. That is just a cry for help. That is one extreme. The other extreme is somebody who is caught in the act of trying to do themselves a serious hurt, which could lead to them losing their life, and in between those two extremes there is a whole range of different circumstances. Sometimes you are left to judge just what it is you are looking at, and equally the reason behind the person's actions. So I would have been inclined to err on the side of safety for the individual and for others, because it would be important, for example, not to put somebody on the firing point, even on the range in training in command of a weapon and live ammunition if there was any real possibility that they could do themselves or anybody else intended harm. B
- DJ: Are there examples then of people who were actually denied access to weapons during that period because of that? C
- CJ: Off the top of my head I cannot recall. I am sorry. It is ten years ago. I simply cannot recall that detail. It is entirely possible, but I cannot give you – I cannot quote you –
- NB: Would these names help you jog your memory or not help you at all? They are from the Evans' report. D
- CJ: To be honest, I don't think so, but I would be very happy to look at them.
- CJ: There are obviously people on that list who should not have been allowed to continue training in any way. I am afraid I would be deceiving you if I said I consciously remembered any one of them.
- NB: Right. Okay. I think in answer to I think Des James's question I have seen examples of people who were taken off guard duty because of concern about their welfare. I don't think I can say more than that really. Whilst Des is on his way back, can I just ask you about that? Does the last item on that schedule ring any bells to you? E
- CJ: The name doesn't ring a bell, but I do recall we had at least one instance of a young trainee who seemed to have the knack of being disobedient, ill disciplined but stopping just short of doing anything quite serious enough to warrant his immediate discharge.
- NB: I raise that for you if I can just ask this question I think that was a case where Major Gascoigne says he put up a recommendation that the unit should say farewell to this individual but it was not endorsed by higher authority. I am not quite sure. Are you the higher authority or does it go to someone else? F
- CJ: There are a series of steps at the start of the process would have been the G1 staff officer in what was then called Headquarters RLC Training Group. The appointment, as I recall at the time, was held by a retired officer, someone who had had some years of experience in the post and a lot of experience of what type of grounds needed to be shown for a case to be supported. G

- A NB: So he could overrule Major Gascoigne's recommendation.
- CJ: He could overrule me and Major Gascoigne.
- DB: Could he actually overrule? He is not in the chain of command as such.
- CJ: He was. Headquarters RLC Training Group was then the immediate superior authority over the Training Regiment.
- B DB: But he is subordinate to you in rank.
- CJ: He is subordinate to me in rank but speaks with the authority of his commander, who is Brigadier Evans.
- NB: We could have an example of someone about whom the OC of the regiment says "This individual is unsuitable to continue in the regiment for medical, disciplinary", whatever it is, "reasons and I do recommend we terminate his services" and someone without detailed knowledge of that knowledge but looking at the process could say, "There is no grounds to do that".
- C CJ: Yes, in principle. Now I am not hiding behind that, but I can recall having taken at least one such recommendation forward and then being told that it was not supported.
- NB: But that – who trumps you then? Is it the Brigadier or officer you have mentioned.
- CJ: Let me think. For that sort of –
- D NB: If it is a difficult question, I don't want to interrupt the flow of the conversations.
- CJ: To be honest, I am not sure whether it could have gone up the normal administration chain to headquarters training group, or from the headquarters training group to ATRA, which was the function, the next level of management and in fact instantly to individual training group.
- NB: I see.
- E CJ: You are quite right. There would be a series of steps, increasing authority, if you like.
- NB: I was saying to Doreen when you were out of the room, Des, that I had seen at least one or two examples of people who were taken off guard duty when they were medically assessed obviously. That's outside the experience of Cheryl, because she was not in that category.
- DOJ: That is what I was coming down to now. Cheryl didn't get anywhere near this register.
- F CJ: No. Even with today's risk register process and to my surprise only recently did I learn that that is only just coming into formal acceptance and practice across the Army as a whole, although it has been practice within 4 Division area, which is the administrative area within which Deepcut lies and has lain throughout the period of interest, even under this risk assessment process, Cheryl would not have caught attention. The sort of indicators that this process looks for is somebody who has debt, personal, professional, medical, outward signs of emotional or psychological distress, has suffered a career set back or some other significant disappointment. It seeks to identify a whole series of factors that might contribute to someone having a slightly unstable or vulnerable
- G

- emotional state, and by doing this it is intended to draw attention to people who need watching for their own safety. Now one of the reasons I believe why there has been a delay in adopting this more widely is because this had to go through a number of processes including inevitably some legal advice. Only recently I was talking to a colleague who had conducted this very process and concluded that a soldier in his regiment was at risk. That soldier became aware that he was recorded as being at risk and took great exception to it to the point of making a formal representation on the grounds he made the assumption that his character had a blot on it, then that this would reflect upon the assessment of his performance and potential and on his career. This is the other side of the coin. I mean, in these days of data protection, people's rights and what have you, there is always unfortunately a balance to be struck between acting on limited information when you think you are acting in someone's best interests, but they may not agree with you and they subsequently want to pursue you for it and not acting soon enough when with the benefit of hindsight there might have been indications you should have seen. A
- DOJ: The point I will be coming to is why on earth did the police not do a thorough investigation if there was no reason for her to have done this. C
- DJ: Why did the SIB not refer to that register immediately rather than assume suicide because all indicators were it was not a suicide.
- CJ: All indicators were she was a successful student and outwardly she appeared to be looking forward to graduate, if you like, into the field army, becoming a recognised, fully trained soldier and making a successful career.
- DJ: All of that gives tremendous foundation to an authoritative process that you say let's consider it an unexplained death rather than a suicide. D
- CJ: I think that's a very valid point. I don't know if Mr Blake has access to it but I am sure you will find in a number of instances there will have been witnesses who have been interviewed who will say "she seemed to be on top of the world. There seemed to be absolutely no problem".
- DOJ: But in the inquiry it said she cocked the gun. It described exactly how Cheryl committed suicide. E
- NB: I think they are describing what steps she would have had to have taken if she has done that, because I think they are trying to look at whether accident was a runner. I think that is the –
- DOJ: Well, obviously.
- NB: Obviously no-one was there to see what she was doing otherwise we might have better information. F
- DOJ: That is totally hypothetical, isn't it?
- CJ: But I think you make a very good point.
- DOJ: That's all on your subject.
- NB: Could I just ask on Cheryl's personal career. It was something we came to you with when we last met. I think you were being told at some stage that Cheryl's posting order G

- A to Germany had come through on the day she died but she never received it. I saw – do you know? Does this ring a bell to you at all, whether her posting order had come through. I have seen on her personnel file that she requested either Germany or the south and she had been posted to Bicester starting 4th December. That was the last posting order I have ever seen on the file. Can you help us at all on this?
- CJ: To be honest, I can't recall. It seems to me likely her posting order would have been received in the unit at about that time. I can't recall what it was or what her posting preference was.
- B
- NB: I think I have seen it in our transcript of our meeting where it is there, but I think we had a posting order that appeared to be generated by Glasgow a few days beforehand.
- CJ: It would be.
- NB: I don't think I have had anyone saying that they had explained it to her or that they had received it or it was about to be implemented. So it was just in the file. 21st November there was a posting order generated 21st November. Length of tour: 36 months to 2 Combat Support Regiment, Bicester. The effective date of TOS is 4th December. You don't recall seeing that?
- C
- CJ: No, I don't. What I can say though is I am aware now that posting orders are generated much earlier in the process. One reason behind that is, first of all, to encourage a young trainee to focus on the unit they are going to and the location, and also to give the unit the opportunity to send some sort of initial correspondence to make contact with the trainee, so to try to build that umbilical cord fairly early on as part of the process of helping them to see beyond the immediate training process and identify with the eventual prize of successful completion of their training.
- D
- NB: Right. I think that's about all I can ask about that topic. Have you got anything else?
- DOJ: The only other thing was the actual signing on. We have never ever had any –
- NB: At the recruiting station?
- E
- DOJ: No. We have had that, when she recruited. The period of time she signed on in the actual Army. You say she was posted for a tour of 31 months. That's the first time we have ever heard that length of time. We didn't know how long she was in for and had no –
- DB: That's just the duration of that one appointment.
- DOJ: Yes, but we don't know how long she had signed on for. We have never had anything returned with that information on.
- F
- DB: I think we have got capture on that in the personnel file.
- NB: You should in the personnel file.
- CJ: Was she on a notice engagement.
- DB: She was, I believe.
- G
- JA: Yes, she would have been.

- DOJ: The possibility is I have missed it. A
- NB: I think it says in the personnel file period of service for which she was enlisting was until her 18th birthday, because she enlisted when she was under 18. Thereafter a period of 22 years service and then for her earliest date for right to resign be transferred to May 1998. I think I have got that from her – the section of her personnel file which deals with her enlistment process.
- DOJ: So May 1998. B
- CJ: That is presumably three years after she entered Phase 2 training.
- DJ: Three years after she joined, not Phase 2.
- CJ: That's when she signed on.
- NB: She signed on in May 1995. She finished Pirbright on 25th July 1995.
- CJ: The way the notice provision works essentially it is a contract between the individual and the Army for 22 years subject to mutual agreement. The individual has the right to give notice and leave earlier. The Army still reserves the right to review someone's continued service at certain points much later on in their career. So it is not a commitment to 22 years without the opportunity to withdraw at an earlier point. She would have had that explained to her. Those would have been standard terms of service for her. C
- DOJ: I am sure. It is just we didn't – after she died or all these things we didn't have any information you see. We had no idea much we had nothing at all. D
- CJ: Did you have very much contact with her after she signed on in May, after she completed basic training?
- DOJ: Yes. She was home every week-end and we used to speak, you know, on the phone virtually most days. The last time I spoke to her was on the Friday before her death. I didn't hear from her on the Saturday and Sunday. She said she was coming home for the week-end but she phoned on the Friday to say she couldn't make it. She was on guard duty and that was the last time I spoke to her. E
- CJ: Did you have any indication that she was distressed or upset about something.
- DOJ: None whatsoever.
- DJ: There was indication in the letters but the letters weren't revealed to us until 3 months after her death.
- DOJ: Until February, so we had no idea. F
- CJ: If it is not insensitive of me to ask, what sort of impression have you got from reading her letters?
- DJ: That she wasn't at all happy.
- CJ: Did she give any indication as to why, anything specific.
- DJ: No, not really, just the rules and regulations I think, the sort of general tone of the letters. G

- A NB: She was very fed up with guard duty, wasn't she?
- DOJ: That's right. She was continually on guard duty. That's something we did ask at the time.
- DJ: The letters weren't sent to us by the investigators, the SIB. I went to the inquest and asked about the letters and was shown nothing at all.
- NB: I will give you will the information I have about the letters, if you want.
- B CJ: Is it normal for things like personal letters to be withheld for that period of time?
- NB: The information I have is there is possibly two issues. 09.35. Cheryl's room was searched by civilian police officers. Bag of correspondence recovered and handed to the SIB [officer]. He looked at them. He held them for the investigation but he was looking for evidence of any intent by her and didn't find any in them. He refers to the letters showing that she was unhappy in a provisional report dated 27th November. It seems that the letters then were not part of the property that the unit picked up when they went in to collect Cheryl's property. Is that with a view to the committee of adjustment or something? Anyway there was then a property search later and I have got the people who – the quartermaster and a soldier who packed up her belongings into a box, but by this time the letters had been taken out. So they were with the SIB. The SIB report was sent to the Coroner's Officer along with a statement of [the SIB] Sergeant saying that he had found some letters, but it appears that those letters were not called for by – at the inquest, as you say.
- C
- DOJ: Nobody had any idea there were any letters.
- D NB: The Coroner's officer would have had an idea there were letters but he may not have read them. He would, because on 14th December [the Coroner's Officer] was sent all the statements, including the initial case report on 29th – if I said 27th, it should have been 29th November.
- DB: I think it is the last statement in there.
- NB: Is it? The last statement in the bundle. The statement of the SIB Sergeant, says: "During my examination I received from the civil police a bag of correspondence which had been recovered during a search of Private James' room. I subsequently read through these letters which I recovered, a number of personal letters written by Private James regarding her boyfriends and experiences, to which I attached the exhibit label MH/4, letters belonging to Private James." So those were the ones that he identified. He described the general terms, the content of the letter in his initial case report of 29th November. He says: "A search of Private James' personal possessions resulted in recovery of correspondence written by Private James in which she wrote she did not enjoy Army life and was planning to leave the service. She had written numerous letters but not posted to [Private AA] in which she related her deep feelings for him and she wanted to live with the soldier once they both left the Army but no indication or any wish to harm herself or take her life." That seemed to be the continuity about those letters. I think after the inquest was over you got them back from Captain Whattoff.
- E
- F
- DOJ: Only two or three. They came and drove them down.
- NB: There may be some debate about whether knowing about Cheryl's sexual experiences would have upset you. It seems somebody was having some thoughts about that.
- G

- DOJ: If she was at home, who would say whether we would read them? A
- DJ: Nobody even interviewed us. How could they make that assessment?
- CJ: As her mother those are the sort of things she would tell you anyway.
- DOJ: You have no right to keep those. It is not fair.
- DJ: The SIB didn't even talk to us or any of her friends at home. They only talked to the people at Deepcut whom she had been with for 8 days, which is another indication in my opinion of the sloppy necessary of the work they did. B
- NB: They talked to some of her girlfriends who had been with her longer than that.
- DJ: But not at home. They had been with her since May, some of them.
- CJ: They didn't talk to you?
- DOJ: Nobody came to see us. C
- CJ: I am amazed.
- DJ: Nor any of her friends, nor her brother, no-one. They made this decision on a suicide which was not supported by evidence that they could have collected but failed to and without talking to any of us to ask whether it was possible or not.
- CJ: And the Surrey Police didn't approach you? D
- DJ: Never met Surrey Police until 2002, which is when we found out –
- CJ: I am amazed.
- NB: That is part of the problem.
- DJ: Surrey Police told us who the Commanding Officer was in 1995 in 2002. That is how we found out your name. I am pretty amazed by that as well. E
- DOJ: We didn't realise there was anything wrong until 2002. We had to accept – Des tried and tried to get information. We were having dribs and drabs of letters and he was having no replies. Then he sent two letters. Then he had to write and send another two. These were letters off her grand parents and things that you – her diary to this day I never had back. I know she had a 5A diary, but that never came back, never. It is just that you need to have the information. You need to speak to people that last saw her, don't you? It was how long before when she had come back. F
- DJ: 22nd October.
- DOJ: That's right. Her 18th birthday. So much could have happened in that month we don't know about and obviously did and until this day we still don't know.
- NB: Have you gone through the matters that you would like to raise with the Colonel Josling?
- DOJ: Yes, I think so. G

- A NB: Can I just go back to a topic we passed on I think before we took our short break, back to [Sergeant B] and disciplinary matters?
- CJ: Yes.
- NB: One of the things which I think is undisputed about his regime – there will be a lot that is in dispute – was he used this alternative alter ego, the twin brother, the nasty character, to shout at the trainees. He says this was a management tool that he had cleared up the chain of command. There is some reason to believe that his Troop Commander was aware of his use of this ‘nasty’ twin brother. Did that reach you?
- B
- CJ: No. No. Or if it did, I certainly cannot recall. It doesn’t sound to me the sort of thing –
- NB: Would it have stuck in your mind if it had.
- CJ: I was going to say it doesn’t sound the sort of thing I would have missed if it had been referred to me. Rather strange way of going about his business.
- C NB: Much is in dispute about [Sergeant B]. He is clearly a more complex character than some of the press describe him. When we went down to Deepcut and they introduced us to some of the members of training staff now who had been trainees at the time Cheryl was at Deepcut. As the command withdrew, so we had an interview with four or five of his people. Clearly they are in the regiment now. We mentioned the name [Sergeant B]. “Oh, twin brother” and jerry cans and eccentric behaviour. This obviously had quite a deep impression. Not I have to say any allegation by them of physical violence but of this particular tool, and I don’t think that’s an issue that’s in dispute for me, but I just wanted to know how far up this had –
- D
- CJ: I am afraid it rings no bell with me.
- NB: Yes. Would you expect to be consulted about this or is that something you would leave to the squadron or the Troop Commander?
- CJ: It is something that I would have expected certainly the squadron staff to have been aware of, and I think you are right in a sense in saying I would have relied upon the discretion of the Squadron Commander, Rob Gascoigne, and if he had had any concerns, I am sure he would have voiced them and put [Sergeant B] in his place. If he had concerns about [Sergeant B], he would have shared them with me.
- E
- NB: I can’t say whether he is aware of this. I think we are aware that the Troop Commander, the [Lieutenant(f) A].
- DOJ: This is the lady?
- F NB: What do you regard the role of the Troop Commander would be in that particular context? Would they be there to give the Sergeant a steer as to what the limits were or does the Sergeant tell the Troop Commander how things are done, because they are just fresh out of Sandhurst and they don’t know the score?
- CJ: Troop Commanders in a training regiment wouldn’t be fresh out of Sandhurst, as a matter of principle they would be out of the field army and have done at least 18 months regimental duty as a minimum in the field army to give them experience and confidence in management and to give them a context. [Lieutenant(f) A] should have
- G

- been capable of providing a degree of direction, supervision, guidance and correction, if necessary, to her troop Sergeant. A
- NB: That's the job specification? That's what you would expect the Troop Commander to be able to do?
- CJ: Yes. There are always limits to this. Obviously they are still relatively young people. They don't have the same sort of length of service and experience, for example, as a Squadron Commander or indeed a Warrant Officer Sergeant Major, but nonetheless – and the second in command of the squadron, but nonetheless they should have been capable of giving clear guidance and understanding what was reasonable behaviour and what was not. If they had any doubt, they had a squadron OC and second in command to refer to. B
- DOJ: How long was [Lieutenant(f) A] in Deepcut?
- NB: I don't think I can give that off the top of my head. She was there – did she join at the same time as [Lieutenant C], the other Troop Commander or do you know? C
- CJ: I don't think they came at the same time.
- NB: Because he is certainly there after you leave.
- CJ: I can picture the lass she replaced. She replaced another young female officer.
- NB: She came during your tour.
- CJ: Yes. D
- NB: They would be on a two year tour.
- CJ: Normally it would be 18 months to 2 years. It is flexible. Unlikely to be less than 18 months.
- DOJ: She is not still serving now.
- CJ: I am almost sure she left some years ago. E
- DB: I think it was about 1998, 1999.
- CJ: I can't say this with any conviction, but I suspect she probably like many of her kind will have joined the Army on what is known as a short service commission. A bit like a soldier really. Initially she is committed for something like three years by mutual agreement. I believe A really did have a sort of minimal commitment and decided not to make a career of the Army and left. F
- DOJ: She came from the likes of Sandhurst, not up through the ranks.
- CJ: She would have come through Sandhurst. I am pretty clear – she was a direct entrant officer. She would have come through the orthodox system.
- DB: She was a direct entrant officer. G

A NB: Is there anything that either of you two want to raise while everyone is here or prompt me about anything you want to raise in due course? If we think we are coming to the end of this part of our discussion, let's do that, and then if I can then have a word with you about one or two things that I need to talk about. We can do that out there, if that is okay.

DJ: Yes.

NB: Does anyone want to say anything else or ask anything else?

B

CJ: I have got a couple of things I would say, but after you.

DOJ: No.

CJ: Mr James?

DJ: No, I have not got anything else to say.

C CJ: Firstly from a practical point of view let me say if during the course of your discussions with Mr Blake in the next few minutes something jumps into your mind and you want to come back and talk again or have another question for me, I would be very happy to accommodate you. Secondly, if as a result of today you would like to remain in touch with me, I am very happy to give you my contact details and equally to take yours. It seems to me that lack of communication between us has been one of the factors that has not helped you. It is a bit late to do very much about that, but if there is anything I can do about it now, then the offer is there. Lastly, let me really finish almost as I have begun by saying both from a professional point of view and from a personal point of view how sorry I am for everything that you have been put through, how shocked I was at the time of Cheryl's untimely death and how very much I wish that you had not been so distressed in the way in which circumstances have not been effectively investigated and a line drawn so that you can get some closure on it. So if I can help you to achieve some form of closure, I would be very happy to do so.

D

NB: Okay. Thank you all for participating in this. Thanks for your cooperation. I just remind you of the terms which I wrote in the letter sent at the beginning as to the way we run this. We obviously appreciate that Colonel Josling has been speaking in a personal capacity, not formally on behalf of the Army, but thank you all very much.

E

F

G

Appendix 4/9

Meeting with Colonel Josling

Present: Nicholas Blake QC (NB), Colonel Josling (CJ), Darren Beck (DB), Julie Albrektsen (JA)

Location: Matrix Chambers

Date: 2 August 2005

NB I will start off with what are generally questions about your career. And the re-organisation of the RLC. Then to look at particular factors which may or may not be relevant to the two deaths that happened during your tour and then there will be some other questions about some of the NCOs that you had problems with or may have had problems with and we'll take it from there. Generally about your career. I see that you become Lieutenant Colonel in June 1993, is that right?

CJ Yes.

NB And you are appointed to the – is it the Training Regiment & Depot in those days?

CJ Yes.

NB In March 1994. Now I am aware of the events about the creation of the Royal Logistic Corps out of its constituent parts. I am aware also of the other policy things that were going on such as women into the wider Army for the first time. So 1993 seems quite a year of change. Just to get the context of your appointment right, I think we have recently become aware that we have got I think the first Lieutenant Colonel in that post was Lieutenant Colonel Elliot, April 1993 to January 1994. Does that ring a bell?

CJ Yes, Ralph Elliot.

NB So he was the one who first had the task of forming this Regiment within the new Corps?

CJ Yes, he commanded the equivalent unit. It was then the Royal Army Ordnance Corps. And because the new corps had taken on Deepcut as its base, logically it used the RAOC training battalion that was as a basis for the new RLC. The Training Regiment & Depot.

NB So he was in that transitional phase from RAOC to RLC. So he completed his tour in January 1994 and that tour had started under a different hat.

CJ Yes.

NB Then we have got Lieutenant Colonel England January 1994 to March 1994. So he was your immediate predecessor, the person you took over from?

CJ Well Mike England was the second in command in the unit and he was a Major and when it became obvious that I wouldn't be released in time to fill the post immediately after Ralph Elliot and there was going to be an inter-regnum. It was a perfectly normal procedure for the second in command to step up and fill the intervening period.

NB Right.

CJ He held acting rank, in order to fulfil the appointment and then when I arrived to take up my post, he reverted to his normal role of second in command.

- A NB And he was second in command under you?
- CJ For a short while, yes.
- NB Now, a normal tour of duty is two and a half years, three years something like that or does it differ?
- CJ There is a normal term. A command tour is normally about two and a half years. It can fluctuate slightly around that period for a number of reasons. Normally it won't be less than eighteen months because that's considered the minimum length of time for somebody. Firstly, I think it is to provide a degree of continuity in the post, and secondly also, from a career development point of view, to improve themselves in that role. So, it would be unusual for a Commanding Officer to be replaced before eighteen months, but not so unusual for a Commanding Officer being replaced slightly ahead of two and a half years.
- B
- NB Ok. Now, before taking up this post, the Training Regiment post, did they train you particularly in dealing with whatever problems you might be facing as Commanding Officer of a training regiment?
- C
- CJ Not specifically, no. There is a Commanding Officers Designate Course for all officers about to gain command and that is a generic briefing course rather than a training course. It is normally split into two parts. One part is normally an update briefing by the parent Arm or Service. Then the second part is normally – and it is varied over time – something like three days at Warminster at the Combined Arms Training School, or the Army Collective Training School, it has had a number of different titles over the years. But that is a generic briefing primarily designed I think to update you on policy changes in the Army as a whole, and how they interpret it into a Commanding Officer's generic responsibility. But by its nature, it is fairly general.
- D
- NB So I'm right in thinking therefore that the Army didn't give you any additional or special training to look at problems that might occur in the handling of Phase 2 trainees or young people in the Army generally?
- CJ No.
- E
- NB And in 1994, going back to the start of your tour, obviously the year before, we've got young women joining the Army and one would have thought that someone might have thought that may raise particular issues that someone should keep an eye on but that was not particularly something which you were briefed on?
- CJ No. To be strictly accurate, we've had young women joining the Army for some time, we'd had the Women's Royal Army Corps – the WRAC – and women had therefore joined, been inducted and trained and largely managed within a segregated entity. The change that came about in 1993 was that instead of having a segregated corps, women were introduced across the Army in a number of Arms and Services and they were also inducted and trained through those Arms and Services Training Organisations.
- F
- NB Yes.
- CJ So where previously we'd had a very singularly focused training organisation, in 1993 – 1994 we had a sort of big bang and suddenly, the responsibilities were broken out. And unfortunately, because it was the beginning of a new era, we weren't blessed with a large number of suitably qualified and trained female officers and NCOs and one of the
- G

- acute difficulties that a number of training organisations faced was a lack of suitable female personnel on our permanent staff and there were obviously some difficulties associated with that. A
- NB Yes. But were these things that you found out, as it were, after the job started?
- CJ Yes.
- NB These weren't problems that, as far as you were aware, had been signalled or written up about or spotted as things which may need to be dealt with, with the decision to bring into the other regiments and into the common training programme? B
- CJ I wasn't personally involved in the analysis of those sorts of problems. I would hope that there was some, but I would only be able to speculate on what was done.
- NB I appreciate I'm moving slightly on from your career to the RLC, but then the two seem to intermix. If there was an analysis, who do you think at that time ought to have been doing it? Will it have been the Initial Training Group, or would it be the people who took the decisions about the RLC, or the decisions about the Single Entry generally and the abolition of Junior Entry which is another feature which I haven't really brought out in this conversation? C
- CJ I think the experts would have been the Initial Training Group. That's where the process of induction and training is managed. Even to this day, many of the decisions that are taken upon the management of induction, recruitment and training are taken centrally. They are not really at the behest of the Arms and Services but they are driven from the ATRA. D
- NB ATRA, of course, wasn't in existence in those days. We're going to add that in to the sequence of change that I am trying to look at and get an angle on and I understand that you still have the Corps Headquarters down at Andover in 1993 and the Director General of the Logistic Support Army.
- CJ Yes.
- NB And that was an RLC post. E
- CJ It was. Within the Director General's staff, there are a number of branches with different responsibilities, and one of those, as I recall, was Logistic Support Policy (LSP) 3, which was the branch that dealt with training. So there would have been some specialist knowledge and specialist attention given to the running of RLC training and the resources required to do that.
- NB Do we know who was in charge of that branch around 1993, 1994?
- CJ I'm afraid not. But I would make the point that nonetheless, the key policy decisions about changing Single Entry, about the way in which men and women were to be managed, the breaking up of the women from WRAC and the separate training stream. All those key decisions and the overriding resources position would have been Army decisions and not Corps decisions. F
- NB You are then in your post from March 1994 to January 1996, under Brigadier Evans for the whole of that time. G

- A CJ Yes, although, as I was going Brigadier Dalby-Welsh was appointed to succeed him, and I'm not sure if that actually physically took place days before I left my job. But I don't think there were any practical implications of that. But the changeover took place at about the same time.
- NB And as far as the Army system of assessing Commanding Officers is concerned, that's an annual report in October of each year?
- B CJ Yes. But that can be internally adjusted slightly, but generally speaking, it is at the end of October.
- NB And in 1994, 1995, was the system that they would provide you with a copy of those confidential reports?
- CJ I don't believe it was at the time.
- NB So have you seen those?
- C CJ I have since seen them.
- [deleted text concerns relations with Commander]
- D CJ Two particular issues. Firstly, shortly after I arrived there, one of the first actions I took was to commission expert advice from an intelligence and security team to survey the security arrangements of the camp. I was concerned about the amount of man power we used on a day to day guard regime and the impact that had on people in training. I was also concerned about the sheer inefficiency of the perimeter arrangements. At times we were trying to guard and operate up to six points of entry, which I felt was ridiculous. I'm well aware that Brigadier Evans had very little to do with how that situation came about. The situation came about because of short-sighted savings measures taken in previous years which had ended up with us having two or three different guarding perimeters so there was not one continuous perimeter fence and therefore, we didn't have the option of having one guarded access point, which would have been ideal. So one could not blame Brigadier Evans or his staff for the situation that existed. The result of the security survey was – unsurprisingly – to recommend how we might try technological aid, electronic surveillance and the likes. Additional fencing and a reorganisation of the perimeter such that we could reduce the amount of access control required and thereby reduce the number of soldiers involved in guarding.
- E NB Can I ask when this report was made available roughly or how long into your tour?
- CJ This was quite soon after I arrived.
- NB Do you have a copy of this today?
- F CJ I'm afraid not.
- NB Will it be retained somewhere in the annals of Deepcut?
- CJ I very much doubt it. I think it would probably have been retained by intelligence and security specialists.
- DB Are they part of 2 South East Brigade?
- G

- CJ I think they would be have been operating to the Brigade Headquarters. I can't exactly recall the Brigade arrangements at the time but probably they were part of 2 Brigade at the time. And it may well be that they retained records of that survey. Certainly at the time. Whether they've got them now eight or nine years on. I then made a very strong pitch for money to be channelled into these recommendations and the difficulty that Brigadier Evans faced was that he was under budgetary pressure and he had a judgment to make about where the resources were best allocated. What I proposed would not have made any significant up-front cash savings in his operating costs and therefore it was an expenditure without any realisable cash benefits. The benefit of course would have been in reducing the burden of guard duties on trainees and much improving their day to day regime. A B
- NB So the proposals that you were suggesting would have seen replacement of a number of entry posts by other means of surveillance or security measures? C
- CJ Yes. A simple thing like changing the fencing arrangements, by adding two-minute fencing, something that would delay entry by two minutes. It would be quite an expensive thing to put up and if you're talking several miles of fencing, as I suspect there probably were, there would have been a cost of several hundred thousand pounds for that. There would have been an invisible benefit of several hundred thousand pounds' worth of additional training and working time for those people who would otherwise have been on guard. But that is an invisible benefit, not something we could demonstrate on a balance sheet. C
- NB I wanted to pursue the issue of guard duty and alternatives to it as a particular topic. Perhaps I'm going to take you too much away from your general point. D
- CJ I quite understood the resistance Brigadier Evans was up against and the pressures he was up against, but I felt it was an important aspect of the situation in which we were trying to work and one that really tied our hands. Another aspect that caused a great deal of friction, again stemming out of budgetary pressures. There was a constant pressure to find savings by reducing staff, and before I actually assumed command of the unit, unfortunately, there had been a round of savings measures. The net result of which was a significant reduction in my permanent staff, and therefore there was a significant change in the working environment between year one and year two of my time in command. Year one, I was still operating in an environment where, although the decisions reducing my staff resources had been taken, and therefore, if you like, the liability of the staff had been reduced, in practice the staff reductions were being made by phasing people out as they came to the end of their tour and not replacing them. Therefore, I had a honeymoon period of between six and nine months during the course of which I was still quite well staffed, but at the end of which these cuts prior to my assumption of the role – and quite possibly prior to Brigadier Evans' assumption of his command – were coming into effect. In round terms, that meant a reduction of somewhere in the order of fifty posts in terms of the staff I had. And it is a curious coincidence, is it not, that in recent times there has been something like fifty additional posts put back into the unit. So we've had constant discussions about pressures for saving within the command group at Deepcut. It caused a great deal of friction, to the extent that both I and the Commander of the School at the time, both proffered at different times our posts as savings rather than see our staff be further eroded and we offered organisational changes, that would mean a broader spread on, if you like, intermediate management responsibility, rather than reductions in terms of staff. And again I felt that even though he faced very strong pressure from without and, I would suspect, a very unsympathetic hearing from his superiors, nonetheless I felt that the chain of command did not give sufficient credence to the advice that I proffered about E F G

- A the impact of first of all the level at which we were manned with permanent staff and the implications of ongoing reductions. That was the principal source really of friction throughout my time, the pressures on resources in particular in terms of the manning and the staffing.
- NB Now, I'm aware of pressure on resources and some decisions that were taken at a higher level which had these effects, but certainly, in subsequent commands of Brigadier and Colonel relationships, the point is made up the chain of command that this is undesirable and is causing problems. Wasn't that point being made in 1994 as well?
- B
- CJ I'm sure it was made, but whether or not it was being pressed sufficiently. I did not have confidence that sufficient effort was applied to make the point.
- NB Subsequently, it was pressed very vigorously indeed with negative results until after Private Collinson's death, as far as I can see. So I'm not sure one can draw these conclusions about what was done or about the vigour. But who would it have been that Brigadier Evans was pressing the case with? DG Log Support or back into Initial Training Group generally?
- C
- CJ Back into either Initial Training Group or subsequently, I can't remember exactly when the ATRA was formed.
- NB 1997, I think. Probably April to July 1997.
- CJ It would have been he who had the executive authority over initial training prior to the establishment of the Director General of the Army Training and Recruiting Agency.
- D
- NB I know after ATRA was formed there are then regular Management Board meetings and the Commanders of the training establishments generally are on the Board and that would have been those who assumed Brigadier Evans' post later on. Would there have been a similar management board for the Initial Training Group, do you know?
- CJ I'm sure there would be an equivalent mechanism, yes.
- NB So there would have been regular meetings that he would have attended?
- E
- CJ I didn't go to them.
- NB But Evans did?
- CJ Evans would have done.
- NB I mean, were you aware of those in the reporting cycle in terms of providing information to him?
- F
- CJ Yes. We had devised a stream of management information.
- NB None of which is retained in documentary form today?
- CJ Not as far as I'm aware. Some of it certainly was computerised. I very much doubt that the records were retained at Deepcut but they may well be available somewhere within the ATRA or the Initial Training Group.
- G
- NB So far I think certainly during Brigadier Dalby-Welsh's tour that we are getting the first of our reports to ATRA and I haven't seen any Brigadier reporting to the ITG before that

- with that information and I haven't seen at any time, either before or after, reports by the Commanding Officer of the Training Regiment & Depot or from the Training Regiment to the Brigadier. Were they written reports, or were they just ad hoc bits of information that the Brigadier wanted to make his report up the chain of command? A
- CJ No, there was a periodically structured reporting process.
- NB Formal written reports are produced by the Commanding Officer and sent to the Brigadier. B
- CJ And there was electronic transferral of information. Normally spreadsheet attachments.
- NB But is that about the throughput, how many you are delivering set against targets and expectations? That is particularly the principal theme of some of the later reports.
- CJ Primarily.
- NB Is that also an occasion where you would say "our staff numbers are too low"?
- CJ Yes. There was always an opportunity to register concern but you are quite correct in raising the point. There was a particular focus on performance in terms of the percentage of people completing their training, the same about drop-out rates and the time scale in which they were doing that. C
- NB Yes. I guess one of the functions of this unified system is to work out how many people you can deliver to the field army.
- CJ Yes. D
- NB And if you can't deliver then that is regarded as failing to achieve the target. And the target was set by ITG having consulted the Director General Log Support, is that right, or is it the other way round?
- CJ There's quite a complicated process. First of all the Army manning staff project ahead the manpower levels required. They match against those the anticipated outflow. They then predict the required intake. They will look at the historic drop-out rate in induction and training and then generate manpower planning targets from which the individual training group would have been given its targeted quotas against which they first recruit. And then the output required in order to man the Army. So there would have been initially an Army centrally driven assessment. That then would have been translated into the requirement to man certain unit establishments by the Arms and Services, including the RLC. So there would have been a breakdown of how the overall figures should be allocated to train specialists. That would then drive both the initial training mechanism and also the bidding for resources of the Phase 2 specialist training. E
- NB Yes. I get the overall picture of the connecting parts of the organisation generally, but in terms of the final outcome, the training figures, the targets that are being set for the Regiment; they come to you via the Brigadier from the ITG? F
- CJ Yes.
- NB If you're being asked to report against throughput, you're reporting against those targets set by the ITG? G

- A CJ Yes. If you like, the owner of the unit, you report to the ITG, not to the Director General of Logistics Support. We were acting indirectly in support of him, obviously, by producing trained soldiers who continued to man his organisations.
- NB But did you see what Evans was saying to the ITG in his reports? Did he show them to you?
- CJ I believe I have, yes.
- B NB And what you saw caused you concern?
- CJ I was disappointed that he didn't press the resource issue harder than he did. He didn't satisfy my concerns that the issue was pressed as hard as it might have been.
- NB Was he pressing it at all?
- CJ He was.
- C NB So in some of these reports he was raising the funding issue?
- CJ Yes.
- NB And the staff:trainee ratio problem?
- CJ Yes, he was, yes.
- D NB And did he also raise the question of improvement of security, that a perimeter fence may have a benefit for the training regime in terms of use of guard duty?
- CJ He certainly did make the point, but I felt it could have been pressed.
- NB So the language with which he made the point, regarding whether or not he made the point was your concern?
- CJ I think the issue that should have been pressed was not so much about resource management of the situation, it was the policy issue of whether or not it was right to place the burden of guarding levels on people at this immature stage of their training and I believe in subsequent years the Army as a whole has reconsidered whether or not it is right to involve trainees in security duties to the extent that we do, armed security duties, and I think a view had been taken that while it is good for youngsters to have early experiences of doing guard duty, because it is a fact of life all the way through military life. Nonetheless, I think there is a growing view that it is unwise to employ them to do these isolated, sometimes stressful duties. Certainly when there is an alternative available.
- F NB When did you become aware of the different attitude of the Army towards guard duty and Phase 2 trainees?
- CJ Not until much later. After my tour at Deepcut had finished. Probably a couple of years later when I was again serving in Headquarters Land Command where such issues were pointed out. From Deepcut I went to Wilton in January 1996. I was then there until September 1998 in the post of what was called Chief Logistic Support. Part of my responsibilities as Chief Log Support were to bid and compete for resources within the Land Command plan for functions that made up Log Support. And part of that bidding
- G

- process gave me an awareness and involvement in internal discussions. And I think in about 1997-1998 there was a great debate as to the extent resources should be diverted into employing Military Provost Guard Service. These are retired soldiers who are re-employed, primarily on gate guarding security duties. I think only then is the debate swinging to "well, shouldn't relieving guard duties done by Phase 2 trainees have a high priority?" I think that was something the Army should have focused on much earlier, and I think that's a policy debate that should have been provoked within initial training groups, but apparently was not, so I don't think the real issue was about bean counting, the real issue was about "should we be doing this, is this a sensible thing to do?"
- NB It hasn't emerged that this was a concern of yours, I don't think before, in either of these three sorts of inquiries that I'm aware of, into the two deaths of Sean Benton and Cheryl James, the Board of Inquiry, the Coroner's inquest or indeed your police interviews, so I'm interested to know more about this. But even if you were understanding from discussions at policy level in the period 1996 to 1998 that there was a discussion about guard duties and trainees, that doesn't seem to result in a change of policy, even by the end of 1998. The policy remains the same. When Lieutenant Colonel Laden assumes command of the Regiment that you commanded, in 2001, he also has to provide guards at all those gates.
- CJ I think it's only quite recently there's been an increasing substitution of Phase 2 trainees guarding these gates. There has been a substitution by MPGS.
- NB By quite recently, do you mean after 2002?
- CJ Yes.
- NB And there is a difference between the Military Provost Guard Service which involves people who can carry armed weapons and the Ministry of Defence Guard Service which is made up of civilians who are unarmed.
- CJ Yes.
- NB But it is the MPGS that you were aware of as a possible alternative in 1996-1998?
- CJ The point I was pressing was to reduce the number of subsidiary access points. The gate on the Pirbright Road, near where Pte Benton dies, the gate on the road called Royal Way, the back road connecting the barracks to the Dettingen quarter's area and what is now the Directorate Headquarters and the headquarters office there. That gate. As well as obviously the gate on HQ Officers' Mess, which is a separately wired compound and the HQ Sergeants' Mess, on the other side of Deepcut Bridge Road, which again is a separately wired compound. I was particularly keen to try and reduce the number of these supplementary access points and I expect it may be no coincidence that some of these tragic incidents have actually taken place at these remote access points.
- NB Whether it is or isn't, was that a view that you were making known to your superiors after the first of these incidents?
- CJ I continued to stress that we must try and reduce the guarding burden and limit, if not do away with, the use of the remote access points.
- NB That was something that you mentioned before any of these deaths had happened in the first few months in command with the report that you commissioned and it was something you continued to press during your term as Commanding Officer?

- A CJ Yes.
- NB And after June 1995, did you make the connection between guard duty and that particular death?
- CJ It is extremely difficult to say. With the benefit of hindsight, I think there were all sorts of reasons why Pte Benton was an unsuitable candidate for Army service and the Army system might have spotted that. With respect to both Benton and Cheryl James, there is no doubt that they were presented with an opportunity in which those incidents could take place. If they had not been on guard on a relatively isolated point of access with firearms and live ammunition then they may well have lost their lives in some other way but it would not have taken place in the way that it did, and therefore, by not putting them in that situation we could have removed an opportunity for the incidents to take place.
- B
- NB Is this a reflection with the benefit of hindsight, looking back over the course of these tragic events, or was this something that you were connecting on in 1995?
- C CJ I certainly raised the point but my original advice was reducing the guard burden and reducing the use of subsidiary access points as something we should pursue, not least in the light of Benton's death.
- NB In written reports or oral conversations?
- CJ To be honest, I cannot recall in detail. I certainly made the point vehemently in conversation on a number of occasions. And we had regular contact in the command group, and I would have continued to press the point I'm sure in writing at the appropriate time.
- D
- DB Would the command group meetings have minutes taken?
- CJ I don't think they were. I think we'd occasionally certainly have written decisions recorded. But we didn't have full minutes of them, no.
- NB But is there some reason why not for that? As you may have gathered, the problem I have is getting hold of documents from these years and it seems to me that generally if an institution, whether it is the Army, or any other institution, is to learn lessons, one way it learns is by having good focused discussions, looking at matters which inform a particular decision taken at a particular time and then if you learn from experience you add to that and you build up a collective memory, but I sense that the collective memory on these issues, at the moment, is difficult to find. Is that fair?
- E
- CJ I think it's part of the culture that we tend to go for abbreviations. We abbreviate everything don't we? We talk in jargon and many professions do, but I think the military is particularly prone to it, and I think the culture is to try and keep things short and try and keep the documents as short as possible. And generally speaking there is a culture of written decisions rather than full minutes.
- F
- NB But if you're right on this question about guard duty and trainees, it seems that this would have been a policy discussion starting before any of these deaths occurred but one would have thought these deaths would have poignantly underlined the virtue at least of reflecting again and refining procedures and policy.
- G CJ Indeed. To be fair to Brigadier Evans, I do recall him agreeing to reduce the use in particular of the Royal Way and limiting that to certain hours. To give people ease of

- access when they were going to and from work. Equally, I do recall him considering reducing the access control on Pirbright Road. Unfortunately, it was a complex situation because the route around is quite a long one, and it is an important access route not just for the people going to work in and out of the Training Regiment in Pirbright and indeed for the infantry battalions that are stationed at Pirbright but also for the contractors and others – local residents – who wanted access during the course of the day. So it wasn't an easy issue for him to resolve because although it was a military road, we had certain obligations under local arrangements, I think, whereby you have to grant people access, including those who lived down near the canal. I think the thing in the end, the key thing was the fact that the only way to get around was, in my view, to re-fence the perimeter to take the road outside the military perimeter and that was one of the aspects of the security survey. In order to try and reduce, as I say, the number of points of guarding.
- NB My understanding is that Land Command gives the instruction that entrances to military bases shall be guarded. Is that right?
- CJ Yes.
- NB It's not within the gift of the Commander or the Commandant at the particular garrison to change that?
- CJ No, although there is now an accepted procedure of risk assessments, which is delegated to more local levels of the Army and if a risk assessment is made, and the risks are judged appropriately low, then adjustments can be made in the generic level of guarding.
- NB You focused on that bit "now". When did "now" begin?
- CJ I'm not sure. I believe there was some sub-delegated authority of risk assessment at the time that I was in command at Deepcut, and I believe that it certainly went down as far as Headquarters 4 Division in Aldershot. I'm not sure of the extent to which it was delegated below Headquarters 4 Division. The next level of Headquarters would have been the Regional Brigade Headquarters, probably Headquarters 2 Brigade. And I'm not sure whether or not it was delegated below 2 Brigade to Headquarters Deepcut Garrison. Brigadier Evans was the garrison Commander. So essentially I'm not sure what delegated authority he had to make a risk assessment and reduce the guarding commitment.
- NB I certainly got the impression speaking to him, he didn't think he had any.
- CJ I think that's quite possible. But I do believe that there has been subsequently a much greater use of delegated authority for risk assessment.
- NB And what does that delegated authority permit the Commander or the Commanding Officer to do?
- CJ In simple terms, I think the one key distinction is where within the perimeter, people are working but not sleeping. If people are working, they are there only during daylight hours, and there is an assumption that there is a degree of alertness and awareness. Very often the requirement for armed guarding and sometimes the guarding at all, is relaxed if the risk is considered sufficiently low.
- NB But, of course, if that is right, that's not going to help at Deepcut where there are people who are sleeping and Phase 2 trainees and Privates. So does that mean that

- A there would have been no discretion even under present relaxation to dispense with armed guards on every gate that was open at those hours?
- CJ Almost certainly. And that again is back to the layout of the camp, the lack of segregation between sleeping and working areas and the routing of the perimeter.
- NB Just pursuing this topic through then, once you decide that you have to have guards on a gate because of the sleeping arrangements, it's Land Command that decide whether the guards must be armed, is that right?
- B
- CJ Broadly, yes. It's a chain of command issue.
- NB And so that's an order which the Brigadier or Commanding Officer must obey?
- CJ Yes.
- NB And throughout the period, certainly 1993 to 2002, to take that nine, ten year period, it's always been given that the guard must be armed?
- C
- CJ The requirement to arm guards does vary slightly with the threat state. Under normal circumstances, soldiers on guard will carry their weapons, but they may not always necessarily carry live ammunition.
- NB And whether they carry live ammunition depends upon the threat state as assessed by security. But given clearly the political events that we are all aware of where people may want to attack soldiers for one reason or another, as far as you understand, had there always been a requirement for soldiers to carry live ammunition whilst doing guard duty between 1993 and 2002?
- D
- CJ As far as I can remember, we've always had a requirement for live ammunition. If not to be carried by every soldier on guard duty for there to be someone on guard with live ammunition, albeit the weapon may not necessarily be loaded.
- NB Yes. But all those instructions are formulated elsewhere.
- E
- CJ They are.
- NB It is not someone saying "well, who's going to attack at Deepcut", or Deepcut gate a, b, c, or d at x, y, and z hours? There's simply no risk analysis to be performed there by Deepcut Commanders or Commanding Officers.
- CJ In terms of the general threat at one stage, there are always those factors to be taken into consideration. For example, it would be a normal procedure, and one that was required at Deepcut, for an assessment to be made of the local ground and points that would be suitable as a mortar base place. If an attacker is looking to hit the barracks with a homemade mortar. So there might be a number of local locations that could have been identified and therefore would be regularly patrolled. So that sort of local discussions.
- F
- NB Peculiar vulnerability in terms of your configuration.
- CJ Locally, we would always be encouraged to look at that. The generic overlay of the threat assessment and the security measures that would be employed to counteract it would be predisposed by the chain of command of the Army.
- G

- NB And if the reasoning behind it, given a general level of risk assessment and the possibility of terrorist or other form of attack on the establishments, requires that (a) there be guards at all points, (b) for those guards to be armed, and armed in this case meaning weapons and ammunition available for use in case an incident arises. Is that regarded by the Army as front-line duty? A
- CJ On the basis that front-line means operational, no.
- NB But it's a duty in which you may have to discharge your weapons and possibly kill someone? B
- CJ Yes, and I wonder if there is a certain contradiction here in terms of legal jurisdiction. We have rules of engagement, generic rules of engagement that allow us to open fire when a life is directly under threat. And those rules of engagement are normally deployed at any theatre where there are operational duties. And there are similar rules of engagement that apply for guard duties on the mainland, under normal circumstances. But I just wonder about the situation of a young soldier who finds himself guarding the entrance to the barracks and is required to discharge his weapon against somebody directly threatening him or one his colleagues, and that person is outside the barracks. It just that it's always been an area where I've been reassured that appropriate legal advice has been taken, but I share, I believe, an underlying uneasiness of many experienced military people that that is a situation that demands training, experience, and more than anything else, judgment, very clear thinking, and a split-second decision. Difficult enough for a trained soldier with some experience, but we're asking a great deal of soldiers who are inexperienced to deal with this in training. Who by definition will have had no previous operational experience. Therefore, personally, I do have some reservations about trainees being employed in what is considered to be a normal guard duty. But I nonetheless recognise the requirement to train soldiers to be able to perform guard duties and that their experience has to start somewhere. C
- NB Yes. But if the purpose of having live ammunition issued to soldiers in performing guard duty because of a risk assessment of possible terrorist activity against military establishments generally, is so they can both deter and safeguard lives, their own, or their comrades against attack, then that seems to me quite close to operational activity. D
- CJ It is regarded as a normal peace time duty. It is not by definition regarded as operational duty. Operational duty is normally determined by deployment to a theatre that is regarded as an operational theatre. And that is normally outside the UK mainland and only under exceptional circumstances would it be for a very limited point in time on the UK mainland. E
- NB Yes, I understand that, but of course, there have been, I think there was a bomb at Aldershot, wasn't there in 1974?
- CJ Yes. F
- NB You mentioned becoming aware of policy discussions suggesting a directional change. Where am I going to find this policy decision until we get to after Collinson's death in March 2002? Or am I not going to find it?
- CJ I don't know. I don't believe that in any of the documents pertaining particularly to the circumstances at Deepcut you would find these policy discussions.
- NB So where do I find it outside Deepcut? In the Land Command or Adjutant-General or training group, ATRA? G

- A CJ Logic would suggest that Individuals Training Group or the ATRA at some time must have considered this issue, but internally and possibly not made the issue external.
- NB Well, logic might suggest that if someone was thinking along the lines of as you indicated you had thought about it, and against that I have recently had a discussion with former Brigadier Tweedie Brown who made it quite plain to ATRA his very, very deep concerns about staffing levels at Deepcut including I think it's 1999 to 2001.
- B CJ Yes.
- NB It's pretty strong language, but I pressed him, and I don't think he saw the guard duty problem that we're discussing here as a source of risk. He saw other things as sources of risk, which we're going to get on to in our conversation today, but I don't think he saw the guard duty as such. Now that's someone who seemed to be quite sensitised to risk. So I'm just not aware of someone putting those risk factors of what happens to trainees alongside guard duty.
- C CJ If I've given the impression that I believe this was the overriding factor, the overriding risk that lies behind the tragic incidents, then I've misled you.
- NB To make it plain, I think the purpose of my review is to see whether I can advise the Minister and those who take the decisions on any significant contributory cause rather than applying a strict context of causation that might apply in other areas of the law. So "overriding factor" may be too strong, but I don't think you said that and I wasn't suggesting that you were saying that, but what you have indicated is that you had concerns about these matters, in 1995, expressed them in 1995, and continued to express them in 1995, as the events I am concerned with unfold. And, as I say, that's new information as far as I'm concerned, and I'm just thinking aloud as to whether these concerns should have led to some rethinking at some level somewhere throughout the armed forces.
- D CJ I think it would be fair to summarise my thinking at the time as being an acceptance that it was Army policy that soldiers including trainees do guard duty. And a recognition that that policy was going to remain. My particular concern though was the level of security duties at Deepcut because of the local circumstances, the number of access points. And the unfortunate period during which we had a relatively low number going through Deepcut because of a period of low recruiting. So the unfortunate juxtaposition of those two things. But my overriding concern then and throughout the period at Deepcut has been the staff:student ratio and what I've perceived to be then and later insufficient.
- E NB Yes. I'll come back to the staff:student ratio because that is an issue in itself. It is something which had been raised in the context of these deaths. But to just conclude on guard duty before turning off from that topic, you raised these concerns with Brigadier Evans. You believed that he raised those in a report, but you don't think he raised them strongly enough, or you don't think he raised those concerns about training and guard duty at all?
- F CJ I believed he raised the issue of the burden of guard duties, the inefficient geographics and the lack of resources we had to improve the perimeter situation and therefore make the regime more man power efficient. But the general point was that there were pressures as to whether or not we were given the resources to do our job properly. That was the general point.

G

- NB Now after Sean Benton's death did you raise your concerns with the SIB or the Board of Inquiry about guard duty? A
- CJ To be honest, I can't remember what I said.
- NB I don't think you gave evidence to the Benton Board of Inquiry did you?
- CJ I don't think I was called to give evidence.
- NB Did you give a witness statement, because I don't think I've seen that either? B
- CJ I cannot recall, but I'm pretty certain that I didn't appear in front of that Board of Inquiry.
- NB Well, I'm sure that's right. So, as a matter of interest, would they normally interview the Commanding Officer if something like that, a death happens on your patch, on your place, in your tour?
- CJ I was quite surprised not to have been interviewed by them. C
- NB And if you had been interviewed, do you think that it's something you would have raised?
- CJ Very definitely.
- NB And you didn't give evidence to the Coroner.
- CJ No. Of course the business of the guard duties and the staff student supervisory ratio were issues for the Army rather than the Coroner, so it's the Board of Inquiry who would have been more likely means of which I could express those, rather than at the inquest. D
- NB I'm sure the Coroner would have been interested in any recommendation which might have prevented dangerous situations where people might die.
- JA Did you identify guard duty as a major contributory factor to the two deaths at that point, or were there other factors that you identified when you were talking about trainees being "at risk"? E
- CJ I don't think it was a primary factor. It's a complicating factor. You could speculate that whatever caused one or more of those young people to take their lives, that they were in a reduced mental state, or a state of depression for whatever reason. And the prime reason for that may not have been that they were on guard duty, but that would have been a contributing factor. But if they had not been on guard duty, they wouldn't have taken their lives in that way. But in some ways it's tackling the symptoms, rather than the underlying cause. That is the point I would make. F
- NB Then maybe tackling quite an important feature, after all that is the single feature which is common to all these deaths. They're all on guard duty.
- CJ And it's impossible to ignore that.
- NB They are all individual concerns no doubt. I see that the Board of Inquiry into the death of Benton made some recommendations about location of guard posts. Were you copied in on the Board of Inquiry? G

- A CJ Yes, I'm sure I was. And rotations of guard duties and posts was something we actively did. Normally under the supervision of a Junior NCO, a member of staff.
- NB Is that something you did as a result of Private Benton's death or beforehand?
- CJ I believe we would have done it beforehand.
- NB I think just to be specific here, it's recommendation 28G of the Benton Board of Inquiry "Guards are rotated between posts during their period of duty thereby safeguarding against complacency". Does that ring a bell?
- B CJ It does, but I believe it's something we were already doing anyway. It's quite possible that it was a recommendation of the Board, but it was also existing practice.
- DB Would they have checked the current practice before making a recommendation since it is unusual that they would make a recommendation when it is already underway?
- C CJ I'm sure they would have checked. Equally it's entirely possible, in order to be comprehensive, they included it in the recommendations anyway.
- NB Does this mean – that recommendation – that during a 24-hour guard, instead of always guarding the Royal Way gate, you guard different sites?
- CJ Correct.
- NB Yes. And you're telling me that you think (a) you were doing that anyway, (b) you were certainly doing it after this?
- D CJ I'm sure that's the case.
- NB Yes. Because I think I've heard somewhere that others took the view that that couldn't really be done.
- JA Ron Laden was saying that.
- E NB But that's not the view that you took.
- CJ It takes a little more organisation.
- NB I've put to you what my understanding of that recommendation was. During a 24-hour term you wouldn't always be on the same gate.
- CJ Yes. I would agree with that.
- F NB Yes. I think there's an issue as to whether or not that was done. When we get to Cheryl James, in November 1995, would she have been on guard duty on rotated gates, therefore during a shift?
- CJ I'm sure that she would have been. I'm certain that, if not previously, then by this stage. We limited the opening of the Royal Way gate and I think Cheryl James will have only had a duty there of something like 2, maximum 3 hours on that position. It may well have been something like 7 until 9 in the morning. And the gates would not physically have been opened prior to that or after that until lunchtime. So within a 24-hour period of duty, there would probably have been 2 or at most 3-hour periods when that gate
- G

- was open, but in order to spread the burden of duty equally, she would have taken a share of other duties, and indeed others would have shared in those. A
- NB Now, were those local standing orders?
- CJ Yes.
- NB Did that fall to you as Commanding Officer, or someone else?
- CJ It would fall to me to authorise at Deepcut, yes. The detailed drafting of it they wanted to be carried out by the Regimental Sergeant Major. And with the involvement of the Adjutant and they are the two key figures in the normal discipline and security regime. But the responsibility for it resided with me. B
- NB It was the Commanding Officer's responsibility to ensure that someone has written sufficiently clear and exact standing orders about what the guarding duties are?
- CJ Yes. C
- NB And that should certainly by November 1995 have included the rotations as you indicated.
- CJ It should.
- NB And also, relevant to Cheryl James' case, the question of females on armed guard duty by themselves.
- CJ Yes. D
- NB Which I understand, Army policy is that that shouldn't happen.
- CJ It certainly is Army policy that that shouldn't happen now. Whether or not it was at the time, I honestly don't know. If it was at the time, and we allowed it to happen, then clearly, that was an error.
- NB I'm told that it was policy at the time. Lieutenant General Palmer was very clear on that. E
- CJ In which case that was clearly an error. Whether or not it was an intentional error, or whether it was one hasty decision taken on the balance of he or she is available, at the change of guard duty, I don't know.
- NB This was a topic you did discuss with Surrey Police in your interviews with them.
- CJ Yes.
- NB And you thought there may have been some local decision taken that you'd only apply that to night-time hours and not to day-time hours. F
- CJ There was certainly a distinction made between day and night. Locally, we made a distinction between manning these different points by day and night.
- NB But as far as I understand, the Army's Land Standing Orders make no such distinction. This is about females generally whilst on guard duty. G

- A CJ I couldn't comment upon that. But certainly, at the time Cheryl James was on guard duty, it was during daylight. And I believe that locally we had had discussions about how to achieve the required manpower coverage on guard using the minimum possible number of people on guard duty as a whole. It may well have been that this was something I discussed with Brigadier Evans and in agreement, we used the local discretion to have a lone female on guard.
- NB Is it local discretion, because what I've been told is that as a rule it doesn't happen, it shouldn't happen and it's therefore picked up because this is what seemed to be what happened in Cheryl James' case, and is therefore contrary to the rule rather than discretion.
- B CJ I don't know. What I do know is that as a matter of principle, we've never had a lone guard during the hours of darkness, male or female.
- NB Yes. But at least try to see where the train of logic goes. If the Land Standing Orders say "no women should be on armed guard by themselves", without reference to day or night, then my understanding is that the Regiment would have to translate that into effective standing order to the guard command, so that guard command knows that they are carrying out Army orders. And those orders are ultimately your responsibility to approve. Is that right?
- C CJ Yes.
- NB So if there was either some ambiguity as to what was meant or whether there was any decision to issue any other local orders, that would be your responsibility and your decision.
- D CJ Yes.
- NB But this doesn't ring a bell in terms of you issuing an order saying the rule only applies to women during night time hours?
- CJ To be honest, I really can't remember but what I can be absolutely sure of is that under no circumstances were women allowed to do single guard during hours of darkness, under those circumstances. And if we allowed single guard during the day, it would have been under very strictly controlled circumstances and for a very limited period.
- E NB You saw the James Board of Inquiry on this issue presumably did you, or did you not?
- CJ I don't think I did. I don't think I've ever seen the Board of Inquiry.
- NB It was headed by a Major. A Captain was a member and a W02. Have you never seen it at all?
- F CJ No. I'm sure I haven't.
- NB I think in particular they did deal with standing orders and concluded that she shouldn't have been on and they've got the standing orders which are available at the time. So there is nothing there which makes a day time and night time distinction.
- [text deleted concerning relationship with Commander]
- G NB You don't appear to have been criticised in your confidential reports. Are you?

- CJ I recall the first report I had was quite good and if I remember rightly, the second report I was if anything damned by faint praise. No, I don't think there is anything overtly critical. A
- NB The second report, just to let me remind you, "he's had a particularly difficult second year largely because he's had to deal with a whole series of complicated and challenging problems, which he's tackled with calmness and sensitivity". I'll get onto later on the problems which you tackled. "He delegates well, though at times he can put too much faith in his sub-ordinates who through inexperience fall short of the mark". We may have to come back to that as well. "On occasion I believe he would have achieved better results by being more inquisitive and less trusting. Inherited a unit with low morale and little, if any motivation". Do you agree with that? Did you inherit such a unit, with low morale and little motivation? B
- CJ I don't think that's entirely accurate, no.
- NB Right, ok. You will "hand over a more responsive unit better able to support the training group and corps as a whole". So making the point that you were given a difficult job to start with and made the best of it. But you've read this? This is not new to you? C
- CJ No.
- NB Whereas DG Log Support and Major General [...] seem to have been more critical.. You've. Have you read that as well?
- CJ Yes, I think I have.
- NB Do you have a comment on that? D
- CJ He hardly knew me at the time. I think he probably just visited the unit once during the course of my period in command and it was in the autumn of 1995. I really don't think he knew very much about me, and I'm not sure that he knew a great deal about the unit. And I would make the assumption that his impression of me was significantly influenced by the briefing he might have had from Brigadier Evans.
- NB Were you short-toured at the end after that?
- CJ Yes I was. I was very nearly short-toured before the Cheryl James incident. I was very nearly called to go to Angola in the summer of 1995, when apparently they needed someone with my skill set and I was the most logical choice. So it had become obvious to me that I was likely to be short-toured once I had the minimum period in command. E
- NB Why did you think that was going to happen to you?
- CJ There appeared to be a waiting list to move me out of my post rather than to send somebody who was commanding a live operational unit. I was in a static training organisation. And I simply had the impression that I was probably likely to be moved on sooner rather than later. The opportunities for command had been compressed and therefore over the first five years, perhaps a little more, of the new corps, there was, I think, a predisposition to move people through to command appointments slightly quicker than normal in order to create the maximum number of opportunities for people within a certain age group to command. And given that context I had slight expectations that I may not do my full tour of command and then when I seemed to have been provisionally selected for post in the summer of 1995, that seemed to confirm my suspicion. F

- A NB Right, but that would suggest organisational matters generally within the Army about doing a shorter tour -
- CJ Rather than any association with unfortunate events at Deepcut.
- NB Is that why you think you were transferred in January 1996?
- CJ I believe it was. I think I was quite a good fit for the job that they were posting me to. And whilst I had some reservations about having to relinquish my command early, because that is the sort of opportunity that comes only once, I accepted that was what the position was going to be. We were a very close team, and I was very concerned that my fellow officers and NCOs on staff would think that I was deserting, if not a sinking ship, then certainly an organisation that was under considerable pressure. So not a good time for a Commanding Officer to be moved. And privately, that was a concern I expressed.
- B
- NB Yes, in order to inform the context of this discussion, we'll talk later on about the [RSM Z] question, that's September, October 1995, November 1995 Cheryl James died. We've got a second death of a Phase 2 trainee and you've got the Board of Inquiry outstanding, though not the inquest, I think by the time you reached the end of your tour. Presumably there is at least capacity for more lessons to be learnt, and you then had the inquest. I noticed that in December 1995, it was Brigadier Evans who writes a report¹ about the general questions and problems in the Training Regiment. Were you involved in the writing of that report or in the preparation of that report?
- C
- CJ The report was compiled initially without my personal involvement. The first draft of the report was then shown to me and I was invited to comment on it, which I did in some detail.
- D
- NB In writing?
- CJ Yes.
- NB And you haven't kept that in your personal archive?
- E
- CJ I did not. I strongly disagreed with some of his initial findings and from my perspective I was able to influence the tone of the report on a number of the issues. In the end it was his independent report, but it was something to which I had the opportunity to contribute before it went outside the RLC Training Regiment.
- NB Did you agree with the tone of the final report?
- CJ I agreed with many of the findings, but not necessarily all of them.
- F
- NB I just want to go through that. Just looking at and wrapping up the questions about your career and your tour as Commanding Officer, we have these personnel events, including those concerning [RSM Z], which appear to be that which was being referred to in your confidential report by Evans and by DG Log Support. Is that right, or is there something else which explains those comments?

G ¹ "A Review of the Phase 2 Training System within Deepcut", written by Brigadier Evans and dated 14 December 1995.

- CJ No, I believe that is right. A
- NB And certainly DG Log Support seems to be more overtly critical of your handling of that than Brigadier Evans.
- CJ Which I found rather annoying.
- NB Yes.
- CJ I can qualify that with a specific example. The job specification for the Regimental Sergeant Major at Deepcut was something I had a hand in drafting. I specifically asked for a married man, a family man, someone who would bring that feature to the regiment. When the corps selection board took place, I was then informed that they had provisionally chosen someone who was, if not formally divorced, certainly separated and was again living a bachelor lifestyle. Privately I received an off the record warning from someone who knew this chap that he had many fine qualities, but he was a bit of a lad. B
- NB That's from an officer who served with him previously? C
- CJ That's right, yes.
- NB When did you receive that uncomfortable intelligence, just out of interest?
- CJ After he had been selected for employment. So the ink was dry. I was again somewhat unhappy that others over my head had deemed fit to endorse the selection of this chap who had previous experience of a training organisation and had many things to bring to this appointment, but wasn't actually quite the person that I believed the job required. I had made a point of saying I required someone who was a married and a family man, someone who had a wife to support him in his social and other responsibilities. And someone who had that perspective on life. And that's eventually what we get after [RSM Z]. D
- NB With the new RSM?
- CJ Yes.
- NB [RSM Z] joined you in November 1994. So by then you'd already drafted your job specification for what you wanted for the holder of that post. Who makes the decision to assign [RSM Z] to that post? E
- CJ The final decision is taken by the RLC Selection Board of the day. So that's a Committee of members.
- NB Is that in Glasgow?
- CJ Yes. But I saw the provisional selection by Brigadier Evans and expressed my concern, this wasn't quite the person I wanted for the job, but eventually accepted his reassurance that greater minds than mine had had the opportunity to take a wide view of the requirements for the candidate, and this was after all the person best suited and under the circumstances available for the post. F
- DB Is that the usual way for relaying matters of information? It is your RSM, you will

² The Army Manning and Career Management Division, formerly the Manning & Records Office. G

- A presumably have a relationship of sorts with the MCM Division² in terms of who got appointed to the Regiment. I'm just slightly confused as to why their view is relayed to Brigadier Evans. He is relaying that view to you as opposed to the MCM Division and having that conversation.
- CJ There seemed to be a great many issues over which I was consulted through Brigadier Evans rather than directly. I think one can say he was personally involved in a lot of key management decisions of the subordinate arms of his organisation. On the manning side, but also on the material side. Normally for a barracks, as a Commanding Officer, I would have been responsible for property management and again, this is difficult, but I wasn't. So that was a strange thing where resources were allocated. So there were quite a number of areas of my normal working where I felt that Brigadier Evans had had an undue personal involvement.
- B
- NB Was that from the off? Was this something that had changed during your tour?
- CJ No. From the start.
- C NB And am I to understand that after that was Brigadier Evans himself therefore consulted about [RSM Z]'s appointment as RSM, whereas you weren't?
- CJ That was the impression I was given, yes.
- NB But he wasn't part of the Selection Board?
- CJ No.
- D DB Does the Selection Board actually assign people to posts, as opposed to recommending their promotion?
- CJ Well, there are certainly to date, two quite separate Boards, two quite separate processes and I believe the same would have been true then. On the one hand, as you correctly point out, people are selected for promotion to a rank. There is a certain key appointment board to help with selection for the actual post. And Commanding Officers, Squadron Commanders, and Regimental Sergeant Majors are the three appointments that they decide.
- E NB I would have thought would have certainly have been a source for some discontent if you thought that your criteria were not being applied?
- CJ I was less than content.
- NB I'm more interested in what you did actually say to him in terms of flagging up issues of concern. But each of these particular topics given clearly have some relevance to the substance of the review, so I'm trying to pursue it. [RSM Z] wasn't the kind of person that you wanted. But [RSM Z] had some training experience?
- F CJ He'd previously been on the permanent staff at Buller Barracks under the then Royal Corps of Transport Training Regiment. I think that's the equivalent to Phase 2 training. Buller Barracks in Aldershot, which is where the RCT had the equivalent of the RAOC training battalion, which was the former of the RLC.
- NB So Leconfield was an RCT base, but it was doing the actual driving training rather than the general training?
- G

- CJ Yes. In former times, Leconfield was an RCT, or at least an Army training organisation. RCT heavy, because there were those functional responsibilities. Now Leconfield is a Defence training school A
- NB Anyway, he was involved in the RCT. So we're back then to the Evans Report. What was in the original draft that you strongly disagreed with? And the follow-up question is going to be: what is in the version that I've seen that you still disagreed with?
- CJ The tone of the original draft gave the impression that I myself had done very little to try and provide imaginative training, that we'd taken very little interest in the morale of the trainees. That we in particular hadn't been flexible and inventive in trying to use staff and resources employed in one area of the unit for a particular purpose to the benefit of all. For example, we had two quite different training regimes running there. On the one hand we were a sort of holding organisation for the Phase 2 trainees who were there doing their initial special-to-arm training, learning to drive, learning to store and things like that, having done their basic military training previously in the 12 weeks at Pirbright. So we had these people coming to the Army into Phase 2 training which was conducted at a number of satellite locations and to all intents and purposes, out of the management control of the training regiment. It was driven centrally, it was centrally resourced, centrally organised. Individual training groups and regimes. We had a separate training stream for soldiers who were already in the field army who returned to us to complete career development courses in military skills and junior leadership, so-called Phase 3 Training. I had a separate squadron that dealt with that, separate dedicated staff and training resources, all committed to and justified by that training activity. And what we tried to do was to make use of any spare capacity in that training stream and diverted it to the benefit of Phase 2 training. So we provided opportunities for them to do things that were not necessarily resourced to that phase of the training, given in theory they'd already done the Phase 1 and the resource management regime said well we don't need duplication of that activity so it's not something we'd resource to Phase 2. An example might be taking them out on exercise of those training areas, patrol training, doing things that would refresh their military skills, the skills fade of basic military training is always going to be an issue in Phase 2 trade training. B C D
- NB Is this continuation training?
- CJ Continuation training. Sports, adventurous training and fitness training were also important elements of this. We also seized other opportunities for things like providing arena parties for public sport events. The Horse of the Year Show at Wembley and one of the show jumping events were for example Hickstead. We also got involved in supporting the Royal Tournament. We also got involved in running things like rugby competitions in Aldershot. Now all of these were opportunities to give young trainees an interesting and varied experience, but in particular team tasks. We'd put them together, under the supervision of an NCO. So we tried to provide as much opportunity as we could within resources. None of this though was from the public purse. Similarly, they had the opportunity to try further fitness training. Fitness training is for young people, particularly today an area where very often, particular youngsters who are having to do Phase 2, they don't have very much opportunity to play sports unless they are lucky enough to have parents who encourage them to do that. And that's an area where proper application can strengthen them. So these are examples of how we tried to use our imagination to give them a programme that was worthwhile and of benefit to the trainees. Now, the original tone of the Evans report, to the casual reader, implied that very little had been done either to identify the challenge of providing constructive employment and trainee development or doing anything about it. And I took great exception to the ways which the report almost blazes out the vision for the future about E F G

- A what the training regiment ought to be doing when actually it was exactly what we had been trying to do and it was what we were forced into because of the lack of resources and the lack of supervisory staff. So, I took great exception to the initial tone of the report and the subsequent report had clearly been toned down considerably.
- NB Taking that set of information, you said you disagreed with the proposition that according to the contents of your confidential report you inherited a unit with low morale. So, I'm asking you, was this something that had been done, or was this something you thought you needed to do in response to a situation that you inherited?
- B And bearing in mind also you said you didn't have enough specific training in how to deal with welfare issues or engaging the minds of young people.
- CJ When I first arrived there, we were still quite well-staffed, permanent staff-wise, because a number of these posts were phasing out. So for the first 6 to 9 months after I arrived there, I think permanent staff morale was still quite good, albeit with some concerns about the future. As the impact of the savings measures could be felt, so it created challenges in terms of morale vs. efficiency. So I believe what I actually inherited was a legacy of loaded decisions that had yet to take effect during the course of my tour in command.
- C So morale in the unit when you took over in March of 1994 was good. You had the staff in sufficient numbers to serve the trainees in an appropriate ratio.
- CJ I believe that was right. There is a proviso on that. There were one or two personalities in the unit when I took over that still had a very RAOC-oriented approach in the way that concerned me. And I think one of the things I did use was a much more balanced and neutral attitude towards forming corps traditions. And a more open-minded approach to how we do our business in the RLC era. Other than that, one of the other morale issues that I had to deal with, there seemed to be one particular personality, whom I eventually invited to cease working a little earlier than perhaps the retirement age would have suggested, because I believed his attitude was counter-productive.
- D
- NB How did that impact upon trainees?
- CJ I'm not sure that it directly impacted upon the trainees other than a degree of, a lack of unanimity of the efforts amongst permanent staff would probably have come across.
- E
- NB I understand your answer therefore to be saying if there were any problems with morale in the regime you inherited it was amongst staff, in the changing of ethos or resistance to change of ethos, rather than about morale in and amongst the trainees. But did the morale of trainees become affected during your tour of command because of the cuts?
- CJ Yes. I believe strongly that the gradual undermining of our staff:student ratio therefore, the undermining of our ability to supervise, to develop, to encourage, take an interest in the youngsters because of the declining numbers of training staff was a contributory factor in the gradual erosion of morale, in particular of the Phase 2 trainees. There were other factors. There were delays in the sequence of the training whereby the trainee sometimes had to spend several weeks, if not months, virtually in limbo because of the dislocation of their training courses. I think the pipeline management of training every year has increased tremendously, but at the time, these sort of delays were very frustrating for the trainees who wanted to get on with their jobs and careers. That was a significant factor. And again, unfortunately, that's something largely caused by the cuts in resources. I think the other key factor that undermined morale during the course of my command was an erosion of the in-flow of people coming into the Army. Recruiting
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- at the time was under pressure. So, on the one hand we weren't getting quite enough people in, sometimes we had very few people in the barracks which again would mean that they were put on guard duty very frequently. On the other hand, because of the pressure to try and keep the numbers up by accepting a number of what was called "training risks". And there were certainly youngsters who weren't suitable for the life. And it seems that one of these was Sean Benton, sadly, who was ill-equipped for it. But all of this contributed to the sort of pool of people we had going into training for the first time, the atmosphere amongst those youngsters and, therefore, their morale. And combined with the coincidence of the erosion of the staff to student manning ratio, I think all those factors came together and they were responsible for the erosion of morale. A
- NB When did you think you got wind of this erosion of morale? B
- CJ I think there was quite a difference between my first and my second year in command, and I think during the back end of my first year in command and early into the next year in command, that was the period in which the factors came together.
- NB So taking March 1995 then as the start of year 2, is that right? C
- CJ I think take the calendar year as the borderline.
- NB So January 1995.
- CJ Yes.
- NB What staffing ratio did you have in March 1994 that you were happy with? D
- CJ That's a very fair question. I'm afraid I can't give you a specific answer.
- NB Did you go around with a model as to what is the appropriate or necessary ratio? E
- CJ Partly because I had access to the information, what I could see was where a reduction had been made into the establishment for the unit so I could see where a swath of posts had been taken out of the establishment that previously governed the manning level to the establishment that was applied to the manning levels immediately before I took command. So I had seen the proposals for the staffing process and how the manning ratio had come down.
- NB I think for the purpose of this conversation, we've identified that there were lots of cuts in staff. What percentage staff available for training purposes did that represent? F
- CJ The whole unit establishment was in the region of 250 personnel.
- NB That's the whole of the Training Regiment? G
- CJ Yes.
- NB So 250 for the Training Regiment & Depot. So you're talking about a 20% reduction.
- CJ Yes.
- NB You then mentioned that recruitment numbers fell or were low when you started your tour.

- A CJ They were falling, we were in a period of pressure.
- NB Are you able to give me a ballpark figure of the throughput of numbers in the first year of your tour?
- CJ Very hard to say. I think that we had something in the order of a tenth, possibly a 15% substitute in overall numbers as opposed to the targets.
- B NB Now again, I suspect it's difficult at this stage to capture the targets because this is material that I haven't got my hands, but what numbers are we talking about?
- CJ I think we had something in the region of 2,000.
- NB Right so your target would have been something like 2,000 and you were probably delivering 1,800?
- CJ Yes.
- C DB Is there a link between the reduced inflow and reduction in your permanent staff numbers?
- CJ No, there was no surprise in reduction of inflow as a result of the formation of the RLC. One of the implications of merging four or five corps into one was a streamlining of management and administration.
- NB What were the management implications of that?
- D CJ The merging of multiple functions within the unit. Having said that, I don't believe that was translated into a large reduction in the requirement for inflow because soldiers then like today generally don't serve on average very long in the Army, something like 6 years. So there was a requirement for a constant top-up for the lower levels. So I don't believe a reduction in the size of the corps translated into a large reduction in the requirement for inflow. I believe the main drive in the reduction of inflow, was the difficulty in recruiting at the time.
- E NB And certainly behind Darren's question is the question as to whether the number of staff had been reduced because of an anticipated or actual reduction in the number of trainees. What is your answer to that?
- CJ I don't believe the two were uniquely correlated. That fact that there might have been pressure on the required inflow, would undoubtedly be a contributing factor for a review of the establishment. But I think a much stronger factor was the overall budgetary pressures because the Individual Training Organisation, and training organisation as a whole, effectively was not able to work properly with those budgets.
- F NB As I understand it, budgets were set a year or so in advance and the short fall in the training requirements was only something that was noted had you failed to achieve these numbers.
- CJ The Individual Training Organisation was once part of the field army, for budgetary purposes. The judgment was made that it was a millstone around the field army's neck and you needed a separate management process but also that it faced unreasonable budgetary pressures on the official operation of the field army. So I think those were amongst the factors that provided the Individual Training Organisation with a kind of
- G

mortgage. And I think the Individual Training Organisation, which later had come into its present version as ATRA to this day, it has a budgetary mortgage and even now after the Defence Training Review we're trying to bridge the gap between what we'd like to do and what we can afford to do and I think over the last ten to fifteen years or longer you can trace this mismatch between resource requirement and the resources that are available in the training organisation. And I think that's the overriding factor, not actually the structural changes.

A

BREAK FOR LUNCH

NB Now we broke off looking at the funding issues which gave rise to personnel numbers and we were taken through those. Let's just move on to the impact of the variety of policy decisions taken in 1993, 1994 on trainees generally, Phase 2 trainees at Deepcut at the time. Did you consider that the regime that the Army provided was on the whole satisfactory at the beginning but then became unsatisfactory through the reasons you've mentioned? Or was it always less than satisfactory but the degree of divergence from the ideal or the norm grew greater?

B

CJ I think there were some aspects that were institutionally unsatisfactory. I think there was insufficient preparation for a drastic change of policy from managing and training women in one segregated corps to breaking them out across Arms & Services and having them trained in mixed units.

C

NB Looking at my chronology, that is about middle of 1993, is that right?

CJ I think it was about that time yes. I think far too little preparation, and there may well have been a good deal of analysis that I wasn't aware of, but I think there was insufficient preparation for that. And the practical difficulties were to do with the lack of availability of female staff to supervise or to train, and I could see it first hand how the men reacted to women quite differently, the communication style and the psychology working in different ways and certainly to get a young corporal who's had no experience of managing female soldiers suddenly injected into an environment where you've got a whole bunch of individuals who have got far less regimentation and are far less likely to share the same core values as trained soldiers do and to suddenly find yourself in that environment, is quite a serious undertaking. So I don't think any of us at that time in the training organisation were very well prepared or briefed or trained to take on the impact of the change of policy on women. And I think something that you've already hinted at is that going into this sort of unit where you are dealing with young persons for a start and I think institutionally, we didn't prepare anyone, from the Commanding Officer down well enough to take on that as well. I think those were shortcomings of the system then and I think they persisted over the years. With females it did, but we have slightly developed, haven't we? More female instructors, we are definitely now getting a proportion of female staff each year, though it is still a challenge to get those good young female NCOs into the training establishment. And when the field army is under pressure for operational commitments, there is always a tendency for those who are less mobile, for whatever reason, to end up in static units. Even if they not quite the best for the job. So I think that there are still one or two institutional challenges that are persisting.

D

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NB Ok. You said that you thought that there was insufficient preparation and integration, and that appeared to be principally identified by insufficient recruitment of female officers both NCOs and commissioned officers?

CJ Yes.

G

- A NB Roughly of your approximately 250 staff, do you know how many female NCOs you had at that time?
- CJ One or two. I mean, we're talking a handful. I probably would have come across them by name in that case.
- NB And in terms of commissioned officers, I know we're talking about one, but are we talking more than one?
- B CJ I can think of two young female officers who served there, but I'm not sure if they overlap. But they were certainly two very good officers. One was exceptionally good and the other one was fine. But we certainly had female officers, but the whole concept of having that female focus was not perhaps that there might be one of them in a unit and that's sufficient coverage to look after female members of staff. I think that was flawed.
- NB One of these two would have been [Lieutenant(f) A].
- C CJ Yes.
- NB And was she good?
- CJ [Lieutenant(f) A] was OK, but nothing like the other girl.
- NB Who was she?
- CJ I can picture her, and I think recently she's been at Sandhurst as an instructor there.
- D NB But you're not quite sure if she was there at the same time as [Lieutenant(f) A]?
- CJ I think there was some overlap, but I suspect that probably as we knew that this other lass was coming to the end of her tour, efforts were made to make sure that we always had a girl there.
- NB Ok. So, two NCOs, one or two commissioned officers, and roughly how many women trainees did you recruit in that first year? Of your 1800.
- E CJ 10 to 15%. It could have been more, actually.
- NB Right. I got the impression that more women were coming into the RLC than into other corps.
- CJ I expect at the time institutionally we had something like 15% female manning. I suspect at the time we had slightly more than that proportionately on the intake. After all, one of the reasons the Army changed its view on recruiting and managing female soldiers was demographic because we weren't getting enough young men in and what could be done about it to improve recruitment. So I expect at the time we may well have had something like 20 to 25% female entry.
- F NB But in any event you were describing a situation where 1% to 2% of you officers and staff are women and recruiting 15, 20, 25% of the trainees are. Now that means what, you've got inexperienced officers who are experiencing dealing with how women trainees react to discipline, command and training, emotional and welfare needs.
- G CJ Physically, it makes it very difficult for us to have access at all times. You can't just send a male NCO into female accommodation. There were certain practical difficulties.

- NB So what does that actually mean on the ground? So one, you've got fewer people available who have some experience as to what the welfare needs of female Phase 2 trainees are. Two, you've got fewer people who can supervise the female accommodation and you might want to supervise female accommodation for what purpose? A
- CJ Well, for a variety of reasons. I mean, health is an obvious one, maintaining good order and discipline, behaviour reasons, ensuring that there wasn't inappropriate behaviour going on there, and crossing the bounds between social behaviour and discipline reasons, inappropriate activity, which in another context, between two consenting people might be considered entirely satisfactory, but in the military unit, would not be. B
- NB So looking at that altogether, you want therefore to supervise or know what is going on in the female accommodation, for those three reasons: health, discipline, and inappropriate activities, which I suppose is an aspect of discipline.
- CJ Yes, but all of that adds up to the welfare. Knowing what influence is coming to bear on somebody, in particular someone who's under constant pressure, be it group or from elsewhere. C
- NB Yes. And that can affect their morale. Again is this something that you reflect upon looking back on your tour or something that you were aware whilst the tour was commencing?
- CJ It was something that we were all very aware of. Brigadier Evans never missed an opportunity to make the point that we desperately needed more female staff. He was very supportive of that. I wouldn't want to give the impression that he was not supportive at all. D
- NB So did you have a duty NCO in the female accommodation?
- CJ Well, we did, we tried to make sure that either an officer or an NCO was available at all times if absolutely needed. That was difficult to do because from time to time one or the other or both of them would be on leave. I think on occasion that we probably had a male member of staff who would have had access to accommodation, on an announced basis. So for example, the CO couldn't do an inspection unannounced. But we got around it, sometimes by saying "at X hours we're going to be here, or the RSM is going to be here", and making sure it was not a surprise visit. So we didn't catch anybody unawares. I believe another way that we probably resorted to, we had the ladies from WRVS³. And I think on occasions, probably with their assistance, we had access to the accommodation. Generally speaking we tried to keep the WRVS out of any formal activity as well as the padre as well, to try and preserve their independent pastoral role but there would have been occasions when just having a lady to assist with proceedings. A lady on the staff of either the school or the headquarters. Of course we did have other female officers passing through albeit only in small numbers then. E
- NB Now, in practical terms, during your tour extending the period from the first year to the second year, does that mean you don't have any NCOs on duty in the female accommodation overnight, sleeping over? F
- CJ Yes, it did on occasion. That was absolutely true because we just didn't have the staff to manage it. G

³ Women's Royal Voluntary Service.

- A NB So were there occasions when you did have an NCO sleeping over?
- CJ I believe there were occasionally, but it was not a matter of routine. When we could or if we had a single female living in the lines but I think we used to keep a room in the female accommodation, but it was certainly available if this person had to go and use it as an office for a private interview with somebody, but it could have been used also for sleeping over.
- B DB As far as the female block is concerned, would that also, as well as accommodating Phase 2 trainees, be accommodating Phase 3 trainees?
- CJ I'm sure that would have been the case. I think we simply had segregated accommodation and that was the female block.
- DB You didn't have separate ones for members of staff?
- CJ No. The circumstance in which that would not necessarily be true was if we had a married female member of staff who was naturally not going to live there. But when we had someone who naturally lived in, if they were on Phase 3 training course there, then it would have been normal for them to live there.
- C NB And they would live in the same block? It wasn't just a case of two blocks for women with one block for Phase 2 and one for Phase 3?
- CJ We only had one female block.
- D DB Although the single permanent staff who were female weren't being accommodated with the trainees.
- CJ We had a new block built and the decision was taken to have permanent staff in there. I can't remember exactly when that came on stream but those members of permanent staff, female permanent staff would have had the opportunity to live in single rooms in that accommodation, so that would have given us flexibility for an accommodation plan that we wouldn't previously have had.
- E DB Is that mixed accommodation?
- CJ Yes, it is. It is mixed. But whether or not at the time we were still so low on numbers that we insisted that the female members of staff nonetheless lived in the female block in order to ensure some degree of supervision. That would seem logical to me but I can't put my hand on my heart and say that was the case.
- F NB If we move at least into 1995 when the events that will form the primary subject of this review were occurring. We know there was Lance Corporal E, a female NCO, who features in the story quite a lot. Now, do you know whether she was living in the female block in a supervisory capacity, or living in a separate block?
- CJ I think she was living in that block, in the female block, I think she was.
- NB So, she's not Phase 3, she's a member of staff. But she would have been assigned to live in the female block with a room because that was where she was accommodated, but that would leave the implication that she could report on disciplinary matters.
- G CJ She would undoubtedly, under those circumstances have had a certain supervisory management.

- NB Now, we dealt so far with it from a women's point of view of the problems of insufficient staff and of course welfare and discipline problems, and I'm aware that policy states that they can't have males in their block and women aren't meant to be in the male accommodation. There's also the question of how the male soldiers are going to behave to women soldiers and other forms behaviour. Had that been factored through or thought through? A
- CJ A great deal of effort was put into counselling members of staff about not getting themselves into compromising situations and not getting into relationships with trainees. B
- NB So taking that part of the equation, counselling or advising permanent staff about inappropriate relationships?
- CJ Yes.
- NB Is that backed up by a clear disciplinary rule or order or is that simply within conduct unbecoming?
- CJ I think then it would probably have been translated as conduct unbecoming. I think now, and over time, a slightly more formal approach to relationships have been built into various documents published like the formal ATRA Manuals and main provisions fall within the various administrative instructions that govern administrative and disciplinary proceedings. I think at the time all of these changes were only evolving, so to the extent to which it was actually written down as formal instructions, and the extent to which it relied upon being directed down the chain of command, interpreted at local level. I could not be sure how far down the instructions would go on that. C
- NB Ok. At least, it was clear to you that permanent staff should not be having sexual encounters with trainees. D
- CJ Absolutely.
- NB And who is responsible for translating that common sense prohibition, if you like, into something which is well understood to be a disciplinary command which would result in sanctions if you violated it?
- CJ Through the normal chain of command, but particularly at Squadron Commander, Squadron Sergeant Major level. E
- NB Is that a question of enforcement, or is it a question of enforcing rules that someone else had made higher up the chain of command?
- CJ In terms of, was it a culture that we fully supported as a unit, or was it something very different to that?
- NB Well let me put it better. It seems to me that if you simply say "you're guilty of an Army offence, of conduct unbecoming" and then you leave it up to your Squadron Sergeant Major to interpret what that actually means in any particular form of social relation. No doubt rape, indecent assault, non-consensual touching will certainly fall into that category, as well as other things, but other forms of consensual sexual activity in some people's minds may not, or some form of flirtation, or some form of taking girls out for social activities. Do you see what I mean, there can be a range of options, whereas if you simply say "in addition, there is a rule, here it is, spelled out", an instructions, an order, that you shall not take women out socially or drinking in town or wherever it is because that would be tantamount to a relationship with a trainee. F
- G

- A CJ It was made quite clear that there was to be no sexual fraternisation between permanent staff and junior soldiers.
- NB By personal briefing?
- CJ [no verbal reply. Nods.]
- NB Right. And what rule would have been invoked to enforce a violation of that instruction?
- B CJ There are a number of sections under the Army Act that could have been invoked.
- NB All of which were sufficiently clear so as to be unambiguous?
- CJ I believe so. I mean the exact charge would have to be based on detail, but the culture of some of the units then within the Army was such that local issues and many other would quite normally be dealt with by first of all the Squadron Commander and then by the Commanding Officer if it was a more serious issue.
- C NB So although, as far as I can see on the documentation forms, the ATRA code of conduct instructions mentions this about 1997. Is that the first time that these instructions are spelled out in documentary format, or was there always a documentary rule against this kind of conduct?
- CJ I think there were formal directions given. If you ask me what documents they were in, I can't recall it, but I'm quite sure there was formal direction given, and in turn passed on and then enforced by me.
- D NB And I'm going to come back permanent staff and sexual relations with women, but I want to discuss Private soldiers and sexual activity. Were there clear demarcation lines in that context as to what was inappropriate or not?
- CJ There were clear demarcation lines about the standard of behaviour to be expected, but whether or not we were able to supervise and police that behaviour is another matter and it became obvious over a period of time that there was an underlying level of sexual activity that was undeniable but just how to stop that in practical terms. If you've got a young man and a young woman who have decided that they're going to get together and they've got a space in which to do it, out of line of sight and out of earshot, it is extremely difficult to police that.
- E NB Let's just find out where the line of prohibition was drawn. I'm pretty clear from what I've read and seen that it was obvious that women were not meant to be in male accommodation just as men were not meant to be in female accommodation. But in addition to that, there seems to be quite a lot of sexual acts taking place within the grounds at Deepcut, isn't there?
- F CJ Yes, I actually remember one rather disarming observation by one of the Quartermaster's staff who was doing a clearance of the grounds and had revealed an alarming number of used contraceptives.
- NB Yes. Well it's striking that the number was 800, which is what you told the Surrey Police in an interview.
- CJ I'm not sure about the number 800, but it certainly was an alarming number.
- G

- NB Yes, I'll check it out. When did you find out that that kind of large numbers of contraceptives were being found in the grounds? I think this was during a family day, you were trying to clear the grounds. A
- CJ I don't know, and equally I suspect the results of this clean up may well reflect quite a long period of time, so it may not be that we were getting 800 of these things every month, it may well be that it could have been as much as a year before, since the grounds actually had last been raked clean.
- NB How often do you during your tour would you try to do a clean up of the ground? Annually? B
- CJ I mean, bearing in mind what you are talking about here is going round behind every bush and every tree and every nook and cranny out of the normal areas of access. Very regularly we would do a clean up of something like the parade ground, classrooms. Places that are used all the time. Public places. But what we're actually talking about here is scouring the grounds, just going around with a sort of pricker stick and a black plastic bag. And there were clearly all sorts of things that had been laying there for some time. So, we wouldn't do that very often. We wouldn't have the manpower to do it. C
- NB So once a year?
- CJ Possibly once a year.
- DB How often did you have open days?
- CJ The Corps has a tradition of having an open day once a year. Quite a lot of effort goes into laying it on, and I think it would have been this annually occurring event that triggered this clean-up. That normally takes place at the end of June each year. D
- NB So if that took place at the end of June, when you're talking about this, did you realise this in June 1994 or June 1995?
- CJ I don't know. The other point I should make obviously is that the clean-up would have not just been in the barrack area. The main open day site is actually on the playing field of the barracks. It was set in an area with training areas around it, areas of wood, an area with a path going off to a number of different directions, down to Pirbright Road. And there's common ground across the other side of Deepcut Bridge Road, which again part of which is an army training area. The open day tends to be on the playing field adjacent to the HQ Officers' Mess. Again, it's an open area and also the training area behind Deepcut Bridge Road, Area G1, we had to make use of that. Now, this clean up would have involved the entire area that we were going to use for the open day so this was not the product of Princess Royal Barracks, it was the product of the entire clean up. And some of what was found there would have been put there not by students or even permanent staff, but by other people, using the area for their own means. E F
- NB And they have access to the sports grounds?
- CJ Yes. The sports grounds, the woods and the training area opposite are open and there are quite a lot of housing areas around there. It was an area that was frequently used by local youngsters, so we've got to be careful about drawing a direct conclusion.
- NB Well, except I thought that this was an example you were giving of being aware of the degree of sexual activity in the camp. G

- A CJ Undoubtedly, one of the conclusions according to the ** that some of the trainees have drawn.
- NB I mean, are they told that it's not appropriate to have sex out in the open?
- CJ We made the point, as far as we reasonably could that we expected a proper code of behaviour whilst they were in the barracks and whilst they were in uniform whilst undergoing training, but accepted in their private lives outside, they could have whatever liaisons they chose. I mean they might come into contact with someone in uniform at work and what they did outside the confines of the barracks in their spare time, providing it doesn't come to our attention, remained their private affairs. I accept though that there was a particular responsibility for what went on in my unit, in a training organisation particularly where it involves people under the age of 18, and we took what was deemed as being reasonable precautions to make sure that people were aware of what we expected of them and then to try and enforce that.
- B
- JA Even though you only cleared the grounds once a year, 800 is still going to be quite a high number I think.
- C
- CJ It's an eye catching number.
- NB Now quite clearly, individuals of full age and maturity can make their own judgment in these matters. Of course that's right. But it's in a different context with the discussion about providing them with an opportunity which they may not otherwise have had. This is the problem of bringing together young people in a certain environment, particularly some descriptions I've had which I'll ask you about in a moment about the boredom factors, the waiting, and at the moment I'm pursuing the answers you gave me about gender, but there is going to be the youth aspect as well.
- D
- CJ I agree. You can't leave young people without stimulation. If you don't give them constant stimulation –
- NB In an ordinary job, you do your 9-5, and you go back and your social lives are separate again, there's no need to regulate what you do after hours, but we're talking about the Army here, which is a 24/7 job.
- E
- CJ It is.
- NB Although discipline doesn't operate in the same way throughout that time, it can affect your career, your reputation, the reputation of your corps and the Army. The question really is for you, were they told, was it made clear to them that they should not be having sexual activities within the wire?
- F
- CJ Absolutely. Another factor which I was aware of, previously the RLC was one of a relatively small number of organisations within the Army taking women. We had around us a number of military garrisons where there were a lot of hot-blooded young men who realised there were quite a few female soldiers at Deepcut and it was clear that Deepcut attracted quite a lot of interest from young soldiers from the surrounding area, so I think there was probably quite a lot of contact and a liaison that occurred quite properly outside the confines of the barracks, but the pattern of it resulted in them bringing together these people in a military environment.
- NB Were other soldiers from other regiments prevented from coming onto Deepcut territory if they had no Army business there?
- G

- CJ Yes, there was certainly an awareness about getting access to the camp for youngsters for no good reason. A
- NB Did this translate into some hard rule for the guards to enforce?
- CJ I'm sure we had guidance. Off the top of my head I can't remember exactly what it was but I'm sure we drew a line between proper professional activities and other things. For example, if a soldier came along with a uniform, with proper identification, and gave a plausible reason to be on the camp. There would be no reason to deny him access. But if a soldier turned up in jeans and a t-shirt at 6 o'clock in the evening, the guard would take a rather different attitude. I'm not saying he would automatically be denied access to the camp, but I'm sure guidelines were given. B
- NB But you're not quite clear as to what they were?
- CJ I can't really remember exactly how we differentiated. On occasion, we had social events going on in the Junior Ranks Club, for example, where it would have been perfectly reasonable for them to be there. C
- NB So you think that a soldier from another regiment would have been able to get access to Deepcut to attend a function at the NAAFI?
- CJ Yes.
- NB Didn't that happen every night, wasn't there always a social event?
- CJ No, those were formally organised and they were quite limited. We'd have music there, a bar for those over 18, those who were under 18 were also provided for. So yes there was social opportunity there, but as I say, I'm sure that we operated guidelines that during the week out-of-hours discouraged if not actively prevented others from going into the barracks unless for an official reason. D
- NB The social events at the NAAFI come to an end when the NAAFI closes?
- CJ Yes.
- NB Which is what time? E
- CJ Ten or eleven o'clock.
- NB And is there a system to ensure that people who have come in for those events are clocked out and not hanging around the barracks?
- CJ Usually an NCO goes there and ensures that the bar is closed and secure.
- NB But there is not a system whereby the putative soldiers from outside have to sign in and out? F
- CJ Yes, I believe there was a time when soldiers signed in. I can't put my hand on my heart, but I think we had a signing in book. And certainly a signing out book for trainees who were going out. Or did we actually? Thinking about it, no we wouldn't have had a signing in book. But I'm sure we had a signing out book. But not a signing in book. So we did record people exiting. G

- A NB If someone had come in, you wouldn't know whether they were still there or not? Now you haven't read the Cheryl James Board of Inquiry at all?
- CJ No.
- B NB Well, let me summarise a little bit to get a flavour of this next set of questions. They heard from [Private AA] who certainly fits into this category that we are talking about, who was a soldier in another regiment in Aldershot who had formed a relationship I think with Pte James up at Leconfield. He was apparently was able to come in and out of camp without any apparent restriction. He did it all the time at all hours of the night and on that basis the Board of Inquiry heard quite a lot of evidence [about sexual activity] and using the accommodation in the block. And they also heard from a girlfriend that this was quite a regular course of activity and indeed the Major, that the majority of the Board of Inquiry seemed to be concerned that every Phase 2 trainee who went before them gave quite graphic evidence of unregulated sexual activity. Now, putting as it were that data that was given in January 1996 alongside the sort of impressions that you're getting from other sources of information that you've mentioned, the condoms on the grounds, there doesn't appear to be a particularly effective system for preventing other soldiers with no Army business in Deepcut getting access to accommodation.
- C CJ No. With the benefit of hindsight, that's right.
- D NB And alcohol is part of it, bringing alcohol in. But then basically couples in adjacent beds having sex with each other. That's the picture that emerges quite strongly from the James Board of Inquiry. The picture is amplified, I think, in very general terms by the 81 incidents that the Surrey Police have mentioned in their schedule about the 1995 deaths, you know about these schedules?
- CJ These are all the uncorroborated statements?
- NB Yes.
- CJ Well, I've heard quite a number of these, and some of these complainants reported these things second-hand and appeared to have had nothing to do with Deepcut.
- E NB Yes, well, let's keep the Surrey Police material as a whole aside for present purposes, but what I really want to put to you is the James Board of Inquiry and I'm saying, going forward on that, that when people were re-interviewed or more people who weren't before the Board of Inquiry but may have been within the social group of Cheryl James were interviewed in 2002, 2003, as part of the re-investigation, you're far from getting this to be stray examples.
- F CJ No.
- NB You're getting the impression that this was reasonably widespread. Now, were you aware that this was the kind of problem that was occurring during your tour?
- CJ Clearly not. Of course one becomes aware occasionally of a problem and there are instances. But I was clearly not aware of this picture.
- G NB Well, the question coming up now is really, is it part of your job to ensure you get sufficient information of what's going on in the base so that you do know when things happen?

- CJ As far as is practicable, yes it would be. And that's exactly the sort of feedback and overview one would get if we had adequate supervisory staff to try and have access and therefore try to prevent that that sort of behaviour doesn't goes on. A
- NB Yes. I can well understand it makes it much more difficult to know what's going on in the female accommodation if you don't have sufficient NCOs to be on hand to know what's happening. As it happens, it seems that the materials which I've very broadly summarised tends to give a sort of flavour of all the gory details. Which is that it's happening in either male accommodation or inside empty blocks so actually the girl was going into the male accommodation where that particular problem, i.e. shortage of female supervisory staff doesn't seem to be quite as significant. B
- CJ Quite right. And we expect that sort of behaviour to be prevented by having duty personnel on hand to ensure supervision. It was part of the issue to have sufficient personnel to ensure that.
- NB Yes. Sufficient personnel. Then, I would also suggest, personnel of the right calibre, moral and otherwise, and also for the personnel you did have, for them to know exactly where the line was crossed and whether to report it up the chain of command. C
- CJ Yes, but I don't think there would be any doubt about sexual activities in the blocks.
- NB Right. One of the features of the James Board of Inquiry which may be difficult to put to you if you haven't read it, I think you're the only person on Colonel or Brigadier level who hasn't. Evans, even though he had left, had read it. But nevertheless, let me try, the Warrant Officer dissents. He says it's not appropriate for the Board of Inquiry to have looked at the sexual activity of trainees. I don't know whether he disapproves of the recommendations or just the examination of this. It struck me as slightly curious. I don't know whether you would recall whether that's because it's to do with their private lives and therefore not a concern of the Army, or whether it is a much more technical point that the Bol is supposed to put a much more narrow issue to the test. Or whether there was a genuine feeling that if she was over 18 – which she just was – then what she gets up to is her own concern? D
- CJ I'm sure that the WO2's view would have been that if that was what was going on, he would have wanted to know about it. E
- NB I'll quote you his words, just to see. He points to the terms of reference for the Bol, dated 19th January 1996. He says this, "It is appreciated that the wider picture was looked at, however, there was nothing given in any form of evidence to suggest that the training of James was an inherent factor in her death. Therefore any suggestion of a recommendation for a radical review of training cannot be supported. I feel that the line of questioning from the outset was incorrect and improper. Definitive statements that were made of a misogynistic nature which I felt were not conducive to the nature of the Board of Inquiry. Orders and recommendations were found to be in the main correct and recommendations by a previous BOI were implemented". I just don't know what he's getting at. F
- CJ It's to do with, I understand, the professed views of the Major, who seemed to have some pretty strong views about whether women should be in the Army in the first place.
- NB I'm getting that anecdotally through other officers. It doesn't appear obviously in the report itself. G

- A CJ I've been given to understand that he has some quite striking personal views of that nature.
- NB Did you know personally?
- CJ Not at all.
- NB So this is hearsay?
- B CJ This is hearsay. In which case, I mean I speculate, but perhaps the WO2 felt that the Major displayed rather sexist views about women in the Army, that undue focus was being put on sexual activities.
- NB Let me read you paragraph 33 of the majority, headed Sexual Behaviour: "Anecdotal, but nonetheless convincing, evidence was given to the Board to the effect that virtually all female recruits ... virtually without exception ... were having regular sexual intercourse in the barracks. Despite clearly knowing that they are in breach of military regulations no attempts is made to hide these activities, indeed the punishment is no more feared than discovery! There was no evidence of civilian involvement. Clearly this has wider implications for the public image of the Army and its duty of care towards recruits, as well as an impact on operational effectiveness. Such behaviour demonstrably undermines good order and military discipline within The Princess Royal Barracks. To what extent the prevailing conditions of sexual freedom contributed to W/Pte James state of mind is impossible to judge. Clearly they did nothing to limit the consequences of her tangled relationships!" It's a fact that these thing was apparently going on. And I think that should be of concern for a Commanding Officer in the Army, information of this sort.
- C
- D CJ I agree. At the time, I did not have that impression. I was not naïve enough to think that there weren't things going on, and I remember having distinct impressions that one of two of our female trainees may even have been engaged in some sort of competition to try and see how many boyfriends they could get.
- NB But that doesn't excuse the permanent staff not to get entangled, does it?
- E CJ No, there would be absolutely no excuse whatsoever. There were two occasions concerning permanent staff. One was when an allegation was made about a Sgt Instructor who was temporarily dispatched to the regiment who was actually working up for Sandhurst. And an allegation was made about him and the impression on female trainees. When I did a superficial investigation to find out if there was something I should bring to the attention of the Military Police and ask for a formal investigation, and the trainee when asked to make a statement declined to make a complaint. But you resorted to the weapons that were given to you. I interviewed the NCO concerned and I was left with the view that there was nothing I could bring to the notice of the Military Police and seek a formal investigation for. But otherwise, there was nothing specific that was brought to me by my staff which indicated levels of activity of the nature of what you described. If there had been, obviously, I would have taken measures.
- F
- NB Well what sort of measures would you have taken? Just out of interest.
- CJ Well I think almost to the point of demanding a guard on the female accommodation.
- NB To stop them getting out?
- G

- CJ Or the wrong people getting in. A
- NB Well, yes. You didn't have a video at that stage?
- CJ No.
- NB You have now.
- CJ That's right. CCTV was the obvious thing. B
- NB Yes, do you know when they were installed?
- CJ Difficult to know, although I know they were quite expensive. And that's exactly what it is.
- NB Well ok. That at least may preserve a female accommodation as a prowler and trooper free zone although I'm not suggesting it is fool-proof. But as I say, the picture that we've just got that image of – C
- CJ That it wasn't just in the female accommodation.
- NB No. It was actually in the male accommodation or in the empty blocks, where they'd go with booze and take one of the rooms. Now what would you have done about that?
- CJ Well again, with today's resources, the obvious thing is CCTV coverage for all of it. I mean anything that was empty and not in use would have been locked up. So keeping these under lock and key, having regular patrols, and having supervisory staff. There's a range of things that can be done, but they will come at a cost. D
- JA Did you have a curfew for the individual blocks? I realise there was a curfew for the actual camp, but would it be practicable to have one for the individual blocks?
- CJ It's very difficult.
- JA People would presumably at times start guard duty in the middle of the night, so it might be difficult to enforce that considering they would have a legitimate reason to leave their accommodation. E
- CJ Yes, exactly. Except for those on guard, they would have use of the temporary accommodation in the guardroom whilst they were on guard, so they'd be housed there and wouldn't normally go back to the accommodation. Although there was no reason in principle if they got permission from the guardroom NCO why they couldn't be stood down temporarily to go back to accommodation.
- JA So you could have a curfew? F
- CJ You could, you could. Equally, if you instituted that, you'd have many complaints that you were intruding on people's privacy. So there is a balance to be struck. Maybe that's something you could do for a short period of time, but not introduce permanently.
- NB Well, going back to the one thing you did know about, during the tour at least the one piece of evidence that you told us about which is the 800 condoms from whomever. That might have been round about June 1994 or June 1995 if you have your open day in June. Did that itself trigger some thought in your mind that maybe sexual activity in the base was getting out of control? G

- A CJ Well, it was certainly an indication that there was far more sexual activity going on than at one point we had expected. What it was an indication of was also that it was going on outside and not in the building. I think one thing we did was increase the regular prowler patrol in the grounds.
- NB Do you think that's what you did?
- CJ I'm quite sure that was an initiative in response.
- B NB Prowler patrol on the perimeter fences?
- CJ No, around the grounds. But I think there were practical limits to what we could do.
- DB But that didn't throw up any more examples?
- CJ No. One of the considerations was that this may well have been the first time that such a thorough thing had taken place for some time. And what we were actually seeing was not the evidence of a few months or even a year, but maybe several years' accumulation.
- C NB I thought we'd established that it was an annual event? Was there any chance that what you're looking at is the product of more than twelve months?
- CJ It's certainly not undertaken regularly. But as I said it was something that took place entirely outside the confines of the barracks.
- D NB But in June 1993, Phase 2 training would only have just started. Whatever month in 1993 it was.
- CJ When we started to find these condoms, I mean all sorts of things turned up, used syringes, we had people taking drugs in the woods and that sort of thing. I mean the most nasty things were revealed. Now by and large, things like that have I would jolly well expect had nothing to do with our soldiers or trainees. It would be the local population taking advantage of the grounds. I accept the general point you make that there was an indication that there was a high level of local sexual activity. I accept the general premise, and equally, one of the things that we instituted was additional, local patrols.
- E NB Even in responding to that last answer you were saying, well, one thing the condoms showed is that it wasn't happening in the block, but is it significant from your point of view as to whether they are having sex in unused accommodation in the block or out on the perimeter? You're only using it as a little warning signal that comes to your attention during your tour suggesting that whatever practices were going on there, there is a significant number during the year or two years on your tour of activity.
- F CJ Yes, undoubtedly, it would have done. I mean, it is pretty eye-catching.
- NB Was there occasion to issue an order reminding people that they should not be having sexual relations at all?
- CJ Very much so.
- NB And was that done?
- G

- CJ Yes. The instant reaction to that would have been to reinforce the message that we had given both to permanent staff and trainees. A
- NB I'm going to come onto permanent staff very shortly.
- CJ Undoubtedly, where we found evidence of people getting entry to unused buildings whether it was taking steps to secure more effectively to prevent people coming in and having access. And specifically also invariably to have a view to what went on at what point on the grounds, as well as what went on inside. And I'm sure without any doubt, we would have done all those things. B
- NB Quite. They're all sensible things to do for someone who would be concerned, being told this information. The difficulty is that I can't put my finger on any evidence that any such thing was done in terms of reports, commands, orders, regulations and it doesn't seem to have impinged upon the minds of recruits. There's no-one saying they remember they were all paraded and given a 2 hour lecture by Colonel Josling for example. We're not getting that pick-up in the anecdotal evidence of this sort. Whatever was done doesn't seem to have lodged itself in a way which would be remembered in 2002. And the events of Cheryl James's death in November when she comes back from Leconfield. It was November 1995, and the events two months later were recorded by RMP and the majority of the Board thought that there wasn't a sense of disciplinary anxiety. C
- CJ It is of course the thing that making the point once is not sufficient. Because it is a transient population, the message had to be reinforced continuously, and it was.
- NB How? D
- CJ Verbally, by me to my Squadron Commanders and my Warrant Officers and senior NCOs, and by them in turn to their subordinates.
- NB We'll get onto permanent staff I think now but there is this whole other aspect which is not only are we dealing with now men and women Phase 2 trainees coming thorough, but after the abolition of Junior Entry, we're dealing with sometimes pretty young recruits, 16 and 17.
- CJ 16 unusually, but 17. E
- NB Recruitment at 16 and a half? You do your twelve weeks at Pirbright. You could be through at 16 years and 9 months. Some people apparently were.
- CJ Some were, some weren't. Generally the age of those coming in would be actually slightly older. Generally and a relatively small population of younger people.
- NB I'm getting a pretty constant statistic of 40% under 18. F
- CJ At Deepcut?
- NB Yes, at Deepcut.
- CJ I don't think that it was quite as high as that.
- NB Would there be any reason why in 2001 the figures would be different from your regime? G

- A CJ I can't say.
- NB I have a feeling that 40% was the figure given to me by Tweedie Brown.
- CJ I mean, if Tweedie speaks from fact, I couldn't disagree with that. But my recollection is that the percentage of the youngsters we had was actually not as high as that.
- NB Where would you put it during your regime?
- B CJ More like 30%.
- NB Well, I just want to pursue this for a couple of more minutes and then move on.
- CJ The reason why I had that impression because we had to take steps to make sure there were social opportunities in the NAAFI for example for the people who were under-age who couldn't drink, and I remember that in many ways a disproportionate amount of effort went into providing suitable opportunities for the under-age people in relation to the actual percentage of the intake who was under 18. But we obliged, and did that diligently. But the lasting impression on us that I had was that relatively the number of under-age people was actually not at the time what one would expect.
- C NB Well, what did you expect it was going to be?
- CJ I think it would have not been unlikely to expect anything up to about 50% of people being school-leavers.
- D NB Because of the changes to the Single Entry system?
- CJ Yes.
- NB Because before, I understand that you had a stream of Junior Leaders who were doing a twelve month or longer course from school-age before they start coming to this regiment and even the old Junior Entry took longer than the twelve week Pirbright Phase 1 training. So, if those two had either gone altogether or been reduced until we get Harrogate⁴ setting up later on, then would have thought you're going to be getting younger entries than before.
- E CJ Absolutely.
- NB And younger entries to a bigger corps which is not in control of its own Phase 1 training. It doesn't get to know these people particularly well in Phase 1, or doesn't get to know them at all in Phase 1. And with the problems that we know about Phase 2 Deepcut, SATT⁵ and the diversity of training, you don't get to know them very well even whilst they're at Deepcut. Then you've got the staff ratio, then you've got the other problems we talked about. So you're taking on quite a lot in terms of added risk to young people. Are you not?
- F CJ We are and we were and as I said, I think it's quite clear that little superficial preparation, possibly superficial thought was given to the trainees and the training system at the time.

⁴ AFC Harrogate.

G ⁵ Soldiers Awaiting Trade Training.

- NB Well on this topic, as I understand, the very paper that the Adjutant-General proposed that was adopted by the Army Board eventually, proposed in 1992, adopted I think about that time, says that in order to make the recruitment age question work, "a Commanding Officer", I quote, "and/or Officer Commanding is in *loco parentis* to soldiers under 18", and there were concerns to ensure the regime was sufficiently robust for a duty of care for these young people to accommodate them into the single entry scheme. Had that been filtered through to you as a Commanding Officer? I mean, had you ever heard of the term *loco parentis* apart from some vague memories from school days? A
- CJ Yes, of course. But at the same time the practical measures that were given were cutting back the staff and supervisory resources we had to fulfil this requirement. So whilst there was a paper policy putting us in the position of *loco parentis*, in practice the resources and the training and the preparation of the individuals was simply not going to be put into practice. B
- NB Well, let me give you perhaps more quotes from the 1992 paper. "Pastoral Care: A command structure with clear responsibilities for all non-instructional matters" and what is essential is that Commanding Officers must ensure adequate pastoral care and supervision. So these are the principles that are being set down as a precondition for Single Entry? C
- CJ And what did they do? They cut our staff and it has taken almost ten years for them to put back in the level of staffing, and to recognise the requirement of adequate supervision.
- NB I'm sure you put it to them that the staff cut and the staff ratio had not gone unnoticed. "I am pursuing the matter up in the chain of command and I am doing what I can to do this". I need some help as to what you would have done if the staff hadn't been cut. But it's not the only issue, it's not just staff cutting, it's also the elaboration of policies, rules, principles and standards which apply to each generation of trainees and to your permanent staff. Now, I don't get a sense, that during 1994, 1995, of where concretely that duty of care in terms of sexual matters, sex and alcohol was given visible means of enforcement. I appreciate that you didn't have all the staff you needed to enforce it, and I appreciate that the absence of staff may mean less information gets back to you, to generate further refined rules and I appreciate other factors that are to do with staff not knowing what's going on, but do you then say, since we have not many staff, there's not much point in having rules, or do you say, because we've got very few staff, we've got to make the rules even more clear cut and capable of being readily enforced by the few staff that we have? D E
- CJ Well, clearly, one has to have sufficient regulations pertaining to sexual relationships, inappropriate sexual behaviour. And I took a quite unambivical position and personally reinforced the whole time. And I'm confident that that was in turn done by the permanent staff. F
- NB Well, at that moment, let's now turn to the issue of permanent staff. Are you still confident to this day that they did?
- CJ There were two instances when I was seriously concerned.
- NB Were these the same two that you mentioned to me earlier, or are these a different two? G

- A CJ No, these are a different two. The first incident that I mentioned to you earlier, I was convinced at the time, and I've not changed my mind since, that the NCO concerned had been set up by a young lady who was getting her own back for being told off by him for idleness and in the end because of his rather robust reaction to being accused of bullying, I ended up counselling him and asked him whether or not he thought he was actually well equipped to specialise in training.
- NB Who was the NCO concerned?
- B CJ He was a sergeant by the name of [Sergeant L]. He's gone on and had a good career and as far I'm aware, there is no time since that anyone has made any allegations about his conduct. He's actually just come to the end of the tour.
- NB I know.
- CJ As far as I'm aware, he's been very successful in that role, it's been a good role. He's not one of the two guys. There were two incidents. One involved [RSM Z], well, there were two suggestions about his behaviour. And the other involved a pioneer Corporal, NCO instructor, and that was inappropriate behaviour with one of the civilian members of staff of the School in the barracks for which I formally disciplined him.
- C NB Who was he, can you remember?
- CJ I knew you were going to ask me the name. I can't. I'm sorry.
- NB He would have been interviewed in your interview book.
- D CJ He came up on orders. He came forward formally on a charge.
- NB We've got your interview book, so there would have been the name and what had occurred in that interview book, right?
- CJ Yes. That was what I was deemed to be rather inappropriate behaviour with a civilian member of staff, on a bus on a trip that was nothing to do with trainees, there were only permanent staff. So it was nothing to do with the regiment, because it took place outside the regiment. I think it was a Christmas shopping trip or something like that.
- E NB Abroad?
- CJ Yes, I think it was on the way back.
- NB And was it something to do with oral sex?
- CJ Yes.
- F NB And what was the rank of the NCO?
- CJ He was a Corporal.
- NB And was this following August 1995?
- CJ I don't think it was, but to be honest, I don't know. It could have been. It was certainly at or around Christmas of either 1994 or 1995, but I can't remember which one it was.
- G It involved if you like a co-ordinated action between myself and the then Commandant

- of the school and the formal disciplinary action was taken by me, because he was one of my NCOs, but the occurrence took place, as I say, on a coach trip outside the barracks, on a Christmas shopping trip, I think it was on the way back from a cross-Channel trip. A
- NB Was [RSM Z] involved in that or alleged to be?
- CJ No, I don't think [RSM Z] was present on the trip. The other incidence that you're aware of, I suspect, is concerning [RSM Z]. There were two allegations made about him. Firstly, informally, one of the young trainees said something to a member of the HQ Training Group staff about [RSM Z] trying to persuade her to go to bed with him. B
- NB Yes.
- CJ When I subsequently invited her to come and talk to me and elaborate and make a complaint, she declined to do that.
- NB Do you know the name of the person?
- CJ I'm afraid I can't remember. C
- NB Was she a trainee or on staff?
- CJ She was a trainee.
- NB You mentioned, I think, someone with possibly red hair.
- CJ Yes. D
- NB Did she work in the Quartermaster's store?
- CJ No she didn't. This supposedly was related to something that took place on the dancefloor in a disco in Camberley where a number of the trainees apparently were there, as were some of the members of the permanent staff.
- NB So that is one and the other, I think you told Surrey Police, was a member of the bar staff at the Sergeants' Mess? E
- CJ Member of the bar staff at the Sergeants' Mess who was again reputed to have made a comment and again, the report came to me through the management of the Sergeants' Mess, and then the supervising officer. I asked whether or not this person was prepared to make a complaint, but the young lady concerned declined to do that. To anybody.
- NB You didn't meet her in person?
- CJ I did not meet her in person. It occurred to me that she wanted to remain incognito and I respected that but said "with all due respect, I can only help you if you're prepared to make a statement". F
- NB But you didn't speak to her?
- CJ I didn't speak to her. This is communication back through the chain of command but she declined to come forward. However, what then happened was the rumour went round the regiment as a result of what the young trainee had said to a member of staff who was the then Chief of Staff HQ Training Group. a Lieutenant Colonel. G

- A NB RLC?
- CJ It would be RLC. And as a result of the rumours going round the unit, as a result of both these things coming to me from different directions and as a result of this feeling I just got speaking to [RSM Z], that shook my confidence in him. I put it to him that his position as RSM, there were no grounds for formal disciplinary action against him, but his position was untenable because he had lost his credibility, he had lost my confidence. And I recorded a formal report on him which effectively said he was unsuitable to hold his position, and he agreed to step down. It was a course of action on which I consulted Brigadier Evans at every point. I took informal advice from the RMP about how I could deal with it. I was advised that in the absence of a formal complaint, that they could not investigate it for me.
- B
- NB Who told you that?
- CJ The Sgt-Maj of the police attachment. But in the absence of a formal complaint there was no evidence that the chap had done something.
- C NB One of the purposes of an SIB investigation is to find the evidence.
- CJ That's exactly why I went to the RMP for guidance. Not the least of which, it was a highly sensitive matter, a key senior personality in the regiment, and it wasn't something I felt that could be dealt with properly in the regiment, nor should it be dealt with in the regiment. But the advice I received from the police was that in the absence of a complaint or any other evidence, that there was no basis to do a formal investigation.
- D NB Now, can we just stop there and take stock. Because obviously, I'm going to come back to [RSM Z], because I find some of this really quite extraordinary, particularly in the light of the comments you made earlier about whether [RSM Z] was someone you wanted as the RSM.
- CJ Which was exactly why I wasn't prepared to continue with him in his role in the unit when I had doubts as to whether or not he adhered to a value set which I regarded as not open for discussion.
- E NB So he joined. I've got it down as September 1994. He joins you despite your concerns of about his values.
- CJ Hang on, no, I had concerns about his background and his attitude to life. I had no substance upon which to have thoughts or concerns about his values.
- NB OK. I'll start again. He joins you despite the fact that you wanted a family man, not a single man, and someone in the regiment tells you that he was not the kind of person -
- F CJ Not somebody in the regiment, no.
- NB Who did you ask?
- CJ A fellow officer who had served with him in Northern Ireland.
- NB Just to get a gist of the suggestions as to why he was inappropriate for the RSM role.
- CJ Not that he was inappropriate, but that he was a flamboyant character, that he liked female company.
- G

- NB A womanizer? A
- CJ It wasn't said to me as strongly as that.
- JA What you said earlier was that he was a bit of a lad.
- CJ He was a bit of a lad.
- NB Come on, what is it that causes you to think that the information you're getting doesn't make him a good candidate for RSM? B
- CJ Essentially, in that post I thought it was most appropriate to have a married man. In particular, in running the Mess there which is quite a big Mess with quite a lot of senior Warrant Officers and NCOs at Deepcut, with the regiment because of the nature of the scheme, the structure of the staff and what have you. There were quite a lot of occasions when I think the RSM needed to be backed up by a wife, by a partner. It was very much easier for him to host and also for him to socialise. It's much more difficult for a single man who would probably live in the Mess, to have a private life that is not public knowledge. And I was also keen to have someone who would not have any sympathy with a sort of hard drinking approach to life. There was a culture within the Armed Services, and it has been over the years, but I think is changing now. But I think some years ago there was a culture of drinking more than was sensible. That was one of reasons why I didn't want a single man. I didn't want a guy who lives in the Mess, who would find himself at the bar at closing time every night because he had to live there, and he wanted to be sociable with his members. I didn't want to encourage that sort of culture. That's the real underlying reason why I wanted to have a family man and not a single man. C
- NB The RSM is a very important soldier, who sets the moral code on alcohol and on sexual liaisons for example. D
- CJ Yes.
- NB And if you've got all the difficulties that you had, it's pretty important to get the right man for the job, set the right tone.
- CJ Yes it is. E
- NB And he wasn't the right man to do it was he?
- CJ He appeared not to be setting the right tone and objectively if I was to justify criticising him and taking any action against him, at the very least I was able to make him see that whatever intention he may or may not have had, I think he put himself in a compromising position where apparently two ladies of completely different circumstance and completely different backgrounds, had seen fit to report him informally behind the scenes, without making a formal complaint. I expressed concern that he was trying to pressure them into sleeping with him. Just to put himself into those compromising circumstances was an extravagance that he could not afford. F
- NB And I suppose this did do something to his reputation since I gather his career was terminated, he leaves the Army shortly after.
- CJ He does, but prior to his coming to me, there was nothing on his service record, there was nothing of a formal nature to indicate that he was anything other than 100% G

- A suitable. Let me put the other point of it to you. If I was going to take a formal action that would be a slur on his character, would be a slight on his career. I've got to justify being able to do that.
- NB Yes.
- CJ And at the time when these allegations came to me directly, and even after trying to secure some sort of complaint or some basis upon which to ask the RMP to initiate a formal investigation, nothing was forthcoming. It was a situation where it was very difficult upon which to take formal action against [RSM Z] and I was quite clear that I had grounds to doubt whether or not he was 100% reliable. And that's exactly why I sought advice and took action in order to have him removed from post. Now for a Warrant Officer to be removed from post, now that's the end, there's no going back. Should I have taken action there and then to remove somebody whom I believed was putting the welfare of my officers and soldiers at risk? I thought I had no option but to take some form of action.
- B
- C NB But that is quite strong. If you say that you believe he was putting the welfare of your officers and soldiers at risk, that means that you think there was substance in these matters which had come to your attention even though you did not have the hard evidence which meant you could bring a formal charge. Which is not the same as "I think that you made yourself the unwitting target of gossip, innuendo or back biting".
- CJ I was prepared to believe that there may have been substance. I did not have any evidence.
- D NB Why were you prepared to believe it in [RSM Z]'s case?
- CJ At about the same time, I became aware of something else of which I was not previously aware. That was that [RSM Z] was putting pressure on some of the Sergeants, Warrant Officers and senior NCOs to go to the Sergeants' Mess on a regular basis, particularly on a Friday, for effectively what would be drinking sessions.
- NB How did you get to know that?
- E CJ From a couple of the Warrant Officers. One in particular whom I pressured, whose view, whose objectivity and integrity I valued very highly. And that was Sgt-Maj Milne. Reluctantly, Sgt-Maj Milne, let's say, did not deny my assertions to him that he and others were being put under pressure by the RSM to get involved in drinking sessions in the Sergeants' Mess. And I reached the conclusion that if a man was prepared to do that to a senior NCO and Warrant Officers, all of whom had a great strength of character. If he was prepared to do that, I was prepared to believe that he may be putting pressure on other people, not so able to defend themselves, and a young girl that he employed as a Mess contractor who didn't want to do the job, and a young trainee who commenced upon a successful career in the Army and who didn't want to fall foul of a senior figure in her training years, so clearly both in a more vulnerable position than Sgt-Maj Milne. So I formed a conclusion.
- F NB I think you said there were two sources of information. Milne is one, who is the other?
- CJ I think it was the Chief Clerk of the day who was a Staff Sergeant whose name escapes me, though I can picture his face. Sorry I'm not very good with names.
- G NB But he was giving you a similar indication.

- CJ Giving me a similar indication. Again, I mean here was a Commanding Officer going behind the back of his RSM to find out whether or not his RSM is actually acting inappropriately with his Warrant Officers and senior NCOs. So for the Warrant Officers and the senior NCOs to say it, it is a very sensitive area. They want to be loyal to me as their Commanding Officer if they feel that there was something inappropriate going on, but they would be very guarded in criticising their RSM. However, the impression that I was given by both of these two, indicated that there was undue pressure being exercised by [RSM Z], but as I say, I put two and two together and decided that clearly if he's that sort of person, then he was probably treating other people that way. So I had cause to be concerned about the stories that had been represented to me, even though neither story had led to a complaint. So it was a collection of those three pieces of information that made me feel that I had to take some action. A B
- NB Right.
- CJ And so the three places I went for advice I spoke to the RMP initially about what action to take. I clearly spoke to Evans who had spoken with his Chief of Staff regarding concerns about the young trainees. I went to a representative on Brigadier Evans' staff who deals with career management matters and I spoke in particular to the RLC career management staff for particular advice about what options were open to me. Short of having the evidence. We discussed two approaches. One of them was to take administrative action under the AGAI 67, but unfortunately for that, I really had to have some substance to make a case because that was making a formal case on the record against [RSM Z] without his consent. C
- NB Yes.
- CJ The result of which may well have been a formal hearing, reduction in rank and a financial penalty. The other course of action was raising a special report on his performance during which I had the opportunity to explain on record my dissatisfaction with his performance and to ask to have him removed from post. On the strength of it the advice I got from Glasgow was that on what I had, the only viable course of action was the latter and not the former. Part of the discussion about the two courses of action also centred on how quickly they could take effect, because I wanted [RSM Z] removed from unit. I wanted the influence to cease straight away. And anyway, for reasons that appeared logical at the time that was the course of action I took. [RSM Z] was removed. D E
- NB Well, I want to take you through your discipline book to get into the context in this matter. 28th September 1995, "disciplinary WO1 [RSM Z], complaints about conduct" and then this is an abstract, I have to say, it's not the full thing. "CO to investigate further". And then we have the next entry. He says he wants to be relieved of the post and be stood down as RSM.
- CJ Yes.
- NB So, was that two interviews following each other on the same day? F
- CJ What happened was the news of this incident with the young trainee happened just as [RSM Z] was on leave. He returned from leave, and I think I almost had him escorted into my office the minute he returned to the Mess in his jeans and had just come back from the airport, looking as if he hadn't even returned to work.
- NB So you imagine he'd been away for what for a couple of weeks before that? G

- A CJ He'd been away for a week.
- NB Interestingly, on 19th September, you had a final interview with W02 Milne before he goes off to his new posting. Was that an occasion where he told you some information about [RSM Z]?
- CJ I believe it was.
- B NB And then you have 23rd September, farewell interview. So you're getting some information about alcohol and the heavy drinking culture at the Sergeants' Mess whilst he's away. You have him in on the –
- CJ On the 28th of February the man, as I say, he'd come back, he wasn't even in uniform. I expressed my grave concern with the stories that had come out and with his behaviour. To say that he was somewhat shocked and almost speechless, to put it mildly. So I told him that potentially, this is the point I made to you, how this had compromised his position, how he had to be whiter than white in such a key appointment. How he had undermined my confidence in him and it called into question his credibility to continue in the post.
- C DB Was this a one-to-one interview or did you have the Adjutant with you or anyone else?
- CJ I believe this was a one-to-one interview.
- NB You then told the Adjutant what had happened and the Adjutant puts it down and you sign it off?
- D CJ Yes. On this occasion. Because of the very sensitive nature of this and because of the fact that I didn't feel I had any evidence if you like for formal disciplinary action. This was by way of an interview to engage [RSM Z]'s reaction. I then said to him "go away, get yourself properly dressed. I want you to think about it and come back and see me this afternoon". And by that time he had gone away and we again we had quite a long one-to-one in the afternoon. And essentially, he agreed with me that his position was untenable and he obviously asked me what the options were and having taken advice, I then told him what I believed was the appropriate course of action.
- E NB From your side, you were going to write a special report?
- CJ Yes, that he would be removed and I invited him to agree that that was the only viable way ahead that he had to be relieved of his post. And on the basis of that I recorded in the report also that he had agreed that it was best for him to be relieved from his post.
- NB Going back over to the first of those two interviews, during the course of that interview, what was the complaints about his conduct you were putting to him?
- F CJ At the time, I still only had the reported allegations of the young trainee who declined to confirm it to me.
- NB It's sexual propositioning of two women?
- CJ Of two women yes.
- NB Was that the complaint that you put?
- G

- CJ Yes. But neither one them made by the person to whom the comment was attributed. Each of them reported second hand, and each of them subsequently denied by the individual. A
- NB Subsequent to the 29th, 28th of September? Did you do any investigation after 28th of September?
- CJ I can't remember the exact details but I seem to think that the Inquiry was made during [RSM Z]'s absence. B
- NB Yes, so you would have made some inquiries beforehand. We've got some information tending to suggest you were having a conversation with Milne both on the 19th, according to your interview book, and on the 23rd of September. So you decide on this course of action that you were going to see [RSM Z] with a view to getting rid of him. You wanted to see how he responded. And you don't then, once the second interview happens on that same day, he decides to stand down, there's no longer anything to be investigated or to be proceeded with.
- CJ Well, I seem to recall my reaction at the time was that it became clear that [RSM Z] was being relieved from his position of authority in the regiment. To some extent that removed the threat to the two people who might be prepared to make a complaint about him. In other words, his influence in their lives was much reduced if not completely diminished. And I seem to recall that the second time, I certainly made inquiries of the young lady of the Mess Manager, whether the young lady would be prepared after all to make a formal complaint and again I was assured that she was not. C
- NB That was just an option you were reminding her of? D
- CJ Yes. I mean, because it occurred to me that one of the reasons why she wouldn't make a formal complaint was because of his position of relative authority.
- NB I'm sure that's right, but I mean, I don't get the impression that you either have spoken to her personally or –
- CJ To this day, I don't know necessarily who she was. I only know through third parties.
- NB And we don't know how she would have responded if you had spoken to her yourself and put the authority of the Commanding Officer and the Army as a whole behind a proper investigation. E
- CJ At the time, I didn't know the names. It was only afterwards that I was made aware of who she supposedly was.
- NB In any event, what I want to try and get at the moment is whether you further investigated these matters after the 28th September or whether the 28th September effectively is the end of any investigation that you conduct. F
- CJ As far as I recall, that was the end of investigations.
- NB And as far as you can recall, you had made some inquiries as to the nature of this material before that meeting with [RSM Z].
- CJ I most certainly had. G

- A NB Yes. And when you either wrote down in the interview book or told the Adjutant in general what to write, what had been happening in his absence, because he didn't have any information about it.
- CJ Yes.
- B NB The words that you signed off with are "complaints about conduct", that's what you said you were seeing [RSM Z] about. That's the language at least that would reflect the content of the interview, there were complaints about conduct, even if you didn't have this in the form of admissible evidence, but nevertheless, that's what you said. And then it says "CO to investigate two instances further". I'm not quite sure what that means. It looks like it's going to be a further investigation into those complaints.
- CJ Yes, as I say, I'm sure when I went back to establish whether or not either one of the young ladies to whom these comments were attributed would be prepared to put them on the record.
- C NB Except, I thought you just said that as far as you can recall, in terms of investigation, it was over by the time that the second interview with [RSM Z] had been conducted.
- CJ Well it was because there was nothing to investigate if neither one was prepared to make a complaint.
- D NB Well, I'm afraid this doesn't quite marry up to what's in the interview book. I accept that from what you told me that you didn't have any solid primary information from the witness statement on matters of that sort to put to [RSM Z] on the 28th September, that you had an allegation which you had heard about, which you had added up and other material which you thought sufficiently credible for you to form a judgment. And then you recognised at the first interview that you were to investigate the matter further. So there would have been something to investigate further at that stage, but that's what you said you were going to do.
- E CJ Well yes. I tried to record exactly what I did and in what order at what time. It's now I'm afraid beyond my ability, but I was going back to the source of these allegations to establish whether or not anything would be forthcoming. I was speaking to Glasgow and I was speaking to the Military Police.
- NB I think you've told me this. It's going to be recorded, so I'm not going to forget what you've said.
- CJ So whether or not this happened before I recorded that entry in the book, or whether or not it happened after I recorded it in the interview book, I cannot be sure.
- F NB You certainly had the conversation with Glasgow before this interview because that would enable you to explain to [RSM Z] what his options were.
- CJ Nonetheless, as a matter of principle, even though the die was cast with regard to [RSM Z] leaving, I would nonetheless have tried a second time to satisfy myself that there was not some other matter that promptly should have come to my notice or which should now be investigated, particularly as the guy was leaving the unit. It may just have been possible for somebody who previously felt they couldn't come forward who would have been prepared to say something. So that's what I would have done as a matter of course.

G

- NB Now, I want to put this to you in slightly broader terms. We've been through your interview books for 1994 and 1995. We've been going through that in particular looking at interviews you've had with NCOs, or about the security matters or matters which fall into the broad terms of this Review, all those issues. I just want to go through your disciplinary tour as revealed in this interview. A
- NB So we then move right through to you interviewing [Sergeant L] for his initial interview, just as we've seen you interview [RSM Z] for an initial interview in November. I think he probably joined formally here in September, I've got somewhere in the records. We dealt with the Milne interviews. So we're actually right up until the 26th September before we actually have a disciplinary interview into allegations which are sort of raw for the Army as opposed to being simply the Army consequence of a civilian offence. Is that right? Which is on the whole about 18 months into your tour now, you haven't had to deal with, with the exception of *, NCO disciplinary matters. B
- CJ Yes.
- NB Now, I think that contrasts, generally speaking, with the broad picture of statistics that we're getting from other Commanding Officers, looking like dealing with 6 NCOs per year or 18 months for various forms of breach or disciplinary problems. You didn't have to deal with it. I mean if it's not down to you I take it you didn't have to deal with it? C
- CJ No.
- NB Right, ok. And then, what appears to be the position, is that within a very short space of time, 26th September through to 22nd November, which is the last one of our tour before you come to the end your tour in January, we've got quite a few disciplinary matters to deal with all coming up. D
- CJ Yes.
- NB Were they related disciplinary matters? Was something going on, or were you becoming aware of something, which cause some form of a mini surge?
- CJ Not that I can recall. I'm trying to think back to the incident regarding [Sergeant AQ].
- NB Is he the man in the gym? E
- CJ Yes. A smashing young chap. A very nice guy.
- NB And is he in charge of PT instructions?
- CJ He's a PT instructor and a remedial instructor which means he can do physiotherapy to help trainees recover from minor injuries. He was also very highly qualified with things like outdoor activities. He spent a huge amount of time organising activities for the soldiers, not least the trainees. I'm trying to think back to what it was, but I'm almost certain of one of these informal outdoor activity occasions, he had put himself in a position of becoming a little too friendly with one of the trainees in the public eye, such that it came to my attention. F
- NB All we've got is "warned re recruits social conduct".
- CJ And I believe all that conversation was, was a quiet verbal warning from me to [Sergeant AQ] to remember the Code of Conduct. G

- A NB Not to get too close?
- CJ Not to get too close. Well I think that's all it was.
- NB That was on the 26th. 28th we've just been through the two interviews with [RSM Z], which we now know at least was partly prompted and partly confirmed and corroborated by your interview with Milne.
- CJ Yes.
- B NB Then on the 9th October, a few days later, you have a WO2 in for a disciplinary interview. What was he up for?
- CJ The WO2 was the senior PT instructor on the camp.
- NB So he's above [Sergeant AQ]?
- CJ He's above [Sergeant AQ]. He's been there for many years, and if I remember rightly, he was on continuance, so he finished his formal career. Very, very highly respected individual. And I recall there was some occasion when he had too much to drink and he didn't behave in a fashion I would expect of a Warrant Officer who is in the public eye. And I believe that was what that was.
- NB But what do you have to do to get sacked in the Army if you're a WO2?
- CJ The WO2 was one of the individuals from the regiment, one of the senior guys who was on the same coach trip on which the young corporal behaved inappropriately
- D NB I think the Corporal was reduced in rank.
- CJ Yes. But the WO2 was on this same coach trip and I took the view that he was there, he was a senior representative of the regiment and he was in a position to make sure that the party behaved properly. I can't remember the date, but I can remember with some regret being obliged to take disciplinary action against the WO2 for effectively condoning the behaviour that was taking place on this coach trip.
- E NB Just to get our context right, the substantive behaviour involved some oral sex with a woman.
- CJ Correct, a female member of staff at the school. A married member of staff, and a married junior NCO from the regiment.
- NB Right. And the WO2 was the Senior Officer.
- F CJ The WO2 was my senior regimental representative there. But he wasn't the senior on the coach. There were more senior members from the school on the coach. There was at least one WO1 from the school on the coach.
- NB And you're sure that [RSM Z] wasn't on the coach?
- CJ I'm sure [RSM Z] wasn't on the coach. Because the WO2 was my senior unit representative and I therefore took action against him because he allowed this behaviour to take place, and by his own admission, this had happened because he had had a few drinks himself, and he simply didn't pay attention to what was going on around him, and being the sort bloke he was, he readily agreed he should have prevented such behaviour taking place.
- G

- NB So even though this is outside Army, I mean, it's social activity in his leave time, not in his uniform, it's recreational activity, but his failure to keep his eyes open and to step in to stop this is something that is going to cost him his job. A
- CJ Yes. Because he's a Warrant Officer.
- NB Anyway, he goes. I'm getting information that another RSM, is there an RSM of the school?
- CJ No, there is a WO1. B
- NB Ok, so he goes as well. Does he get faced with discipline?
- CJ He certainly faced disciplinary action with the school.
- NB So on the next day, the 10th, you had [Sergeant L]. Again you called the subject matter "Disciplinary", and that's what you thought you were doing. Not telling him you thought he'd been a victim of malicious allegations. C
- CJ The nature of the interview and why it was labelled a disciplinary interview was because it was pertaining to a possible disciplinary case. In the event, as I said to you earlier, I decided that there was no disciplinary case to pursue with [Sergeant L].
- NB Did you decide before, or during, or after that interview?
- CJ I'm sure as a result of firstly the inquiries that I'd made and secondly as a result of someone telling a porkie tale about what had happened. D
- NB So had you decided before having him in that there was nothing to have him in to have a conversation about, or was it as a result him saying "It was nonsense, I never did anything", that you thought there was nothing to have a conversation about?
- CJ I believe the position might have been that I formed a view that this looked like a malicious rumour being spread about him. There was simply nothing to corroborate the supposed allegation against him.
- NB What had you been able to form that view about? Did you speak to the woman concerned? E
- CJ I'd spoken to the woman concerned, I'd spoken to the squadron from which the rumour emanated.
- NB You'd spoken to the woman. The woman was able to say "x propositioned me", or whatever it was. What did she say?
- CJ No, she wouldn't say anything. She would not say anything to me. All she did was use the weapon of spreading rumours. F
- NB What she said to you at some earlier stage, on a previous day, "I'm going to spread muck against [Sergeant L]"?
- CJ No. The rumour had gone round that [Sergeant L] had put this person under pressure, but the person declined to – G

- A NB Are we talking about sexual pressure? Are we talking about soliciting sexual favours?
- CJ As I recall it, it wasn't that at all. It was that he'd victimised her because she was a woman, that he was biased against women.
- NB Biased against women?
- CJ Yes. That he'd victimised her because she as a woman. He was giving her an unnecessarily hard time, she wasn't slovenly or indifferent or whatever. It wasn't sexual by nature, it was prejudicial behaviour, but not sexual harassment.
- B NB So discriminatory behaviour, not sexual in content and you can't remember the name of the complainant, but you had a meeting with the complainant, but that didn't result in you being satisfied that this complaint was credible.
- CJ I went to speak to her Squadron Commander to establish whether there was any substance to it. He could find no substance to it, but the young lady, or ladies, to whom the comment or the form of the story was attributed were called in and in my presence denied any such statement, so it was an extremely informal meeting. It wasn't a formal disciplinary interview. The story had come to me simply as a rumour, this rumour had been put about.
- C NB Ok. So, I want to get back to the 10th of October, "Disciplinary, [Sergeant L]". As I understand by your account, before this meeting with [Sergeant L], this disciplinary meeting, you had made certain investigations of the the Officer Commanding the Squadron, and with the woman herself, is that right?
- D CJ Well, I had spoken in his presence to I think it was more than one, I think there were two trainees, to whom the source of the story was attributed.
- NB And nothing was happening?
- CJ They denied any knowledge of it.
- NB But why was it necessary in that kind of non-event to have a meeting with [Sergeant L]? I just don't understand, to have a meeting about what? I mean, this is unlike [RSM Z].
- E CJ [Sergeant L] had, from my perspective at the time, certainly put himself in a position where he was vulnerable.
- NB Why? What had he done wrong to make himself vulnerable?
- CJ Well, this had apparently taken place out of the earshot of others, so at the very least, I wanted to say to him, "look you need to be very careful when dealing with female trainees, apart from anything else, it would be a good idea to have a third person present. And you need to be very careful not to be too robust in dealing with them, in the way dealing with men and women soldiers was a slightly different psychology". So, as I recall the nature of the sort of conversation I had with [Sergeant L] was partly a case of, look, be careful about overstepping the mark by being too robust. Be careful about placing yourself in a circumstance where your position can be compromised. And then it really went on, almost to the point of counselling him as to whether or not he was the right personality to be going into a training job. Remember he was attached temporarily to my unit, and he was being lined up for a Blue Ribbon training appointment at Sandhurst where he'd be dealing with females and there were indications that just maybe, temperamentally he had some issues dealing with females.
- F NB
- G

- NB I can't understand from what you've told me, what that would be, because at the moment, I've got a picture of nothing apart from the fact that he had a word with a female soldier in public but aside rather than to the whole platoon or squadron. It seems to me a rather a slim basis for advising someone that he should think about whether a training regiment is the best place for him to carry on and him taking that advice and leaving the training regiment. A
- CJ Part of the concern with [Sergeant L] was had he overstepped the mark, had he been too vigorous? B
- NB In what way? By saying something to women that he shouldn't have done, even though he hadn't got –
- CJ Yes. I mean there is such a thing as assault by verbal abuse. Which is wrong.
- NB What I'm having great difficulty with actually is to marry up what you said some time ago about what you thought of the nature of the allegations made against [Sergeant L], and on what happens in the interview, and what happens as a result of the interview. On the one hand, I'm being led to believe that you think that this was malicious rumour spreading. On the other hand, you end up with sufficient concern about his ability for working with women soldiers in a training regiment and then he leaves this regiment. C
- CJ It appeared to me he had a very robust way. He still does have a slightly abrasive manner. He's absolutely what you see is what you get. He's a very straightforward and direct individual. He's a first class soldier and I had 101% confidence in his integrity. I did then. I do now. I just felt that he was probably going into a stream of employment, in which temperamentally he wasn't always suited. Therefore, my concerns were as much for him, giving him career guidance as it was anything else. However, the interview came about in the first instance because there appears that there was some complaint against him spread only by malicious rumour that his manner, his management ability. I wasn't quite sure what we were dealing with, except, the longer I talked to him I had this gut instinct that he was not ideally suited for what we were trying to encourage. D
- NB I remain a bit perplexed as to what it was that caused you to feel he was not suited to a training regiment.
- CJ I was concerned that he was being overly robust with female trainees. E
- NB Right. And that was a genuine concern not a question of malicious allegations.
- CJ That's right.
- NB But have you heard of anyone else being overly robust with female trainees in your training regiment?
- CJ No I hadn't, but if my concerns about [RSM Z] were at all founded in that he might have been putting them under pressure. It occurred to me, that the minute I had any inkling of any possibility that someone might be putting undue pressure of any sort on female recruits, but I couldn't (a) establish what was going on and (b) take the appropriate action. F
- NB Ok.
- CJ So, although this was termed as a disciplinary interview, it was very much an exploratory interview in reaction to, as I say, rumours being spread around. It was a very difficult thing to respond to. G

- A NB Right.
- CJ I could see the inconsistencies in the description there and the limited information which you've got.
- NB Well, I'll see. I'll actually read our discussion and reflect upon it and see whether I can take it further. But I take it that in the context of over robust treatment of females, you'd never heard anything to discredit [Sergeant B].
- B CJ No I didn't.
- NB And you were somewhat surprised to hear that [Sergeant B] was. He was alleged to be a harasser, a bully, and a verbal abuser. A man who had a tendency towards extreme abuse according to a number of NCOs who worked at the time.
- CJ Yes.
- NB And that just doesn't come across your radar?
- C CJ No, it doesn't.
- NB I appreciate he's maybe a more complex character than that and he may have other qualities as well, but that doesn't come across your radar at all?
- CJ No, no, it didn't. But equally, I think you can see where I felt I had some grounds for concern I took some action. And albeit in the case of [Sergeant L] it was an extremely difficult thing to tie down, I felt I had an obligation.
- D NB Ok, I just want to deal with one more topic if we can now. That is closely related to this. On the same day that you saw [Sergeant L], you saw [Lance Corporal(f) E], a female NCO.
- CJ To be honest I don't remember.
- NB Don't you remember her as a personality?
- E CJ No.
- NB Not at all?
- CJ No.
- NB She says things about you and about conversations that you had then and subsequently, which I expect I haven't got time to put to you for a response.
- F CJ I'm afraid I've got no recollection of her whatsoever.
- NB You haven't got a mental image of her at all? I think she's subsequently been on leave. So you see, what is in your discipline book is recorded as disciplinary. [Lance Corporal(f) E], you. Subject matter "Proper Treatment of Gossip" and a word that we're finding difficulty in deciphering. Now, does that trigger anything at all?
- CJ No. I mean can speculate on what it was, but I'm afraid that's all I can say.
- G NB I think it emerged in your interview with Surrey Police that at some stage you were concerned about [Lieutenant C]'s sailing trip and fraternisation, is that true?

- CJ Yes. There was a degree of discretion to the exercise on these sort of team building outward bound activities. A
- NB Is that what they were, these sailing trips, team building outward bound activities? And you knew about them?
- CJ Yes.
- NB They were part of the extra-curricular activities? B
- CJ Trying to get the soldiers out and do interesting things, yes.
- NB "Sex and sangria" as one of the young women described it. Did you have any concerns about [Lieutenant C]? I mean a number of people have described him as a serial womaniser, always trying to touch up girls, the female recruits. And that again is not just something from recruits, but from members of staff.
- CJ If I had, I would have done something about it. I couldn't have an officer in the regiment doing that sort of thing. It's not something that was on my radar. C
- NB But what were you going up to Leconfield with [Corporal(f) W] as a woman in attendance to try and speak to female recruits about? What was calling you to drive up to Leconfield, if it wasn't some concern of that sort?
- CJ I can't remember. It wasn't linked to the [RSM Z] case. Was it about the same time? I can remember going up to Leconfield, I can remember doing so on very short notice, on the basis that there was certainly I think at least one young trainee who had apparently made an allegation. D
- NB About [Lieutenant C]?
- CJ I can't remember what had happened. I honestly can't remember.
- NB I can't give you a date, I certainly can't give you a retrieved record, but I can put to you, do you know [Corporal(f) W], a I think a driver, a permanent member of staff at this stage who seemed to have been recruited for the purposes of being a female witness to interviews you were about to have with female trainees at Leconfield. E
- CJ Yes, I can recall going up to Leconfield.
- NB And the purpose?
- CJ I'm afraid I can't remember.
- NB Do you normally go up to Leconfield on an emergency basis to investigate such a complaint? F
- CJ This is ten years ago. In the intervening time, I've had quite a few like events. If I could remember I'd say so, but I honestly cannot. I could pretend that I can, but I would be deceiving you.
- NB You answered the question on whether there were links to [RSM Z], and it seems to be probably about the similar kind of time, but I don't think I have any data that I can put to you on that. I'm a little surprised that you either didn't call in SIB to take witness G

- A statements from all the Sergeants, the head of the Sergeants' Mess and other members of your permanent staff to see whether there was substance to [RSM Z]'s behaviour, in which case they might have said to the SIB what they subsequently said to Surrey Police in which case we would have been better informed about these matters: drunk by 11 o'clock in the morning and telling the bar staff to lie about his presence to cover up matters and it is said that the Sergeants' Mess is an extension of Joe Bananas night club in Camberley for alcohol and other things. Now either you can get SIB to do it or you can do it internally in the regiment.
- B CJ None of that came across to me. If I had thought there were any grounds for such significant concerns, I would have called the RMP in.
- NB But doesn't WO2 Milne give you the basis at least for that? He is giving you the impression, a man whose judgment you trust that there was asserted pressure for the hard-drinking culture. Now that's a start. If you had interview the bar manager, you might have got more information and so on and so forth. I appreciate it's a "what if?" question.
- C CJ I formed a view at the time that that's not something I should do personally, it's a matter for others.
- NB It should have gone to the SIB.
- CJ I approached the local attachment for advice on how to proceed.
- NB I'm finding it difficult at this stage to find out whether you did that on sex or alcohol. Sex, you hadn't had any complaints about. The procedures at the time seem to be utterly dependent upon vulnerable recruits in handing over on a plate the product of their complaint before anything is done rather than the maintenance of standards by suggesting if there's a serious whiff of something being out of order, then irrespective of whether a recruit wants to complain or not, someone in authority wants to make sure the regiment is running in the way you want to run it.
- D CJ I repeat, I did on a number of occasions take RMP advice. We were no strangers to the local RMP attachment. They were no strangers to the unit. They were frequently in Deepcut. There were a number of occasions we've called them out over other concerns. If there was a concern over whether or not drugs were being consumed on the premises. And I'm sure if you go back to the incidence book of the day before the RMP * in Aldershot, there would be records of them visiting Deepcut on various occasions.
- E NB Well, not in this one anyway.
- CJ But I did not recall at any time seeking RMP advice on investigations related specifically to drink, although drink nearly always complicated matters. But I do recall specifically seeking the advice on how we could or should go ahead with regards to the potential sexual harassment.
- F NB They said "as no complainants had come forward, we can't have an investigation into whether it really happened"?
- CJ On the basis of what I submitted to them, they declined to take any formal action.
- DB Was this a discussion over the telephone?
- G

- CJ I think that particular discussion was over the telephone. A
- NB As for [Lieutenant C], where you don't really have any recollection of what caused you to go up to Leconfield, which is unfortunate, it's made the impression, at least in my mind, but perhaps not in yours, that perhaps you can't help me either with what it was that caused Brigadier Evans to have lost trust and confidence in [Lieutenant C] by the 11th October 1995. I think you would have seen this, wouldn't you? The recommendations of the Commanding Officer and a senior RLC officer for his promotion, because he was on short-service commission, of whether that should be extended. Evans puts it in pretty strong words: "I no longer have any trust or confidence in this officer and recommend his immediate", is this discharge from the Army? B
- CJ No, he's not being discharged on a disciplinary ground. He's due to leave the Army, but the issue is, should his application to convert his commission and extend his career in the Army be extended. Evans is saying he's got no trust in him and he doesn't support the extension. So he's not saying action should be taken to discharge him, he's just saying it should not be extended.
- NB He recommends that he leaves the Army in "August 1996 and I see no merit in extending his commission. I am unable to recommend an extension". But the question is: what was it that caused Evans to no longer have trust and confidence in him? C
- CJ I don't know.
- NB You didn't recommend his continuation either did you?
- CJ No, I didn't. He was a below average officer, and I did not regard him as a contender for extension of commission. D
- NB But suggesting "I no longer have any trust or confidence in him" is something worse than being below average, isn't it?
- CJ Yes, it would be, and at the time I may well have been aware of what gave Paul Evans reason to record that comment.
- NB You would have seen it? E
- CJ No.
- NB You make this report on the 26th September, he made his report. Is there never any contact or communication between you about those views?
- CJ Oh, yes. I mean I would have known whether or not he was going to support it broadly.
- NB Or the reasons why he didn't support it. F
- CJ If he had a particular reason not to support it, and that certainly conflicted with my view, then we would have had a discussion about it, but the fact that I wasn't recommending him, he was simply endorsing my view, but even more so. I've no recollection of why he has written that comment, but clearly he felt strongly enough, not just to not recommend it, but to make it very obvious.
- NB And I notice that this is the 11th of October '95, the day after you've had the interview with [Sergeant L] and with [Lance Corporal(f) E], shortly after you'd been investigating G

- A [RSM Z], 28th September from your memory, so it seems that this cluster of activity and we've got a Leconfield trip that we know the date of but we don't what it's about.
- CJ I can't recall that the interview with [Sergeant L] had anything to do with anybody else.
- NB You can't recall what on earth you were speaking to [Lance Corporal(f) E] about. And despite the Leconfield trip, and not making an impression of what it is that caused Brigadier Evans not to have any trust or confidence in [Lieutenant C].
- B CJ The only thing I can speculate is because of some social demeanour or some inappropriate behaviour. I can't think that it was something to do with professional negligence or anything like that.
- NB In the 2002-2003 material, [Lieutenant C]'s name comes up more than once in terms of both women who have given statements to Surrey Police and NCOs who said he was unpleasant in dealing with women, and his particular interest in their bodies. If that comes across your radar, then presumably it wouldn't just be a question of not extending his commission in August '96 but on your criteria, he would have been a person of concern.
- C CJ He would have indeed and I think you can see my response to some of the other individuals that I was concerned about. I would have undoubtedly have taken a pretty forceful action had I been aware of any such behaviour.
- NB Well, can I bring up one question not related to anything that we've been talking about. I don't think you wrote to the James family at all about Cheryl James, whereas you did write to the Bentons about Sean Benton.
- D CJ I wrote a letter of condolence to the James family.
- NB I don't think you did.
- CJ I'm sure I did.
- NB It's not on the RLC file, it's not on their file, you never said that you did to Surrey Police and there's no record of it.
- E CJ I'm sure I would have instinctively written a letter of condolence, an official letter, which would probably go on a file which would probably then be shredded up. But it would be an instinctive thing to do. I also notice that James said that they never met me. That is incorrect. I met them personally on the day of the inquest, there was a small, I think refreshment party or reception back in the lines where I personally introduced myself to them and I remember being surprised at how calm they were. I also remember being mighty surprised that there wasn't some degree of anger at the Army. And I noticed on several occasions, that according to them, I hadn't met them.
- F NB Where would this letter to the James family be?
- CJ I don't know. But I'm sure instinctively I would have immediately sent a letter to the James family. I cannot see any reason for me not to do that.
- NB I understand that, but it is really something you ought to have done therefore you did it?
- G

CJ I'm sure I did, even though I can't produce a copy to show you.

A

NB Well, I think we had better leave it there. Thank you very much. Thank you for your time today.

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Appendix 4/10

Meeting with Lieutenant Colonel Laden

Present: Nicholas Blake QC (NB), Lieutenant Colonel Ron Laden (RL), Darren Beck (DB), Kaspar Nazeri (KN)

Location: Matrix Chambers.

Date: 10 November 2005.

NB: What I wanted to discuss with you this morning, is to see if you've got any further recollection about how any local policies about guarding and age and carrying weapons came about. You've seen the questions that I've posed to now Lieutenant Colonel Kerce¹. I think you've certainly seen the questions, but have you seen the answers as well?

RL: Yes, I have.

NB: He says that there was indeed a policy adopted by you I think shortly after you take up your tour of command in July 2001.

RL: June 2001.

NB: So he says that a policy was in place by September. So he says that this policy was in place by 17th September when young Geoff Gray died. But you are still blank about this?

RL: As a result of the direct question you wrote to me asking me about, I rang Major Kerce and I rang Captain Skinsley². And I'm not trying to get myself off the hook, I really don't remember it, but they both absolutely assure me – as does the RSM – “we all took part in the discussion, boss”.

NB: Well, I appreciate it's quite difficult to ask you questions about some things you can't remember but you understand my interest. What I'm interested in particular is the process by which you might between June and September have decided off your own back that this was a sensible thing to do.

RL: I suspect that somebody, the Adjutant, the Regimental Sergeant Major, the Squadron Sergeant Majors, somebody, would have said, “I'm not very happy about this.” This is my supposition. And we would have had, I'm afraid to say, a fairly loose discussion in my office. We would sit down and I'd ask “what do you think I ought to do”, pros and cons. I would imagine that those around me probably said, “look we're not happy about this at all. They're 17 and a half, we think they're too young and we can have a policy, it's viable”. The first question I suspect would have been asked have we got enough manpower to have this policy? It's all well and good having a policy, but is it feasible, does it work? I would probably have been advised, yes, and I would probably have said “ok do it” because of course it was an implementing policy so I would have had plenty of leeway off my own back to do that kind of thing. I don't know if I would have discussed it with Brigadier Elderton, but Major Kerce probably would have been advised either by me or Captain Skinsley.

NB: If you had this conversation between June and September, this is still in the last days of Brigadier Brown. Elderton arrives in January 2002.

¹ Formerly a Major during his tour as Deputy Chief of Staff to the Brigadier at Deepcut.

² The adjutant at Deepcut at the time.

- A RL: Yes he does.
- NB: So, according to Lieutenant Colonel Kerce's letter to me, the policy was in place by 17th September so it would have been during the time of Brigadier Brown.
- RL: It would have been. It would have been seen as a low grade administrative decision which is possibly why I don't really recall it. It is retrospectively a non-controversial decision.
- B NB: Ok. A low grade administrative decision. That means you didn't have to report back up to Land Command?
- RL: No.
- NB: Why not? Because it is guardroom policy so therefore it was in your control as a CO?
- RL: Certain aspects of it are, as in who physically does the guards. A Commanding Officer has a surprising degree of autonomy within guidelines and I wouldn't have done it.
- C NB: You wouldn't have done what sorry?
- RL: Told Land Command. I'm thinking it's a good decision but I'm not taking any credit for it. I wish I could remember because then you could say "Ron, you did a good thing". But it's an internal administrative action. It's a bit like, I can't really think of another example, but we obviously had a lot of soldiers, I was assured by those who were commanding them on a day to day basis, because I wouldn't always look at the age ratios. I'd be assured "we can do this. We're happier if we can do this. Can we do this?" And I would have said "yes". I would not claim that it was driven by me. It might have been.
- D NB: So it looks as if on the hypothesis that you presented today, that would explain why you don't have a particular memory of instituting this. Therefore, you came to your command post and someone else expresses concerns and you agreed or accepted that. You had the power to do it and it was practical and you did it. And do I take it that you therefore could have made a policy of saying no to under 18 will do armed guard duty?
- E RL: In retrospect, yes. It never occurred to me. 17 and a half seemed I suspect a good compromise.
- NB: And what do you anticipate the concern to be? Is it simply the youth of someone below 17 and a half handling a lethal weapon with ammunition on guard at night?
- RL: Yes, well just on guard. Let's be upfront about it. My Squadron Commanders and those subordinates who I listened to would have come to me and said "Colonel, we're not happy about this for the following reasons: a, b, c". And I would have said "well, that's all very well, but can we guard the camp if we instigate this?" They would have said "yes". I'd probably have checked with Major Kerce "what do you think the Brigadier would say about this", and Major Kerce would have said "it's your shout, Ron, crack on mate".
- F NB: Major Kerce is your DCOS or the Brigadier's?
- RL: His DCOS. The Brigadier is the head man but of course people want to know what's going on inside his mind. You always rang Major Kerce first to say "what do you think?" But sometimes Major Kerce would have said "I'll slip it into the conversation". That was how we used to do it.
- G

- DB Lt Col Laden's second in command is the equivalent to the Brigadier's DCOS. The Brigadier has a Chief of Staff and a Lieutenant Colonel – a Commanding Officer – has a second in command. A
- RL: Major Kerce was the Brigadier's man.
- NB: And Captain Skinsley?
- RL: Was the Adjutant.
- NB: Now if your hypothesis of whose initiative this was is right, then the Adjutant might have better capture as to how it came about. B
- RL: Yes, and I'm hypothesising now.
- NB: I understand that. But there had been to your knowledge no specific incidents.
- RL: No I suspect that's why I don't remember it if you see what I mean. And about that time, we were trying, as you will know from some of the correspondence, to tighten up on a whole raft of things, such as the way the place was run. I hadn't thought of it quite like that. I rather suspect it was another one those innovative ideas that I was exploring. As part of the question of how can we do things better and easier. It might have been one of those and it happened every week. C
- NB: Yes. But I do recall from our previous conversations that you were indicating for example that self-harm was not on your radar until after the events.
- RL: Yes. I cannot recall a specific incident – others may – but I can't recall an incident where we were going to alter the age group of soldiers doing armed guard. They were still going to do guards, but I don't recall anything at all. D
- NB: Well, from what you have been reminded of by the correspondence from the then Junior Officers pursuant to policy, the change of policy appears to be that you've got to be over 17 and a half to be assigned a rifle.
- RL: Yes. E
- NB: But you can still do guard duty as long as you don't have the rifle?
- RL: Yes. That's as I understand it at the moment, yes. There were quite a few duties where you didn't have to be armed or you didn't all have to have a gun.
- NB: What were they?
- RL: The fire piquet and things like that. I'm not an expert on it. I make no claims. I'm not trying to get away from it. And there was always a couple of guys at the desk in the guardroom which I'm sure you've seen, you know, handling the phone calls, making the tea, all those types of things. F
- NB: Yes. So a fire piquet is a different form of security back-up?
- RL: No, not necessarily.
- NB: But you're on stand-by for that? G

- A RL: You're in the guardroom, I think. I'm vague on it because I spent a lot of time in the guardroom but I never bothered to analyse what everybody was doing. They seemed happy.
- NB: But going back to our conversation, the most detailed account that I can see from you I think is when we were here with Mr and Mrs Gray and I've got the extract which I can remind you of and you were telling me that the night duty guard regime had emerged as a three-person team on the Officers' Mess.
- B RL: Yes it had.
- NB: Two armed, one unarmed.
- RL: As I understand it, that was post the death of Geoff Gray.
- NB: Right. Tell me if I'm wrong in my understanding. You turn up in June. During a brief period from when you started your command until a meeting with your junior officers that you haven't quite got a date on, but between June and September, there was a continuation of the status quo.
- C RL: Yes.
- NB: From the date of this meeting on the change of policy, we have a local standing order that you have to be 17 and a half to handle a weapon on guard. And as far as you know, that would have continued through Gray, through Collinson and Lieutenant Colonel Kerce says until September, October 2002 when different policies came in after a while.
- D RL: Yes.
- NB: I'll come back to you about that to see how that fits with your specific evidence but there was a policy and then you were phasing it out.
- RL: I just don't know. This whole raft is not topmost in my mind.
- E NB: Well, OK, I could tell because you were quite specific in the accounts that you were giving when Mr and Mrs Gray were here, and I think it would be right if you think that's probably an error.
- RL: Was this when we moved from the three to the two armed?
- NB: No, I think I am still going to come back to that.
- RL: Because that was a direct instruction from the Army.
- F NB: Yes, I am going to come back to that, I am just dealing with the age question. I have got the extract here. Mr Gray interjected into the conversation, "we were briefed after James Collinson's death. It was a local arrangement at Deepcut where soldiers under 17 and a half could not handle a rifle". You say, "there had been, that is true, who briefed you on that?" "That would be Major Kerce". "OK, there is, no, that would have been a local arrangement, that would not, that was fading away during my time, we found it too difficult to administer". And I say, "are you learning about this from Mr Gray?" You say, "no, it rings a bell, it is the way it's been expressed". You then go back to the basic Army rule, when you are under 17 and only a Phase 2 trainee.
- G

- RL: In that case I was wrong, on discussing it with others, I was totally wrong. A
- NB: Right, so the true position for the record is you accept having had your memory jogged by Major Kerce's contribution to this discussion, that there was a policy that under 17 and a half could not handle a rifle. That policy did not fade away during your tour.
- RL: On the basis of the memory jogging conversation, I accept that.
- NB: And it was in place until the autumn of 2002. That was when the new Army-wide policies came in. B
- RL: I assume so. Again, I am embarrassingly not in possession of the facts mentally.
- NB: Well, I have to say it struck me at the time and would strike me as curious that such a policy was fading away, bearing in mind the under 18 age of young Geoff Gray and under 17 and a half of James Collinson.
- RL: Who was not armed. C
- NB: We will return to that.
- RL: I don't think it does me any good, but I am deeply embarrassed, it's the only time that I am not in possession of the facts in your inquiry this time.
- NB: So let's then go back to the question of the two from the three. On the 17th September 2001, we have, we now understand, a policy that no one under 17 and a half is to handle a weapon but the position was you did guard duty in pairs. D
- RL: Yes, if you were armed. In fact they were all matched up. I mean, again it's not an area where I am the world's greatest expert, but as a customary practice in Her Majesty's Armed Forces, if you are on guard you are always with somebody. I mean, a guard by themselves is worse than useless. I know that an incident occurred, I know, and that is in the Board of Inquiry report, but by and large you should always be a guard in a pair or be supervised – for instance if you have been to Deepcut there are sentries on the gate, but of course the guys in the little hut can look at him, if you see what I mean.
- NB: Yes, I was going to get on to that as well. I have got a question about what happened in Deepcut on 17th September, but before I go back to that, can I pursue the information that you have introduced into the conversation, that general Army policy was and always has been twos, and that goes back years as opposed to months or days? E
- RL: I have got no idea. I have been in the Army 25 years and it's twos.
- NB: And obviously you are no doubt referring, I imagine, to the death of Cheryl James, who was on guard by herself. I seem to recall, although I haven't been reminding myself of that in this conversation, but I seem to recall the bare reading of the available Land Command instructions were that female soldiers needed to always do guard duty in pairs, but you think males as well? F
- RL: I have got no idea, without looking at the regulations, but as a professional soldier I would never be comfortable with one person by themselves doing anything, whether they have a rifle or not. G

- A NB: Because?
- RL: Well, there's two of you, so if there is an incident, you come towards me, you may or may not have evil intent towards me, but the moment I am within a distance of you, I have no advantage, anything could happen, whereas if there is two of you it always gives you the advantage of that person – it's exactly the way the police operate in the street, one person deals with the person, the person is slightly off to one side, but none the less you are there. Twos are always better than one, and apart from which if you are by yourself at night, it's bloody scary – at least if you are with someone you can talk to them. One person by themselves on a night, wandering around, with a rifle or not – I mean, I don't like it walking about, and I am quite an experienced soldier. There is a whole raft of things, so I am not an expert on Land Command rules, I don't think I have ever read them in depth if I have ever read them at all. Cheryl James '95, the Army was trying to sort it, but we didn't get it sorted out.
- B NB: Yes, I raise that because it seemed to me that there was a double point. Anybody should be doing it in pairs.
- C RL: But women in particular.
- NB: Women in particular, which is written into the Land Command.
- RL: The Board of Inquiry pointed out at the time, I wrote to Mr James, he asked me my opinion. I personally always go for the cock-up theory.
- NB: But the buck stops with the Commanding Officer, doesn't it?
- D RL: Most of the time, yes.
- NB: For that kind of thing, if there is a non application locally of a mandatory Land Command rule, which is based upon the wisdom and the experience of the armed forces.
- RL: You would have to decide whether that was a policy or a mistake first of all.
- E NB: Well, the local standing orders – I appreciate I am just pushing away a little bit – but I am interested in who takes responsibility for checking and supervising and making policy, which goes back to things in your tour, but that is where I want to go. The local standing orders in 1995 for the Royal Way Gate said quite clearly one person.
- RL: Oh does it?
- NB: Yes.
- F RL: Well that surprises me.
- NB: Hence the question – who has to ensure that local standing orders and Land Command come together?
- RL: Well, I am afraid to say ultimately it is the Commanding Officer. Whether he does it or not, as you will appreciate the point I am about to make, to cut to the chase – it's me, or him, or whoever. You know, you have the privilege, you have the command, you have the responsibility and status, and with that comes you know, you have to stand up when the moment comes.
- G

- NB: Presumably that is based upon a systemic failure. A
- RL: It's a bit like saying the Home Secretary is responsible for crime or the Lord Chancellor for miscarriages of justice – you have got to be a little bit.
- NB: Well, that's not what I'm putting to you, it's whether the order's in place at the relevant place, at the relevant date.
- RL: They should all be correct. I am trying to defend colleagues to a degree. But ultimately, and I am slightly old fashioned, as I do take it quite seriously, if you are in command you are in command and there is no way round that. B
- NB: I want to move back into September 2001 rather than linger on 1995, but as you pointed out, the James Board of Inquiry noted that something appeared to have gone wrong in respect of that instruction that she goes on guard duty that day. Do you know whether the Training Regiment had taken on board as an institution that observation and revisited its standing orders between January 1996 – I think that was the date of the James Board of Inquiry – and 2001, I appreciate that it's a five-year window. C
- RL: I have got no idea. In my time and in my predecessor's time in command looking in the regiment, I never once saw a guard by themselves, certainly in my predecessor's time, and I would have therefore inherited that, and I did not notice something that made me professionally uncomfortable at first glance.
- NB: And of course you told us that you had an 18 month lead up period prior to taking up your command?
- RL: About a year of which I knew I was going to have the job. D
- NB: Yes, and you would have presumably –
- RL: Passed the guards on a regular basis.
- NB: Passed the guards on the Royal Way Gate on a regular basis.
- RL: Not so much, I was at the top of the hill, but I would have seen them. I would have gone around, I saw the guards on a fairly regular basis. Every week at least, and as I said, at first glance, and I am recalling it now, if you had asked me the question, I do not ever recall seeing something that immediately struck me as wrong – for example, a single guard. E
- NB: Right, OK. So coming then to what you could help me with as to the guarding regime before Geoff Gray's death, we have dealt with the age, we have dealt with pairs, but it is pairs only up at the Officers' Mess as well?
- RL: It's pairs at the Officers' Mess, pairs at the Sergeants' Mess and when you did a patrol inside Deepcut itself it's pairs. The chap on the barrier was by himself – the main gate – by himself because although they were there with a weapon, of course, there were always 3 or 4 other people in the place that controls the barrier. F
- NB: And within visual sight.
- RL: Yes. G

A NB: There comes a time, going forward, but just to capture that piece of information, there comes a time when the Army generally says armed guards should be (a) in pairs and (b) supervised, and supervised by a junior NCO. Supervised means within eyesight, so not out of their field of vision?

RL: Well, I didn't read the detailed instructions, but what I always think is the supervisor has got to be in sight or you are not supervised.

B NB: I think we were getting some information about comparative practice in other branches of the armed services. The Navy, I seem to remember, gave us some information about junior ratings on a ship. When they are on armed guard duty they are always supervised by the junior NCO, so there is that rule. So certainly back to now September 2001, the main gate is always supervised. The Pirbright Road Gate, the Royal Way Gate, in pairs, and the Officers' Mess, the Sergeants' Mess, in pairs. But if we took the position as of the night of the 17th September, for example, if you only had a pair up at the Officers' Mess then you couldn't do a prowler patrol, could you?

C RL: No.

NB: So pairs meant manning the gates in pairs.

RL: Yes, manning the gates. Good point. I know there were three soldiers on guard on the 17th, so I am not sure if there were always two or three on the Officers' Mess – I am vague now, because I don't know, and yet it's a weakness in the system if that is true.

NB: Yes, because prowler controls were an expected part of armed guard duties.

D RL: Yes, they were.

NB: Because you are guarding the gate but you want to –

RL: Walk round the perimeter.

NB: How often?

E RL: I don't know.

NB: It was a good custom and practice depending on the alert state?

RL: Well, the alert state would have been steady although the 17th was unusual. I don't know, but I suspect the guard commander would brief the guard, I don't know.

F NB: Now, we are going back, but you were suggesting that the two armed and one unarmed was a post-Geoff Gray recommendation, although if you then focus upon what we do know about who was doing what at the Officers' Mess on the 17th September, I think we do have three people up there, don't we?

RL: We have three people up there and all are armed.

NB: And that was the then policy, so the change is that you take away the weapons of one of the three, do you?

G

- RL: Yes, it might have been again – you know, I would have to go back – they saw us on a daily basis, it might have been that there were always three at the Officers’ Mess and the Sergeants’ Mess, so the two could do the prowling. A
- DB: This might help because this is the Private Gray RMP investigation report and there is a bit of a conflict. There is a statement from one of the soldiers that was on guard with Private Gray who said that they had received a detailed brief from [Sergeant CB] who had stated that a roving patrol should consist of two people, one armed and one unarmed. Then if we scroll down, “during silent hours which is 20:00 hours to 05:00 hours, one Other Rank is to carry out a foot patrol, but inside the compound only at irregular intervals ensuring the guardroom is contacted beforehand”. B
- KN: I think we have a fax from Captain Skinsley saying how the orders have changed, which might be worth looking at?
- DB: A significant change was the introduction of supervision of isolated guard posts, which occurs after the death of Private Collinson. I don’t think they introduced two armed, I think that was normal practice before that. C
- NB: From the extracts that Darren has read out, it may be that there is some tension between two posted to the Officers’ Mess and one doing the prowler. Alternatively if it’s three, which I think was the position at the Officers’ Mess, but the guard is briefed by [Sergeant CB], that the prowler is one armed and one unarmed, that leaves.
- RL: The guard again with the gun. Which is interesting because my recollection caused me to change it the other way around.
- NB: Yes, that might be the change though, isn’t it, post Geoff Gray. D
- RL: I may have got that wrong, but I can remember the security people did not like the idea of one person with a gun on the gate and were happy that we took the risk.
- NB: That during prowlers you have one unarmed at the gate, because that avoids the consequence –
- RL: Of having one armed person on guard, which we really didn’t want. E
- NB: You didn’t want to have four assigned. That just adds to the pressure on them.
- RL: I would imagine, as well, as I said I am responsible, that if one person was to prowl, I would imagine that we had decided historically, and I certainly didn’t look into it at all, and in actual fact the two up there in the compound with adequate cross-supervision.
- NB: The two up in the compound?
- RL: Well, if we go by what the standing orders we’re saying that during silent hours one guy would prowl the fence by himself, that’s what Darren’s just said. F
- DB: That’s certainly what the orders say, “at irregular intervals”.
- RL: And you will ring before you depart, presumably you will ring on your return as well.
- DB: It doesn’t say that. G

- A RL: OK, that would be in the current slots as well.
- NB: Right, well let's just try and keep it as simple as we can, but in order to tease this through, what I'll do is I'll stick with the standing orders for Geoff Gray as they appear to have been discovered by RMP investigation. Those standing orders seem to put us in conflict with the point that you were making earlier, that you always want to prowl or guard in pairs, and if the standing orders are to be interpreted as you have a lone armed prowler, that puts you in double conflict as you don't want people with a weapon by themselves. Presumably someone could capture the weapon off them, or God knows, they may do the wrong thing with the weapon.
- B RL: Really it's professionally embarrassing and personally humiliating to discover that I hadn't looked into it, but I did not.
- NB: That might be – I know there hasn't been a BOI for Geoff Gray, but that would be another issue that would have to come up.
- C RL: Possibly.
- NB: Isn't that what BOI are for? I mean, aren't they looking to find out what went wrong?
- RL: Boards of Inquiries are extremely controversial in Her Majesty's Armed Forces.
- NB: I might come back on that but that would take me into my point.
- RL: Yes, so that's Captain Skinsley.
- D NB: Yes, but what we have abstracted from what the police hold was a fax from the RSM, so that's the source I think, you refer to the RSM. I will just read this out, I will do it slowly, but I can show it to you if you want me to. "Please find attached the copies of our guard rules relating to the incidents involving Privates Gray and Collinson. The orders were amended after Private Gray's incident in that we made the Officers' Mess have three times ORs³ during silent hours, two armed and one unarmed. The unarmed sentry would remain on the gates while the other two armed personnel patrolled. After Private Collinson we entered it into the BOS orders we felt there should be a mix of age, sex, experience and nationality, we also highlighted the point that soldiers under the age of 17 are not to do armed guard. Paragraphs on handing over weapons and ammo were changed and evolved". Now maybe you want to see that?
- E RL: No.
- NB: If we go back to the vexed issue of 17, 17 and a half, that doesn't sit terribly happily with the information that Lieutenant Colonel Kerce has given us, that before Collinson died it was 17 and a half. There we are, but we have slightly moved on from that topic, although we can always go back if you want to add anything further, and what we are presently looking at, then, is a changed post-Geoff Gray to 3 ORs.
- F RL: Now that time I was quite clear about, I think. I mean, I remember that quite specifically.
- NB: So really what I am pressing on is what the orders were before Geoff Gray's death, and it looks as if the order suggests just two and one prowler, but in practice it was three – you have done three on the night in question. So on the face of it there may be a tension between the standing orders.

G ³ Other Ranks.

- RL: And what actually happened. A
- NB: Two tensions, tension between standing orders and good practice in the Army about doing things in pairs and not having an armed man by himself. That tension on the night in question may have been modified by the fact that in practice you have three people, but it looks as if the way that that was ordered around meant that the man or woman at the gate was armed and the two who did the prowling, were one armed, one unarmed.
- RL: As I understand it, that was the case on the night that Private Geoff Gray died. Subsequent to that, my understanding was that we were advised to do it the other way round. B
- NB: Well, we have got that. That seems to be consistent with what the RSM says, so I think we have got that part captured, and that will remain the case until it changes in 2002. Now, phase 3 of this part of the conversation, then, is, if you don't have under-17 and a half year olds on armed guard duty, do you not assign them to the Officers' Mess?
- RL: I am sorry, run that one past me again. C
- NB: If they are under 17 and a half, you pointed out that doesn't mean to say that they can't do any guard duty at all – they can be doing fire piquet in the guardroom.
- RL: Or whatever else was required.
- NB: What was required which didn't involve handling a weapon, but if you are sending three people up to the Officers' Mess and two of the three are going to have to be armed, which was the case at the time, does that mean you can't send someone who is under 17 and a half up to that particular function because they won't be able to do two thirds of the functions? D
- RL: I would not have said so, no, because they can still be on the gate, open the gate, "who are you, what are you", you know, use the radio, all that stuff.
- NB: OK, well let's just test that out in practice, OK? Let's keep it the regime as at the time of Geoff Gray. Three people, two armed. The man who is armed, or the woman who is armed, is on the gate at the time. Problem – that leaves them alone with a weapon when the others have gone on a prowler patrol. Now, (a) the Army Land Command says you can't have women by themselves, so that's a breach of Land Command on that point; (b) you said it's a situation that you don't want under 17 and a half, so they can't then be on the gate. E
- RL: Armed?
- NB: Yes, but they were armed on the gate before you had switched the standing orders until after Geoff Gray's death – we have just been through that. F
- RL: The 17 and a half year olds?
- NB: The person on the gate, gender neutral, at the time of September 2001 was armed. You switched it after Geoff Gray died.
- RL: Yes, we did. G

- A NB: So that job can't be done by your under 17 and a halves.
- RL: If there are.
- NB: Which we have just established they are at the material time.
- RL: Yes, but should not be.
- B NB: OK, you can see what I am trying to tease this out. Therefore if you sent someone authorised and under 17 and a half year old to do guard duty on the Officers' Mess, and I imagine the same thing would apply to the Sergeants' Mess, but we can focus upon the Officers' Mess for obvious reasons, then the only job that could be assigned to that person would be the unarmed prowler part with those duties.
- RL: Not strictly true. That presupposes that they are all quite static. The three of them are around the little guard hut. When they go off on a prowl, what should happen is armed and unarmed go off together, but there is nothing to stop the two armed being in the hut while the unarmed opens the gate and does all the talking as they rotate the roster round. The unarmed person didn't just sit there and do nothing unless they have got a prowl coming round – you know, they all would take turns on the gate and stuff like that. It's a fluid team effort.
- C NB: But it's obviously very important. If you are going to have a policy which says the under 17 and a half must not handle a weapon, that the other members of the team note that. It's fluid. They are going to swap roles. They are going to sort out who is going to go for a prowler and when.
- D RL: Yes, but the deal is, of course, that if you have a weapon, the weapon stays with you and you don't hand it over. I know where that is going to go to, but the orders are absolutely crystal clear – you do not hand over your weapon – it wouldn't matter whether they were 18, 95 or 16 years of age, you do not hand over your weapon, so therefore it wasn't a fall back position. You are not supposed to hand over your weapon, no matter what the age of the unarmed person is. That's not to say they weren't, because they were, we know that, but you should not hand over your weapon. The age of the person you are handing over to has got nothing to do with it. There isn't a sub-order that says if the person is over 17 and a half, you can hand over the weapon.
- E NB: It's just that unless the other people who form the three members of the guardian party on the night in question understand how all these different aspirations and policies interconnect, there seems to be a risk that they might rotate the three different functions, irrespective of age, and either you end up with a person who is unarmed at the gate alone while the two armed are doing prowlers, or something else.
- F RL: I mean, it's an interesting hypothesis, and I am not on strong ground because it's an area where I have surprised myself, I don't (a) remember a great deal and, (b) I think we are making it more complicated than it is. Going back to the possibility, were the guards briefed that under 17 and a half year olds were not to have a weapon while on guard, which is an obvious point that I should have alluded to. I have no idea, but I suspect that the guard was not briefed as such, and I would be surprised if they were. If under 17 and a half year olds were not allowed to carry weapons on guard, which we have ascertained would appear to be the case, then quite frankly everybody would know, apart from me, who can't remember, because of course if the guard lined up they are
- G

soon going to work out who is and who isn't going to have a rifle. How that mechanism was done I don't know, but soldiers are pretty good at ascertaining that, and 9 times out of 10, of course, if you don't have to sign for a rifle and ammunitions, it's a less onerous guard duty, and for other reasons which I can explain to you, so I suspect it is a difference of culture. In the Army we tend not to write things down, and a great deal of it is done verbally. I would assume, the mother of all cock-ups, of course, that by and large soldiers knew who was 17 and a half and under the cut off, and were not briefed. I am always wary of the concept that everybody has agreed to such an extent they never break the rules, because actually real life is people regularly breaking the rules no matter what they are briefed on in every walk of life. Would it have been less uncomfortable for me talking to you if that was all written down and read to them? Of course it would. I would find this particular interview much more easy because as you have pointed out there is an intellectual gap. Whether that intellectual gap is a real one, from my perspective, and I am pursuing a different question, on balance without supervision we boil down to this, and I am going to leap ahead if I may. We boil down to this – we can have all the rules and regulations in the world, we can absolutely threaten them in the most draconian ways, we can have everything, but without a responsible figure, and this is the weakness of the guarding regime, which I know you have put your finger on – without that, and working on the assumption that the Lance Corporal is a responsible person, as you have to make some assumptions – without that you have to trust that those soldiers will carry out that guard duty in the prescribed manner, and I can't look you in the eye and tell you I know that for certain. And we wouldn't have two deaths if they had.

NB: Moving on a little bit, my understanding now is the members of the other ranks who are selected for guard duty would be done by the –

RL: The Sergeant Major and the Corporals and Sergeants, yes.

NB: But that selection would be you are going to report on Friday or Saturday for guard duty, so that's the rostering arrangement.

RL: It's done a week at a time.

NB: Right. The chap who actually will take command of the guard that night is not necessarily a member of the permanent staff based at the training regiment – he could be a visiting Phase 3 NCO.

RL: True. However, there is a flaw in your understanding. It's logically accurate, but there is a practical difference.

NB: Right, what's the practical difference?

RL: The practical difference is, the guards, how they are selected individually I have got no idea, it was never brought to my attention. I wouldn't have expected it to be. The guard form up, they parade first of all within their own working area. We will call it area of the 86 Squadron. They will form up. The duty Corporal of 86 Squadron would then check that they are present and correct and in good order, so he or she should know them. When I say should, bear in mind there is 350 of them and there is one person, but they are marched down the hill – you have been up to the accommodation – they are then marched down that hill to the guardroom. They parade outside, and I observed this not on numerous occasions, on several occasions from the guardroom to see how this aspect of it is done. I didn't delve down. And the guard would be there and the duty NCO would hand the guard over to your man, Barrack Orderly Sergeant, who may or may not know anything about these soldiers.

- A NB: But it is the Barrack Orderly Sergeant who then assigns the particular tasks for that evening we are talking about?
- RL: Yes. I assume it is. I never delved into it too deeply. He's got a second in command as well, the Corporal, and he has got the RP Corporal there as well. How they divvied up the tasks I don't know, but they would have been briefed themselves, of course, by the Regimental Sergeant Major for their tour of duty. And he would have his written orders as well.
- B NB: So if there was a local rule about 17 and a half, that's the opportunity for that rule to be transmitted to the BOS?
- RL: Yes.
- KN And those are precisely the orders from the barracks, because he works from the barrack?
- C NB: Yes, they appear to be amended in manuscript.
- RL: They amended post-17th September.
- NB: Fir enough.
- RL: I mean, I am not surprised that they have been amended like that.
- NB: That would be the way that they were always amended?
- D RL: Initially, well, who is going to type them? Not being funny.
- NB: Don't they have a typist?
- RL: No.
- NB: Is that part of the shortage of staff?
- E RL: I can get very bitter. I have commanded a regiment of over 1,000 people. The only administrative staff I had in my headquarters were myself the 2IC, the Adjutant the RSM, one sergeant (the chief clerk) a Lance Corporal and a part time civilian filing clerk. That was it. So what happens is that sooner or later the RSM or someone will type.
- NB: I think that Brigadier Elderton was a bit surprised that that was the state that the standing orders were in when they were captured by the police.
- RL: There were not a 100 people ready to leap out and type at a moment's notice.
- F NB: So you were not surprised.
- RL: I am surprised it got amended. I don't mean that in a derogatory sense.
- NB: You wouldn't be surprised they were amended. You have had enough major incidents. Someone's done some thinking.

G

- RL: Not only that, but that they had been amended the way that I remembered it. A
- NB: And this is the RSM briefing the Adjutant.
- RL: He was very good on his briefings as well. Both the RSMs I worked with, or all three of them, were very formal.
- NB: But it doesn't appear to be clear from those orders that were amended post the 17th of September, that he would have briefed the visiting BOS on a minimum 17 and a half rule. B
- RL: I haven't read them and I can't answer that – I actually can't answer that question.
- NB: The RSM was talking about not below 17, and we found the rule about 17 and a half.
- RL: On both nights in question both the Sergeants were of course from 25 Regiment, [Sergeant CA] and [...].
- DB [Sergeant CA] said in his statement that "as I have recently arrived at this unit I did not know any of the soldiers by name", so presumably he hadn't been there very long. C
- RL: I don't remember he said that.
- NB: I think we may have gone through this before, but the practice is that whoever it is who is the BOS, if he or she is briefed on the local standing orders, then they would have to work out whether anyone there is about to assign the task to these under 17 and a half, and they do that by asking them? D
- RL: I presume so.
- NB: Or is it on their ID cards?
- RL: I don't know.
- DB The date of birth is recorded on the ID cards I've seen.
- RL: Age is recorded, right. E
- DB Just to go back on what came up earlier, we were talking about the guardroom instructions, and other ranks on guard duty. One of the soldiers' statements says "we were informed of patrols by personnel", and she goes on to say that there would be three on guard because of the security state. It was three as opposed to two.
- KN OK, in the fax it says, having first said that the rules were changed post-Gray to two armed and one unarmed, he says "you need to be aware that at the time it was alert state amber and there were three soldiers". F
- NB: So you added on a soldier because of the exceptional circumstances.
- RL: Yes, I presume that was the reason. It was a crazy time for all of us and I assume that it was an order that said when you go up a grade, you then get a new set of requirements.
- NB: Can we turn to our Flight Sergeant? G

- A RL: Yes.
- DB He wasn't in your Regiment. He was employed in another unit.
- RL: He worked in the barracks. On some technical team.
- DB He was part of the School of Logistics.
- B RL: He was, and they were trying to map across all the courses to one of these, and that's about the sum total of my knowledge.
- NB: He's not a member of your Regiment?
- RL: No, I didn't have contact with him. I recall meeting him, interviewing him and a formal letter.
- NB: You met him after the letter?
- C RL: I did, yes.
- NB: You didn't have any information about this incident?
- RL: None at all.
- NB: He was therefore a member of the staff of the Defence School of Logistics, and we don't know how long he had been there for at the time.
- D RL: I can't recall.
- NB: But because he was available on the roster, so one night he had to do orderly Sergeant's duties. So the first you hear about it is after he has written to a Colonel and he has copied it in to someone in the RAF, at quite a senior level? The WO to the Chief of the Air Staff.
- RL: Yes. Sneaky little move. He also sent it the day he went on leave as well, some time after the incident.
- E NB: However, someone tells you that you are going to have sort it out?
- RL: I read through the letter and I interviewed the RSM and the RSM came in and thought, what is all this about? The incident was an absolute nightmare to deal with, and this is how I dealt with it – first of all I interviewed the Flight Sergeant in my office, sat down, teapot and biscuits – I decided that's the way I would do it. I decided that I would deal with it in the first instance, the incident in the guardroom, and of course two thirds of that isn't about incidents in the guardroom at all, it's about him being very upset at being sent to do duties.
- F NB: Is that right? What he says he is upset about, is that when he raises the behaviour of the JNCOs with the RSM, the RSM responds by criticising his dress rather than that the JNCOs were shouting abuse.
- G

- RL: It has that air of authenticity about it. Young soldiers drunk and NCOs not necessarily handling it correctly. He had entered nothing in the occurrence book whatsoever, which he should have done as the orderly Sergeant. He should have entered everything, and the problem was that this was a sort of post-incident letter after he had got ripped by the RSM. The RSM handled it badly – what he should have done is not shouted at him and not been wound up. I tried to get to the bottom of the incident. A
- NB: The RSM might have said to him –
- RL: He would have done before the start of the duty. The RSM didn't handle it well. I wasn't there, but you can read between the lines. This guy didn't want to do guard. He sauntered in, it was a very unusual way of doing it, he pushed his luck, the RSM bit and shouted at him and set him away with a flea in his ear. I have no doubt at all that occurred something in the way he describes, and not only that, because the RSM said, "the other Sergeants never heard me speak to him like that". What happens is you book off duty, or when you book on duty, the Regimental Sergeant Major, normally on a – Monday is a good day – off-going Sergeant for the weekend, on-coming for the week. You line up outside the Regimental Sergeant Major's office like this, the RSM walks in, bang. First man up, occurrence book, in, bang. "Sir". It's done very formally. The occurrence book for him being on duty that night. B
C
- NB: The night's occurrences?
- RL: The night's occurrences, the Orderly Provost Sergeant does the day's occurrences. The RSM then looks at the book, asks "have you anything to report?" In my time all three RSMs were particularly punctual about it. "I don't care what it is, I want it in the book". If in doubt, write it down. And certainly the RSM took very much the same briefing. And it's then that the business is done. D
- NB: Yes, I can understand that system. I am trying to capture it. Let's just see what we can get out of it. He seems to be saying in his letter, having ordered the Junior NCOs to stop shouting and to engage, he then went to report it to the RSM the next morning and he said he presented a written statement to the RSM.
- RL: No, he says he was going to present a written statement, I think, doesn't he?
- NB: I will quote from the letter. "As an RAF Flight Sergeant I was nervous regarding my debrief with the RSM on 7th August and hope my actions in dealing with the situation were in line with Army protocol and discipline. I presented a written statement to the RSM explaining that I had never dealt with a situation like this before". E
- RL: I never saw the statement. There was nothing in the Occurrence Book about the incident at all.
- NB: Well, OK, but if he is presenting a written statement to the RSM, one would have thought the RSM might have said "put it into the Occurrence Book". F
- RL: One might have thought, but he never obviously. The whole thing was handled badly by everybody.
- NB: Right. Did you ever get to the bottom of the key question, as it seemed to me at least from my point of view, as to whether or not any of the JNCOs had stepped over the line and had been shouting at them? G

- A RL: I never got to the bottom of it. What we did do, I think, and this is when I am a little bit concerned that I am remembering something that is convenient to remember, but I seem to remember that we actually got the, because we only have one name there as well, you see. There are all these written statements, but we only have the name of a private soldier. We don't have any other names, but I seem to remember that [...] – it might have been [...], if it was [...], it might have been the other Squadron Commander, I can't remember now – went and found this young lad who was named to see how he felt about the incident, because we have "were you abused this way, that way, and the other", and the lad just wanted to go away, because of course he was under 18 and drunk and he was looking at a serious charge, or potentially it could have been, and we never got to the bottom of it.
- B
- NB: Right, well I am interested in the answer because, let me say that the more I look at the whole picture, and it is obviously broader than your two and a half years, but the whole picture, the more I get a sense that the Army system rather expects the recruits, the trainees, a young soldier to report up abusive behaviour by JNCOs and there seems to be a number of understandable reasons, why they would be reluctant to do it. One is if they themselves are in breach of standing orders and they are drunk, but if you were relying upon the victim of the aggression, assuming that it is, and the victim doesn't want to do it, either because he has to get on with his Corporal the next day or the idea of not grassing up your NCO, but how else are you going to stamp out cruel behaviour?
- C
- RL: The best way is peer pressure, relying upon your other NCOs and your Sergeant to report it up the chain of command, which is what happened to be going on in this case.
- NB: Although over the top by going to the Air Marshal.
- D
- RL: He is a chap with a chip on his shoulder, but that's neither here nor there.
- NB: OK, I mean, whether or not he had a problem with the RSM, it's something which I am not so interested in. What I am interested in is what we capture on him saying I saw three JNCOs shouting in a way they should not have done.
- RL: Which he thought inappropriate?
- E
- NB: Yes. Was it inappropriate?
- RL: That was the problem – I don't know.
- NB: Are standards in the RAF are so lax that they think, my God, someone is shouting at someone, that's unusual, that must be wrong.
- RL: Well, they are not lax, they are different, totally different.
- F
- NB: They don't shout in the RAF the way they do in the army?
- RL: Not in the same way, no. Go to an RAF base. Go to RAF Halton. Get them to show you their essays and they've all got A Levels. Go to my base where 40 per cent are practically illiterate.
- NB: So you shout at them?
- RL: No, you don't shout at them. For example, if you are an RAF Airman and you are on a charge or something, you won't then be promoted for the rest of your career possibly.
- G

Your career is over. The same with the Navy as well, there are fundamentally different cultures. I am not going to excuse what happened on whatever night that was – it did not read well to me either. I was uncomfortable.

A

NB: The early hours of the 7th August.

RL: It did not read well and I said in my letter up the chain of command, when I remembered it, I did remember it because it was unusual. I have no doubt at all that the Junior NCOs in some way or another probably stepped over whatever the line was. It is not comfortable reading.

B

DB: But they were never interviewed?

RL: I did not interview them, the Regimental Sergeant Major, I think, was told by me this is inappropriate behaviour by these NCOs. The problem that we faced was that the Flight Sergeant, despite the letter, was an unreliable witness. I have no doubt he witnessed something, absolutely didn't doubt it for a minute.

NB: Why was he unreliable?

C

RL: Because he clouded the whole issue with his upset with the Regimental Sergeant Major. The way that he had written the letter and managed to post it with all the rest of it, and the fact that he was to my recollection when I interviewed him, remarkably vague about the incident.

NB: Is this captured anywhere?

RL: No, I suspect not, because it would have been dealt with there and then by me. Well, what I would say, because I think it is an important issue, you touched on two things, first of all are young men and women nervous of reporting on the behaviour of their superiors? Yes, of course they are, and it's an extremely difficult thing in any hierarchical and authoritarian organisation like the Army. At that time we were trying, and you know this from your inquiry, we were punishing NCOs for stepping out of line. They could be pretty certain of that when they were reported to me and the recruits were aware of the line that could not be crossed, they were pretty well briefed, I thought, on the behaviour standard expected. My recollection is that the young man was approached, and I would not have been hesitant in dealing with the NCOs even if it was only a formal interview from the Commanding Officer which you saw in my book, but we couldn't distil out anything. I would have been more than happy to at the very least have a formal Commanding Officer's interview the next time someone broke in the guard room, at the very least because I don't think I could charge him. And that was how we – not we, how I dealt with it.

D

E

NB: So you have seen the letter recently and you are willing to do a response to your e-mail response I have got, or do you want to remind me? Before we part off on that, I am going to just remind you – I am going to read you some extracts from the Flight Sergeant's letter because on the face of the letter that's what's captured. He has seen something, which seems to cause him shock. I will remind you of the terms of his letter but I think you must have seen it at the time. 'I was shocked to observe one JNCO screaming at a young soldier who was apparently drunk, then the others joined in. They too were now being shouted at in my opinion in an unnecessarily abusive manner. All the JNCOs involved adopted a very aggressive stance, squaring up to the soldier nose to nose, shouting loudly in a bullying and aggressive manner. I haven't seen anything like it in 23 years in the RAF. I have never seen such bullying behaviour.' It goes on, 'I cannot in

F

G

- A all conscience accept or condone the intimidation that I experienced and witnessed, nor do I wish to carry out an active role in any organisation that does. I do not wish' – I am quoting – it's a three page text – 'I do not wish to be a party to a system that allows these JNCOs to behave in a manner that I have witnessed. I do not wish to be vindictive or on a witch hunt, but I think that the issues ** need to be addressed.' He then talks about his own troops and the RSM. The purpose of this accusation – you know my interest – it's whether there was a response to this claim. Is it not credible?
- B RL: I have just said, yes, it was credible. I have no doubt at all, that an incident took place in the guard room. I have no doubt at all, and I had no doubt then, that the soldier walked up drunk and the NCOs lost it. I have no doubt at all – this is why you have supervisory roles and the Flight Sergeant then took control of the situation, and then calmed the situation down.
- NB: And do the NCOs get a formal shot across the bow?
- RL: They didn't. I am absolutely clear on that.
- C NB: And why not?
- RL: Because by the time this kicked in to me, the moment had passed, he never made another statement, I never saw a written statement or anything like that, so they got away with it.
- NB: I know the Army like to do things pretty promptly, but if he is writing on the 13th August, that's six days after the incident. Presumably it's lying on your desk a few days after this.
- D RL: Well, first of all he was still on leave. That's why he was away for three weeks, so getting back and stuff like that.
- NB: You were dealing with him in September?
- RL: To my imagination I am.
- E NB: You say it was difficult to identify who the NCOs were on guard that night?
- RL: It was, but the annoyance was, he wrote the letter on, I think, a Friday or something like that, and then went on leave for three weeks. He never went to his own RAF officer, for example, which would have been the smart thing to do. I knew the squadron leader moderately well and I would certainly have listened to him. What we did do, it was not a clever incident, therefore there is no point in pretending, probably a little bit of play acting by the Lance Corporals in front of an RAF guy, and I am going to discount 20 per cent of what he said about the aggression because he was trying to get his shot across the RSM's bows, but as I said, I have no doubt something happened which was not handled well at the very least.
- F NB: And the JNCOs don't get a sense that they have overstepped the mark?
- RL: As I remember it the JNCOs did get the sense that they had overstepped the mark, but not formally from me. I did ask them, and this is my memory, for the RSMs to rebrief the guard, but also at the same time we were running conflict resolution exercises, which was exactly this point, and as to how they were to behave when they were under pressure.
- G

- NB: We are coming to the end of this topic and partly I have explored it a little longer than I would have done because I think one of the answers you gave "the soldier concerned ... didn't want to make a formal complaint". A
- RL: As I remember it, I am so embarrassed that I have to say that to you.
- NB: No, I can well understand if that's the case, and again I am more interested in the way things are done, rather than the individual case.
- RL: As I recall, he wasn't the only soldier – on several occasions my chain of command went to soldiers who might have a complaint, and said "do you want to make anything of this?" The majority of times it was no, some of it was yes. B
- NB: I think myself that it may be the wrong way round. I think you know that a member of staff, an NCO is saying, "I have seen something that is wrong". Whether or not the individual soldier wants to make a complaint because he may himself be in breach of some rule.
- RL: Which we wouldn't have bothered with. I will take your point, that it was handled badly by me. What I can tell you, because I think it is quite important about soldiers having the opportunity to complain about ill treatment, is almost at the core of your work. It is difficult and we tried all sorts of things and I am sure we failed on many occasions, to encourage that, but we did have some successes and I think we should be proud of them. We did have occasion, and I put this in just to give you a feel for it, of NCOs reporting themselves, which was quite an eye opener, well certainly one of my Corporals. I remember it quite well. His Squadron Commander came to me and said "we have just had the Sergeant Major in, I think it might be an incident, and I referred him to Corporal X". What had happened was, Corporal X had lost his temper with a recruit, and they ended up nose to nose and Corporal X had given the recruit an extremely old fashioned blasting. Anyway, the recruit had gone off and Corporal X had then – this was all in the same day – had cause to reflect and decided that his behaviour was inappropriate, marched himself in to the Squadron Sergeant Major, Sergeant [Squadron Sergeant Major(f) BZ] and said "I would like to report that I think I went over the top with Trainee X". OK, fine, off you go, go and get Trainee X. "Corporal X has just given you a right blasting, he is deeply embarrassed and he thinks he was over the line. How do you feel about it? What would you like to happen?" "Well, I don't want anything to happen". Anyway, as luck would have it, Corporal X then went over to the trainee and said I owe you a formal apology, my behaviour was dreadful. C
- NB: It seems to me that if you want to improve standards of interaction between Corporals and recruits you have got to have two things. First, a clear idea known to all ranks about what is acceptable. Secondly, a mutual interest between staff and trainees as to things which are wrong are not to be tolerated, and staff should be reporting themselves and their colleagues if something happened, and not just rely upon the trainee, who may have very good reasons for thinking they are not going to make themselves very popular if they do that. D
- RL: Absolutely. I thoroughly agree. E
- NB: And the story of this barracks over 10 years, is that it is full of people who did suffer things which were extremely bad and did not report them, and of course now it's difficult to work out exactly who suffered what. F

A RL: It was appalling. The whole place lacked an ethos of mutual respect, and I say that in that essay which I wrote for my Master's degree, and it's easy for me to look back after two years, but the place was so appallingly undermanned. There was a problem of attitude – not the best NCOs, not the best recruits, poor leadership, stressed out people.

NB: We have had this in our previous conversation.

B RL: Yes, it became a sink regiment and unfortunately, just as high standards breed higher standards, low standards breed lower standards, and it's how you tilt that balance which is the key. The Flight Sergeant incident is serious and it worried me when I was reminded of it and it worried me at the time. But the key thing is how to engender an ethos of professionalism amongst the staff and amongst the recruits, and that was my struggle from the moment I arrived until the moment I left. And there will always be lapses, they are not to be tolerated but they are to be recognised.

C NB: Right. From our previous discussions, the two of them, and from going through aspects of your interview book, we know that you had picked up on fraternisation/out of bounds and you had a number of disciplinary actions taking against Corporals for that. That of course will be quite a good example of where the 'victim' and the other party which may have been consensual, may not want to report.

RL: In fact, all the Corporals were found, to my knowledge, bar one, all bar one, as I recall it, were reported by their peer group.

NB: OK.

D DB Can I just ask, that particular incident came to your attention because the Flight Sergeant concerned wrote a letter to the Chief of Staff at the College?

RL: To my knowledge.

DB But at that time were you reviewing the daily occurrence book?

RL: No, I was not.

E DB You weren't routinely doing it?

RL: Normally I wasn't, no. From time to time I am obliged to visit the guardroom and sign various registers there. But I as a Commanding Officer would not review the daily occurrence book. The Regimental Sergeant Major would.

DB And he deals with issues as he sees fit?

F RL: Yes, but they come to my room. The others would come every Monday morning. This is what has happened over the weekend, where I would be informed. This is what they have done over the weekend.

DB Is there not a concern that the RSM didn't fill it in at the time as opposed to waiting for his letter to arrive?

RL: Well actually it should have been. But of course as I remember it the RSM's point was it was not raised like this with me, he was just in bad order.

G

- DB Was there a missed opportunity in you not routinely seeing the daily occurrence book, given that that information is filtered by the RSM and therefore it is his decision? A
- RL: Well, the book is there for me to see. No, you have to decide – it's a valid point, different styles. It was not something I ever felt I lacked because the doors were open and I'm not really idle but there comes a moment when you are in the top chair and you have just got to have stuff filtered out to you, otherwise you would go the other way.
- DB It just strikes me having reviewed this, that it's quite a good health check on what is going on. Unless you look at the book you don't really get a flavour of the sorts of things that are going on. B
- RL: Well, that presupposes that I didn't have other methods of gaining information, of course.
- NB: And your other methods would include?
- RL: Well, my other methods were, I had a deliberate management by walking around style, and I also had a deliberate style of being approachable by just about anybody including numerous private soldiers, and as you can probably see from my routine, Monday morning I went to every department on a Monday, but I went through every department probably twice a week as well, to stop people, talk to the WRVS, the civilians, and all those sorts of people, and I was down in the guardroom pretty regularly and I am not going to say I read the occurrence book casually, but I trusted those staff around me, and I think legitimately so. I had my finger more or less on the pulse. C
- NB: The guard room could have been one way of getting information. D
- RL: It could have been, yes.
- DB You don't think that's a weakness? I mean, I raise it because clearly in this instance there wasn't an entry. I think in this case it was potentially the RSM who was part of the problem and so he is not likely to actually raise those issues. It does seem to be a weakness.
- RL: He didn't at the time. I will concede, but I don't think it's a major weakness, but I would concede that to you. E
- NB: I want to suggest we move on briefly to the question of your disciplinary sanction regime generally on the cases where you did warn punishment. Did you ever have some meeting with your Brigadier who was worried that you were a bit too heavy?
- RL: Yes.
- NB: Right. Did he indicate what PS2 at Upavon thought you were out of line on? F
- RL: No, he just said, "are you sure you are not being too draconian?"
- NB: But you knew what had prompted that question?
- RL: No, PS2 never contacted me.
- NB: Well, did he tell you that he was raising it because of what he had been told by PS2? G

- A RL: Yes he did.
- NB: So he told you why he was raising the question at that point. And what was your reply?
- RL: “Brigadier, I don’t have enough Junior NCOs, I am trying to alter the behaviour standards in this Regiment, I am trying to set a clear line and I don’t think there is anything wrong in what I was doing, and I was within the guidelines”, and I continued with that policy.
- B NB: Did he ever tell you to reduce your levels of punishment?
- RL: Not to my knowledge, I don’t remember it, but if he had I would have asked for it in writing. He certainly never wrote to me.
- NB: He didn’t focus in on particular punishments about smoking?
- RL: Do you know, I can’t remember. I used to get annoyed on several occasions that we have been mentioning, and I said, well, “Brigadier”, I am paraphrasing my own thoughts now – “first of all PS2 should be writing to 2 Brigade. Secondly, which punishments for which offences?” I think we should have consistency, tempered with individuality in every case. But my consistent moan to the Brigadier was, “Sir, I have got 1,000 soldiers, 16 NCOs and I am trying to alter the way they behave in this Regiment”. Therefore all these cases are instantly reviewed and can be appealed, and I think I only ever lost two, and they had a reduction in fines.
- C NB: I just want to put to you what he was telling me. He said that after one of these conversations he understood why you were taking a harsh approach when you took up command but thought that maybe a year downstream you might be able to drop that level of sanctions but simply making life more uncomfortable for some – I think this is across the board, and he mentioned smoking as something you punished severely for. Anyway, he says that he directed that you take a fresh look and a fresh approach and rebalance it, if you like, and that you should do that on a trial period for a couple of months.
- D NB: He might have said that but I don’t remember it, and certainly if he had said it I would have asked for it in writing.
- E NB: “It was a rebalancing of levels of punishment”. I say “for what?” he says “smoking, being out of bounds, drinking”. “So being out of bounds i.e. in the wrong kind of accommodation?” “Yes, it was right across the board”. You don’t recall it?
- RL: I recall conversations about it and by this stage we were really under public pressure. Everybody wanted me to be nice to them, and I am still waiting for resources to be nicer, and one of the few ways – for example, out of bounds, classic example. “What would you give for that, Brigadier. Fifty pounds fine? The price of a hotel room?” And the other thing, with all of these, these are what we call standing order offences, they are unique to Deepcut, although smoking in the accommodation is not – in the Army you can’t smoke anywhere. How do I look across the table to a QC or a Board of Inquiry or anything and you say to me, as you have done already about how the soldiers complain and everything else, how do I demonstrate my institutional disapproval of certain forms of behaviour?
- F NB: I am not putting to you something which I think you may have been over harsh on, I am interested to know whether the Army as an institution are leaning on you to ease up.
- G

- RL: They weren't – I told them to get stuffed. A
- NB: Right, OK.
- RL: With the out of bounds I can tell you. We tried everything to stop the boys getting in the girls' accommodation, and my punishments, if you look, are steeper at the end of my tour than they ever were at the beginning, because you might as well try and stop a tiger.
- NB: OK, well I think that's all I can get out of that exchange now. B
- RL: Smoking in accommodation, if anything where I am going to, if you are caught smoking in the loo you get a £1,000 fine, because it is a wooden building. It'll go like that, but fire in accommodation is a nightmare with British armed forces. They are all coming back drinking alcohol, lighting up in their beds, and you can work out the rest yourself.
- NB: And the other thing I have captured, I thought I might mention to you, was there some point when he wanted you to introduce what he called idiots card guides to trainees so they know how they are getting on in their training process? Did you have a conversation? C
- RL: Yes he did. Brigadier Clive Elderton, brilliant bloke. I mean, he is about as nice as you can possibly get, and he had all sorts of good ideas, and I remember saying on numerous occasions, "great idea, Brigadier, I have got eight Corporals, two of whom can't read and write anyway. Who is going to do the cards? What offence will you create if a soldier fiddles his card, because they are all going to keep it? I have got 350–500 soldiers, that's 500 cards. I can't cope with the administration of that many". It sounds anti because of course the psychology of change and rejection and acceptance and all the rest of it. These were all good ideas. None of them were bad, and all of them, you think yes, in a perfect world it's a proactive way of doing it, so the soldiers could plot where they are. How do I do it? D
- NB: No time, no resources, no staff.
- RL: I could design it. I don't think he ever came up with a bad idea on purpose, but by this stage my staff were having psychiatric help in the Priory Clinic. E
- NB: OK, well the last topic was just a couple of the things which arose from what you said to Devon and Cornwall Police. You say that you were worried that things you told Surrey Police had been reported back to your chain of command.
- RL: Did I say that?
- NB: I have kept this note here of the conversation you had with Devon and Cornwall Police.
- RL: I did not trust the Surrey Police. F
- NB: Who interviewed you?
- RL: Another Chief Inspector, I think.
- NB: And what was the nature of your lack of trust in the Surrey Police?
- RL: They interviewed me very late on. I was never happy with the way the Surrey Police were G

- A conducting their investigation. I couldn't understand what they were investigating. I lost the point of the whole thing. I started to be uncomfortable with the way – of course I wasn't thinking about the brief, but I started to be uncomfortable with the Surrey Police investigation.
- NB: About what?
- RL: The whole thing. I must compose myself because I get quite emotional at this. We started off with a murder inquiry. Now I have never been any part of a murder inquiry, like a lot of white middle class people, I don't have a lot to do with the police either, so I just went along. But all of a sudden, and the gist was, "we are going through the motions, Ron, no worries, we are all on the same team, mate" and everything else. It was a bit like the pat on the back in a football match, and off they went. To paraphrase the conversation I had with the [Chief Inspector], I had already given information – I had tried DCC. I went to a meeting with Brigadier Elderton between 26 March and 30 April with the Chief Constable of Surrey, which Brigadier Elderton e-mailed someone up the chain of command, and it the gist of that meeting with the Chief Constable of Surrey was, we are all on the same side, it's desperately tragic, it is suicide, but we are all in the investigation and it is a trauma to the families. Maybe we have all done something a little bit wrong – I am paraphrasing like mad now obviously, but we are all on the same side, we will do this and hopefully we can get the families in step, but it is suicide. I thought that was a perfectly reasonable approach, and I am not an expert, but retrospectively and all the rest of it, but at the time, yes, because I thought that was the decent thing to do, and I went to various low-level meetings and stuff like that where the police came and used forensic evidence to demonstrate to the families that these were self-inflicted deaths. That's the how, the why is a different question. And I was happy with that. But then, and I can't put my finger on it, all of a sudden we start to want to interview every soldier in the regiment ever. We want to go through all the incident books, not in 1995 and 2000 and 2002, but everything in between, all of a sudden we are trawling everything. That's not a murder investigation, that's a trawl, and I started to be uncomfortable with the scope of that, and then when [the chief Inspector] interviewed me I suddenly realised, because I had produced a whole raft of welfare material, we were mentoring him. But our intent was to get better. But no one was interested in anything I found. I came out of the interview with Surrey Police realising that in actual fact they had me running around the bloody rounds. I hadn't answered any questions about how I ran the Regiment, and actually was suckering me up as well. I still remember this great question: "how many sexual attacks or incidents do you think are not reported in your regiment, Colonel?" Well, it's a "do you beat your wife?" question – I note as a sociologist, of course, that there is massive underreporting. Well, I was being fed lines to stitch myself up. Then of course while I was in Greece and Kosovo, I received various reports that required a genesis to get to where it was. And they quoted me. It was a murder inquiry and they were doing a report.
- NB: This is the Fifth Report?
- F RL: Yes, I was not very happy about that. I had some very unpleasant conversations with the Army as well, as they wanted to know why I said various things. I said, "well, the next time I go for interview with the police you are going to find me a solicitor, then you will". Basically I got the impression I had been quoted totally out of context, and so when the Fifth Report came out, I was being stitched. The Chief Constable of Surrey, in front of the House of Commons Select Committee, there are some caring individuals and there are some who are not. Now if you can get away with that, that's a meaningless statement, everybody is condemned. There was a fatalistic attitude to training – what does that mean? What training? Sorry, but it's these statements
- G

designed to damn the Army, and particularly I felt very personal as a Commanding Officer who is now under investigation and so forth. One has got to be professionally detached rather than emotional about it, but I became more and more disillusioned with Surrey Police as a result of the way things were going. I couldn't put my finger on it because I didn't understand what they were doing, but all of a sudden they stopped briefing us and all the rest of it. We ended up with these allegations. Well, if the Surrey Police were investigating during my time in command, and they had the names of NCOs who were overstepping the boundary, what the bloody hell were they doing keeping it confidential and then publishing it in the report to the House of Commons Select Committee for Defence? That in particular one I found very annoying.

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B

NB: But did you ever understand that if they found evidence of wrong-doing by NCOs they would hand it over to the RMP to investigate it? Was there any understanding of that?

RL: I was never briefed on that at all. I read those allegations. They implied that there was wrong-doing on behalf of the NCOs. It was never handed over. Goodness me, all they had to do even was to brief us – they couldn't have used it as evidence, but my goodness me, it was very useful to have people in to investigate. They could have investigated it, they could have posted them out, we could have done a raft of things, and I was livid because of course it made it appear – maybe it's to my mind only – that I was perfectly prepared for NCOs to maltreat people, and we have done nothing about it, and of course it smacked at the heart of, I am not perfect, but it smacked at the heart of my own professional ethos. Sorry, I'm ranting.

C

NB: No, OK.

RL: Never trust a copper.

D

NB: You were saying at the very beginning of this answer you had with the Chief Constable, can you give me the dates?

RL: On the 26th March and the 3rd April 2002.

NB: So that's after the Collinson death.

RL: Yes. Brigadier Elderton then sent this e-mail. I know the IPCC are looking for it at the moment, I assume they are. To ATRA, possibly to General [...], but that is a report of a meeting.

E

NB: A report on the nature of the meeting.

RL: But there were other meetings which Major Kerce went to where the police were trying to demonstrate forensically, I think legitimately, to the families that they had identified these as self-inflicted deaths.

NB: That's the briefings that they give of their findings later on.

F

RL: I don't know. I was always cut out of all of that. Not always unreasonably, I suspect.

NB: Right. I think that's just about covered the topics. Since we last met, we have spent a day in Glasgow, where we went to Manning & Records office and we were given a briefing about confidential reports. Now I seem to remember you were telling us that you were one of those who was told to sort of tone down comments.

G

- A RL: I was at the time of Lance Corporal [...].
- NB: Yes, it looks like there are slightly different versions of what it is that one can or can't do.
- RL: I am assuming again that if I got it wrong I am prepared to accept that.
- NB: I'm not sure that there is a holy writ but I think Upavon told us you can't mention the punishment because of the Rehabilitation of Offenders Act.
- B NB: I think they were saying that you can't be too specific even about the incident. They do keep a record of it in order to decide whether people get their regimental good conduct, not to decide whether they are suitable for a training post.
- RL: Yes, they do keep records. I don't pretend to understand the system at all.
- DB I thought that the advice from Glasgow was broadly consistent with what Colonel Laden had said and it was Upavon that had a differing view as to the issue, so I think practice in terms of what you do reflects the Glasgow view, which is dominant because they issue the instructions.
- C RL: Well, they will have to send it back for a rewrite.
- NB: I told them I might have problems with that because the confidential reports are part of the great Army system whereby you select people's post without even interviewing them, simply on the basis of points they have scored.
- D RL: It's an interesting way of selecting people, I suppose.
- NB: I mean, I could well understand why you short list them but you might want to do a bit more, in which case an awful lot of reliance is based upon the reports.
- RL: The board consists of certain people who are selected and you get two Lieutenant Colonels and you get a random selection of reports based on grades and you mark against the criteria.
- E NB: And you are doing that all from Confidential Reports.
- RL: And from the nuances and subtleties in the way they are written as well.
- NB: Different Commanding Officers might have different styles.
- RL: I have no doubt at all that someone with solid reports gets promoted and some can't, within reason, and if you want to see a real one, look at the officers to see how that is done. The subtlety of the report is marvellous.
- F NB: I mean, I have seen quite a few confidential reports, and it is not an area which I was particularly versed on. I was not versed at all until I took on this function.
- RL: If someone had been promoted to command, you would have thought they were quite good.
- NB: And do you know that, do you?
- G

- RL: Yes. There is no doubt, because of the nuances. A
- NB: But I have seen some people for whom it is not a question of nuance but outright criticism.
- RL: Yes, I have read some.
- NB: But some of the people have outright criticism and have been promoted.
- RL: You have to be very wary, because of course we all have our own agendas in our subconsciousness. I think there is a real problem selecting people for any senior position in any organisation, and we are all selected on the basis of our past records and how that reflects on our suitability for the next job. It's a desperately difficult area. It is such an intellectual exercise, but up to about Sergeant it probably doesn't matter too much. You know, it is a mass market out there, so interviewing someone for Corporal. B
- DB: As a Commanding Officer, given that you've suffered a number of Junior NCOs dabbling with female trainees and so on, do you not think you could have tested attitudes out and interviewed them before they joined your Regiment? C
- NB: Or an RSM.
- RL: I am not sure. I wasn't in charge of interviewing my RSM. I was offered three names and because Glasgow doesn't like you picking and choosing either, because it causes them problems as well, of course. And I was actually offered the chance to interview, to pick my RSM, and I said no. He then rang me up and said, "would you like to meet me, sir, before I take up the post?" And I said "no, I don't, because I trust the system. You know, what are you going to do? You are going to have 20 minutes, you are going to be in your suit and you're going to agree with everything I say". You know, have I got the time? So a Corporal turns up and he is with me for 20 minutes, 25 minutes, 40 minutes, and what are you going to say to them and all the rest of it, so it's a very difficult outcome. I am not against it. I try intellectually not to say no to anything which at the first instance may be inconvenient, but then you have got to work out if you are going to interview someone it has got to be structured, you have got quite serious points to meet, you have got to have absolute no go areas – sex with female recruits is the obvious one. But you have real problems, and this crops up, and we've done a lot of intellectualising over all this. Supposing there was a Corporal in Germany – a single man – and he has a reputation for having a female private soldier as a girlfriend, and he changes his girlfriend every 3 months. Is he suitable? And he's outstanding. He's got excellent personal skills, good professional standards, and he has personal moral standards as well. He is single, he goes out with girlfriends, girlfriends don't hate him when it ends and all the rest of it. Is he suitable to train recruits at a Phase 2 training regiment? Now you could say the answer is yes he is, you could say the argument is no he isn't, based on the fact that he has known tendencies to have sex with women. But if he goes to training he has got to get extra marks and get several promotions, but you decide not to take him; on the basis of a moral standard, you are going to set back his career. You are into a really difficult area. D
- NB: Now how about interviewing him, finding out whether you could chat to him whether he is going to leave his private life in private, or bring his private life into his professional conduct? E
- F
- G

- A RL: OK, so I interview him. I am hoping that I was brutally honest with all my NCOs. And I'd say: "while you are here, Corporal X, If you have sex with a female recruit I will break your *. Be in no doubt. End of story". "Yes sir, I agree". I mean, I would have to have a degree of structure, subtlety and dare I say training in order to be absolutely confident, or 80 per cent confident that I have picked the right man. I would also then be concerned to a degree retrospectively now – probably not then, but I would be now – as to what exact legal protection I would have if this soldier then does these things, because I have selected him on the basis of my interview. When the Army wants a head they are not too fussed which head they are after. If I was in command again, I would say, I want it in writing.
- B NB: And that's an order?
- RL: I am happy to obey orders but I want it in writing, so I wouldn't lose, which is worrying. There is a whole raft of things there.
- NB: Yes, well I don't necessarily think you need to be too defensive, but you need to have captured somewhere along the line that –
- C RL: The system operates on people –
- NB: Who knows what you were told, what you knew, what you ought to have known, and whether you are making a mistake.
- RL: I mean, the system works obviously on command – you know, if I tell you, you go and do it. Probably the last point I want to make – I have got a couple of factual questions which you may or may not be able to answer – I have tried in all of this, I knew you were going to put it in your letter, I have tried to be ruthlessly honest with myself, and not many people have. Not many people have been turned inside out the way I have. It's not been fun, and yes, I had to decide, did I do a good or a bad job, did my staff do a good or bad job, and there is a bit of subjectification there. On balance I think we did. On balance what is interesting having forensic examination of the minutiae of your administration is quite scary and it's not something I think we are trained for or equipped to do. But notwithstanding nonetheless, there is one thing which all problems at Deepcut boil down to – we could dice it up a million and one ways – but what it is is we didn't have enough bloody staff to run the place.
- D E NB: I accept that.
- RL: I had guys who wanted to do a good job, and actually did when they were given the opportunity, but in the end , I don't know if I told you this before but a large number of my staff ended up with medical problems. My second in command only survived because he had a deep Christian faith and even he had some problems. I was so concerned about one Major who actually collapsed with blood pressure problems brought on by stress that I considered relieving him from command for health reasons God knows how he managed, and he left the Army subsequently as he had a family, because he was married – and he put that first. One other Major had surgery for a hiatus hernia caused by stress – that's the Majors. I had several Sergeants who had medical problems, one had a nervous breakdown, one we found crying at his desk – he could not cope any more. Several marriages broke up, on one count I was proud of what we all did but actually it was achieved by working the staff into the ground. It was a damning indictment that the only way we could keep the place going was to fuck up the lives of the staff. The Army has a case to answer for that. Whether they can afford a Junior Leaders Regiment would be quite interesting – I suspect we can't.
- F G

NB: Well, they may have a choice between that and not recruiting under-18s.

A

RL: I wondered whether that was on the grape vine. You have spoken to a generation of officers who told you it was a gigantic mistake. About ten years ago the chickens were coming home to roost. I think it was a monumental cock-up, and we will dress it up in resources, but I am not sure we have got the manpower, the barracks, the money, the time to recreate it, and it was a good system, as I am sure you have heard – a superb system, the envy of the world. To get rid of it all on the whim of a pen.

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Appendix 4/11

Meeting with Mr & Mrs Gray and Lieutenant Colonel Laden

Present: Nicholas Blake QC (NB), Lieutenant Colonel Ron Laden (RL), Geoff Gray (GG), Diane Gray (DG), Girish Thanki (GT), Darren Beck (DB), Julie Albrektsen (JA).

Location: Matrix Chambers.

Date: 14 July 2005.

NB: This is a meeting which you both agreed to and unlike the other meetings I have had where I am asking the questions and pushing my agenda, I think this is a time for both you and Colonel Laden to ventilate issues that you want to talk about.

What I'm proposing to do is to briefly introduce this session with some information to you both. I've met Colonel Laden and obviously, I've met you in preliminary meetings earlier on to tell you where my review has got to and the kind of issues that I am interested in and think that I will be interested in, bearing in mind this is always a learning curve and everyday brings something new, some new bit of information which has been brought to my attention. I thought I'd tell you that and that might provide a set of matters that you want to talk about. Then I would suggest that – I don't know which turn you want to take it in – that both Colonel Laden and you have an opportunity to talk about the issues that you want to talk about today and then we will talk about them. Does that sound fine? OK.

After quite a lot of technical problems about data protection matters I have now got access to the relevant personnel files of people who I think I need to have a look at, and I find that there is a lot of information there. I've got the guardroom logs which Surrey Police have retained. It has taken Julie and Darren numerous visits down to Dorking to abstract that, so I've got their abstract of incidents which seem to be relevant. I've got the Commanding Officers' interview books so we have looked through your [Ron Laden's] interview book for the period, I think we are missing ones from 1995, but that shouldn't impact on this discussion. I think we've also found some of the officer commanding interview books. Regarding the command structure you probably appreciate that Colonel Laden was the Commanding Officer of the Training Regiment, then the squadron has the Major, who is the officer commanding. So there is that distinction. And I have also got quite a lot of material from Surrey Police on the Skinner case and that provides a useful insight into the interim regime 1996-2001 that I spent a lot of time on last week.

Now meetings. I've had meetings with former Brigadier Evans who was the Commandant or the Commander of the garrison in 1995 at the time of the James and Benton incidents and I have also met your predecessor Lieutenant Colonel Harding.

RL: Not my predecessor, the predecessor of the one before.

NB: The predecessor of the one before, yes, not your immediate predecessor.

RL: No.

NB: I have spoken to Lieutenant General Palmer, who is a person of some interest, he is just about to retire as Head of Personnel for the Armed Forces, but for our present purposes, he was also Director General of ATRA from 1999 through the time that Geoff was a

- A trainee and it was quite an important meeting, because he commissioned the Haes Report¹ and he responded to the Haes Report.
- GG: He ignored the Haes Report.
- NB: Yes, I think that may come up for discussion. It is the Commander or Commandant at Deepcut who actually writes the reports to the DGATR. And he writes his quarterly or half-yearly reports. Retention on that has been a little inconsistent but I think we've got them all from 1998 onwards, so when I went and met General Palmer I was able to say
- B "the Commandant was saying this; what do you say in response?" That was useful. And do you write your reports to the Commandant?
- RL: Yes. It goes up. I write a report every quarter to the Brigadier that runs all the training, lots of people send them in, he then amalgamates them and then he passes them up to ATRA.
- NB: So we've got three levels: we've got the Colonel who's the Commanding Officer of the Training Regiment, then we have the Brigadier who is in charge of the barracks and then
- C DGATR, to where the reports go up. Did you ever see General Palmer's response to the Brigadier?
- RL: No. General Palmer was just leaving as I took over, and I have to be vague, but I would have thought in about my first 3 of 4 months.
- NB: He is still on staff by then – I can give you the dates – in September 2001.
- RL: So I came in June so I would have thought Major General [...].
- D NB: You came in June 2001
- RL: And I would have thought he must have left mid-autumnish. I could be vague; I could be totally wrong; he was so far away from me I didn't pay regular attention.
- NB: Well, I can tell you and it's relevant, that as far as I can see, General Palmer's response to the Haes Report, his first response was delivered on 9 September 2001 and a more full report given a few months later. That's the time scale, so that's provides the context for our conversation today. I know I've got your covering letter which you kindly gave me, because Lieutenant Colonel Laden has been in some correspondence with the James family. So those are quite useful. But you don't have your own quarterly reports, do you?
- E RL: No, they were never, you know they went up, of course they were personal letters which I, even then I didn't save all of them.
- F NB: Yes, of course, I'm finding actually that sometimes it is individual officers, their retention of their letters and reports that have given me more data capture than official deliveries from the MOD. Obviously there is a discussion about the staffing numbers which is a theme which you are probably aware of. We can perhaps pursue that.
- I am also going up next week to the Army Foundation College of Harrogate to see whether there are other ways of training very young people in the Army and whether

G ¹ The Haes Report "ATRA Duty of Care and Supervision (DofC&S) Report 98-01", 24 April 2001.

that is still going on. I think I can share with you this observation that Brigadier Evans said to me just as we came to the end of our 3-hour session, he said that he thought the worst decision the Army ever made was to abolish the Junior Entry Scheme. He thought that had been a very good environment for very young people who wanted to join the Armed Forces. So I'm trying to explore the implications of that answer in various places to see what can be done. As we know, we may or may not have the Devon and Cornwall report into the Surrey Police investigation but I understand that the police complaints authority are not now going to ask Devon and Cornwall to investigate that matter, so the last I heard from Surrey Police, Devon and Cornwall have been told to get on with it and then they said "well, actually, we want more time to interview somebody else".

GG: I'm sorry to interrupt. The last we heard was that Devon and Cornwall was supposed to be reporting in August². The Deputy Chief Constable wrote to us last week. They have been saying they were going to report for the last year.

GT: I have also had a letter from Michael Burgess saying that he has also been told that Devon and Cornwall are going to report in August. He is therefore planning a meeting in September to try and work out some kind of footprint.

NB: I see. Well at least that point towards some closure. Ever since I was appointed to do this Review that's been outstanding, and because that's been outstanding the Coroner hasn't been able to have his inquest, the Army can't have their Board of Inquiry and I think you may have noted in Geoff's personnel file that the Army were going to go ahead with the Board of Inquiry, but that you were instructed by the Surrey Police not to –

RL: Certainly I wouldn't have been instructed.

NB: There was a letter to you, I think. But for present purposes, we're talking about chronology.

RL: But there was a date set, the Board was selected, everything. It has nothing to do with me the Board of Inquiry; I don't set it up or anything. And it was postponed. There's a legal phrase for it, but it was put into abeyance for the moment.

NB: So because you have seen Geoff's personnel file you will have seen the terms of reference –

GG: Yes.

NB: – set out in that correspondence. And it was April 2002. So if Devon and Cornwall report, if the Coroner then can make arrangements for his inquest, then gradually, over the next few months it will all unpack. As I am concerned the issues regarding your son Geoff and the events of 2001 are moving into the area of how did the Army generally at various levels respond to what information was available from the period 1995 to 1999; that's the response to the first two deaths. So did they respond and did they put new measures in? Or was it left to the individual Commanding Officer to respond? And then there is an issue of ATRA, their policy on duty of care from 1998 to 2001 and that is very much the Haes Report and General Palmer's response to it. And was there any guidance to Commanding Officers? And quite clearly, ATRA did not pick up the Haes report. There were cost problems; that's what General Palmer said to me. I particularly want to look at the problems of a training regime for the under-18 year olds as a matter

² The Executive Summary of the Devon & Cornwall Review was released into the public domain on 18 October 2005.

- A of policy and practice. In specific terms I am interested in, and want to know more about, guard room duty for under-18 year olds. Obviously what measures then were taken, either by the Brigadier or the Commanding Officer to address any risks which could have occurred. What measures are outstanding, if any, to achieve a proper duty of care for young trainees, so that merges that into the policy debate, the question of how families should be treated with respect to data relating to the death of their children and access and participation into the inquiry; possibly a policy issue of some interest. And finally, what issues if any regarding these events may warrant a public inquiry. I just thought I should let you know that's what I'm thinking. I will then, as it were, hand over
- B for either of you to make a statement first. I would suggest that when it comes to the actual immediate circumstance of Geoff's death, as you know Surrey Police have briefed you as to what they found and have not found and there is no case as I understand it on the evidence yet to say that the different verdict is required or that it should be reopened. In the absence of evidence of any other third party involvement I'm proceeding on the presumption that it is a probable self-inflicted death. I'm using that term, I'm not using the term suicide, because that obviously has a different connotation and contradicts the Coroner's verdict. But that's simply in order for me to grab hold of the material that exists. I'm open to anything which changes that view and I appreciate that is not a closed view but it seems to me the probable basis of our discussion today unless something else emerges. Probable is not certainty, as you appreciate. I think also, as far as I can see, if it was self-inflicted, the question arises, and only then arises, as whether it's foreseeable or preventable or caused by the failure of others. But as far as I can see it seems to me that there was no evidence that Geoff was unhappy, bullied, depressed which makes it so odd from your point of view as to how is it meant to be explained. He had no reason to inflict injury. So this is not a case as some of those problem cases from the 1995-1998 period, of a weak recruit being possibly picked on by other trainees or some NCOs. Or indeed, it doesn't seem to be a case of sexual harassment which seemed to be a problem at certain times at Deepcut, or inappropriate sexual conduct, perhaps. And so from that point of view that seems to be the context that I have discovered, and obviously, that context is one of the reasons why I am asking questions about under-18s and Army policy on duty of care. Anyway, that's all I want to say, are there any questions?
- C
- D
- GG: Just one point there: you say a probable suicide.
- E
- NB: No. A probable self-inflicted death.
- GG: A probable suicide. Surrey Police employed the BKA³ ballistics from Germany and also the Forensic Science Service from the UK; neither could prove it was suicide, so do you see where we are coming from on that point?
- NB: Oh quite. I appreciate that this is a contentious and raw issue for you, but I am coming up with it to give you some context for our discussion today, nothing is closed down. But if there is no evidence of third party involvement which is what I understand from the position from the material and, I mean, don't take the forensic evidence in isolation but put it alongside all the other evidence and then you look at what the Coroner has done, it seems to me in a sense this discussion is more worthwhile when we have that context. I'm not imposing that context upon it – everything is open, but I just want you to know where I have gone through my reasoning process and why the issues that I've just described are those kind of issues.
- F

G ³ Bundes Kriminal Amt.

- GG: We have problems obviously with the Coroner as well, because his inquest was based on a flawed investigation so how could they have a, you know, reasonable– A
- NB: We can settle about that, although I think Lieutenant Colonel Laden is responsible for running the Regiment rather than the SIB, the investigation or the Coroner and so this meeting I think should try to focus on issues in which you have common concerns about rather than things which are probably your individual concerns which no doubt are important. However, I just put that forward not to close things down but to provide a sensible context so you understand where I am coming from. B
- GT: It seems to me well worth just taking a couple more minutes with this. You say that at the moment, your thought process seems to suggest probable self-inflicted death. I wonder if we can try to convince you to say it is probably no third party involvement, rather than probably self-inflicted. Because the evidence certainly at the moment points to no third party involvement but I can certainly take issue with self inflicted. B
- NB: I'm just setting the context of the way my present thinking is for this discussion. By all means – and that will be on the record – and I would like you to give any input to make good that proposition. C
- GT: We will come back to you on that. I don't really want to lock this one down today, but I do want it on record that we will come back to you and make representations that you should not treat these as self-inflicted injuries and our suggestion is that there is no third party involvement at this stage.
- NB: That is where we're at. But I will need some representation from you.
- GT: As regards a statement, we don't intend to make one. The reason we don't want to make one is not to create any artificial bounds for what we are discussing today. My clients are very interested and very grateful that you are here today. They have wanted to meet you for a while so that they can find out a little bit more about what happened to their son. So, rather than actually say "we will start at A, reaching Z", perhaps we can skip that on the basis that you are here to give them information that you are able to give them. D
- RL: Well, thank you very much. First of all Mr and Mrs Gray, thank you for meeting me today and I am sorry we meet under these circumstances. Thank you for your courtesy in your contact earlier, which I indeed appreciate. As you are aware, but it does need to be said for the record, I am here in a personal capacity. I do not in any way represent the Ministry of Defence or the Army; it's me Ron Laden and nobody else and that's why I am here by myself. I have had no advisors on this matter. I've got nothing else to say. I think once we start, ask me some questions and I'll try and answer them. E
- DG: When Sean Benton died, there were recommendations made. Why were the recommendations not carried out? F
- RL: They were.
- DG: No they weren't.
- NB: Which recommendations? G

A DG: The recommendations about the guard duties and rotations. The recommendations from the Board of Inquiry⁴ said that guard duty should be rotated to prevent anybody coming back to the same spot to find somebody to prevent the repercussions of anything that happened.

RL: That's a technical point, you have me there, but I would justify on the basis of course that people did sometimes go back to the same post to give them experience of being at the same spot.

B DG: It's just that the same –

GG: Major Kerce told us that – is that the one?

RL: Kerce. I suspect.

GG: We were in a meeting with Surry Police and the Major said this was never carried out because it was too complicated.

C RL: Probably right.

NB: I'm not sure I picked up on this, something in the Evans Report⁵ saying that when guards posted they shouldn't always be posted to the same location.

GG: That's right. They should be rotated.

NB: And your point is that as far as you know, Geoff was guarding the Officers' Mess twice.

D DG: Twice that night

NB: Oh, I see, in one tour of duty.

DG: Yes, because he was approached by [civilian fire fighter] on that evening and on the second time he went on duty he went to the same post which gave somebody the opportunity to find out where he was and go back for him if that was the case.

E RL: So what you are saying is in a normal 12-hour period of duty a guard would return to the same spot.

DG: Yes.

RL: Yes, that would be the case otherwise the briefing would become extremely complicated.

GG: So the recommendation wasn't carried out?

F RL: I have no idea if that was a recommendation. Is that for each 12-hour slot or each guard duty for the week?

GG: Something like that.

RL: We need to get that clear.

⁴ Board of Inquiry – Pte Benton (deceased), July 1995.

⁵ The Evans Report "A Review of the Phase 2 Training System within Deepcut", 14 December 1995. The actual recommendation as regards rotation of posts is in Board of Inquiry – Pte Benton (deceased), recommendation 28 (g).

- NB: Do we need to chase that down? Do you want me to get the Evans report? A
- DB: Actually I think it was from the Board of Inquiry.
- GG and DG: Yes.
- RL: And you have to ask someone who served there during the time of the Board of Inquiry, which I never read.
- NB: You never read the report of the Board of Inquiry? B
- RL: Only after, and I can't be absolutely certain, I wouldn't, I did read it and I'm not sure if it was between the time of the two deaths in my command or after the second, but I cannot remember.
- GG: I just mentioned Mr [...], the fireman. Could you explain why did you have a civilian fire fighter living in the Officers' Mess?
- RL: He's not a civilian fire fighter, he's a member of the Army Fire Brigade. He works for the Ministry of Defence, he's a civil servant, the Army has its own fire brigade. He was an instructor at the school teaching fire prevention courses, perfectly entitled to be there, a member of the Ministry of Defence, everything. He's not a civilian in the sense of that connection. He's paid and employed by the Ministry of Defence. C
- NB: So he's a civilian member of the MOD?
- GG: No, we've been told in the past that he was a civilian fire fighter.
- RL: Well, that may be correct, it's the way we use the language. He has an identity card with him. D
- DG: So why didn't he use that that evening?
- RL: I don't know, I wasn't there.
- DG: He didn't have proper identification when he tried to gain access. E
- NB: That's where the whole problem starts – Geoff challenged him.
- RL: This is all, I have to tell you that I can't give you a definitive on this because of course I have never interviewed the man about it, I've never seen any witness statements about it.
- DG: How come there is only one fire fighter in the whole of the UK?
- RL: There isn't. There's loads. F
- GG: The MOD gave that answer to a questions in the House of Commons saying that there is only one fire fighter in all of the UK. It was either Lewis Mooney or Adam Ingram who gave the answer.
- RL: I don't answer for the Ministry of Defence.
- NB: But in terms of your understanding of this, the MOD has its own fire service? G

- A RL: It does, and there is three or four of them working in each camp.
- NB: Three or four of them and he was there doing training?
- RL: Apparently. How they're organised and everything else, I don't know. I'm not an expert on it. They have got a fire training ground at the back and set things on fire – the whole nine yards.
- NB: If you would draw to my attention to any answer from Lewis Mooney which you think raises questions, please do so now.
- B GG: I can't think from the top of my head but definitely there was a very straight answer from Mr Mooney. I'm sorry to be bouncing back and forth, but I'm just taking things out of my head. The night that Geoff died obviously, he's gone to the Armoury, he's withdrawn an SA80, which he has signed the log sheet for. After Geoff died that log sheet was put, so we've been told, into his file, his personnel file some two, three weeks later that log sheet was shredded. Can you tell me why that would be?
- C RL: First of all who told you that?
- GG: Surrey Police told us.
- RL: They're absolutely certain?
- GG: If I can just give you a little bit of background on that. We said are you sure that the rifle found next to Geoff was his rifle, that it was the one that he was issued that night and Surrey Police said no, because of the destruction of this document that rifle was only 1 of 20 issued that evening so we can't pinpoint that rifle to Geoff. It was never fingerprinted or anything so we can't say Geoff actually had a hold of that one.
- D RL: Does that make a difference?
- GG: It does yes. It makes a big difference.
- RL: Because?
- E GG: Because somebody could have shot Geoff, placed their rifle there and taken Geoff's one.
- RL: So somebody took a rifle from the guard room?
- GG: No, there were 20 issued that night.
- RL: No, there are 20 in the guardroom. Have you been to the guard room?
- F GG: No.
- RL: Right, so you've got 20 rifles on the racks in the guardroom locked. Those that go on guard are issued the rifle and they sign for it, they take the ammunition and then they go on guard. So let's say that – I'm using this as an example – there are one, two, three, four, five, there are probably five to six rifles out with soldiers, that means the remainder in the guardroom.
- GG: There's got to be more than that.
- G

- RL: No there hasn't. Not at night. How many guards do you think they have got armed at Deepcut at night? A
- GG: There's two.
- RL: There's two by the Officers' Mess; there's three on Geoff's night, there were three by the Sergeants' Mess – that's six, probably two down at the main, so say eight.
- GG: They said there were three guards, three armed at the Officers' Mess on the night Geoff died? B
- RL: Was there three? Or was there two?
- DG: One. One.
- RL: There was only one with a rifle?
- DG: I don't – two. C
- RL: Two. And one didn't have a rifle?
- DG: Yes. One had...
- RL: One had one –
- DG: Torch.
- RL: Are we absolutely certain that all three of them didn't have rifles? D
- DG: No. Two of them had a rifle.
- GG: We've been told two were armed. Geoff was armed and the boy.
- RL : Let's just go back to how many rifles and how they are looked after. It doesn't matter how many rifles there are, lets just say there were six or eight. I'm not too fussed about that, but they're signed out and they are attached to a human being. The rest of the rifles are in the guardroom under lock and key. You've got a Sergeant, you've got Corporals, you've got Private soldiers. You've got the ammunition which is not kept with the rifles but locked in the ammunition box until it's issued with the soldiers when they go out, and they get issued their own magazine and magazines aren't passed around. What you have to work out is if someone then, goes to the guardroom in front of about 10 and 12 people, take a rifle out, secretly, go a mile and a half up the road without a car, enter and then commit some act. E
- GG: But what if it was another situation. What if somebody on guard duty with Geoff, or somebody from the Officers' Mess had an SA80 rifle, went and shot Geoff, that gun is then covered in blood, it's placed next to Geoff and they take Geoff's gun away. That's a scenario. F
- RL: So, where does this rifle come from? Where's the missing rifle?
- GG: There's not a missing rifle. G

- A RL: There is. Well no, because you don't have a rifle wandering around in the Officers' Mess. Rifles are in the Armoury looked after by the Armoury staff on signature.
- GG: We don't know who had what rifle now because that log sheet has been shredded.
- RL: No, we come back to rifles are in the Armoury, rifles are in the guardroom, rifles are always accounted for. So what we are saying is, we've got all of the rifles in the Armoury under lock and key and it's alarmed, I mean, I don't know the combination to the Armoury. All the rifles are there, then we have the rifles in the guardroom. Your scenario is that someone shot your son with another rifle. What I'm trying to say is, where did that rifle come from? Are you saying that someone had a rifle they shouldn't have had in the Officers' Mess? Where did they get it from? Why did they swap the rifles? Why is there no rifle missing from anywhere? Why have they got all these bullets? That's one scenario. Anything is possible, but is it probable? The other one is, did the rifle come from the guardroom? I am saying I don't think that is possible. Rifles do not walk out of guardrooms by themselves. It was a night. But that's my point of view.
- B
- C NB: Can I just pick up on the question which prompted this line of inquiry which is, do you know where there any standing orders at the time as to how long these sort of sheets should be kept for?
- RL: I don't know.
- NB: Who ought to know?
- RL: Probably the – in normal speak and I'm going to caveat this if I may – I suspect normally there was no work attached to the sheets on a daily basis you just signed for it so that if your rifle went missing you, you know, you signed for it, it has normally to do with the ammunition actually. You sign for a rifle, you sign for a magazine, you sign for 10 rounds of ammunition, when you go on guard it is your responsibility. We have legal proof you had it in your possession. And the next day they are all there, and I suspect they are just thrown in the bin if you see what I mean, so it's just a short term receipt. In this particular instance after this I have no knowledge at all about how the investigation was conducted by the Surrey Police or Royal Military Police, the Special Investigations Branch, these documents were certainly not to my knowledge in the possession of me or my staff.
- D
- E NB: But in terms of things of setting up of policies for the guardroom staff, is that something that the –
- RL: The Regimental Sergeant Major normally is responsible, along with the Provo Sergeant.
- NB: Yes.
- F RL: The Regimental Sergeant Major is [...], the guardroom Sergeant who was on duty whose name I have now totally forgotten from back then but he'll remember it.
- GG: [Sergeant CB]?
- RL: No. He was the Staff Sergeant on duty that night with the duty Sergeant. A guardroom Sergeant doesn't, can't be on duty all the time.
- G NB: [to Darren Beck] Did you want, before we carry on, to show Lieutenant Colonel Laden the Benton Board of Inquiry? [Copy of Recommendation 28 (g) in Benton Bol given to Lieutenant Colonel Laden].

- RL: Yes. well that means, guards are rotated between posts during their period of duty thereby safeguarding against complacency. Well, we're both right, aren't we? They could be rotated on a daily basis or they could be rotated on an hourly basis or they could be rotated on a weekly basis. A
- NB: You're unaware of any formal response to that, at that time?
- RL: Well I wouldn't have, yes, now, you know the position. But there were technical problems on rotating them, I do know that, because they've got to have a different set of orders for every guard post, so I suspect that is, depends how you want to read it. B
- NB: Can I just pursue that? Would it be Colonel Josling or Brigadier Evans who had the formal responsibility of responding to recommendations from the Pte Benton Board of Inquiry?
- RL: I don't know. I would have thought, it would be done jointly. Actually I don't know.
- DB: So, isn't there an actual addressee given? C
- RL: Oh, yes of course. On the last page, keep going, it might be on the front page, distribution list.
- DB: It was addressed to the Commander of 2 (SE) Brigade.
- NB: So that's the Regional Commander. So you've been given an explanation by the police or by the Army for that?
- GG: It was a briefing by Major Kerce⁶. I think we've come to an impasse on that. One question, Mr Laden, that haunts me all the time, do you take any blame whatsoever for our son's death? Or a portion of blame. D
- RL: Do you think I should?
- GG: Yes.
- RL: Because? E
- DG: He was in your care.
- GG: He was in your care. A 17-year old in your care has either been murdered or committed suicide. We signed on the dotted line for you to have the duty of care of him.
- RL: If he'd have died in a road traffic accident, does he –
- GG: He didn't. Our son was shot twice in the head. F
- RL: No. I don't.
- NB: Ok, can we, I mean that's obviously the big question and behind it lies alternative assumptions. This is what I was trying to suggest earlier, if this is a murderer on the loose, then there's a murderer on the loose. There has been no indication that there is a murderer about to strike or about to strike again. There is no particular reason why

⁶ Former Deputy Chief of Staff of the Training Group. Now Lieutenant Colonel Kerce. G

- A Geoff would be the target of a murderer. But there is that scenario. If it's not, if we did proceed along the line with the other assumption – and it is no more than an assumption – possible or probable whatever you want to call it, self-inflicted death then other questions arise. And one of the questions about responsibility, legal responsibility, is whether it is foreseeable that there are problems. But I'd like to push to ask you why you think an affirmative answer ought to be forthcoming?
- GG: Purely because we signed the, you know we signed the agreement that Geoff was in the Army, the Army then have loco parentis over him.
- B NB: But that doesn't always guarantee -
- GG: No, it doesn't always guarantee, but the Army, the people in charge or whoever is in charge of Deepcut should, should accept some responsibility for his death.
- RL: So if we accept some, where does the rest fall? Is that five percent, ten percent where do these responsibilities lie? Is it all my responsibility, or is there responsibility elsewhere?
- C GG: There is a large percentage of responsibility. If there was a lack of supervision and you knew there was a lack of supervision that allowed someone to either murder Geoff or allowed Geoff to commit suicide. If you knew about that lack of supervision you must be held responsible for not acting upon that.
- NB: This is very important. This is, you've taken it very rapidly to the heart of some of the issues. So can we just explore some of these? Supervisory ratios, which I think were acknowledged to be deficient. Perhaps you can respond to that?
- D RL: I just need to think about this. When we say this do you mean responsibility on the night? I'm not trying to answer a question with a question but the situation on the 16 September, your son is on guard with other soldiers. A guard which he is trained for, and is physically and mentally equipped to carry out, well within a reasonable duty span for a Private soldier in the British Army. He's not alone, he's with two other soldiers.
- DG: He was alone when he died. Because the girl refused to go with him.
- E RL: He's on that post with two other soldiers. I don't know what the girl said or didn't say. He's in a place which he knows and recognises. Could I or anybody reasonably have predicted that the duty your son was on would have resulted in his death? I would argue that for that duty, no. No-one could reasonably have predicted that it would result in your son's death. There were three of them, well briefed, well equipped, they had done the duty before and from what I know of your son he was physically and mentally capable of carrying out the duty. So that's the first response. If you are going to ask me questions about the Regiment and how it was run or anything else, I'm perfectly prepared to answer them. He was in my care. Yes, he was in my care and I take the care of my soldiers very seriously and I have responsibilities for them, but they also have responsibilities for themselves. That's how I feel about it at the moment. So far, and I have had three and a half years of this. It's not my son, I have yet to be able to identify how I could reasonably prevented your son's death on that night. And as I understand it, neither has anybody else. That doesn't help you and it doesn't particularly help me but I look at all the facts and I still, and we are talking about then, not now, I could not have foreseen, nor could anybody else, the future then. I am responsible for a lot of things and I'm not afraid to shoulder my responsibilities but unless someone can prove that I made some monumental mistake and when I say me, because everybody acted on my behalf, so though I might not have been there at the time I take responsibility for my
- G

- staff, I have yet to be presented with an accurate piece of evidence in this very small but specific time which is 15-16 September 2001. A
- NB: The early hours of the 17th September.
- DG: Who's to say it was the 17th?
- RL: I made an error while under pressure, here now. It proves nothing and I apologise.
- GG: It's just, you know when you find out that Geoff's death is recorded in the remembrance book in the church in St. Barbara's Church as the 16th. B
- NB: Well, you've seen the timings of the log sheets.
- DG: Well, he was shot at quarter past one when I'm afraid he wasn't on duty.
- RL: Everybody heard that burst of automatic fire at that time.
- DG: Not everybody. No-one in the Officers' Mess compound reported hearing that. C
- RL: Lots of other people did.
- DG: Yes, lots of other people. Not one person from the Officers' Mess.
- RL: Of course there will be different times.
- GG: No, we're talking hours. Not minutes, we're talking hours. D
- DG: Obvious difference. It ranges from 11 o'clock at night to one o'clock.
- NB: I think it will probably be useful to try to stick to one thing and exhaust it and move on. Now we can go back and look at the timings, which if that's a matter of concern we can do that, or we could move on to, is there any other question about the question of responsibility here? Colonel Laden has addressed that saying "oh I couldn't see anything which would have led me to know that he might have died".
- GG: There's just one final question, well not really a question, but if you knew there was a problem with supervision, you did not act upon that problem therefore I say that you do hold some responsibility for Geoff's death because of the lack of supervision. E
- NB: Well, why don't we put it this way: why don't we say if there was a problem, if you knew there was a problem about supervision, what did you do about it?
- RL: Which problem? There were problems but I would like you to be a bit more specific.
- GG: The ratio of staff supervision. F
- RL: Has that got any relevance on the guard roster and the way that we are guarding the camp?
- GG: Yes. It should be more closely supervised.
- RL: How more closely? I'm sorry to push you on this but how do you, when you say more closely – G

A GG: Three young soldiers there a week after the September 11 attacks with live ammunition, how often did the Corporal go around and check to make sure it was ok. You tell me that?

RL: I can't tell you that.

GG: Why not?

B RL: Because I had no pre-knowledge of these questions, that's why. But he would have gone round on a regular basis, we know that, the Corporal said he went round on a regular basis, he said that as I understand on several occasions. We also know that in actual fact officers came out and supported your son earlier on the [civilian fire fighter] incident, your son was on the radio constantly to people, so you know, we know –

GG: Sorry to interrupt you, why didn't those two Fijian soldiers report that Geoff had gone, immediately gone off on patrol by himself?

C DG: When we were told that they must, must go in twos?

NB: Can I just set the context of that? We are on the 16th/17th of September, just after 9/11. I think the evidence is that the instructions to the guards was that they should go in pairs on roving patrol.

RL: Yes. They always go in pairs.

D NB: They should always go in pairs. And the question is: are the soldiers instructed to phone up the guardroom if one goes out on a lone on patrol; are they ordered to do that?

RL: No, because the assumption will be no-one will go on a lone patrol.

NB: Do you need to enforce that assumption by a disciplinary command to say if something happened which isn't meant to happen you must immediately report it?

E RL: That pre-supposes they would report it anyway if it was. No soldier – I don't know why your son went by himself. But he did know he shouldn't go by himself because it's in orders, it's written down, they were briefed on it. There's never been any doubt about that fact.

GG: There is a slight doubt whether or not he did go alone. The female Fijian in one statement said that she was scared, didn't want to leave the guard hut.

RL: I think that's after the shots were fired wasn't it?

GG: She was scared so she didn't go with him?

F DG: No, she was scared because of the recent events.

GG: So she didn't go with Geoff. But then in another statement she said I heard the shots and ran back to the hut.

RL: I've not seen any of those statements. You are now asking me to comment on things I've never heard before, and until I've read them I'm not prepared to comment on them.

G

- GT: Can I just ask you, just out of curiosity and to put some kind of timeline to it, when were you informed of Geoff's death? A
- RL: Approximately 0530 hours in the morning. I can't remember the exact moment. I was telephoned in my house.
- NB: I've got some questions on timing I'd like to pursue going through some documentation.
- RL: I'll just finish off with the supervision thing. There's two sorts of supervision, there's immediate supervision while they are on guard and then there's the general supervisory ratio within the Regiment which are not necessarily the same thing. At the time, I was confident and remain so, that in actual fact, it goes back round to did I believe that the soldiers were capable of carrying, reasonably capable of carrying out that duty? The answer was yes. Where they in regular contact with the guard room? Yes. In fact we know they were because in actual fact there was an earlier incident and the guard commander came out. So I believe that in actual fact they were adequately supervised. I know they were adequately supervised because of the swift response to the earlier incident. B
- NB: If you've got a follow-up to that go ahead. Can I just pursue that to try and tie up this answer with what I was working on? So I understand therefore, though I think it's fair to say that in terms, the numbers of training staff to recruits were a matter of concern to you and your superiors throughout this period, that didn't impact so much in terms of the ratio of guard commanders to trainees on guard? C
- RL: Not the way we did things then, no.
- NB: But was the way you did things then the best way or the safest way to do things? D
- RL: Yes.
- NB: Then can I ask you a follow-up? My understanding is that after Geoff's death, the instructions issued that under-18s shouldn't go out with live ammunition.
- RL: That's not true. Well certainly I am unaware of that. But in that Company, my Regiment or ATRA? E
- NB: I think it comes from ATRA. My understanding further is that indeed there was some evidence – although I don't know much about the death of Private Collinson for reasons which are utterly and boringly plain - that he was instructed not to handle a weapon, because he was under 18 at the time.
- RL: No. No, that's a misunderstanding. I know where that misunderstanding came from. There were three soldiers on guard at the Officers' Mess, all three, and this is the first time I've known because of course I've deliberately never made any inquiries because otherwise I can be accused of tampering with evidence, all three soldiers were armed. And you need to know why that was. F
- NB: We were talking about September 17th.
- RL: Yes, September 17th first of all. When, immediately after the death, the security review took place of our arms ammunition security regulations, etc. one of the issues was, and we have in our orders you may only patrol in pairs, you may not do singleton patrols. It was pointed out to us that, so that you're not alone with a rifle, that in actual fact there G

A was a mistake because that meant that when the patrol did go out the third soldier were by themselves on the gate. Now again this is a very technical point, but it might have been in actual fact that two were armed and one wasn't, but either way the armed soldier was always left on the gate so there was a soldier by themselves and the decision was taken, no. The armed soldier by themselves in future will not be on the gate so that the two soldiers that walk around have got the rifles and the soldier on that gate hasn't and we will take the risk because we don't want to put a fourth soldier on guard so that they're in pairs all the time because otherwise the guards mount up and mount up and it is a pain to be on guard. So James Collinson would have been the gate man on his duty and the two women patrolled together. I may have confused that, may have complicated that.

B

NB: No, no it's helpful. Some of this is new material to me.

RL: And it may be in actual fact that on the 17th, because there is another alternative, in actual fact two were armed and one wasn't and the instruction was that the armed person stay on the gate and they swapped over and I may have got my times –

C

NB: To my recollection, I don't know whether this is more firmly in your minds, is that on the night in questions there were two rifles issued to three guards. But I suspect it was meant to be that the roving patrol has one and the [person] at the [gate] has the other.

RL: Exactly yes. We changed that on the advice of the security staff who said we must, if the people pairs with weapons, even if it's two people with two rifles, the guy on the gate doesn't have one. Or you decide to have yet another person on guard so that wherever there's a rifle there are two people. So that was the change, guy on the gate would be unarmed

D

NB: The guy on the gate would be unarmed.

RL: And we would take the chance.

NB: And the two. Now when was that implemented? How long after Geoff's death?

RL: I can't be totally certain. I would have thought within a month; if not less

E

NB: Now, that's something which you could respond to as Commanding Officer or someone else?

RL: The regimental second in command is in charge of physical security, that's Major [...], that's one of his tasks within the Regiment, him and the Regimental Sergeant Major; that is their responsibility. I can still remember the security people coming in, the physical security team coming in to do a physical security review of the Regiment because there had been death and to check on procedures.

F

NB: Ok, so some time after Geoff's death and as a result of the review that was conducted at that level. [You] take the rifle away from the chap or woman on the gate.

RL: Well, the patrols are in a separate way actually. Just the procedure has changed.

NB: Alright. But there was no rule saying that under 18s should not carry a rifle?

RL: Not that I'm aware of.

G

- NB: You would have been aware though, wouldn't you? A
- RL: Yes.
- GG: We were briefed after James Collinson's death that there was a local arrangement at Deepcut where soldiers under 17 and a half could not handle a rifle.
- RL: There had been. That is true. Who briefed you on that?
- GG: That would be Major Kerce. B
- RL: OK, there is no, that would have been a local arrangement that would not, that was fading away during my time. We found it too difficult to administer.
- NB: So are you learning about this from Mr Gray?
- RL: No, no, it does ring a bell, it's the way it's being expressed. But this is context, if you are 17 years of age in this country you are entitled to bear a firearm on private land and, of course, in the Army we don't have firearms licences. If there had been a local rule, but that's all it was. The Army policy is you can do armed guards. I'm going to caveat this again because it's from memory I'm afraid, if you are over 17 and you've passed that Phase I training then you can do armed guards. There's a certificate to that effect on your docs somewhere. C
- NB: And, and the local rule – is that "rule" in inverted commas, is that practice or is that a standing order?
- RL: I don't know, I can't remember. I remember discussing it with the RSM because we both did not like the rule. D
- NB: Right, you discussed it with the RSM.
- RL: I'm not sure if it was even been followed. You'll have to come back to that one, I don't want to give an answer, I'm not sure.
- NB: Your answer to my question is far from there being new rules implemented that under 18s should not have weapons, if anything, during your tour any previous practice restricting access of weapons to 17 1/2 year olds was itself lifted. E
- RL: As far as I can remember, I would like to check with the RSM and the Adjutant on that one and the second in command.
- NB: Right.
- RL: And I'm going to when I leave. F
- NB: Please.
- RL: And I'll write; I'll give you a written response.
- NB: And I'll chase as well. So as far as you are concerned there is no difference, there should be no difference in treatment for the soldier that has come out of Phase 1 at 17, 18, 19 or 20? G

- A RL: That's a totally different question.
- NB: With respect to armed guard duty, sorry, I'll change it to that. Armed guard duty. 17, 18 or 19 take that span.
- RL: No. It shouldn't be. If they are in adult service they are adults. Better they learn to guard in Surrey than Afghanistan.
- B NB: Right. Well I've got problems with that, because one of the things I've been pursuing is that when you are in the field army fighting, you are in a smaller unit, you do have a much closer relationship with your Corporal or Lance Corporal, they know you, you know them. You obviously know what job you're doing and you don't have the boredom factor, which is a feature at Deepcut, which seems to be a part of the Deepcut existence.
- RL: What you say is true up to a point about small groups, cohesion and unity. On the other hand of course you haven't got anybody trying to kill you and you are in the leafy suburbs of Surrey and I think one counter-balances the other and I still maintain, as I maintained when I've been in other discussions, that it is part of a soldier's training, he's got to start doing armed guards at some stage, we can't keep putting it off. And you know, if he doesn't do an armed guard in Surrey, no matter what age the soldier is, does that mean that the first time they do an armed guard is on operations and they have to get used to handling arms and ammunition under their own responsibility because it is the number one tool of their trade. What point can we say I'm going to give you a rifle and ammunition and I trust you? It is ultimately a deeply philosophical point, and I used to look at the soldiers when I spoke collectively, saying I trust each and every one of you now with my life without reservation. That's how I feel about it, then and now. Not only do I trust you with my life but each and every one of you must trust each and every one of you, because you don't get prizes for coming second in the Army on operations. And that is how I felt about it then and now. It sounds quite heavy, but we shouldn't forget what we are training these people for. And we cannot pretend.
- C
- D NB: Taking your answer, that rather suggests that the soldier who comes out of Phase 1 training where he has done his basic rifle training is ready for those responsibilities, ready to go to the front line there and then.
- E RL: Well he's not going to get any more military training is he? He is going to get trade training, but the military training which I did and I come back to the boredom factor, is an added bonus. He's had 12 weeks of intense training, over 100 hours of skill at arms training. Learnt to drive a car in 20. Some of them, yes, if they are under 18 they don't go on operations, but if you're over 18 they could be in Deepcut for as little as 5 weeks and find themselves on the frontline. Your son was, and I can't remember his exact age in months, but the time he'd finished at Leconfield he'd probably be just over his 18th birthday. He would have gone on operations. You know, as I used to line them all up, it's only while I was at Deepcut twice did I line up the Regiments and said "today, ladies and gentlemen, our country is at war. Ladies and gentlemen, be in no doubt, when you leave this place you will go to a field army regiment and I guarantee within 12 months of joining that regiment you will be somewhere in the world fighting for this country".
- F NB: Ok, do you get what I mean by the boredom factor or do you want me to specify what I mean by that?
- RL: I think I'd like you to specify and then I would like to come back, thank you.
- G

- NB: It seems to me, looking at the material that I've been looking at, some of these problems we've been discussing may well be endemic throughout the Army, but I have a strong sense that RLC at Deepcut faces particular problems of the phenomenon of soldiers awaiting trade training where the throughput of the trainees is often held back for weeks, sometimes for months, for whatever reasons. They can't get onto a course at Leconfield, injury, discipline or administrative cock-ups or failures by the soldiers. You see that in the previous generation with Benton, he was around for a very long time, not achieving very much. Geoff, a good soldier, no other problems at all moving through at quite a fast pace. Nevertheless, they are retained here for some time. There is a problem that the demands of guard duty imposes upon them. It interferes with their studies. And I know that Geoff was concerned, because he was going off to Leconfield within 48 hours, and couldn't do his preparation for that because of guard duty. A
- RL: I am surprised because of course there are no studies at Leconfield per se; it's learning to drive. And he doesn't learn to drive as soon as he turns up either.
- GG: You learn to drive at Deepcut.
- RL: No, you get a car license at Deepcut; you get a C + E at Leconfield and they don't learn to drive straight away. He would have been well briefed from his friends about what they do at Leconfield. So I suspect that maybe, that the emphasis may be slightly wrong. B
- NB: One of his friends said he mentioned it. He was obviously an enthusiastic soldier.
- RL: Leconfield was good fun and they enjoyed it.
- NB: And he wanted to get on, as well. Let's not get side-tracked so much into that particular detail. The boredom factor at Deepcut – I'm trying to paint a picture. The features are, therefore, delays. The regime pending the delays, the continuation training, that's where our problem of supervisory staff ratios surfaces. Guard duty seemed to be frequent with Deepcut because there were a lot of gates to guard, therefore a lot of soldiers were required to be out on guard duty. That was a matter of concern to Brigadier Evans, I think. C
- RL: I think it was in his time because his manning ratios were slightly different.
- NB: OK and the guard duty itself, however frequent, it seems to be quite regular, is itself extremely unpopular and boring. D
- RL: In specifics and then in generalities – guard duties are never popular, nobody wants to do guard, nobody wants to be on duty. I'm not sure how many guard duties Geoff had done in his time at Deepcut. It will be on his computer record. But it has never been mentioned before, so I suspect he wasn't doing more than his fair share.
- NB: They should keep a record? E
- RL: Yes, there's a TAFMIS record. I can't remember but it should, if the Corporal was up to it, they normally type in what duties people were on. It's not 100% accurate because it really depends on if the guy's got the time to type in. It's not for very conspiratorial reasons but they were very pretty hard pressed on this. F
- NB: It doesn't enter into his personnel file.
- RL: No, it wouldn't, no. G

- A NB: But it would be put onto the computer.
- RL: TAFMIS. How it's done I'm afraid I can't say. Going onto why people spent a long time waiting to do things, absolutely true, you have my written evidence which makes it, which goes into it a great deal. Boredom is quite an interesting one. I'm always slightly loath, I'm going to tell you an anecdote from a true story and then I'm going to come back to specifics. One particular week, we organised a whole lot of training for soldiers and they were occupied with this as long as they were not doing trade training on the Monday, Tuesday, Wednesday, Thursday and then there had been an early weekend an early weekend on the Friday and it included a mini triathlon, a trip out on the Thursday to a sports fair or a military affair with buses laid on, prize-giving, everything else and I can still remember a squaddie commander asked a soldier after a week "what do you think of this week?" He said "well it's been boring hasn't it". So I do have to first of all point out that for teenagers by and large life is just boring. During my time in command I inherited a continuation training programme which was doing things to meaningfully occupy people when they were not trade training, and that got better and better with what few resources I had at the time, so in many respects I believe, and I would say this wouldn't I, that I inherited a Regiment where they started to get on top of the boredom factor, certainly during my time, we really got on top of the boredom factor to the extent of which on several of the investigations we were actually praised for our efforts. So I'm slightly defensive on that one for the first time this morning because I'm very proud of the efforts that my staff put in to make the time at Deepcut as interesting as possible for those not trade training.
- B
- C
- NB: I've got your interview with Surrey Police here about these matters and have seen what you have written to the James family, as well. Certainly, I for myself having seen all of that material, accept Colonel Laden spent a lot of personal time to try and make the regime more interesting, in terms of sporting activities and other activities and that comes across in various bits of corroboration I'm getting from recruits so I'm not here asking the question of boredom undermining your account of the very considerable efforts you've done to try to make sure that these young people had something useful and structured in their lives in the evening and the afternoon. But the situation remains that not being able to get on with their careers or the training to get into their careers and I think it would be right to say, that picking up even the Surrey Police 2001 comments, it still comes across a number of people thought it was a block on their lives rather than getting on with it.
- D
- E
- RL: Well nobody likes to be in Phase 2 training. They have finished Phase 1 and they want to go to a field army. What I will always say, and this will come up undoubtedly in the future as well is, that when someone says something was boring or anything else, normally those statements have never been challenged by someone in a position to actually challenge it from a knowledgeable perspective, so there is some truth but I just wonder sometimes if there's as much truth as the strength of the statement.
- F
- NB: So your answer is they shouldn't have been bored?
- RL: There is always going to be some boredom that's, that is the nature of the beast, there is always going to be some downtime, it's interesting when you go back and analyse. When they say boring, often they didn't like what they were doing, there's a slight difference.
- NB: I mean I can quote to you if you want. I may quote from recruits during your time in command, "Deepcut is so petty, the training and PT were boring and I didn't like the staff, depressing and demoralising environment". "I despised Deepcut; I really hated it,
- G

very boring and disorganised". "There were very few NCOs". Now, those are three different quotations.

A

RL: Any good stuff?

NB: I'm not sure how much Surrey Police have done with this stuff, but certainly, I think there is far less bad stuff than there was in 1995. I can tell you that, if that's any encouragement to you. But there is still some evidence -

RL: Yes, but if you went to talk to them in their field army regiments in Germany, they would say that was boring.

B

NB: Here is one which I might just read out. "I was not bullied by staff at camp or anyone else except for ** who was a Private. I now wish to leave the army. I believed that the army was going to be good for me but instead I have just been sat around getting bored and depressed on finishing my trip". That's from someone who subsequently exits.

RL: On the other hand, these are statements given to Surrey Police. Surrey Police I think at times heard what they wanted to hear. Please forgive me, but I think it is important for Mr and Mrs Gray. It is about the occupation of soldiers while they were at Deepcut; an area where I am sensitive from a very professional perspective. I don't deny anything at least; I don't know these soldiers and I have no wish to know them either in that sense. But I think you need to be aware that we had two surveys of how long people work while I was there. The Corporals were working 67 hour weeks at one stage that's well as we didn't work most Fridays that meant we tried to hop off Friday lunchtime because we were just shattered. That's over 12 hour days day in day out year after year. I worked my staff to the ends of their endurance. I would also like you to be aware that their health suffered whilst I was there because of the commitment they showed while they were working there. Undoubtedly always some soldiers for a variety of reasons claimed they were bored. I rather suspect that some were telling the truth, and some its their perception how their time should have been occupied. I will give you another example. We were in Northern France. We had taken the soldiers to the Somme for a day you could do that if you left at 5.30 in the morning and got back 11.30 at night. A bit of a blast. and there is one of the Sergeant Major's lads, a young soldier, and the questions you always ask to soldier when your met him first was "how long have you been here", "have you done your Cap B theory", which is the theory bit before your got your licence like when you're doing your driving licence because without those they are stuck in a limbo. Anyway, it turned out that this young man had been with us for three months and he hadn't yet done his Cap B theory. I said "why not?". He said, "oh well, Sir, what I have done" he said "was I volunteered for all the activities so I have been putting training off and always having so much fun". Off he walked and I just remember the conversation and the Sergeant Major said "Sir, it is a success but you are just not thinking about it laterally enough".

C

D

E

NB: I have a very strong impression of the things that you were doing because you spoke about it quite a lot in the documentation when I met you first time round and I don't want you to imagine that I'm just ignoring that. Let me take that from there but I am coming back to this question of were there any perceived dangers in putting young people on guard duty at Deepcut in the number of times or way in which is done in 2001.

F

RL: No

G

- A NB: Ok you make that clear I appreciate that you have done that, obviously you knew at least what else you know when you took up your command in June 2001 that you had these two deaths at Deepcut.
- RL: Yes.
- B NB: These were both deaths of Benton – not particularly young in terms of being under 18 – and James – just over 18 at the time she died – so they are both deaths of reasonably young people whilst on guard duty apparently using the weapons. And again, let's assume from Cheryl's point of view that that was a self-inflicted death which is what the Army thought it was. We also know that statistics shows that young males in the Army through the age of 15 and 19 seem to commit suicide or commit a self-inflicted harm as the SIB called it, twice as frequently as males in civilian life. So you had knowledge of the vulnerability of a particular age group. You had knowledge that these deaths had occurred in the Army's assessment in that way. You had the Evans Report and the Board of Inquiry into the death of Pte James at least as well as Pte Benton suggesting that those were contributory factors and before you took up command you had the Haes Report which doesn't I agree talk about suicide but talks about the risks of low staff ratios. Now wasn't this therefore - even if not predictable in the individual case – a systemic risk that the system was taking by continuing to put under 18s on guard duty with these lethal weapons which of course is a very desperately effective way of destroying themselves?
- C RL: If I use the word true in a non-perjorative sense if all that were true, yes of course, but it is not the truth.
- D NB: Ok we will come back at those
- RL: I had no knowledge of the Haes Report until the publication of the Surrey Police Report. Never ever never seen it. That's the first thing.
- NB: Ok.
- RL: Never seen the Board of Inquiry reports until after the death of James Collinson. I have no knowledge of the suicide ranges of 15-19 years when I took command. It is now my specialist subject.
- E NB: Right well that itself to me raises interesting questions because if I take that at face value, why not? is the question. Because the argument for your employers is that if they have this information why were not briefing you with the information you needed to make a proper risk assessment of this activity?
- F RL: And now you know why I was so angry at the first time I met you. I am now the world's leading amateur expert on the suicide of young males. So none of that I was specifically aware of and if I had any knowledge at all of suicide or self-inflicted harm on people it would have been as a passing thing.
- GG: The Army must have done some survey on this because the day the Geoff died there were statistics in his personal record of soldiers and suicide.
- RL: Absolutely. I'm not trying to wriggle here.
- NB: You are looking at what level now of responsibility.

G

- RL: Haes I had never heard of; never seen. A
- NB: Benton and James you never read through until after James Collinson.
- RL: To my recollection and I apologise, I am 90% certain.
- GG: What prompted you to look at those Boards of Inquiries after James Collinson rather than after Geoff died?
- RL: I think it's several reasons and I think it's a very legitimate question. Your son's death was a shock. Everybody descended on us. The military investigations, the police and everybody else. We were given a clean bill of health. We were told that in actual fact there was nothing wrong with our procedures. B
- NB: By whom?
- RL: First of all, the SIB never came back to us, so you know no-one actually came back and said you've done this wrong. Because you don't need a Board of Inquiry for that. You will probably imagine that nothing happens without a Board of Inquiry, but not at all, we turned ourselves inside out and upside down and therefore although I was aware that historically there had been deaths in the past. C
- NB: Yes.
- RL: I did not think to ask for the Board of Inquiry reports for Sean Benton and Cheryl James. It never occurred to me to ask for them, I subsequently read them, I don't think it would have made any difference because the reports do not, the way I read them, interpreted them, give any guidance per se. It all revolves around the Evans Report which was slightly different. D
- NB: Yes.
- RL: Which have been implemented pretty much as he had wrote it, there are some differences because of the way things have moved on and changed. I've maintained that you can trace the Evans Report to the regime I inherited and then left for my successor so that's what. It just didn't occur to me and even when I read the Cheryl James and Sean Benton reports I detected, they were all on guard, but they were, there were no markers per se from those they were both so totally different. Those two deaths were totally different as I understood it and of course no-one has ever told me, I have never read a single report from anybody, Surrey Police or anybody else about the death of your son, I have never seen a single document. Never been briefed or de-briefed. E
- NB: You haven't seen the Surrey Police report?
- RL: No, in documents. That's fine but I've never seen anything either. F
- NB: Just dealing with documentation: Haes is out, the Boards of Inquiries you didn't look at when you took your command, didn't look at after Geoff's death but you think after James Collinson?
- RL: Oh, definitely.
- NB: Then the Evans Report have you ever read that? G

A RL: I had read it upon taking command, there was a copy in my desk drawer and you will have to take it as the way the organisation works. My predecessor said we did the normal things, spend a lot of time with welfare, he said if you have a moment, that's the Evans Report from 1995 and I think I left copy for my successor. I read it and consigned it to active history, because I recognised where we were from the Report if I can explain it like that; I recognised the systems in place that I had inherited from the genesis in the Evans Report. It was an interesting read but I didn't put it down, you know that was it, they had this problem and these were the systems they put in place.

B NB: And do you think that the problems underlying the Evans Report were no longer existing?

RL: I would want to re-read the Evans report in one sense before I give specifics.

NB: Yes.

C RL: The systems that I inherited I thought were pretty swept up, but this is on welfare, it is not about guarding or ratios or anything like that. They have their welfare committees, they have the padre, the WRVS and things like that. It probably needed just to be reinvigorated a little bit, it was an area I was particular interested in personally, but I suspect if you went back to Deepcut today you could still trace back the way they do things to the Evans Report. I would have thought it still 70% and the other 30% would be where things have changed over the years. So I read it, I recognised from the Evans report that which I had inherited and set about making it work even more effectively.

D NB: The other thing I threw at you into the equation was suicide rates and I am really quoting from the document that you gave to Mr and Mrs James.

RL: Yes, we dug those out once this whole thing kicked off from March zero two and I can't remember where I got them from, it must have been something that came out.

NB: Did you dig them out yourself or did the Army provide them to you?

RL: I can't remember.

E NB: But you were unaware of the higher suicide rates of young males in the Army until you got this material after James Collinson's death.

RL: Yes.

NB: That's clear or are you not sure about that?

RL: I don't think anybody has ever asked me that question so I don't think I have thought about the answer.

F NB: And if you can think about it further, if you can clarify that.

RL: What I can say is that I was never personally briefed by anybody in authority, ever, from the day I took command to the day I left about suicide and risk amongst Army soldiers. Any information which I gave and any knowledge I acquired was as a result of my efforts, and the efforts of those who work for me. The best document I ever read about it funny enough was from the magazine, Men's Health. We rang them up and they had a series of articles about male suicide rates and we rang them up and they sent them

G

through to us and they were very helpful, very very helpful, but we worked around from that. A

NB: you probably are aware that in response to the first two deaths in 1995, at senior level we had the Walton Review?

RL: I never knew about that either.

NB: Right, when did you first hear about the Walton Review? B

RL: Generically speaking, I knew that the Army had done a lot of work on suicides.

NB: When did you know that?

RL: I think I just knew it because it had been a big thing for years about the suicide rates in the armed forces and the only thing that I ever saw that sort of stuck in my mind was that our the rate was less than the age group from which we recruited but no more detailed than that. C

NB: If I tell you from my trigger notes here that – I haven't made a note of the review which commissioned it – but I have got here, it was a five part study from December 1996 until September 1998 which was looking at a prevalence in the Army, correlation, prevention and management. So a study from an Army psychiatrist making comparisons with civilian population where for the general age group the Army does better for over 25 but does do significantly worse at below 25.

RL: Well it's predicted against observed, and of course, the trouble is that the differences matter because of your son but in actual fact statistically. D

NB: It is small?

RL: It is extremely small. You need to be very careful. I don't know if you know the significance in a statistical sense is a particular term and has its own language.

NB: Yes, I know.

RL: Significant is a dangerous word to use for statistics. E

NB: If it is significant, then at least it begins to raise the question.

RL: Yes.

NB: But, that was going on in 1998.

RL: No knowledge of that at all, nor, I think legitimately, would I be expected to right while it was taking place. F

NB: Then, August 99, a paper that you drew my attention to in reply to Mr and Mrs James. The DASA⁷ paper on self-inflicted death in the armed forces.

RL: Oh, is that where it came from? [shown document] Oh yes that one, I beg your pardon, yes. Oh it came from there? How I got a copy of it I cannot remember.

⁷ Defence Analytical Services Agency. G

- A NB: Yes, okay. And you don't know where you got this from?
- RL: I would love to tell you because I suspect it would help both of us but I can't.
- NB: Yes. Thank you. So, you know roughly when you must have had it by but you don't know how you got it
- RL: No, terribly sorry.
- B NB: But you know what it says.
- RL: Yes, I do.
- NB: And you know the points.
- RL: Yes.
- C NB: About the difference between the Army, the Navy and the Air Force.
- RL: Yes.
- NB: The commentary I have abstracted from my notes "the Army male population at the period 1991 to 1997 had a rate of self inflicted deaths slightly below the equivalent intake male population, however, for teenagers – that is 15 to 19 – the rate is almost double that of the equivalent civilian population. This difference is statistically significant to 95%". but you were not aware of that at the time?
- D RL: No.
- NB: Okay, now ask another question in the sense that putting together those four elements: 1. What can be culled from how James and Benton died? 2. What can we still reason at least based on the Evans Report and its measures? 3. Putting into the equation that DASA analysis from 1999 and take it from me, reflecting and being consistent with the Walton analysis of the earlier period, although that goes onto a much more psychiatric level. Adding to that 4. what you knew as a Commander that you were seriously short-staffed and that Colonel Haes in ATRA was in a position when he did his Haes Report in April 2001. If, and I accept from your answers it is an if rather than a why, if you had all that information would that have caused you to have reviewed or taken a different risk analysis of under-18s on guard duty in the circumstances?
- E RL: Well, it's an easy question to answer because the answer is yes. One would have reviewed it and one would have looked at it again because it would be totally unprofessional not to.
- F RL: It then becomes rather more complicated. I think we need to be honest about this. I'm not going to get myself off the hook. I didn't read the James and Benton Board of Inquiry reports until after the death of James Collinson. I was aware of the Evans Report and I think it is actually a good piece of work, actually I have to say, I was very impressed with it and I happen to know the Brigadier as well so I would be able to appreciate that. The DASA reports came into my possession and it would help me a great deal if I could remember how, I appreciate that. The Haes Report I did not know existed until the Surrey Police report was published which is a major gap in my knowledge. Two things I would definitely have to do if I had all that information –
- G

- NB: Yes, I am asking you a hypothetical question. A
- RL: And it is easy to be intellectual here, one would hope that I would then re-appraise how we approached a whole raft of things for male youths under the age of 19 who are a worry. So one would have looked at it. What one would have found when one looked is a different question and I think I will stop there because its too hypothetical.
- NB: Right, okay. Let me for the sake of clarity and the quality of this exchange of information. You've now read the Haes report, haven't you? You've had it made available to you so this is not new. B
- DG: Yes.
- RL: It's more than me then. I've read extracts of it in the Surrey Police report.
- NB: I have abstracted the bits which seem to be relevant to our discussions today. I've got paragraph 25 of the conclusions, "The Guardroom and Security. "The guardroom resources –"
- RL: This is generically, not about Deepcut. C
- NB: This is not about Deepcut; this is generic and so it is ATRA-wide. "The guard room resources are being overstretched OOHs⁸ and security put at risk. (a) Where the MPGS are not employed, the guard is found from SATT⁹, SAD¹⁰ and Phase 2 trainees. Security may be in the hands of dissatisfied, disinterested or unqualified soldiers with live ammunition". You would object to unqualified – they have undergone it in Phase 1. I think that's the point that is made about it and he recommends¹¹ therefore the guard duty should be done by MPGS. There's a lot of detail about numbers and risk assessments and he was asked to perform risk assessments on numbers simply by General Palmer. But that wasn't available to you as a Commander. You therefore relied upon who to give you the information from which you could perform your functions as Commander? I take it making risk assessments is one of your functions as a Commander? D
- RL: I made no risk assessment formally while I was in command. We did certainly discuss risk on many an occasion and decided on courses of action because of risk but there was no document and I was never asked to do one and no one has ever asked to see one, not Surrey Police or anyone. And I couldn't provide one because there isn't one. E
- NB: Quite.
- RL: But on many occasions my entire job was about quantifying risk and making decisions on the basis of what we perceive to be a risk to do with security for example on many occasions.
- NB: Are you given guidance or instructions? Isn't there any interchange between policy and the Adjutant-General, ATRA? About issues of current concern, problems you might have to face during your tour. F

⁸ Out of Hours.

⁹ Soldiers Awaiting Trade Training.

¹⁰ Soldiers Awaiting Discharge.

¹¹ Recommendation 31 (d). G

- A RL: As in?
- NB: Well, I'm talking about young males, guard duty.
- RL: During my time in command to the best of my knowledge I never received a single written instruction or any verbal direction on how to run my Regiment from ATRA, other than with budgetary guidelines and specific very, very technical financial issues.
- B NB: Well, I certainly get the impression that how regiments are run very depends on the personality and the initiative of the Commanding Officers.
- RL: I think to a degree I think you are right within certain caveats.
- NB: So you could get a bad one or a perfect one.
- RL: I would hesitate to use the word bad on any Commander. I am still a professional Army officer after all.
- C NB: Yes, don't worry you don't have to. I will if the evidence justifies it.
- RL: You are given some broad guidelines and I certainly was. In my annual Confidential Report my mission is set out and I am perfectly prepared to show you all of those.
- NB: I think we have those.
- RL: Have you got my CRs? Good. On the opening on the front sheet if my memory serves me correctly there should be what my tasks are. They are quite broad based, rather generic, they are not necessarily particularly useful in that sense. Throughout my entire time in command the number one constraint that was placed on my chain of command, apart from all issues related to the deaths, all issues I that took up a lot of my day, was to train soldiers as quickly as possible and to move them to the field army as quickly as possible within the financial constraints placed upon me.
- D NB: Right. Now, I think we are probably coming to closure on this topic but I just want to see whether you agree on what has emerged from the last 15 – 20 minutes discussion. As I understand it you're saying you didn't have these various trigger documents that I have.
- E RL: Absolutely.
- NB: But you are saying that if you had them it would have caused you to think.
- RL: I would hope that it would have caused me to think. I think I would like to be more honest than that.
- F NB: So, you hope you would have thought, but you certainly would recognise with the benefit of hindsight today, 2005, that it bore thinking about.
- RL: It did bear thinking about. Not only did it bear thinking about but of course subsequently because both the deaths occurred in my first nine months of command.
- NB: Yes.
- G

- RL: I then had 21 months yet to go and as a result of learning on the job and some marvellous advice particularly from the Royal Army Chaplains Department we, and I emphasise we, I certainly, I'm not taking credit for other peoples work, I thought we went about as far as we could and I didn't think there was that much wrong beforehand anyway, but we became immensely sensitised and worked our socks off that these incidents would never occur again in our time or anybody else's time for that matter, and that's when we got, I mean you would think it almost pathetic, but you know when you are looking at Men's Health magazines for guidance. I still have the documentation. A
- NB: Yes. B
- RL: Marvellous presentations, internal training, going to the Chaplain's department for sensitivity training, everything else. I thought we, and I won't say altered the way we did business because that would imply we were doing other things beforehand but I thought we became highly sensitised to the whole business of young males, particularly under the age of 19. If you like, welfare was starting to run the Regiment rather than the other way round. Better to err on the side of caution than not is our motto on that. Could I give an example of discussions on risk to put things into perspective possibly, and I am sorry these are anecdotal because of course I can't prove them but during the anti-Iraq war demonstration period that the country went through. C
- NB: The recent one?
- RL: We were warned by the Police that it was likely there were going to be anti-war demonstrations at Deepcut for no other reason than everybody knew where it was and it's 35 minutes up the M3 and you are guaranteed a good press coverage. So the Regimental Sergeant Major, the 2i/c, the Adjutant and myself had a risk assessment meeting and that is giving it a more glamorous name than it was, but what can go right, what can go wrong? And we were told that what would happen is that demonstrators would charge the fence, particularly down by the main entrance. I know you know the barracks pretty well. You know, where there is a football field outside you get that good long view in. They would try and charge the fence there, cut the fence and then run into the barracks to do whatever they wanted to do. What were we going to do about it, particularly with TV cameras there? So we thought about it and your first impulse was "we will have a cordon of 50 soldiers", but then you think, "no, that's just what we don't want on TV", let's think laterally. What is there during the day in Deepcut to which the defence of this country needs beyond which you are prepared to commit violence against members of the public? The answer is, there is absolutely nothing, so we decided that if we were charged, demonstrators got in, we would let them get in and we would let them run around the camp, do all sorts of mayhem, mostly it takes you about 400m to get across that piece of bloody lawn. D
- NB: Right. E
- RL: And not only that, if demonstrators did turn up the guard would be withdrawn and all weapons would be under lock and key in the Armoury, because the last thing we wanted was a young soldier making a nano-second decision that he ought to shoot somebody. But that was a risk assessment, informally and then those orders were then briefed to everybody. F
- NB: So that's an example of you having circumstances requiring you to make an assessment of what is the greater risk.
- RL: Broken glass is the lesser of the two things. G

A NB: This is going backwards and not your responsibility but I mean, a few weeks ago I had Lieutenant Colonel Harding here and he had to deal with the Skinner incident, so I had to push him as to whether a risk assessment was performed as to whether Skinner should have been taken on or suspended after he was charged. Now, I won't go into the answers to that, but that was an example of circumstances requiring Commanding Officers to make a risk assessment. But what I am getting from you is that nothing that you heard read or had been drawn to your attention before June 2001 when you took up this command post caused you to be making a risk assessment about the way the armed guard was carried out at Deepcut or about young males?

B RL: No, nothing had been brought to my attention.

NB: Right. And in the light of everything we are discussing now you said that it, it bore thinking about.

RL: I'm going to answer honestly again. I would hope that it would have done and I'm not going to say yes, because yes is too easy.

C NB: And the final question is if this information was available to high policy level of the Army the chain of information delivery in this particular example will you expect this to come from ATRA or from the Brigadier or from Land Command? Or from all three perhaps?

RL: I can't answer that question because I really can't say.

NB: Well presumably, something would come from your Brigadier

D RL: I'm going to end up speculating. The trouble is you have to spot a problem to know you've got a problem if you follow my thinking. If all this information was available and it was perceived to be a problem, you know, just because in retrospect it's a problem, I'm sorry to be so brutal about it, I would have expected to get guidelines. I got very few guidelines throughout my entire period of command about anything.

NB: Well, take it from me for the purpose of this discussion that this information was available. I've been careful to select data that I know existed in written form and was in the possession of some element of the MOD. Things which I now know existed at this time.

E RL: Yes.

NB: Yes, okay. So it was available. It may not all have been available in exactly the same place. But if someone didn't think it was a problem then that's a problem in itself because I think I want to know why they didn't think it was a problem? But is this a question of, I mean bearing in mind that we are dealing with a base of where two young people have, in the previous two years died, apparently at their own hand – take that for the present purposes – whilst doing guard duty. Now is that an issue which Land Command would be expected to be looking out for or is this something to do with training and young people?

F RL: I would have expected retrospectively – and I caveat this – DGATR. These are people in training; training is DGATRA's responsibility.

NB: Well, I would have expected that as well.

G

- DB: Lieutenant Colonel Laden is correct in terms of Land Command being a different entity. You also have the Adjutant General and his organisation which covers personnel matters, and the related issues, including the ATRA which is subordinate to the Adjutant General. A
- RL: Although, interestingly enough, what I have to tell you is this, security states and guarding regulations are set by Land Command. Because in August 2002 the Army altered its policy that all isolated guarding detachments, which would be the Officers' Mess for example, had to be supervised by a non-commissioned officer, a Corporal. At Deepcut that meant that all staff went on roster including myself and I personally did a guard at the Officers' Mess because we didn't have the staff. B
- NB: When was this?
- RL: August 2002. I know that because I kept the guard roster as a memento. I kept it as a memento to point out that after 23 years of rising to the rank of Lieutenant Colonel I was now a Private soldier's duty.
- NB: Yes. C
- RL: But the point is that there was nobody else. We got in the press, the Telegraph, I think and we all did guard for about a week until the order was, there was nobody else.
- NB: OK. We went down there. And when we went down there, all of the gates where these incidents have happened you know, where Geoff was guarding, where –
- RL: You've got the MPGS there now. D
- NB: You've got the MPGS, yes, that's what Colonel Haes recommended in April 2001; it cuts down some of this problem. No-one is going to say never or prevents or whatever it, but cuts down this problem it seems to me that that was an –
- RL: Built very nice guard room as well which they didn't have money to do before.
- NB: Well, things are happening when there is a death. Does it take four deaths to think about that? E
- RL: I'm here answering for me.
- NB: I appreciate that.
- RL: It's nothing short of disgraceful. What more can I, what more can I say as a serving officer?
- NB: I think that deals with that group of questions. F
- RL: If I may say so I am very happy to be pressed as hard as you want because I think it's good for Mr and Mrs Gray. We are closer to the side than you imagine and there are some things we will never agree on but you've probably detected my frustrations. They maybe different frustrations but you've probably detected my frustrations that's why it's good that we should meet.
- NB: And I can tell you that without repeating what he said that I have seen contemporaneous documents from Colonel Laden expressing his frustrations on some of the issues which touches upon yours as well so I am confident that he was putting his G

- A concerns in writing at the time. I think perhaps just to take a sort of time out of the slightly more technical things. I am trying to get comprehensive overviews of the staff structure at various times of my review. I couldn't quite work out who your Adjutant was. At one stage it's Captain Skinsley.
- RL: It is Captain Skinsley.
- NB: But then, but then in the messages dealing with response to –
- B RL: – it was [...].
- NB: [...].
- RL: Right.
- NB: He's described as the Adjutant then.
- C RL: They only get about a week, the Adjutant is very key and there is a week handover. The day after your son's death or the next working day was Captain Skinsley's first day on the job and that's why and he then remained for two years and was, it doesn't matter who his successor is.
- NB: So September 2001 to 2003.
- RL: Give or take.
- NB: So he's there for the rest of your tour?
- D RL: And then there is [Warrant Officer CC]. [Warrant Officer CC] didn't work for me. He worked in the Headquarters of the training group where the Brigadier is.
- DB: I presume you had a chief clerk?
- RL: We did, but he was the chief clerk there.
- NB: But because he was a WO2.
- E RL: He could be the orderly officer...
- NB: And he was on –
- RL: He was the orderly officer that night.
- DG: That's right.
- F RL: It's not unusual for a WO2 to be the orderly officer.
- GG: Can I just interrupt? [Warrant Officer CC] was one of the ones that says he heard the shots hours earlier.
- RL: RSM [...] was the RSM at the time and [...] was the Squadron Commander.
- NB: How long had he been at post for when you took over?
- G

- RL: He wasn't, it was [the former RSM] for a couple of months and then it was RSM [...]. A
- NB: Does an RSM usually do a tour of 2.5 years?
- RL: It's two years. Both were very experienced men. You need to be aware that [the former RSM] had already been an RSM once; it's very unusual to be in RSM twice, but Deepcut always had a second tour RSM and [the new RSM] had come from Northern Ireland and had taken over. He's a Captain now as is his predecessor.
- NB: It would be usual for an RSM to apply for a commission if he were doing a decent job? B
- RL: Yes, you would and the RSM is also a personal friend of mine, we became very close as a result of this so I don't want you to imagine that I am pretending our relationship is only professional, it was also social, although I haven't seen him for a while. Major [...] was second in command. The 86 Squadron Major who had only taken up his position the Tuesday after the August bank holiday.
- NB: After you came.
- RL: Ah, yes, what I'm really saying is that he had been there for about two weeks, I would have said, before your son's death.
- NB: [Sergeant CB] –
- RL: And he was in the guard room.
- GG: [Warrant Officer CC]? D
- NB: I think [Sergeant CB] was around. He tasked them at one o'clock.
- DG: That's right.
- RL: The orderly is permitted to sleep. He is only there if there is something the Sergeant can't cope with. [Sergeant CB] was in the guard room and he remained there throughout. I have to say professionally, disregarding all other things, professionally he was absolutely superb that night in terms of commanding the thing. E
- RL: Yes.
- NB: Right, okay well, that's helpful and it gives me a structure to sort of see what's going on. Now staff [Squadron Sergeant Major(f) BZ].
- RL: I think SSM – [Squadron Sergeant Major(f) BZ]
- NB: How long had she been at that post for? F
- RL: Three, four months.
- DG: She was there when Geoff actually joined.
- RL: What's that, five months?
- DG: He joined you on his birthday in January. G

- A RL: Had she been there that long?
- DG: It was only because a question came up about how she knew Geoff.
- RL: Oh, she definitely knew him, I know that for a fact.
- DG: It was because of his accent.
- B RL: Yes, because she is a Geordie lass herself isn't she? OK, I will take that back. I thought she hadn't been there as long as that.
- DG: Or maybe not, because she's been –
- RL: I thought she had come May, April/May-time.
- NB: Geoff joins Deepcut around May, doesn't he? There's a passing out parade and then he's given leave after the passing out parade.
- C DG: Yes.
- NB: I've got his week 12 report written on 27 April which I think is saying he's ready to move on. Then annual leave taken is for 6 days. I think he probably joined at about 29 April/30 April, something like that.
- GG: Possibly.
- D NB: Does that ring a bell for you?
- DG: Yes.
- GG: Yes.
- NB: So if he's around there at that time that just about coincides with - do you think she started then?
- E RL: Again, please forgive me if I am wrong.
- NB: You inherited her?
- RL: She was there when I arrived.
- NB: Okay.
- RL: And hadn't been there for very long.
- F NB: And she does the full tour, does she?
- RL: Yes she does, yes, she was subsequently promoted and she is an RSM now.
- NB: Was she effective?
- RL: Absolutely stunning. A little bit of a perfectionist.

G

- NB: It's not particularly relevant to this case at all because race is not an issue but was she mixed race? A
- RL: Yes she is.
- NB: Some people thought that she was quite strict.
- RL: She was strict.
- NB: Yes. B
- RL: But she's a Sergeant Major – that's her job. There were probably certain cultural issues; some people didn't like taking orders from a woman and some people didn't like taking from a black woman.
- NB: Right.
- DG: But she wasn't black. C
- RL: She's got a cracking sun tan.
- DG: Yes.
- NB: Someone had described her as mixed race.
- RL: She is mixed race.
- NB: As I said this is not as far as I can see about Geoff, regarding race, although it has something to do with some of the things that the Surrey Police have uncovered. D
- RL: But yes, she is of mixed race.
- NB: Did Geoff have any problems with her?
- DG: No, not at all.
- NB: I didn't think so. Right, I know you had some problems with some of your Corporals. E
- RL: Yes.
- NB: We've asked for all the interview books and we've got those.
- RL: I'm hoping that's 100% accurate. I was vague with one or two I just couldn't remember.
- NB: I think it's right to say that you are one of the few Commanding Officers who, when you sack someone, you put down in your book what it is for as opposed to leaving it up in the air. F
- RL: Right.
- NB: And it tends to be inappropriate sexual relationships – again not a problem that impacts on Geoff as far as I can see, but at least I need to explore that theme by contrast to other things I have been seeing about the early period of Deepcut's history and as far as we can see, there's one, two – G

- A RL: It was less than I thought actually.
- DB: I think we have a range of documents which details it.
- NB: So that's the abstract. I mean, that's not your interview book is it?
- RL: No, no, I recognised this when you asked, when you asked me for further detail. Ah, here we go right, I can recognise some of this¹².
- B NB: You don't have to give all the names.
- RL: Sorry. I'll tell you – I'm sure as a lawyer you must be – and you have to take my word for this but Lance Corporal [...] and [...] were the two luckiest people investigated.
- NB: Not to be sacked.
- RL: Yes. Legally if I sacked them these were the two fighting; it had nothing to do with trainees at all.
- C NB: Just having a punch up.
- RL: No, what happened, just to give you an idea, this is how real life operates. They'd gone down to Aldershot. They had gone to a wine bar, which I think is just a euphemism, it just means they can charge more for a beer. They had come outside and then they promptly had a fight with some other soldiers. The whole thing finished and had calmed down and gone. Aldershot has the finest closed circuit TV system in South of England in its streets. And no more was said and they've got back to barracks and they said nothing to anyone. Anyway about a week later the RMP turned up to interview a soldier about something entirely different and they were with one of the Corporals and they said, right do you want to tell me about Saturday night. He got the wrong the Saturday night so he confessed to his own crime.
- D NB: So a guilty conscience.
- RL: Well, they then of course had no evidence other than an unsolicited confession not taken under the rules of evidence so they then tried to find the video tape, but because they didn't recognise him in the first place they scrubbed the tape so the two of them got away with it, if they, otherwise, which if you notice there I said on the balance of probability without the tape no lawyer, they could not have been convicted.
- E NB: A lawyer might disagree with you on that.
- RL: Well, maybe so, but either way, the reason why he's in the interview book was we weren't going to let it go.
- F NB: Right and, and these other ones that you mention that you haven't got a thing for.
- RL: What, him?
- NB: What kind of activity was that for?

G ¹² Studying extract from Interview Book.

- RL: Now, I know what that is. He had had a drink in the private soldiers' bar and not in the Corporals' Mess bar. It means probably very little to you in terms of, you are not allowed as a member of staff to drink with the private soldiers in the NAAFI at all. I can't remember what he did quite frankly. He was an idiot and then I think he made advances to a female member of staff. It was reported to Military Police immediately. This is [...]¹³. A
- NB: A female staff officer?
- RL: No, no female trainee. B
- NB: Trainee?
- RL: Trainee made an allegation against him of inappropriate, not sexual intercourse or anything like that. Subsequently, I can't remember exactly what the case was on, however, he was still nonetheless marched in front of me and told "listen you know, no matter what, watch yourself". He was sacked as you know. C
- NB: Yes.
- RL: I can't remember what that was for. Oh, these were the two idiots. Corporal [...], just interviewed about conduct – can't remember what it was about. I think he was getting too familiar with female recruits, just spending a little bit too long talking to them and you know he was spotted by members of staff. D
- NB: So he was brought to your attention by staff?
- RL: Yes, I'm vague and I do apologise because –
- NB: Well, that's fine. I mean, just getting a flavour of this.
- RL: Corporal [...], that had nothing to do with any recruit or anything else. That was a formal interview to do with basically his attitude to work. It wasn't entirely his fault; he had a couple of personal problems and he was on the slide so in to the boss. Sergeant [...], probably too robust to say the least.
- NB: What was that – bullying? E
- RL: Yes, it was. It was in the gymnasium and nothing ever came of it. It was that fine line. And there is a fine line, I'm not going to pretend, between robust training and bullying. We had two Sergeants who were PT coordinators at St Omer barracks; one Sergeant whose name I have now totally forgotten. I actually marked him up as the best Sergeant in my Regiment that year. Stunning man. He was posted and he wasn't replaced. Sergeant [...] who I liked a lot; nice man but he came from an airborne background and he just put his foot on the gas. You know, they're not in a parachute regiment they are recruits at St Omer barracks and of course in a gym lesson there is that fine line between getting boys fit and actually pushing them a bit too hard. Several recruits complained, interestingly some of the staff complained as well. F
- NB: He was going over the top in his physical training.
- RL: He was going over the top. Difficult to prove. G

¹³ All references to the Interview Book.

- A NB: That wasn't a problem in general? Some of the previous generation had, but I don't think that was a problem for Geoff.
- DG: No, he thoroughly enjoyed his training.
- RL: So we whipped him in straight off and thought yes, on the balance of probability you need a formal warning. Corporal [...], he was sacked.
- DB: Could you just clarify what you mean by "sacked"?
- B RL: Sacked from the Regiment. What happened normally, it depends on the evidence, but normally if it is inappropriate behaviour with a female recruit and that was the biggest problem I had with the staff, there is a £500 fine, a severe reprimand, and I'll explain what a severe reprimand is in a minute and a posting pretty quickly. you're suspended from duty anyway basically to whichever is the most unpleasant posting the British Army can think of in as short a period of time. A severe reprimand is you're off the promotion roster for three years no matter what. In reality five years, because you are an instructor at Deepcut. If that's on your record and you're a good Corporal chances are you won't get promoted. The lifetime cost to you, well certainly it's going to cost you £5,000 a year for every year you're not promoted. When you've got ten years to serve, that's £50,000. One or two will get there. I mean, there was one lad who could quite legitimately expect to be promoted the next year, however, he knew the rules. And the rest of them were shenanigans.
- C NB: Okay. When you take this action, when someone is sacked for an inappropriate relationship, is that marked up on their personnel files so they don't get sent back to a training regiment again?
- D RL: I would have to check with the Adjutant, with Captain Skinsley on this. What I do know is that on one of them I actually mentioned it in the write up, and I was told I had to take that out. That came back to me.
- NB: Who told you that?
- RL: Army Manning & Records in Glasgow.
- E DB: All I want to say is that I'm not sure I've seen that one but I've seen that there was a very oblique reference to an incident. I don't know if that is your most explicit example.
- RL: It is certainly the first time. I think in the end we used "failed to live up to the core values of the Army". Was that the phrase?
- NB: So you were having to write a slightly euphemistic -
- F RL: Well the first one I wrote was damning and I told the truth.
- NB: Because, I mean, this is not again particularly directed to Geoff's death, but obviously you can understand from some others that some of the issues I am getting a strong sense that there is not enough data given in the form to enable Manning & Records to [decide] that this is or is not a suitable re-posting.
- RL: I've discussed this with some of my colleagues because obviously the question was asked when the email came through saying we want some more information on these. One of the problems – it's both simple and easy – I'm not trying to get clever with words here.
- G

- These people had legitimately done something wrong and had been legitimately punished and it was on their record one way or another. But every year in the Army I don't know if you know that there's a performance report in effect. Because these people had been moved early, because they were in effect sacked from the job but kept in the Army, I wrote a report on them. A
- DB: But only on some of them.
- RL: It depends on where. B
- DB: If you are posted for less than six months, you won't get one.
- RL: If it is less than six months, no, you won't get one. But certainly on one of them I wrote some pretty damning stuff and it came back that I couldn't write that so what I then did, Mr Blake, my memory is not the best.
- NB: What did you say?
- RL: I suspect it was something like "failed to live up to the core values of truth, integrity" and the whole nine yards. C
- NB: Very oblique.
- RL: You have to know what the code is, otherwise it means nothing at all but it was.
- NB: You were instructed by Personnel?
- RL: Yes, "you can't do this". D
- DB: What about the check-boxes on the front of the report form?
- RL: There's the boxes: "particularly suited" and "particularly unsuited". You would tick them as unsuited.
- DB: I don't think that you did this on any of the reports we've seen so far.
- RL: Well, you might have left them blank then, okay. It is only particularly suited or unsuited. That would have been therefore a technical oversight on our part. E
- NB: You should have ticked the box for those you were sacking for female relationships were unsuited for training.
- RL: Should have done, yes.
- DB: In all of these that I've seen, they're not. F
- NB: Was that an oversight?
- RL: I would want to read the reports to get a context of why I did what I did.
- DB: The reports are written by the –
- RL: Squadron Commander normally, yes. G

- A DB: So he would have done the pen picture, and ticked the boxes. And you counter-sign it.
- RL: Then I write about another 8 or 10 lines, yes.
- DB: I've seen two examples where you have marked down the promotion assessment given by the OC.
- RL: Right.
- B DB: And there's comments of sorts, though not specific.
- RL: Yes.
- DB: So what I'm trying to get at, is would the Squadron OC have the same knowledge of these issues?
- RL: Oh, gosh, yes! Yes, I mean when these incidents occurred not only did everybody, all the officers and WOs and just about every recruit know. I mean the Corporal is there one day and the next day he's gone people are obviously going to talk so you know.
- C NB: So then they knew about the response.
- RL: Oh, yes.
- NB: About the sacking, though not necessarily about the incident.
- RL: Probably they would actually, you know, sexual scandal people know about instantaneously. And we weren't adverse to people knowing because that way, first of all, all the other Corporals know this is what is going to happen. Secondly it takes two to tango, the girls know as well, you start casting your eyes on a Corporal. Some of the girls were punished as well.
- D NB: For having inappropriate relationships.
- RL: To a much lesser degree.
- E NB: Right.
- RL: but nonetheless, you know, it does take two.
- NB: In Geoff's personnel file, in what can be called the casualty part of it, there are the telexes or messages or signals
- DG: Yes.
- F RL: I've never seen any of this.
- NB: Is it not your neck of the woods at all?
- RL: Not at all. Or within reason, but that depends.
- NB: Okay.
- G RL: There is a format when a signal must be sent out.

- NB: OK, and then you have here a subject. This is the first one. And I am told this is 17th – A
- RL: 24th.
- NB: September 2001. Then its two forty five
- RL: Zero two forty-five.
- NB: It is a 24-hour clock.
- RL: Yes. B
- NB: GMT means its Greenwich Mean Time.
- RL: Yes, Greenwich Mean Time
- NB: So you add an hour and get three forty-five.
- RL: Well, they move fast. C
- NB: Well, I though they might even move faster, but I think that was a false hypothesis of mine. So is it the Adjutant or someone? Who is responsible?
- RL: Well it would have been. Well, it would depend who signs it. [...] was the orderly officer. She was the lady who I presume came to your house.
- GG: I think so. D
- RL: Because she was the orderly officer so that there is the unity throughout.
- NB: Right.
- RL: So she was the orderly officer so technically even if the Adjutant was there she –
- NB: – So she took possession of this?
- RL: No, I wasn't there, so some of this – E
- NB: Well okay, I'm just interested in the systems to see how it works. We have gone through a process where Geoff has been found with gunshot wounds, status of casualty not yet known. Civilian Police and medics have been called in so we know this would have been done by 3.45am.
- RL: That means it's been transmitted. It would have to have been written. There's no communication's centre at Deepcut. It would have to have been taken to Aldershot to be transmitted. F
- NB: It would have been taken to Aldershot?
- RL: Yes. Or faxed or something.
- NB: Well, let's work back from this time then, because in the sense of procedure working back from that time, then we know in order to have got to. G

- A RL: Zero three forty five..
- NB: First. The information has to be sent back from up by the Officers' Mess, radioed back to the guard room then radioed to someone else.
- RL: Yes.
- NB: Secondly. The Captain needs to have composed the message.
- B RL: Which is not that difficult because there is a format.
- NB: Because the Army want to know whether there is a casualty worldwide. And thirdly, the transmission of the message takes place not at Deepcut but at Aldershot, is that correct?
- RL: Now, how they got the message to Aldershot –
- NB: Is that sure or are you not too sure?
- C RL: I'm not too sure...
- NB: I will check on that.
- RL: There is no ComCen, no communication centre in Deepcut.
- NB: Right.
- D RL: By fax probably. They probably typed it out and faxed it.
- RL: I mean there's certainly no ComCen at Deepcut, because this goes out on the Army's communication system. The signal is very fast.
- NB: Right, well that would suggest probably the data that forms the subject of this signal must have been discovered at least half an hour before.
- RL: Oh, yes, I cannot remember but one of the drivers on this signal is they don't need 100% information.
- E NB: Would be a reasonably safe bet for me to work on the assumption that the information is being discovered about 30 minutes, not much before 30 minutes before the signal goes out?
- RL: If we go for a one fifteen to zero two forty five that's not a bad batting average.
- NB: No, it's certainly a starting point. The only thing that perplexes me, you probably don't know the answer to this because this is what was throwing me yesterday. We then have another signal. Four thirty five or five thirty five by time which we now know that civilian police and ambulance were called.
- F RL: He was found at zero two twenty. The ambulance was called, he was pronounced dead. We don't know when the ambulance was called. He was pronounced dead at zero three fifty hours.

G

- NB: Alright. Civilian police have jurisdiction and are awaiting arrival of the Scene of Crime Officer. So that's our evidence that Surrey were originally put in charge of it. And then I've got the Gray family's address. Then the next one is four forty or five forty. A
- RL: Yes, but it depends on when they were transmitted of course. That's the transmission time. What I'm saying is that we don't know when that was transmitted to the ComCen. That's when it went out.
- NB: Right, okay. This is what? 0 forty four GMT equals five forty BST, and yet the fax from ComCen - B
- RL: – To Bulford.
- NB: To Bulford, well, from ComCen Bulford to CAS Com – I don't know what that means – “out of hours”, is it?
- RL: Yes.
- NB: Is at three forty four. C
- RL: You'd have to check the date on their fax machine.
- NB: Do they use 24 hours.
- RL: Yes, they do.
- NB: Right. So that's just an anomaly which will have to chase up. I thought initially it was GMT minus one hour. D
- RL: My explanation would be that in actual fact they sent this and then they faxed it from ComCen Bulford – I'm not quite sure why they would do that – Oh, ComCen Bulford for Upavon.
- NB: But I mean the point is this is meant to be sent at five forty and the fax says three forty four – two hours before it is sent.
- RL: I've no idea. E
- NB: Okay.
- RL: I've never seen it.
- NB: No, I am using the fact that you are here just to test out something.
- RL: I would have to say that what they are doing though is what they are supposed to which is to continually update as more information comes in. F
- NB: Yes, and then there was the next one here.
- RL: Things had calmed down a little bit.
- NB: They are then using the serial number of the rifle. They are putting that into the fax as well. G

- A RL: We were a rifle down, you see.
- GG: Yes, that's another discrepancy. We were told by Surrey Police that the Army retained the rifle.
- RL: Never.
- GG: Well, that's what they told us. They retained the rifle and then it was sent for destruction. To be destroyed.
- B NB: I'm not going to be able to mediate between you and Surrey Police, but these seem to be quite a valuable source of information, because they've been composed hours into the incident.
- GG: How do you think we felt when we read that?
- RL: That's all from the casualty file?
- C NB: Absolutely. It is all from the casualty file.
- DG: There's a scene of crime, yet they didn't do anything.
- NB: A final question, but again it may be unfair so don't answer if you don't know. Whether, whoever was composing this – we've seen civilian police – Civ Pol – there.
- RL: Yes.
- D NB: When they talk about the police would they mean either the civilian or the RMP? Do they call the RMP the Police or do they call them RMP?
- RL: If you're being polite, yes. Civ Pol is civilian police, it's nothing else.
- NB: Yes.
- RL: RMP –
- E NB: There's a couple of references to police which I took to be civilian police.
- RL: I would have taken it to mean civilian police as well, but that is my assumption. I have no evidence to back up that assumption.
- NB: Okay. Obviously you at the inquest spotted that the other trainees who were with Geoff on the night he died were getting their times completely wrong. You spotted that and the Coroner realised you got a hit on that and called them back and they tried to do it over again.
- F DG: The people who were on the stand only did as they were told by the officers that were sitting in front of them.
- NB: Yes..
- DG: So when they didn't know what time was right, they were being prompted by the officers that were sitting there.
- G

- NB: I have seen the transcript and there was obviously chaos and they got it all wrong because they all thought they were doing the stag from 23.00 to 01.00. A
- RL: I've never seen any evidence from the inquest so I can't comment.
- NB: Right.
- NB: Have you ever seen the report from the Adjutant?
- RL: Yes, I did. I saw that. B
- NB: Well that was meant to summarise and I think it does mention the discrepancy. I'm not going to deal with the telephone conversations that we've got logged that Geoff was making. I'll leave that. Just as a matter of interest, because I only discovered this about twenty four hours ago. One of the Lance Corporals talks about [Private(f) CE] as a Fijian. I've just discovered in the witness statement that she is actually Caribbean. She is from St. Lucia.
- GG: We were under the impression she was Fijian as well. C
- DG: Yes.
- NB: Right. Well, I think it is because one of the witness statements taken by SIB says one trainee is Fijian and his fellow female Fijian but I have actually got a witness statement taken not from [Private(f) CE] but from a friend – I think her first name is [...]. Her friends says they were two soldiers, two more mature women from St Lucia, so it may not be right to go along with the notion that she comes from Fiji, just as a matter of information. I think it's probably quite recent. So the first stag then is 9 o'clock on the 16th September to 11 o'clock on 16th September. D
- GG: Depending on who you believe.
- NB: Yes. The records would suggest that the oral evidence of someone who hasn't looked at the records is all over the place. Unless one has got clear and reliable evidence contradictory as to the fact that they were confused at the inquest about it. I think that's probably right and that fits in with one or two other times. That's the time when we have the interview with [civilian fire fighter] and all that. And that of course is logged in about 10 O'clock in the guardroom log which I have seen. We'll switch back to that, okay? So it begins to work as a consistent piece of a contemporaneous documentation. So the 22.15 incident with [civilian fire fighter]. Geoff is congratulated on dealing with the [civilian fire fighter] incident in an appropriate way and [civilian fire fighter] was abusive. E
- DG: If Geoff is on duty at 9 o'clock, how come somebody else answered his phone? If he's only accompanied by two others? F
- NB: Somebody answered his cell phone?
- DG: Yes, his mobile phone.
- NB: Someone answered it when?
- DG: Twenty past nine. [Private BY] phoned at twenty past nine.
- NB: Yes. G

- A DG: And [Private CN] answered his phone.
- NB: [Private BY] phones on Geoff's mobile. I've got that at 20.00. Speaks to [Private CN] re access to room.
- DG: Twenty past nine. It's actually on his phone. On the phone card. It tells you the time.
- NB: Where did he get the phone card from?
- B DG: It was in his phone and it's in the memory of the phone.
- NB: Has someone given that back to you?
- DG: Yes, the Police, after a year.
- NB: Have you got a print out of all the phone calls made on his phone?
- DG: No, the last call made.
- C NB: How do you get the time then?
- DG: Because you can take it off the mobile phone. It tells you what time you received calls.
- NB: Right.
- DG: And it was twenty past nine.
- D NB: So you've just been switching Geoff's mobile on and looking through it? I don't think I have seen a print out from Surrey Police of the download of Geoff's mobile phone.
- DG: Right.
- NB: I don't know quite where I got that one from but it may well be that I'm getting it from a witness statement giving an estimate. I would go by the mobile phone records. Have you made a note of all this?
- E DG: I did actually keep the little card so I can actually, hopefully put it in the phone.
- NB: If you can put it together again and you can download what transactions there were on Geoff's mobile on the 16th and if you give that to Mr Thanki and he gives it to me, that would be really helpful to me.
- DG: In fact it's noted in the Coroner's notes that a phone call was made at twenty past nine and it lasted for one and a half minutes.
- F NB: Okay. Now, what is your question?
- DG: How come [Private CN] answered the phone at twenty past nine?
- NB: Is he likely to take a mobile phone out on guard duty?
- RL: No, you shouldn't.
- G

- DG: No, they're not supposed to, but Geoff didn't have a watch on that night so obviously he's kept his mobile phone. A
- NB: But, I don't see any particular reason to contradict that Geoff was on guard duty if [Private BY] is speaking to [Private CN] at the time. If Geoff was answering himself and saying "hello, I'm in the barracks", that might be. But why does the timing of the call mean –
- DG: It means a lot, because it means Geoff couldn't be on guard duty at twenty past nine. B
- NB: Why?
- DG: Because it was a contract phone and you wouldn't just say to somebody well, you can have my phone. He was very protective of his phone and it was a brand new phone.
- GG: [Private CN] denied answering the phone.
- DG: Yes, [Private CN] denied that he answered that phone call. C
- NB: Yes. I mean it seems to me that he might have put it in the guardroom or something or left it.
- DG: No, far from it.
- NB: That's the hypothesis you necessarily have to deal with. Why didn't Geoff answer the phone if he wasn't on duty?
- DG: Yes, but it means that Geoff must have been off duty. D
- RL: Why?
- DG: Where was [Private CN] at the time?
- NB: I don't know, but if Geoff was off duty, I would have expected him to answer.
- DG: Well, I was thinking maybe Geoff didn't want to speak to [Private BY]. He's obviously seen who is calling, doesn't want to speak to him and passed the phone to somebody else to speak to him. E
- NB: That's quite a lot of hypothesis whereas the other is that he didn't take the phone with him because he's not meant to when he actually went out on his stag. Because he is a conscientious soldier so he might even be obeying the orders even though it wasn't strictly enforced.
- RL: They're not searched. F
- NB: No, they're not searched. But I mean if he's told that your not meant to take your mobile phone and he was a good soldier he might not have taken it.
- RL: He might not have done it.
- GG: I think he might have.
- DG: It was a brand new phone. G

- A NB: I've got your point. I'm not sure if that itself throws doubt about what time his stag was. We know anyway that from the guardroom logs and one or two other things that the [civilian fire fighter] incident, the civilian MOD fire fighter, was at 22.15 and Surrey Police have got a statement saying that [the fire fighter] was put to bed drunk at about eleven o'clock, seen at one o'clock. So we've tried to chase that. Then I have got on that assumption that the rest period for the stag is eleven o'clock to one o'clock so he was then taken back from the Officers' Mess and back to the guardroom.
- RL: In the middle of the camp site.
- B NB: So he is transported back from here right back to here. Right, so he then gets his two hour rest. Then we've got [Private CM]'s statements. You have that somewhere?
- DG: Yes.
- NB: And then we've got [Lance Corporal CD] saying that at twelve thirty he gets Geoff, Pte [...] and [Private CE] ready for the second stag and he issues the ammunition. So if everything went to plan, he would then be taken back up around one o'clock. [Private CE] tries to estimate that he went on a sole prowl shortly after the new stag after a conversation that she had with Geoff about Leconfield.
- C DG: She said she was frightened to go with them.
- NB: Because of [the civilian fire fighter]? I'll check the statements.
- DG: So she said she didn't go in another statement. She said when I heard shots I ran back to the hut. So she obviously went somewhere.
- D NB: Right. We went through this the first time around earlier this morning so we come straight into this. The orders are that you do prowlers in pairs?
- RL: Yes.
- NB: Just as the orders are that you don't hand over your weapon to someone else.
- E RL: Yes. Clearly.
- NB: That's what they ought to know and ought to do. Does anyone ever get disciplined for not reporting that someone has gone off on a sole prowler?
- RL: Only if you found out.
- NB: Right.
- F RL: Not in my time because what you would have to do you would have to have a scenario whereby 'A' goes off by themselves and then 'B' and 'C' need to ring up the guard and then the guard would come up and nick him. That never happened in my time.
- NB: Who would they nick? The guy who went off on a sole prowler?
- RL: It would be his responsibility. It can't be the other two. They can't restrain him.
- NB: Is there a separate order that if you witness someone disobeying a standing order such as sole prowler only that you are meant to report it immediately?
- G

- RL: I don't know would be my honest answer. A
- NB: Could you either think about it or tell me who I can ask that question?
- RL: They'll know at Deepcut now.
- NB: Yes, but of course the trouble is that all is changed.
- RL: I see what you mean. B
- NB: Okay, well, this is hypothetically okay. Let us assume there isn't a specific order issued to the trainees or Privates which says, "if someone disobeys these orders phone up the guard room immediately", do you think there ought to be to make it crystal clear?
- RL: Yes.
- NB: Okay.
- RL: However, I've got to interject there and qualify because we are then saying we are then going to have negative orders for every eventuality. There comes a moment when you have to say "right this is what you are to do", not have a "and then this is what you are to do if X". I mean how many evolutions of possibility can we want to go through? I take the point precisely. Your point is well made Mr Blake and I accept it, but there is a counterbalance. C
- NB: You can't have orders for every eventuality.
- RL: Yes. D
- NB: I am just going to pause and I'll review what is going on. I want to carry on with this. I'll get back to this in a second, but a similar question arises when guards hand over rifles to another member of the guard or someone they think is a member of the guard.
- RL: Well first of all there has only ever been one incident of that – Sean Benton – in 1995 that I am aware of.
- NB: There were two. E
- RL: In my time? Or in 1995?
- NB: No. One in your time.
- RL: Oh, I beg your pardon, sorry, you're absolutely right. I'm sorry, that's a complete oversight on my part. They are not supposed to.
- NB: Well, I know they're not supposed to. F
- RL: And the orders are absolutely explicitly saying you are not to do it. You are then asking me quite a legitimate question and I haven't considered it at all until you asked me. Should there therefore be a failsafe order if you do this. Well there are two incidents already. One prowling by yourself, two handing over a weapon.
- NB: Focus on handing over the weapon. G

- A RL: What you are then saying is if X hands over his weapon. So two people are involved out of three already.
- NB: Yes.
- RL: The third person has then got to report the other two people. We could write an order for that, but you are into a very bizarre human dynamic already. There are three people and two of them have disobeyed orders. The third person must report them in the orders. We could write an order like that and it would make my life an awful lot easier at the inquest if we had an order like that, but there wasn't one.
- B NB: Right.
- RL: Would that order had made a difference other than make my time in the stand a bit easier? I doubt it. That's a personal view.
- NB: The question I put to you and I'll get back to Geoff's chronology shortly after this, is this. If you now read the Benton Bol, and I don't expect you to remember any details of it.
- C RL: I know how he got the weapon, yes.
- NB: No-one ever disciplined [Private(f) G], the girl who handed over the weapon. Everyone took the view that "poor girl, she's made a terrible mistake which led to Benton being in possession of the weapon when he shouldn't be in possession of the weapon". But it's understandable she did that because Benton said "[Sergeant B] wants you and you hot foot it back to the guard room where [Sergeant B] is".
- D RL: He spotted a flaw in the system and exploited it.
- NB: Yes. And no-one punished [Private(f) G] for it. Do you think orders could have been tightened up to re-emphasise the importance?
- RL: Well, they were tightened up and re-emphasised and the guard were briefed verbally and they have it in writing as well that you are not to hand over your weapon. But it's the same as any law, you know. Laws are explicit but people still break them.
- E NB: If you know from experience, and I don't want to be wise after the event, I'm interested in pursuing effective responses to experience of flaws within the system.
- RL: Yes.
- NB: No-one punished [Private(f) G] at the time. It was understood or there was some sympathy for her predicament, let's move on. You then take on the regime of responsibilities for clear orders. If you have a separate order saying, "if you see a breach of any of these standing orders you ought to report it immediately" then, (a) you can discipline the third member of the guard if they don't do that and (b), that tends to emphasise these are orders that are taken seriously rather than best efforts.
- F RL: I disagree I'm afraid sir with your last statement that these were best efforts, try your best. Guard orders are taken seriously. The guard is briefed seriously, formally, guarding is taken seriously. I am not going to make it excuses after the event but it has never occurred to me in my military career once that a soldier would be lax with weapons and firearms in the way that, and these were not lax. And I take your point, but I actually think that's being wise after the event and I also have to say that you are then implying
- G

- that the third soldier would actually take that course of action. Just because something is written down doesn't mean that the third soldier would have done something. Would it have created an ethos? Not necessarily because they have already been told once, you are not to do this. A
- DG: It's like saying a soldier doesn't hand a gun over to anybody. If you get an officer come up to you and say "give us your gun" you are not going to say no. You would do as you are told by an officer.
- NB: There is an example of one soldier who did query that and the officer said "well done. You shouldn't have done what I just asked you to do". But that was just one soldier. And these are young people. B
- DG: When an officer says "jump", you jump, but really you shouldn't hand your gun to an officer even if he asks, but you would out of respect for the officer
- RL: I have been questioned about this by Surrey Police - they asked me the exact same question. It's not necessarily directly pertinent to your son's case and I don't want to stray for a variety of reasons too far into James Collinson's case but I don't know which soldier handed over the rifle. I know the names of the two soldiers. Again of course I decided not to ask too many questions as it would be investigated by others. I didn't want to give any hint at all that I impeded but I say to you what I said to Surrey Police. We were told to leave it alone otherwise it could prejudice any legal case with the Surrey Police investigations we were told to leave it alone and I can't remember how that came about but it seemed logical at the time. If the young man had come up in front of me I suspect I would have probably found him guilty of breach of standing orders and would probably have admonished him, effectively a formal telling off. The reason for that is to do with the circumstances and justice should be always tempered with mercy. C D
- NB: I don't want to deal with the penalty.
- RL: But it would have been dealt with formally. That is the point.
- NB: But he hasn't.
- RL: No. On advice. E
- NB: From Surrey Police? Or the Army Legal Services?
- RL: I cannot remember on whose advice it was. I would have to check.
- NB: In theory if we now have an investigation despite all these huge delays such as with Collinson's Board of Inquiry, could you still bring a charge or is that time limited?
- RL: I don't know – if I was his solicitor I would advise him to plead not guilty and demand trial by Court Martial first on the grounds that it has been so long. F
- NB: I think I will leave you with the observation that on the face of it, [Private(f) G] wasn't disciplined. Whoever it was in James Collinson's case hasn't in fact faced any charges for it.
- RL: Yet.
- DG: By the time everything goes through it will be too late G

- A NB: I think the prospects of him facing charges now doesn't seem to be – and correct me if I'm wrong – strong and I would suggest that were a commentator looking at this could say "well, you interpret the standing orders with some degree of flexibility.
- RL: I would totally reject that.
- NB: We then get into the events of shortly after the second stag, according to the survivors of the stag, at least, Geoff goes off. We then get shots and the guardroom log records the various people phoning in and saying that they have heard shots and then [Sergeant CB], who is receiving these messages, then phones [Warrant Officer CC], so we know it's about 01.10, 01.15 depending on how accurate they are. That gives us an indication.
- B GG: At the inquest, he said he heard it before midnight.
- NB: His memory is clearly at fault. I think we should be starting off looking at the contemporaneous records and then see what they say because the trouble is every lawyer will tell you that you get contradiction. The question is whether the contradiction is due to memory loss, or because someone hasn't done their briefing about it. Then we go through the searches. And then we've got [Warrant Officer CC] saying he arrives – and this is according to his statements – [Warrant Officer CC] says that he arrives around 01.25. there are a lot of guard members running around. There is a general panic about what is going on. I've then got at about 01.45 the fence rattling and the people across the fence.
- C DG: If you look at this, how does give him time to get there? To get dressed and get there in ten minutes.
- D NB: Well, if he is going to go on duty, I imagine he would do that.
- RL: I've got no idea.
- DG: It takes at least at least 5 minutes to get from there to there.
- RL: He might have been laying in bed with his uniform and his boots on. I'm not saying he was.
- E NB: Well, at the moment I am just trying to construct the basic framework.
- DG: And the person that was seen running away. Where Geoff was found there is a gate and the person ran away across in this direction. From inside there you can climb a little step ladder and also from inside the cricket pitch you can climb this one like a ladder.
- NB: I was taken around the site at a fairly early stage of the review, and I remember looking at this.
- F DG: Yes.
- NB: But I think if we are working on the hypothesis that the recruits did see a figure here I think it is climbing over rather than climbing through, that was the thing.
- DG: Yes.
- NB: Are the gates locked?
- G

- DG: Yes, they are kept locked. A
- NB: Well, we know that there is that material there.
- DG: What mystifies me is that the figure at the time seen running away –
- NB: At 01.45 I think
- DG: Yes, it just mystifies me that if somebody had come to get him or whatever why would they hang around to his was found – it doesn't make sense. B
- NB: Well, maybe someone was running through the grounds for some unrelated reason. Now, stopping the clock at 01.45, I mean there certainly are cases of trainees who are climbing over the fences to get back into barracks after hours.
- RL: Allegedly. This is Saturday night, isn't it? Saturday night or Sunday night?
- DG: Sunday night. C
- RL: Sunday night. They don't need to climb over any fence to get back in.
- DG: Why would you climb over by the cricket pitch, anyway?
- RL: By the Officers' Mess, yes. Yes, there are, but by and large at a weekend people book out and book in; there is no real drama about it. They are not technically confined, it gets quite legal: no one is technically confined to camp unless there is a genuine, you are only confined to camp if you are personally confined to camp. D
- NB: Like ROPs¹⁴.
- RL: Something like that, yes.
- NB: So broadly speaking if you had gone out for the weekend, just gone out for a drink on the weekend.
- RL: You would not be expected back. You are thinking about under-18s curfew, presumably. E
- NB: (a) I am wondering about that. (b) I am wondering about a striking incident in the whole Skinner saga. In order to explain my interest I will explain to you that one of the young people at Deepcut who he sexually abuses, he then comes back I think actually in your tour. I will check, in 2001, and he is out of the Army, booted out of the Army not your responsibility. But he happens living across from the barracks in his own accommodation.
- RL: Really?
- NB: Yes. He gets some recruit or a young person who is still in your command to go drinking with him outside the base and it is after midnight and he gets him to stay over his place where he sexually assaults him again because this chap says he will be disciplined if he comes back late so that is what I am on about. F
- RL: I am not totally convinced of that. I would have to know a lot more of incident and now's not the time obviously.

¹⁴ Restriction of Privileges. G

- A NB: But I was using that as an apparent cogent example of people who would have reasons to have to get back to the base.
- RL: I would like to know the age of the soldier and how much he had to drink, not now. Because he might have been nicked for drunkenness, you see, on coming back into camp.
- NB: Are you telling me that anyone who arrives back at 1 o'clock in the morning when they should have been back earlier is not going to worry about it? Only if they are on a personal ROP.
- B
- RL: Only if you are on a personal ROP, whimperingly drunk.
- NB: Drunkenness, not lateness.
- RL: Yes. Lateness is not necessary the biggest sin.
- C NB: Am I right in thinking that the survey of the guardroom logs shows some incidents of damage to the fence where people are climbing over?
- JA: Yes.
- RL: Yes, and I can take you and show you round the back.
- NB: Why would there be damage to the fence and people climbing over?
- D RL: Because they are foolish and fondly imagine that in somehow or another it is all part of the great game of beating the guardroom. Because the other thing at Deepcut of course is that the guardroom and the main entrance are totally separate things. The entrance is there and if you come in there the guy on there wouldn't care whether you came in or not. So if you were thinking straight you would be getting into camp through the main gate and nobody need be wiser but it is part of their fun and ethos of breaking the rules.
- NB: So to this extent, whether they have to or they are clever in doing what they don't have to do there is an acknowledgement -
- E
- RL: From time to time.
- NB: Some of which were reported in the guardroom logs. There are incidents where people have either climbed over the fence or damaged the fence to climb through it.
- RL: Yes.
- F NB: Yes, and that happens out of hours
- RL: Out of hours. Deepcut is an absolutely remarkable camp. If you know the system it's a very open camp and it is not that difficult to get in and out of that main gate because the guardroom is nowhere near it.
- NB: But this fence here -
- RL: It is very secure.
- G

- NB: And this is the cricket pitch? And even taking into account that your answers to my general queries about why people are climbing over fences generally there would be no apparent reason why anyone would want to climb it. A
- RL: None that I can think of whatsoever.
- DB: I think there was one incident in relation to the Officers' Mess. There is one incident in that period where there is an officer candidate for the RLC climbing into the Officers' Mess and being caught by the guards. B
- RL: Good.
- DB: He was apprehended, he was a candidate trying to demonstrate something, so you do have examples.
- NB: Was this an out of hours situation?
- DB: Yes it was. C
- RL: So there we are, that's the cricket square and there's the Officers' Mess compound which has got its own separate fence and everything else as well. My understanding was in actual fact nobody saw anyone run across; there were soldiers who thought they might have but my impression was that statements were heavily caveated.
- NB: [Private CJ] said he heard rattling.
- DG: The fence doesn't rattle; it's only the gate that rattles. D
- RL: The fence, Mrs Gray, does rattle.
- DG: Not as loud as the gate does.
- RL: And also at that stage of course there were flag posts there as well. The flag posts have gone since then, that is just a part of the refurbishment process. So as I understand, and I have got no axe to grind either way on this, as I understand it nobody clearly states at any time that they saw something. As I am aware nobody actually unequivocally states they saw a figure. No-one unequivocally states. E
- NB: [Warrant Officer CC]'s report of what he understood at the time to SIB and Surrey Police "whilst in the process of * everyone I heard three whistle blasts and someone shouted that they had seen someone outside the perimeter fence".
- RL: One almost asks oneself the question. You've got the entire British Army turning up, locked and loaded ready for action, light everywhere and only at that moment did someone decide - F
- NB: You've got light coming? I thought it was still dark.
- RL: There is light on the perimeter on the roadside which is this side as there is a road.
- NB: Street light?
- RL: Street light. Not brilliant street lighting but there is street lighting on that side. G

- A NB: Yes, but you have done this at night?
- RL: There is street lighting on this side which is the inside all along there as well and I think there is low level ambient light at the front.
- NB: I seem to think when we went for our inspection, which was obviously during daytime, we came to the conclusion that if there happened to be lights on in the Officers' Mess there might have been some glow on here but there weren't any kind of -
- B RL: No, there is no flood lighting.
- NB: There is no system you can switch on?
- RL: No. As I understand it from [Warrant Officer CC], because we talked about it, I understand that they drove the vehicles. They came through the tunnel and there is a car park.
- NB: There is a tunnel is there?
- C DG: Yes.
- RL: They then went to the car park here and put on the headlights - that's my understanding but it's only my understanding.
- NB: Well I'm really trying to get to this timing and then let me get back to the guardroom logs. According to guardroom logs, he was reported missing at 01.30. At 01.40 the 2i/c requested extra men. At 02.00, civilian police was informed and the BOO?
- D RL: Barrack Orderly Officer. [Warrant Officer CC].
- NB: And the BDO?
- RL: Barrack Duty Officer. I may have gotten them the wrong way round because there is an officer above [Warrant Officer CC].
- NB: Who was on duty?
- E RL: Yes. Very much at home duty. Sleeping at home for real emergency.
- GG: Why would civilian police be called at that time when they hadn't found a body?
- NB: Well, yes, why would Surrey Police be called?
- RL: What time was the phone call?
- F NB: 20 minutes later.
- RL: Because of gunfire and a missing soldier.
- NB: And I think this is 6 days after 9/11 so the impression I got was that armed Surrey Police were there pretty early on and which is where I think you are coming in with your comments.
- G

- RL: I've never asked. Again, you must think this is quite bizarre because I was never in a position to ask detailed questions because I was very afraid of being accused of interfering but I would suspect they thought "man missing, gunfire: call the police. Don't mess about". Better to go early than late. A
- NB: There is an impression that people are edgy and on edge and expecting possible attacks.
- RL: I think that is a little bit of retrospect. I for one never felt in the slightest bit on a very personal note as the entire Al-Qaida network was coming down to Deepcut. B
- GG: I think * did. He was under the impression that.
- RL: Different people react differently. As I said that was my personal view anyway.
- DG: Geoff always said that when he was on patrols he was always frightened because there were people in the bushes.
- NB: Well, I am going to ask about that actually, but let me just finish off the timing. So the body is found at 02.20, ambulance phoned, and then you've got SIB and you've got Surrey Police there. Surrey Police armed response I think 02.34. The RMP arrived 02.30 and then we're into the signals going out. Well, that is the timing and as far as you are personally concerned you are personally informed about this – C
- RL: Some time between 5 or 6 o'clock in the morning.
- NB: That are a lot of the systems gone through: the calling out aspects, signals going out to the Adjutant-General. D
- RL: Yes, it's all done.
- NB: And when they tell you you've got civilian police on your base? What did you do actually when you were told?
- RL: I had a long chat with – I presume it was the Adjutant – because the phone went.
- NB: That was [...]?
- RL: It was either [...] or Captain Skinsley and I can't remember which one it was who rang me at my home. E
- NB: I think it was [...], who was still the Adjutant.
- NB: Where is the Commandant, the Brigadier?
- RL: Oh, he is off somewhere else. I'm telephoned in the morning between 5 and 6 o'clock. F
- RL: I thought "what shall I do?" And I went in. I got up, had a wash and shave and I went to the guardroom. Because I said right shall I go across and they said "no, sir because there is nobody there now the body has been removed and the police have gone".
- NB: The body was removed at 6.26 according to some statement that was kept.
- RL: I recall that I went to the guardroom and I think I met Major Kerce there or the Adjutant. I can't remember which one and we discussed it: this is what we know has G

- A happened. "We decided not to wake you because there was nothing significant that you could add". Which I was both flattered and disappointed with at the same time.
- NB: Yes. Back to the telex which I want to pursue.
- RL: I think there were various signals, letters to be done.
- NB: Yes. I want to pick up the signal at 09.50. The 09.50 ones, 08.50 GMT. "Private Gray certified dead at 03.50. Suspected to have taken his own life according to Surrey CID who are dealing with the incident. Five empty cases of 5.56 mm ammunition were recovered from the scene and removed by SOCO". Now SOCO, that's the Scene of Crime Officer. Is that Surrey Police?
- B
- RL: I don't know.
- NB: Would they call them SOCOs in the RMP?
- RL: They do.
- C
- NB: "Along with one times live round from Private Gray's magazine. SA80 rifle issued to Pte Gray for the duration of the guard duty has been removed and taken to Woking Police Station". So that is at 09.50. You're not party to the data that is going in to these?
- RL: I would imagine that they consulted me upon sending them off but I wouldn't have checked the detail.
- D
- NB: Well I'm going to leave the timing question there. A few moments ago you said Geoff had told you that people are always jumping out of bushes when they were on guard duty. Certainly not for this period, but for 1995 and 1996, there is quite a lot of evidence that one of the training Sergeants thought it was a jolly good idea to test out the guards by jumping out of the bushes. Is this something that was encouraged?
- RL: No, definitely not.
- NB: Is this something that was known about? Was it discouraged?
- E
- RL: Well first of all we are talking about 1995. 1995 I have no knowledge of and I can't comment. I am unaware – totally – that any practice like that took place during my time in command by any member of the staff.
- NB: Right.
- RL: And if it had I would have stopped it.
- F
- NB: I don't think that I put it to you a specific documented example that I have a statement of that happen in 2002 but take it from me that there is reliable data that it has happened in the past.
- RL: I perfectly prepared to take your word.
- DG: Geoff said it was quite common, if you weren't armed, you'd pick up a log and you'd take it with you.
- G

- RL: When did he say this? How many duties had he done as we can always check his records. But I am shocked and surprised and incredulous towards that statement. A
- GG: It could have been Pirbright.
- DG: No, because he didn't have a gun.
- GG: So why would he pick up a log if he had a gun?
- DG: He said if you weren't issued with a gun you picked up a log. And you weren't issued with a gun at Pirbright so it has to be at Deepcut. B
- RL: So what you're saying is that your son said that when he did guards at Deepcut sometimes he was not armed?
- DG: Yes, and he would bring a log to take with him.
- RL: Because?
- DG: Because there were people in the bushes. C
- RL: And where did these logs come from and when we say a log what are we talking about: Big log, little log?
- DG: I have no idea.
- NB: Let us see. Do you have any indication as to when this occurred? Was it in a telephone conversation or something that he told you? D
- DG: He told us when he was at home.
- NB: At home on leave.
- DG: Yes.
- NB: Have we logged in when he was home on leave? Do we know that? E
- DG: Every other weekend.
- NB: Was this towards the end of his life, of his career or early on. He arrives about 1 May. Geoff is dead on the 17th of September.
- DG: Some time in between then.
- GG: I remember Geoff saying it, but I can't pin it down. F
- RL: I will pass further comment on this. I have no axe to grind on this matter one way or another, but you are the only person in an interview or a statement that I have seen publicly and privately that has ever made that point. In my time.
- NB: I am aware of previous occasions. I am not aware of evidence of this piece of information until I heard about that. Anyway, let's just go back down the chain of command. This is probably something that would not be your briefing responsibilities. This is more to tell the Sergeants what to do and what not to do. G

A RL: Look, I want to kill this one because this is actually quite serious. I would listen to the Regimental Sergeant Major brief the orderly Sergeants daily. A very, very formal process indeed. Have you been up the Commanding Officer's office? Anyway, we have an open door policy so at least you are always getting the background of what was going on. If this was my office, the Regimental Sergeant Major's office was across there through the corridor. Door open and things like that. The RSM was noticeably meticulous with his briefings, extremely professional. Never once in my entire time that I heard him or anyone else brief the guard commanders, the Sergeants or anybody else did I hear any reference – and I am being totally clear and deliberately so – any reference whatsoever to sneaking up on the guard.

B NB: So this was not an issue?

RL: It was not mentioned sotto voce, quietly.

NB: Would anybody amongst your training staff think it would be a clever idea?

C RL: I would hope not. I can't speak for them, but if I had found out I would actually for a professional reason – a very deep professional reason – I would have taken severe action and that's not anything to do with your son or my time in command, but for other professional reasons I would have taken serious disciplinary action against the perpetrator.

NB: Because you think that they were stupid?

RL: Based on a personal incident, yes.

D NB: Things can go very wrong?

RL: Awfully.

NB: Right. Since you weren't aware that there was even a risk of this practice going on you had not generated any sub-orders?

RL: Not at all. It was never mentioned once in my tour of duty.

E DG: Geoff always assumed that there were spies for some reason. And I said what do you mean and he said "well, you were being spied on now and again in the Army, weren't you?" and that was his excuse.

NB: Well, if you deal with that in any statement I would like to see exactly what you recall. I would like to see how it marries up to experiences. I don't have any data about this in 2001 but I do have data about it previously. If there was a continuity malpractice it would be quite interesting. Apart from that there are all sorts of other people who are out and about in the grounds at night aren't there?

F RL: I think we need to tighten up out and about in the grounds. It's a big place.

NB: Hanging about the perimeter fence.

RL: Inside or outside? By and large, recruits don't perambulate round the barracks on a night. Like most human beings they are confined to a fairly small areas unless they are going off with their girlfriends for various sexual purposes.

G

- NB: Well, that is precisely what one of the purposes of going off. A
- RL: I am neither naïve nor stupid on this matter.
- NB: I mean again, this is not something which is a factor to Geoff's death so I don't want to make any imputations about Geoff. I am looking at issues generally. I am also looking at the possibility as to whether there are people out and about at various parts of the grounds in the early hours of the morning.
- RL: I mean it's a big camp. It is well lit and it is quite hospitable and I am not going to deny, I mean, people are not confined to their rooms or their barrack block for the night. B
- NB: And certainly again in the past I am aware of apparently quite cogent evidence of sexual activity at night in the grounds. Nigel Josling in an interview says that one day during his term of command they were having to do an open day to bring in parents and public and he ordered his troops to clear up the grounds. They picked up 800 used condoms. Now that sounds like a fair amount of activity going on somewhere.
- RL: I don't think anyone has ever counted 800 used condoms but nonetheless. C
- NB: That's the number he gives.
- RL: Nonetheless, they are a young healthy population and I'm neither shocked, upset nor disappointed, you know.
- NB: I thought you weren't encouraging that.
- RL: I certainly was not. D
- NB: I thought you were telling them to do it elsewhere.
- RL: We were, but I'm neither naïve or foolish in these matters. If you got caught you got punished, but of course I have got to catch someone to punish them.
- NB: You got punished for having sexual relations in between trainees?
- RL: No, interestingly enough we didn't at all. Well, we did if they got caught out of bounds and for Mr and Mrs Gray's benefit I cannot remember during my time in command ever punishing two trainees for having a sexual relationship in the barracks as in – in the trees, on the grass, you know – I can't ever remember doing that so therefore I suspect I didn't. Which leads me to believe two things, in fact you're the first person who put the point to me. Either (a) they weren't doing it. I will not believe that for a minute (b) they weren't getting caught. Which was probably true because most efforts were concentrated on the accommodation blocks (c) they were getting caught and told to move on and no more was said about it. I don't remember any anecdotal stories about that, so my gut feeling is the staff was concentrated on the accommodation blocks and not elsewhere and you can't be everywhere all the time. E
- NB: I certainly do not see any evidence of any disciplinary proceedings being taken against this kind of activity. F
- RL: Under the trees. No I don't remember any. We took draconian discipline actions acting out of bounds. Girls aren't allowed in the boys' accommodation and boys are allowed in the girls' accommodation. G

- A NB: And that was a topic which we had a discussion about earlier on.
- RL: We have gone through that.
- NB: I think I have just been looking at reasons why people might be out and about in various parts of the estate.
- RL: Yes. The main camp is one thing. A lot of activity in the camp lets not pretend otherwise. A very busy place indeed. Over a thousand people at any one time all going about their business. A little village.
- B NB: How many officers have you got staying here?
- RL: No idea. Not my Mess. I have no control over it and I don't man it. I don't run it. I have no responsibility for it.
- NB: Whose Mess is it?
- C RL: It's the Headquarters Mess of the RLC. I'm just a member.
- NB: Right, so its Colonel Josling's, is it?
- RL: Only by appointment.
- NB: That's his responsibility. This is the Mess for visiting officers on training courses?
- RL: Well, they are split between the two.
- D NB: So it depends how many people you have?
- RL: Yes.
- NB: Well, I'm going to move on then from the actual timing unless there are any questions you would like to ask Ron Laden arising from that. And then I am probably going to move on to some round up questions. Now I don't want to go back towards all the stuff we discussed about you taking out of bounds seriously. We have been through that. But in your time – June 20001 through to September 20003 – did the under 18-year olds live in a separate dormitory accommodation or were they mixed?
- E RL: They lived in separate accommodation.
- NB: So under 18s had their own dorm?
- DG: I think there were 6 to a dorm or something.
- F RL: To a room.
- NB: I think they changed that.
- RL: In my time, everybody had tried every combination for the under 18s for a variety of reasons.
- NB: Yes.
- G

- RL: Most of it to do with supervising themselves. A
- NB: Right. Do you have NCOs sleeping overnight in your camp?
- RL: Yes but it was only ever one who was responsible. Because we didn't have enough NCOs to go around. There was always a duty NCO but he covered all the blocks.
- NB: How many blocks did he have to cover?
- RL: I can't remember. B
- NB: Well how many blocks are there?
- RL: Do you know, sorry, it was one of those things.
- NB: Have they changed the number of blocks?
- RL: No, definitely not. C
- NB: So the number of blocks there are today.
- RL: Is the number of blocks they had then, yes, and I do apologise.
- NB: Don't worry its not a memory test. So you don't have duty NCOs sleeping in a room in each block?
- RL: No. D
- NB: Would you have liked to have done that?
- RL: I'm not sure and I pondered on this professionally. On balance, yes, however I would point out to the defence of the Army and the NCOs it is an incredibly draining duty. It eats manpower, because if say you have ten blocks that's ten NCOs. Now are they on duty or not on duty, are they awake or not awake? Are they married or single? Are they suitable or unsuitable? Is it for three months, one month, one week or one year?
- NB: These are problems which happen when society decides it wants to take 16-year olds into the Army. E
- RL: Mr Blake, you know my view on that subject. It's not dissimilar from yours but it's incredibly expensive supervisory regime in manpower let alone any other. It's also immensely unpopular amongst the NCOs.
- NB: It is, yes.
- RL: You know they loathe it. F
- NB: Sure but I will get back to the primary facts. When you say one NCO, is it one male NCO or one female?
- RL: It was normally, sir, I'm afraid it was normally one male or one female.
- NB: You didn't have one each? G

- A RL: Not necessarily. The reason for that is of course is the girls have segregated accommodation.
- NB: Yes, I know, but how would a male NCO find out if the girls were in their accommodation?
- RL: He would take a female member of the guard with him. That was the routine. And we only had a few female Corporals, and so you couldn't have a female Corporal there every night. I have to say that that particular routine with the female accommodation was never perceived to be a problem.
- B NB: Well, is it because by the time you were in charge you've got video link?
- RL: I'm not sure. I think that might be installed while I was in charge. I don't think I inherited that. In fact, I didn't inherit that, because I paid a vast amount of money for it. It didn't bloody work some of the time, but anyway. It's pretty good but there was a blind spot and the girls worked out the blind spot.
- C NB: So the girls could always bring in their boyfriends?
- RL: If they really, really take a chance, they can, yes.
- NB: Then you would punish them with what?
- RL: Well, if you were caught out of bounds fourteen days' pay, fourteen days' ROP, because that is what I started with but in the end they were to going to Colchester for 28 days. Both of them.
- D NB: Right, well, when I was pressing you about under 18s carrying out armed guard duty and I put to you "so you saw no distinction between under 18s and over 18s?"
- RL: In that sense, no.
- NB: Where did you see a distinction between the regime. Alcohol? Where did you see the distinction of duties for the under-18s and the over-18s in terms of the quality of the regime?
- E RL: Oh, I see what you mean. Sorry, I beg your pardon, I misunderstood. I gradually became very worried about under-19s. You will notice this from my written evidence to you. I mentioned the under-19s not the under-18s. That was quite deliberate and because we wanted to give ourselves an extra year we became gradually more and more concerned about the immaturity of under-19 years soldiers for a variety of reasons and we thought that we should be maturing them more. Which proved rather more difficult to do than we had hoped for a variety of reasons. So that there was that and it was to do with diet, education, social attitudes, use of alcohol, soft drugs, attitudes towards discipline and attitudes towards money. It was very much a reflection of the group that they had come from that we recruit from generally across the board. What highlighted it for us in many respects was all of a sudden they are able to compare and contrast Commonwealth soldiers who are generally older, therefore more mature, much better educated and much more focused. I think possibly I had the advantage of having a contrast and control group and to appreciate that in actual fact we couldn't demand higher standards of our under-19s soldiers but at the same time we realised our obligations to them were greater and I think that comes out maybe subliminal in some of the things there.
- F
- G

- NB: Are there any other topics I ought to raise, because I think I am coming to a close. I think I have just about gone through everything that I wanted to cover. A
- DG: Yes.
- NB: If you want to prompt me before I close, please do so.
- RL: Can I put these letters in context if I may to Mr and Mrs Gray because Mr and Mrs Gray must be wondering what we are looking at. When I took command and towards the end I would like to explain about how I ran things, because without that you wonder why on earth I am sat here. One of the things I had decided before I took command, because I had been there for a year before I took command at the top of the hill. I don't know if you were aware of that or not. Outside the barrack working for the directorate of the Logistic Corps. So I was able to look in on the regiment for about a year. A quite embarrassing time, because my predecessor knew I was taking over. But I decided one of the things I would do – and there were a lot of urban myths about 25 Regiment – and I would write to every Commanding Officer on a regular basis to tell him what was going on in the regiment, because people didn't know. And the vehicle I decided in the end to use was every quarter, every three months, and it wasn't from when I started because of course that had to do with the financial year, I had to write a quarterly report to the Brigadier up. I decided what I was going to do was I would send those quarterly reports and a personal letter to every Commanding Officer in the RLC. I would write this personal letter. It didn't go through the chain of command, it was on nobody's authority. And I could say what I liked in the letter and I wrote these every three months and I wrote nine in total. Mr Blake has got eight of them. I managed to lose the fourth letter. They were written not to be a record. It just so happens that fortuitously they've become that and they're of their time as well and I wrote about the things that worried me as a Commanding Officer. What I was doing about them and my thoughts about recruits and their strengths and weaknesses and problems we were having. They are quite chatty in style. It was me – Ron Laden – writing a personal letter nine times in two and a half years, probably about 25 people in total 30 people got them. B C D
- NB: And I would say it is fair to say that it is an aspect of your hands-on Commanding Officer style.
- RL: Yes. I wanted people to know what I was doing. E
- NB: I'm just going to remind you what you wrote. I think it is in your sixth letter. My manuscript suggests that we are talking about October/November.
- RL: Yes, I'm sorry they weren't dated.
- NB: As I mentioned in my last letter to the Commanding Officers it is the white under-21 age group which gives us the most concern and within the Regiment it is the white males under 19 who we believe are the population most at risk. It may be that this group has always been the highest risk group. The arrival of older, more mature and much better educated Foreign and Commonwealth soldiers has highlighted this under-19 group's shortcomings and there would also seem to be the indications that this under-19 group does have some feelings of social inadequacy when matched against the Foreign and Commonwealth soldiers". F
- RL: Yes. G

- A NB: So that's a flavour of what you were thinking at the time. What was the risk that you would imagine they were under or that you were concerned over?
- RL: First of all, because by this stage both the tragic deaths had taken place. We noticed gradually their socialisation skills were very poor and therefore that placed them at risk, generic risk. Alcohol abuse, which I perceived to be a risk, gross alcohol abuse. They were not necessarily at risk of their lives but at risk of we losing them from the Army because they weren't making the progress that we thought they should make because they were not of the highest educational standard by comparison. They weren't passing the exams at the right grade. They weren't putting on weight because they didn't eat the right food and I may have used risk in a rather loose way but I was trying to emphasise and think to myself as my brother officers that they were going to have to invest an awful lot of time and effort in these soldiers if they were going to mature. If we were going to retain them in the army and actually get a return on our investment. We were at risk of losing them from the Army more than anything else.
- B
- NB: That's your risk, isn't it?
- C RL: Yes. I didn't feel that they were at risk from harm.
- NB: Well, I'm going to press you on that. You started off that sentence, as I recall, "not necessarily harm" and I can see you mentioned a variety of risks, alcohol abuse, failure of discipline but in November 2002 did you not include the risk of self-harm as one of the risks to which –
- RL: If it is there then I did.
- D NB: Well, it is not there in that quotation.
- RL: Did I mention self-harm? I may well have done. I willingly accept that and we certainly ran instructional lessons for the staff on the risk of self-harm.
- NB: And you had obviously two soldiers die and again the purpose of this conversation, let us assume that their deaths were self-inflicted as opposed to third-party involvement. That would surely have brought to you the degree to which self-harm could possibly go.
- E RL: Yes. We were all very aware of it and we had instituted a whole variety of ways to train and enhance our skills to spot as best we could soldiers who might have been at risk from the more violent means of self-harm, either by for example slashing of wrists, if I can call that lower end of the scale up to potentially death. And I remember on staff training that's internal to the Regiment we certainly ran lessons which we put together ourselves and I take no credit for that myself. The staff researched these matters to bring things to each other's attention, if you like a quality circle, and I mentioned in one of the letters – I can't remember which one or several of them – not in the time your son served, I'm not going to claim that at all or necessarily full speed when James Collinson died, unfortunately, but most of the, say 50% of the staff at the time I left had attended these courses at Ampert House.
- F NB: We will come back to those courses. I just wanted to say that the concept of risk, which you had identified in that letter. The question is the factors which placed that group at risk had not recently increased or changed, they would have been constant factors? Which you were now able to compare as you have a larger Commonwealth intake.
- G

- RL: I think, first of all that's absolutely correct, but secondly and I do apologise I have to talk about myself and my staff now, we were actually getting to grips with the job. You know, November 2002, I had been there about 18 months and really had a feel. You think you have a feel in the first couple of months but you don't. By this stage I and my staff were much more attuned, aware and experienced. A
- NB: So does that mean that you were now aware of the risks to which this group came under?
- RL: No I hadn't not been aware. B
- NB: It was heightened?
- RL: Oh absolutely. I mean, if I may slightly in my own defence I was always aware of risks to young people in the Army from the moment I took command. And because you are aware of risks to soldiers of all sorts of different ways. I immediately on taking command had instigated some changes in order to lessen that risk. The welfare posts and stuff. We had got better and better and better and then we had the tragic death of your son and then we had the tragic death of James Collinson. Two deaths in the first 9 months. But we continued with the process of continual improvement to try and basically enhance our skills because we were aware of this population. C
- NB: that answer is saying essentially "an awareness of some risk from the beginning"?
- RL: From the day I walked in.
- NB: June 2001. Enhanced awareness and the events of Geoff's death and James Collinson's death had significantly heightened your awareness and had certainly heightened your reaction to it. D
- RL: Yes, that is perfectly fair.
- NB: But then, if it is November 2002 – your sixth letter – so we are now six or seven months after James Collinson's death, you are specifically talking about white males under 19 who you believe are the population most at risk.
- RL: At risk, yes. E
- NB: So they are still at risk and the point I am putting to you is that what is going on is an awareness of this rather than the risk first arising in 2002?
- RL: Absolutely accurate.
- NB: So therefore the risks would have existed in 2001 and 2000, before your term of duty. F
- RL: They must have done but it gets, and I'm not trying to play semantic games, but this is crucial to the entire inquiry. I was aware of the risks when I took command and I became better at my job as I became more experienced about the nature of some of those risks. I think if I may be so bold, you're after a more isolated definition I am looking at something more generic or I may have misunderstood entirely.
- NB: No, I will go back as I don't want there to be any misunderstanding. What were the risks that you were aware of when you first took the command to this group? I mean, obviously, soldiers go to war and there are risks there. G

A RL: Interestingly enough, the risks I was most concerned with actually were not about deliberate self-harm resulting in death. I was deeply concerned, as a result of the excellent SSAFA briefing I had on my Commanding Officers' designate course, about the problems of young men and women away from home for the first time and I was aware of those risks.

NB: What were the risks that these young men and women were facing?

B RL: Well, I would have said depression, loneliness, home sickness, things like that. Inability to cope with military life, normally through poor social skills, poor educational skills and those became very apparent almost immediately as soon as I took over. This is a group of our population who I was worried about, maybe worried, maybe if I put worried that sets the tone of the conversation. I was deeply worried about white men under 19 in particular.

NB: I've got that. I certainly don't want to fix you in June 2001 with the terms of which you described events in November 2002.

C RL: I was worried we were losing them from the Army and I was deeply worried that the Army was the last chance in life some of these kids were going to get and I felt for them very deeply for a personal held belief that I didn't want to lose them because they weren't going to get a better crack at the whip.

NB: Well.

RL: And yet they seemed to be so ill equipped to take advantage of what I perceived to be the advantages of Army life for a lot of these lads.

D NB: Again I know you are being asked now in July 2005 about your state of mind, your perception of risks, dangers or problems in June 2001, so I wanted to try to focus upon that. And the risks or the problems that you saw for this group are general risks of failure, risk of coping with army life, including depression.

RL: Yes, although to be honest with you and to yourselves here so you know what sort of chap I am, I was not overly concerned about the risks of self-harm. When I was describing risk it was more the risk of losing them from the Army and therefore losing the last chance they might have got in life. From my perception anyway but they were a general worry. I will give you an example of what I perceive to be risk of young soldiers. I used to beg soldiers not to leave the Army. We had a policy where everybody could leave the Army if they wanted to never mind where their DAOR were or anything like that. And the letters were on the WRVS computer. I had this belief that if it's a volunteer army you can volunteer to leave. And I had interview after interview with young soldiers begging them to stay and I would say "look, I know the Army is not for everyone but are you going back to anything better? Is there any work where you come from? Have you at least got a driving licence before you leave?" "No, no, no, I don't like it and I'm leaving". "For God's sake, son, it's £36 every two weeks on job seeker's allowance. I would pay you that a day". I used to even beg some of them to stay to get the driving licence and sign them off then.

E

F

NB: So that they would have some qualification. I think just picking up your answer about that as you made that plain is that so I wasn't going to pursue that this afternoon. But your policy was even those that went AWOL you would be prepared to discharge?

G

- RL: Yes, depending, each case was different but by and large if you went AWOL and came back I used to put them in a jail for 7-14 days whilst I did the paperwork. Because I can't trust them not to run away again because some of them would go AWOL again and in fact when you are on the run, you can't get a job, you've got no social security, you're going to get lifted at any moment. We had guys come back after 2 or 3 years. They weren't necessarily from Deepcut because it was a quite complicated method. But I wrote to some AWOLs just to their last known address and I used to say "contact the padre, the WRVS. I am not judging you, you come back, I will let you go at least you can start your life with a clean sheet". A
- NB: I want to go back to it, because I picked up on it whilst we were there, to training and back to the question of what risks you had. You have talked about the Army chaplaincy course, which you recommended your staff to go on. B
- RL: In fact I think one of them recommended it to me.
- NB: When did you first go on it?
- RL: I went on it I would have thought May 2002. C
- NB: So two months after Collinson's death?
- RL: Something like that but if it turns out that was wrong I will apologise.
- NB: Is that going to be on your file somewhere?
- RL: No, it won't be. I have got a certificate somewhere. It was not mandated. It was a member of my staff who mentioned it to me and I can't say who it was, as I can't remember. I went on it. Surprisingly I bumped into one of my Corporals on the same course, I didn't know he was on it either. It was so impressive for both of us we then decided that we would actively encourage as many people as possible to go. D
- NB: One of the things that you were briefed about and trained about was suicide?
- RL: Yes, it was, a very interesting presentation by the Chaplains.
- NB: Right, but in any view this briefing happened after the second of the two deaths. E
- RL: Yes it did.
- NB: So you hadn't had the benefit of this before Geoff and James Collinson died?
- RL: Definitely not.
- NB: And no one in ATRA was suggesting that you went on this course? It was something you discovered for yourself? F
- RL: Yes, but it was somebody like a Corporal who said to me "look, sir". It was internal to the Regiment as part of the general question of how to improve our performance.
- NB: And as a result, one of this risks that you must have been aware of after going on this course was dramatic self-harm and suicide.
- RL: Yes. G

- A NB: And this deals with some of the factors?
- RL: It is quite a theoretic piece in some respects.
- NB: I think you also mentioned a harassment course?
- RL: Equal opportunities and harassment. Again, I've got a certificate somewhere. That was quite a way into my command. I'd attended some equal opportunity briefing dates prior to taking command deliberately, but that one again was the equal opportunity course was actually after both deaths.
- B NB: Now I'm going to return finally to the questions of firearms and guard duty. Is it your policy as to what guardroom states are?
- RL: No, that's set by Land Command and that comes from the Cabinet Office. As a local Commander, you can up the state, but you can't drop the state.
- C NB: Why do they guard Deepcut Barracks?
- RL: Because that is where soldiers live.
- NB: You're not guarded.
- RL: I'm not a soldier living in military accommodation. I'm living in a house.
- NB: You might be more of a valuable target to someone.
- D RL: That is very flattering. "Heads on beds". That's the very quick phrase about whether you have to have an armed guard. Where there is a head in a bed you have to have armed guard.
- NB: Except if it's yours.
- RL: Well, yes.
- E NB: Well I'm just picking it up because of something you said during the course of our conversation earlier that even after 9/11 you didn't think that RLC at Deepcut was going to be the focus of –
- RL: That is a very personal issue.
- NB: I will tell you also there is somewhere in material I have read an officer – a Major – who rather doubted whether there was a need for armed guard even during the height of the IRA. I can't quite work out whether that's another personal view or whether that once upon a time they didn't used to put arm guards I just wonder whether. It seems to be a problem in terms of draining resources.
- F RL: Well I'm not so sure.
- NB: Would it be a case of taking it up the chain of command to say "is this really necessary?"
- RL: First of all, it's your definition of drain on resources. And how do you quantify that? It's a barracks; it needs to be guarded. If we start from that premise and all the other sites do.
- G

The current policy is that where people sleep on military premises there is an armed guard. Once you start from that premise that's how it goes. It was not during my time in command a drain on resources in terms of soldiers to do the duties.

A

NB: Why not?

RL: Well, we have a lot of soldiers. I'm sure there were problems with it day to day in the Squadrons but you know there are always problems day to day in the Squadrons. Nobody wants to do guard duty, everyone tries to go sick on a Friday to go home and have the weekend off and stuff, very few people in any walk of life like working weekends.

B

NB: The Evans Report certainly talked about a drain on the resources.

RL: During the Evans Report time I don't think he had quite as many soldiers in Deepcut.

NB: One of the things that he was complaining about was the rising number of soldiers and having to keep them occupied and there was a bit of a paradox: he had too many to keep occupied but not enough to guard the place without having an oppressive, irregular guard schedule.

C

RL: I can only give an anecdotal impression that of what I had at any one time. I always seemed to have about 800 and a 1000 soldiers obviously split on many sites and we had problems. It was never brought to my attention in the way that I could put my finger on now in this meeting to say if we had a problem finding enough soldiers to guard the place.

NB: Did the configuration of the base, where you had these three gates cause a problem?

D

RL: Oh, it was an absolute nightmare.

NB: Does that mean there are more gates to guard than normal?

RL: Well, it depends. Yes, it's a multi-site barracks and that always causes problems. Particularly as two are outside the main wire because although if there is an armed guard in Deepcut itself, you know, that perimeter is a long perimeter so you know it is not guarded round the clock and of course there is an inner and outer perimeter, you do know that as well. All of that is the outer fence, and there's another fence here by the sports pitch.

E

NB: There's a fence there, behind the officers' tennis court.

RL: Yes, it goes something like, I can't remember. But if you go to where Sean Benton dies and look up, there's a fence.

NB: Yes, that's there. Anyway, that wasn't your decision.

F

RL: Never.

NB: And you never queried it upwards saying are we doing too many guards, too many armed guards and in too many locations?

RL: No.

G

- A DB: I thought the decision of how many people were armed was up to the Commanding Officer as opposed to an external issue.
- RL: Yes, there are two ways of looking at it. One, I have to guard the camp and the detail of how I guard it, although they have to be armed, is down to me and we needed however many people to guard in order to run the stag system and rosters to give them two hours on and two hours off. You know, you come to a mathematical equation that it takes this many people to guard the place. And we tried during my time just about ever clever combination to reduce numbers and you end up with the minimum. Well you don't want lots, you want a few on guard.
- B DB: Did you have the option of having a centralised guard whether armed or unarmed?
- RL: No, no we did actually at one stage enquire about that and non-lethal as well.
- NB: You were enquiring about the –
- C RL: We were enquiring about the Physical Security Intelligence Corps section and 2 Brigade.
- NB: And they said “no”?
- RL: It was done informally so I can't prove that we did this but we did ask about stun guns, dogs, all this sort of stuff.
- NB: When were you asking this?
- D RL: This was after the second death in particular.
- NB: So you were then turning your mind towards that?
- RL: The best alternative is obviously dogs but the trouble is they are incredibly expensive and you need a lot of dogs. That is my personal view.
- NB: And what was the answer you were getting back in general terms?
- E RL: The general term was, we actually looked at Taser guns, that was the first, only because it was on the news, the police were getting them, could we have Tasers instead? And the answer was no because, and again I will have to caveat this, this is from memory. It was something to do with you then had to train people to be able to restrain once they've been stunned and of course the recruits aren't trained to restrain once they've been stunned.
- NB: And do you happen to know in terms of events of the last twenty, thirty years that this country has been through with the armed forces presumably being a target of sorts whether anybody has ever fired a weapon
- F RL: It was done in either the late 70s or the 80s. The IRA tried to blow up the Parachute Regiment; it's a barracks up in Blackpool somewhere. They tried to blow up the barracks, and of course they, I think I've said more attempts in Northern Ireland and Germany in the 80s as well, particularly in Duisburg where they actually did blow up the barracks.
- NB: Any firearms?

G

- RL: No, what happened was that they couldn't get near the barracks because of the armed guards and they threw the bomb over the fence. To be blunt with security, I don't know how much you know, but what you're trying to do is make yourself look a hard target. It's like all preventative measures. I'm going to speak up for the Army in one sense and the points are extremely valid but of course it's a bit like insurance, and if you don't guard would it make any difference? You will only know if something happens. In my time we were still checking out locations where the IRA could potentially launch mortar blockbusters from. If anything, after the second death, I would have possibly, even if someone had said you can drop your security state, I might have kept it where it was and I did think about it because everybody then knew that 500 young soldiers lived in that building and there were photographs of it all across the world. A
- NB: Would you ever have someone for that show effect parading with a SA80 but not the issued with live ammunition? B
- RL: Not in my time. You were specifically not supposed to do that.
- NB: In a previous time? C
- RL: Not in my time, certainly not.
- NB: What is your time? I mean, not in your time of command but in your time in the Army?
- RL: Oh in the army? Yes, there had been instances where people they had gone through every combination of it from, rifle no magazine, I'm going back 25 years now, rifle, no magazine, rifle, magazine in breast pocket, rifle with magazine with no rounds in the magazine - no-one knows, rifle, magazine no rounds on, all sorts of different combinations but in the end I understand the decision was taken to rifle, magazine, rounds and because then if you're not armed and you could have been armed and an incident takes place and you die, the Army are held responsible for not actively equipping you with tools of the trade in order to protect your life and the lives of your comrades. D
- NB: Do you know when that decision was taken?
- RL: I don't know. E
- NB: Do you know who took it?
- RL: No, it may have been land command and you know how the Army does things; its corporate memory is extremely shallow. I mean of course 25, 20, 15 years ago some of the armed state depended on what the security was.
- NB: Sure.
- RL: The security classifications as well. So I'm into my memory of which I am certainly not an expert. F
- NB: Obviously I have gone through these questions: why arm the guard at all, why arm under 18s, why not get Ministry of Defence Guard Service, which is what they do now? Because it does seem to me that although there may not have been factors pointing to the vulnerability in an individual there may be the factor that if you had not been on armed guard duty, you may not have been dead now. G

- A RL: Well, if Private Geoff Gray hadn't been on duty with a gun on that night then he wouldn't have died by a bullet wound from an army rifle. I mean, that is self-evident truth. That doesn't do anything for me or Mr and Mrs Gray and I don't think it does a great deal for the Army, either. The world in 2001 in September was the world that I inherited to a degree I'm thinking with about certain aspects and not about others. I was obliged and willingly did and I didn't feel under obligation in the sense that I thought it was wrong, we guarded our camp. I was confident and remained confident that all that I knew then, and I know even more now, whether we think it is desirable or not which is quite a legitimate question to is it desirable that you guarded your camp
- B but I still can not identify if I could go back in the Tardis to the 15th of September and the guard were going to start forming up for that weekend duty and I did a risk assessment of everything that could possibly go wrong and how could I counter-balance that risk with the resources I had to hand, your son would still be on guard with those two soldiers. Because there is nothing that I am aware of today that has made me that I should have been aware of then if you see what I mean. There is no hidden germ of evidence that would have said that this young man is unsuitable to go on guard. All the evidence points at the fact that he was highly suitable to go on guard within the parameters of the resources I had available. If I could turn the clock back and believe you
- C me if not just for yourselves, yes, if someone said to me a month before I took command here is your wish list, what do you want, I would like to think I am professional enough to have said that these are the fundamental flaws that I am inheriting. I can't necessarily be honest and tell you was this was the biggest flaw, but yes, in retrospect everything could be done, you know, we don't want dead soldiers.
- NB: Sure, let me just put it again because what I was saying in my question was accepting that there was nothing to put you on notice that young Geoff was particularly at risk doing something on that guard duty so that from that point of view I hear what you say.
- D I'm putting you another question, ok?
- RL: Yes.
- NB: Young Geoff Gray may not have been individually at risk but what we now know now and that gets back to my question why all the other elements about the suicide assessment in 1999, adding the Padre's training course, Haes, everything. Then even if young Geoff Gray was not notably at risk individually, wasn't there still a risk which is not marginal or insignificant of someone in the 17-19 bracket. Someone in the 17-19 bracket being at risk of self-harming with a lethal weapon during guard duty?
- E RL: Yes, but that pre-supposes, because I have got to qualify and protect myself because if my mind is a blank, I've not been a commander for 25 regiment and I'm starting next week. Of course I'd do it differently.
- NB: What would you do differently?
- F RL: This pre-supposes I got the Haes report and I've got –
- NB: I'm just putting all the things which come to light about this issue, some of which went out to others but not necessarily to you beforehand, putting them forward, what would you have done?
- RL: I think in the first instance I, this is going to be quite a technical answer so I do apologise, I would have to look at the age spread of my soldiers, is that what you were? Just who is how old? Because there are some practical problems here, it is no good
- G

saying only over 18s are going to guard if I've only got under 18s spare. I'm not trying to be facetious when I say that. A

NB: I think ATRA tell us that about 40% of ATRA's trainees are under 18.

RL: I would discuss with the staff. I think I would discuss with the Regimental Sergeant Major, second in command, the Adjutant and others because this has got to be a group decision because it is quite technical.

NB: Right. B

RL: Ok, 40% of the guys and girls cannot be armed, do we have to therefore look at how we arm the guards so that that 40% are not armed and what can they do so they still have duties to do because the other thing I would be very afraid of, of course, was that those under 18 were perceived not to pull their weight in some way because that is quite important because it sends out all the wrong signals in terms of cohesion and unity and they would become ghettoised. As an Army officer that is actually one of my biggest concerns funnily enough, and also their self-esteem would be damaged as well. You cannot be trusted to be an armed guard which would be a bit worrying for me there as well. And of course, just because he is 17 and 364 days old on that day, you know, is he magically good enough on the next day? But nonetheless, that has to be looked at. I suspect, after a lot of gnashing and wailing of teeth, we might be able to manage it with the soldiers guarding the camp. Pre-supposing there is no MPGS or these sort of people, but I think we'd probably find it very difficult. If it was impossible we would then have to probably ask ourselves some questions about how these people are actually armed, because what you would always want to do is reduce the number of soldiers with guns, not necessarily the number of soldiers on guard but the number of soldiers with guns. Again, bit of a management point there, because you will have to try and work out who is 18 and not, and it would end up with that they would have to show their ID card because that would absolutely guarantee that if they were also under 18 they didn't have to bother looking after a rifle. So, risk reduction in reality, I think we accept that there would be some risk. It would almost be impossible to eliminate risk because you are going to still have armed sentries even if they are over 18 years of age and even if I altered the orders to say you are not to swap a rifle, if you swap a rifle I am going to charge all three of you, there is still a possibility of course that they may have colluded because they are all friends swapping something so you are never going to eliminate risk entirely but you are going to reduce it. It wouldn't be easy; it would take up a vast amount of effort but no more than unfortunately the tragedies have done and we might get somewhere but the rock upon which it will all flounder would be the age profile and the fact that you had those two external sites to guard because those will take a lot of management, that's the problem. But in retrospect I didn't do it for James Collinson because I still wasn't aware of all the risks and I thought I covered all the bases after your son's death. You are not going to eliminate risk entirely. C
D
E

NB: No, but you may achieve a reduction. You haven't mentioned demanding resources from ATRA and calling in the Military Provost Guard Service. They are doing the armed guard now. F

RL: Yes, well, there are several things on that. First of all Lieutenant Colonels don't demand anything. It's the chain of command. Secondly, I expressed my dissatisfaction in conventional language.

NB: Did you express it to the Commandant? G

- A RL: Certainly to Tweedie Brown. Now whether I expressed it strongly enough I do not know. It would be in , I hope, my quarterly reports.
- NB: If I ask them about it, are they going to –
- RL: I don't know. It was institutional, ask about what exactly?
- NB: About expressing concerns about funding for MPGS.
- B RL: No I didn't express it in those terms to them.
- NB: So this is hypothetical?
- RL: It's hypothetical.
- NB: "If I had been thinking about that I would have"?
- C RL: Yes. And I probably wouldn't have mentioned it because the entire institution, the swing at the time was "the place is bankrupt, we have no money, don't ask me, you're not going to get it".
- NB: Yes, well in that context it seems to me you've never seen when I think probably Dalby-Walsh or possibly Tweedie Brown had written to ATRA. The response to Haes report by General Palmer 6 September 2001
- RL: I never saw that.
- D NB: No, "in the current climate of under-manning and operational over-stretch, it is self evident that there is no possibility for achieving enhancements to the manning liability without compensating a reduction in the ***. In short the study" – and that is the Haes report – "has usefully highlighted a number of areas concerned but has not provided a practical solution".
- RL: And that was, this doesn't help Mr and Mrs Gray, they must be very upset about that. That was the whole atmosphere of the whole organisation from the moment I joined it to the moment I left. I had a row, just for your benefit so that you know, in my last two or three months of command. We were getting the extra 70 staff, and these extra 70 staff turned up by the way and that means that there were soldiers not being supervised somewhere else in the Army. These guys didn't grow on trees. They had been taken from field army regiments. I was at a budget pre-screening meeting and I was told to come up with 3% savings and I said I am not going to do that and I am getting an extra 70 staff, they say a million pounds to spend in wages where you have to and I refused point blank at the screening meeting. I said "get stuffed, I'm not doing it. That's why we have got in the mess we are at the moment". We've got power without accountability by the budgeting staff taking all these manpowers cuts and the meeting got very unpleasant over that. Brigadier Elderton had to sort of referee.
- E
- F NB: Between you and?
- RL: Between me and the budget staff from ATRA. We used to get things on a Thursday afternoon, saying "come up with the means of saving half a million pounds by Friday lunchtime". We enhanced the gymnasium.
- G NB: So you increased the size of 86 squadron?

RL: Yes we did, and they only formed up of course on the second of September and I left on something like the fifth of October, so they were only there for something like my last month. But it was building up. A

NB: In 2003?

RL: And we had official parade on Tuesday the second of September when they formed up.

NB: Well, thank you very much. If you've got anything else you want to raise with the Colonel? B

GG: He has fairly comprehensively gone through it.

NB: I have to say to all of you thank you very much for agreeing to this meeting and thank you particularly to Ron Laden for answering the questions that I had furthered to you. And I appreciate that you have come along to assist. Thank you very much for your frankness and assistance. C

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Appendix 4/12

Meeting with Mr Milne

A

Present: Nicholas Blake QC (NB), Graham Milne (GM), Darren Beck (DB), Kaspar Nazeri (KN)

Date: 14 October 2005

Location: Matrix Chambers

NB Can I just start off with just some basic details of your time at Deepcut so I know which particular periods you might be able to help me with. I understand that you joined the Royal Corps of Transport in 1978 and you were in the Army until 2000 and I think we have got you stationed at Deepcut in June 1993 as a Squadron Sergeant Major. Now, was that after the fusion and the transformation into the RLC?

B

GM Possibly from 1993 that was it.

NB Right, that was when the Corps was formed and so just as a matter of background, Royal Corps of Transport – where was that based before the fusion?

C

GM Well, the Royal Corps of Transport is a Corps as it says, our home base was in Aldershot. The barracks, that was where our depot was, but I only did my training there, I never served there.

NB So it wasn't so far away in terms of the depot going from Aldershot to Deepcut? Did the depot stay in Aldershot still?

GM No, after 1993 it was Royal Logistic Corps and the five forming corps came together, the other barracks stayed, obviously, and different units used them.

D

NB I think we have got the month of fusion now as April.

GM Possibly, yes. I came on promotion from January.

NB So you are Squadron Sergeant Major of A Squadron, and if I have got this right, A Squadron was more for Phase 3 trainees, continuation training, is that right?

E

GM When I went to A Squadron I had the remit if I can think correctly for what we called MPCs, MPCAs and other courses, which were the promotion courses for Senior NCOs and Warrant Officers, then I was moved from A Squadron to B Squadron.

NB Right, so did you see much of what was going on in B Squadron whilst you were in A Squadron, or not?

GM Not particularly, no.

F

NB But in October 1994 you were transferred to B Squadron.

GM I couldn't tell you the date but it was about then, yes.

NB Now, I am not quite clear about how long you were in B Squadron for. How long was your tour?

GM I left in 1995.

G

- A NB Right, do you know which month you left in 1995?
- GM Well, according to the letter, it was September that I was with the CO, so I would say it was about then.
- NB How long did you stay after the final interview?
- GM That would be the last thing.
- B NB So one or two days?
- GM Yes, a week at the most probably.
- NB Well, we have got from the CO's interview book an end of tour interview and then a farewell interview.
- GM That would have been my last week probably – last working week.
- C NB In the statement you gave to Surrey Police, you say that you then came back to Deepcut at a later date in charge of the RLC display team.
- GM Yes, that would have been 1998. That was my last tour.
- NB Right.
- GM I finished off there when I got out of the Army.
- D NB I think in the Surrey Police witness statement it does actually say 1995 – we thought that must be a mistake.
- GM No, in '95 I left for the first time.
- NB Yes.
- GM I did a full tour out there and then came back in charge of the display team for my last few years.
- E NB Right, so when in this statement it says in the summer of 1995 – that should read 1998?
- GM Yes.
- NB OK, well, that's useful to get those dates right, but I think it's really going to be from October 1994 to September 1995 is the period that you might be able to help me with. Now, as I understand it, the CO for that period is Lieutenant Colonel Josling; the Adjutant is Captain Whattoff.
- F GM I had two Adjutants, I think, Captain Whattoff and –
- DB [...].
- GM Captain [...]. Apologies for that but I can't remember which order it came in.
- DB It was [...] first, followed by Whattoff.
- G

- NB It appears to be [...] from August 1993 to November 1995 and then Whattoff from September 1995 to November 1997. A
- GM I think he was there – I think in the sort of hand-over period.
- NB I have then got Major England as the 2i/c. I think he then left.
- GM There were two 2i/cs as well.
- NB And then from December 1994 to December 1995 the RSM was [RSM Z]. B
- GM He took over from [...].
- NB Yes, and he was replaced in his turn by [RSM AO] – I think that was probably about the time you were leaving anyway.
- GM Yes.
- NB Right. We have got some other people but I don't think I will go through the whole list – let's just go onto B Squadron. The OC was Major Gascoigne, 2i/c Captain [...]. C
- GM [...], yes.
- NB Then yourself – you were replaced, I think, by –
- GM [...].
- NB We have got [Lance Corporal(f) E] that we are going to talk about. D
- GM She was a female.
- NB Yes. Were there any other female NCOs in 1994 to 1995?
- GM There would probably have been a Troop Commander.
- NB That was a lieutenant. That was [Lieutenant A]. And [Lieutenant C] was the other one. E
- GM Yes. There might well have been a couple of Corporals. Each Troop had a Troop Commander, a Sergeant and a couple of Corporals.
- NB Yes, and it would be a Sergeant rather than a Staff Sergeant, is he, at Troop level?
- GM Yes. The Staff Sergeant would be the SQMS.
- NB Yes. I have got down 1 Troop, [Lieutenant C], whose Sergeant was [Sergeant D], and I have got down 2 Troop here, or A Troop, [Sergeant B]. And then we have got [Sergeant L] who was around, and a Sergeant [...]. F
- GM [...] is a female.
- NB OK. Now, as the Squadron Sergeant Major – you are in charge of discipline for the Squadron? Now, 1994 is pre-ATRA, but it's still the Army Initial Training Group phase.
- GM Yes. G

- A NB I have got the ATRA Manual from about 1997-1998 which sets out the instructions. Was there any similar document for trainers in 1994-1995?
- B GM No, not that I can think of. It was a process and before we amalgamated, the RAOC – the Royal Army Ordnance Corps – had what they called Military Training Instructors, and that was a trade for them, because in the Royal Corps of Transport we were drivers by trade and we went and did instructional courses, and that was the difference, so when we amalgamated into the Royal Logistic Corps, the five forming Corps being the Royal Army Ordnance Corps, the Royal Corps of Transport, the Royal Pioneer Corps, the Catering Corps and the Postal and Couriers Service from the Royal Engineers. The Royal Army Ordnance Corps, the Royal Corps of Transport and the Royal Pioneer Corps all had different instructional personnel. Those that were Royal Army Ordnance Corps would have still had their MTI role – Military Training Instructor. We would have just done what we called a JMQC, Junior Military Qualifications Course, and the Pioneers would do, I think it was an RPC 2 or an RPC 1?
- C NB So in a sense you were bringing to the training function of the RLC the different positions of training that you had in your forming Corps?
- GM No, we had Corporals and above there to look after trainees and there were varying degrees of courses behind them – drill courses, skill at arms courses, and nuclear, biological and chemical courses.
- NB Right, but in terms of the disciplinary function that you have to apply to Phase 2 trainees, was there any set of guidelines as to what your maximum powers were?
- D GM That was really down to me as the Sergeant Major.
- NB Right, yes. I think that's beginning to change in the post-ATRA days.
- GM It will probably change paper-wise but it will still rest on the Sergeant Major applying the rules that are laid down to him on how he does it.
- NB But for example, one issue which I can't quite get to the bottom of is, can any of the Sergeants or yourself award as a punishment extra press-ups for example?
- E GM Yes, it would probably happen.
- NB And what's the limit to that – 1,000 press-ups might be oppressive.
- GM I think that's over the top. I don't suppose it would happen on parade – they would probably get marched away to the jail, the guardroom, and the Provo staff would work it out.
- F NB So they would work it out? What about all this running around to the statue and back?
- GM Yes, I mean, that's happened, that's discipline, and getting everybody to work together. If you try to drill a squad and one person's not doing it right, or two people are not doing it right, you would give out some mild form of punishment.
- NB Which would be approved?
- G GM Yes, going to the statue and back or running down the square with your weapon above your head – I think it is just one of these things that are long standing. But not physical violence.

- NB Yes, so no punching? A
- GM No, not at all.
- NB Now, just as a matter of interest, it's not a topic that we have raised in the letter, but [Sergeant B] – did you know him? Did you know his style?
- GM As far as I was concerned he was a good sergeant, always smartly turned out.
- NB He has been the subject of quite a lot of the statements, particularly commenting about his style. B
- GM Yes, I saw something written in the paper about him a few years back.
- NB Yes and there was a television broadcast. But he certainly is someone that there have been a number of suggestions about at various times. There has been said that when he was taking discipline on the square he says "I can either report you formally or I can punch you in the stomach or slap you in the face". Things like that. C
- GM As a Sergeant Major I would very rarely be within ear-shot of that. I would be either in my office – I mean, normally the only time I would be on parade, would be on formal big parades or the OC's working parades, the Commanding Officer's monthly parades, or on my walkabouts I would probably stop and watch them doing drill or weapon training.
- NB Right, so you didn't see any of this?
- GM No. D
- NB And do you tend to know what is going on?
- GM I hope so because I was in charge of them. I thought we ran a very good ship, with some very good instructors.
- NB There's another feature of [Sergeant B] I think comes across. One of the big suggestions, and some of the training staff were down there at Deepcut today were trained by [Sergeant B], so we have spoken to people mentioning it. He had this jerry can full of sand he called Sergeant Jerry Can and they had to drag this thing around the square. E
- GM It sounds feasible, but I have never seen it.
- NB No, but that's up to him to work out how far he can test them and push them?
- GM Yes, and he would know how far he could push them. If one of them came and complained to me then I wouldn't allow it, and all the staff are briefed by me anyway. F
- NB They are briefed by you as to what the limits are?
- GM Yes, of course.
- NB What are the limits?
- GM Well, the limit is down to what he has done wrong. He's a Sergeant and he has got three stripes on his arm, he's a sort of middle manager, he knows his place. G

- A NB So he's got to make a judgment as to how far he can push it?
- GM But as an instructor he should only use that possibly as a deterrent or to get everybody to work together – it shouldn't be used to be picking on one individual.
- NB Do you remember [Sergeant V] who I think worked in Stores there?
- GM Yes.
- B NB What was he like?
- GM He was ex-Royal Army Ordnance Corps, MTI. I didn't have a great deal to do with him because he worked in the Stores.
- DB But he had been an instructor?
- GM Oh yes, he was an MTI – that was his trade.
- C NB He has told Surrey Police of certainly one occasion where he witnessed [Sergeant B] losing his temper in a very dramatic way. I just want to know what you make of this and if you can help me with it. "An experienced soldier – everyone used to go to him because he was experienced – the main man in * recruits. Some of his techniques I disagreed with, two personalities like his twin brother" Did you ever hear about the twin brother technique? That seems to be very common. One was nice and reasonable and one was cross and angry.
- D GM Everybody has got that in them. I was nice and reasonable and cross and angry as a Sergeant Major.
- NB But he apparently developed a special persona, "my twin brother". "We all thought when he went into his brother we would not want to be part of that, and that included the instructors. I had 14 years' experience of training, I thought it was totally wrong. It was as if he had no control over him. Specifically I have seen him hit recruits in the chest with his fist, although he never drew the arm back. He has hit them once, and they went on to the floor. He reduced recruits to tears, he made them carry a jerry can around as a punishment, a 20 litre water can, army jacket over the top, [Sergeant B] used to talk to this can" etc etc. I thought I was going to show you what he says in terms of his shouting, but I think there is someone else, another NCO, who has given a statement to that effect.
- E GM I think all instructors shout; that's the nature of the job. I am quite surprised at the statements made there. What qualifications has he got to make those sort of statements that he has got at? I am sorry, I don't agree with that. And nothing was ever brought to my attention.
- F NB No, so that doesn't ring a bell to you anyway. I am not going to go through 130 statements, but I think for the sake of this conversation I will say that I have seen lots and lots of people talk about the twin brother and [Sergeant B]. That's one of the techniques he uses apparently, just to go into this angry mode, and indeed some of the training staff down at Deepcut today remember that. However, I have asked you the question.
- DB Would you have expected [Sergeant V] to have come to you with these things?
- G

- GM Why didn't he come to me if he had a concern? A
- DB Does that mean you would have expected him to?
- GM Well, that's what he would have to do, if he had a concern, he wasn't able to sort it out because they were both the same rank. Therefore he has to come to a Sergeant Major. And nothing in my whole time there was ever brought to my attention or to the OC's attention, because again, it would have to come through me, and I would decide whether it went to the OC as to whether anybody was doing anything wrong, and the recruits never came in to me direct, which they had the opportunity to do because they were all talked to by me. B
- NB I think it's probably fair to say that the recruits might well have some concerns about reporting up through the chain of command abuse by their sergeants.
- GM I haven't mentioned abuse. I don't see where the abuse comes in.
- NB Well, what you have just identified. C
- GM That's a trend as far as I am concerned.
- NB What, hitting people in the stomach?
- GM No, that's a statement that was made by [Sergeant V], not by anybody else that's made it to me.
- GM They are all now mentioning in statements that they have seen it happening, and then I am sorry they didn't come to me and do something about it. D
- NB Yes, we are switching now from NCOs to trainees and you said no trainees came to see, and I am just putting to you, would you agree with the proposition that if someone had been treated in the way described in that statement, for example, that there may be concerns in the trainees reporting up the chain of command?
- GM The rules are laid down. It should go through the chain of command, if there is a recruit he should talk to a Lance Corporal, a Lance Corporal should talk to a Corporal, a Corporal should talk to a Sergeant, until you get to somebody that can deal with it, and that somebody would have been myself or the OC. But if he were being abused, as you say, he might well have been frightened to tell an NCO and he might have been too frightened to come to me, but the option was there. E
- NB Yes. Now, the term that comes across in the statement is "beasting" – does that have a particular meaning?
- GM If you beast somebody you would give them quick time drill, make them sweat, make them panic, it's a word that has developed through years and years of military service, I think. I don't think it comes from any one particular act, it's usually you get a beating if you have done something wrong. F
- NB A type of physical exertion response?
- GM Yes, carrying a shell or carrying your weapon above your head, marking time, marching in double quick time. G

- A NB One of the things that emerges in this material is trainees being told to present their bed in the parade square, carrying the bed down.
- GM I have heard of that happening before, but as far as I know it never happened in my unit. It happened to me once when I was on a course and I had to do it.
- NB So it has to be in the form of discipline?
- GM It would probably have happened, I would have thought, at some stage.
- B NB And occasionally there are people saying that some of the staff are going through their locker in the dormitory, throwing their kit out of the window – does that happen as well?
- GM On an inspection that would probably be the case.
- NB And what about guard duties as a form of discipline – extra guards if you mucked around and were a nuisance?
- C GM Yes, you can get extra guard duties because it's in your free time, you know, usually on a weekend you can get it, or on a Friday if you are hoping to go out for a beer or something, for doing something wrong during the week. Two extra duties, you would do them on a Friday and a Sunday.
- NB Right, and that's up to whom? The Sergeant or to you? Who decides and who allocates those guard duties?
- D GM I can't remember how many guards are on at a time, probably 24, and we would have a roster, but if somebody had done something wrong, a Corporal or Sergeant without me saying so could put somebody on an extra duty – one duty or maybe two for being late for parade.
- NB They have got that discretion?
- GM Yes, but I mean normally they come through me if it's a disciplinary, and if it was something that I thought to be futile and not worth worrying the OC for or doing a charge report, then I would just say no, two extra duties. But if you are going to get extra duties you should go by the OC. That's the official way.
- E NB Yes, but the impression I get in 1994-1995 is that NCOs, Sergeants and possibly RSMs or Sergeant Majors, possibly Corporals, have some form of discretion about these kind of activities you are talking about, so that ranges from running through the square, running with your weapon up, possibly taking the bedding down over the square, the press-ups, the physical exertions, the jerry can and the extra guards, up to a certain limit.
- F GM Not so much extra guards – that would probably have to come through a proper channel. You can do it because it's simple and you are saving a soldier going in front of the Officer Commanding then and possibly getting fined. So if it's a misdemeanour and the soldier knows he's done wrong, he's quite happy to accept an extra guard duty.
- NB Is there an informal offer made, you can either do it my way or you can go up to the OC?
- G GM It wouldn't be as drastic as that – it would be, I can either warn you for orders or give you extra duty. "I will accept extra duty, sir, thank you very much".

- NB And a Corporal can do that? A
- GM In extreme cases if the sergeant wasn't there. But you would have to explain to me if it was being done on a regular basis because that wouldn't ring true.
- NB Well, the topic comes up because many people seem to think that Private Benton seems to have had a number of disciplinary problems in his career.
- GM He was a disciplinary nightmare, sir. B
- NB I know some people found him that way as well.
- GM But it was not all down to him – it wasn't all his fault.
- NB Yes? What was it down to?
- GM Well, he shouldn't have been in the Army – he wasn't Army material, I don't think. He didn't want to be in the Army, but I think because he was over his buy-out time he had to stay in for a certain amount of time, and he was just destructive. I actually charged him, unfortunately, the day before he died. C
- NB With the incidents in the pub in Camberley?
- GM That could have been one of the numerous ones that I charged him with. I had to charge him quite a few times, but that's unfortunate. You could say he was hoping to get kicked out. He was saying on one hand that he wanted to be in the Army and he loved it and he enjoyed it, and on the other hand he was telling people that he didn't want to be here and I think that's well documented. D
- NB I suspect he didn't want to be at Deepcut because he had been held back, he had been back-squadded a couple of times, hadn't he?
- GM Yes.
- NB He failed his driver training at Leconfield twice.
- GM I can't remember that. But again that was probably through his own doing, I would think, either too much alcohol and not paying attention or not doing the right things. E
- NB When you said there were aspects of his discipline. We've now moved onto Benton rather than guard duties but maybe just before I go down that route, it is suggested that Benton as part of the response to his numerous discipline problems did extra guard duty quite often. Would that be something that came across your threshold or could that have been something that could have been assigned by a Corporal or a Sergeant?
- GM Probably by [Sergeant B] – I don't know who Benton belonged to, I can't remember whether it was 1 or 2 Troop. F
- NB He was in [Sergeant B]'s Troop.
- GM Then [Sergeant B] could quite possibly have given him extra duties quite easily, on numerous occasions, and I have probably given him extra duties as a punishment from the OC. Of course the OC and I would discuss what punishment we were going to give them. First they were charged. Have you got my interview books? I filled in everybody that I charged and what I charged them with, it had to be documented in there. G

- A DB We were told the books were destroyed after 5 years.
- GM Well, after 5 years, they are going to be. It was 2003, the first time, so they would all have been destroyed by then.
- DB You would have expected those records to be destroyed?
- GM After 5 years, yes.
- B NB 5 years was a policy that you knew about at the time, was it?
- GM That they kept them for 5 years, yes.
- NB Right. Is that written down somewhere?
- GM No, I think it was just part of the audit.
- C NB The Commanding Officer's book we seem to have kept for a much longer period – we can go right back to 1989, but the Officer Commanding's book we don't have.
- DB I presume that your book and the OC's book would have been fuller than the Commanding Officer's book, thus making them time-expire a lot quicker.
- GM Yes. I mean, obviously you would go into the Commanding Officer's book if you were recommended for a Commanding Officer's interview by the Officer Commanding if the charge was that big. The OC would only have so many powers that he could deal with, and if it goes above that you would have to put it to the Commanding Officer. I would charge any number of people every day of the week, but out of those maybe only one in 40 or 50 would go to the Commanding Officer.
- D NB At what level do you take them up to the Officer Commanding, Major Gascoigne?
- GM If he was formally charged.
- NB Any formal charge?
- E GM Any formal charge goes in front of the Officer Commanding.
- NB And then where's that dividing line between dealing with it informally and formally?
- GM The Officer Commanding has a set of rules, a guideline, that he goes by, he can give so much punishment, so many restriction of privileges. I think it's up to 7 days of jail. I can't remember off the top of my head.
- F NB But where are your guidelines? If someone comes to you and says, "Trainee X has misbehaved again", whether it's drunkenness or violence or cheeky on parade, how are you going to make the decision? Summarily, or to report him for this?
- GM Well, I would get him in and see what the circumstances were, and with my experience, which I thought was fairly good, I would decide whether he was going to go in front of the Officer Commanding or whether I would just deal with it through a discipline interview, a talking to or an extra duty.
- G NB And what guides you?

- GM Just experience. You know who is good and who is bad and who is prone to go on and who is not, so if he's working hard and he makes a mistake, why put him in front of the old man? I mean, what's the point? A
- NB So we were talking about Benton. You said that he was a nightmare – though not all of it was his own fault. Which were the bits that weren't his own fault?
- GM Well, the comment was, he didn't want to be in the Army, in my eyes – I don't think he was good enough to be in the Army and from what I can remember of him he was at times just a funny old character, but at times he was just a pain. If it was a simple thing like a parade, he would stand out like a sore thumb because his kit wasn't done and at other times he could be quite funny, I suppose, someone who could actually stand there and be fun to be about, and you would go away and think, well why doesn't he do that all the time? B
- NB I mean, he obviously passed through the recruiting process so someone thought he met the criteria.
- GM It's not exactly hard to pass. C
- NB Well –
- GM I can assure you.
- NB To be admitted to the training and then to pass on to Phase 2 training.
- GM It's not hard. D
- NB But some people fail.
- GM Some people fail, but mainly on the physical side, I would think, or they get the chance to go in – I don't know what the time period was in them days – you could actually get out free of charge before you had finished your training. People were coming in and if they didn't enjoy it, they got out. I think he missed his chance there, and then afterwards he couldn't get out because he was then committed to three years or whatever. E
- NB Are you committed to that until you have finished your Phase 2 training?
- GM But I think he was over his time because of his setbacks and that, he was over the period of time I think.
- NB Over his DAOR¹?
- GM Yes, I think he was. So I think he had to stay in, if I remember rightly, and I think that's where half the problems were. F
- NB But couldn't the Army have got rid of him administratively?
- GM I would have thought so, yes. We have PCSOs. They look after the trainees' welfare and put them to different jobs and see whether they can stay in or not. I think he had quite few of those interviews.

¹ Discharge as of Right.

- A NB He was given a 3 month warning, wasn't he, by the OC?
- GM I think he got a 3 month warning.
- NB When you charged him for the offences, and so then he's marched in to Major Gascoigne and told.
- GM I can't remember. I wouldn't even know what I charged him with. It would maybe be a section 69.
- B NB He was fined £150 and 7 days ROP², insulting an officer while under the influence of alcohol, and something else, but he was also then told that he is going to be let go by Major Gascoigne. Do you remember that?
- GM No.
- NB Well, just whilst we finish off this topic, that was the 8th of June 1995 and he had already been allocated to guard duty that evening, but it seems that some special arrangements were made about him on guard duty that night. Do you know who actually made those special arrangements?
- C GM He wasn't on guard duty that night.
- NB He was assigned to be on the guard duty.
- GM I think the OC and I decided to take him off.
- D NB What happened is that he was told to go on to the reserve list and not carry a rifle.
- GM Yes, I think we had concerns about him with weapons because I think he had been in front of the psychiatrist or something, if I remember right, and I don't think we were happy with him carrying a weapon, because at that time we had ten live rounds per person, and I think the OC and I probably discussed that and said that he shouldn't be carrying a weapon.
- E NB Yes, and then you would have communicated that down to the guard commander that evening?
- GM Yes.
- NB Who happened to be [Sergeant B]?
- GM I don't know.
- F NB Well, I think that's what you said to the Surrey Police when you made a statement in 2003 and that you said that he shouldn't be carrying a weapon.
- GM I think that's what came out of the conversation with myself and Major Gascoigne, but I can't remember what the idea was behind it, but it came out, and I think we said replace him and sent on an instruction to put somebody else on.

G ² Restriction of Privileges.

- NB Yes. I think you said that you thought he was trying to get out of the Army on medical grounds. A
- GM He tried lots of things.
- NB Did he? Well, the funny thing is that it seems to me that probably what pushed him over the edge was that he was unhappy about being booted out of the Army, rather than he was desperate to get out of the Army, you would have thought he would have been jolly happy. B
- GM I think he had two sides, one side of him wanted to stay in and one side didn't, and I don't think he knew what he wanted himself, but I don't think he would have made a good soldier. I think I have said that on numerous occasions.
- NB Is there anything else about Sean Benton that we want to ask about on that topic?
- KN On the topic of the requirement in order to do guard duty, anyone who's a Phase 2 recruit is eligible to be on guard duty – there's no additional requirement? C
- GM You must be over 18 to carry a weapon, I think, or 17 and a half. I can't remember the criteria, but some of them are too young to do guard duties with weapons and live rounds.
- KN So there is an age requirement?
- GM Yes, I think it was 17 and a half. We only had a few that were not eligible to do it.
- NB Because we have looked really hard at this criterion, and we find inconsistent bits of information and inconsistent memories. D
- GM You would have had to pass the personal weapons test to carry a weapon, but you had to do it annually.
- NB So he's come out of Phase 1 at some point.
- GM OK, in Phase 2 he should be eligible with an APWT³ to carry his weapon, but we were concerned about him carrying it because I think for whatever reason he was at the psychiatrist, I think the OC and I spoke about it. E
- NB He had been seen by the psychiatrist because there was certainly one incident when he cut himself with an instrument?
- GM I think there were a couple of incidents where he self-harmed, yes.
- NB But apart from the particular reasons in respect of him, are you able to recall whether there was a general minimum age requirement at the time, and if so, what was it? F
- GM A minimum of 17 and a half rings a bell to me.
- NB Presumably since 2000 when you left the Army, you are hardly going to be concerned at keeping up to date with developments about minimum age requirements for Phase 2 trainees, so if 17 and a half rings a bell, that suggests that it may have been something which was in place at the time.

³ Annual Personal Weapons Test. G

- A GM 17 and a half used to be the time you could go to Ireland and you can carry a weapon. It was certainly that when I joined. Because you become an adult soldier at 17 and a half. At 17 and a half you become an adult soldier, so therefore you are liable for active service and carrying weapons. It just rings a bell.
- DB That's the explanation I had from 2 Brigade as regards whether it's 17 and a half.
- NB So 17 and a half was the age for active service in Northern Ireland. Now they have raised it to 18⁴.
- B GM But Benton wasn't very young, was he? How young was he?
- NB He was over 20.
- NB So it wouldn't make any difference to him on any age criteria, but it makes some difference to other people.
- C GM I honestly couldn't tell you whether it was laid down or even if it was laid down. I think it's the Annual Personal Weapons Test and your weapon handling test. If you pass both of those, then you can do guard duty.
- NB Whatever age you are?
- GM Being an adult soldier. As a junior soldier you wouldn't be eligible.
- NB Let me just understand what that means after 1993. My understanding from the policy that I have seen is that they implement Single Entry after 1993. The Junior Leaders' Scheme was wrapped up. It re-emerges again in other places. The minimum age for Single Entry to Phase 1 was 16 years 9 months.
- D GM That sounds right.
- NB You would expect Phase 1 to last 10 to 12 weeks so usually you are there at about 17 at the youngest, although there does seem to have been a few people at Deepcut who were 16 year olds, though that may be when Bassingbourn started coming on stream. But as I understand it, once you have Single Entry, you are deemed to be an adult soldier from the time you enlist.
- E GM I'm not sure – I still think 17 and a half rings a bell. Because I remember I joined – I joined in May 1978, therefore I was over 17 and a half, so I went as an adult soldier, and that's what sticks in my mind. You had to be 18 for active service, to go to Northern Ireland.
- NB And they reduced it to 17 and a half?
- F GM At 17 and a half you are an adult soldier, but you can't go on active service until you are 18 – I think that was the deal when I joined up, and it's still in my head, for some reason. When I was at Junior Leaders', obviously you had to do guard duty, they were in from 15, but they did guard duties with pick helms because they weren't allowed to carry weapons.
- NB Right, and that was when – the early 80s?

G ⁴ It has since been confirmed that 17.5 was the minimum age for barracks duties in NI and 18 for full duties.

- GM 1984 to 1988 I was there. A
- KN Was it like that at Deepcut? That someone would do guard duty without a weapon?
- GM Not that I can remember. I think from the time as well, with the dates from the 1990s onwards, all military establishments did carry weapons and ammunition.
- DB That's the policy in 1990 for armed guarding that sets a minimum age at 17.
- NB That's interesting – your historic experiences, that your pre-Deepcut experiences means 17 and a half rings a bell to you. B
- GM It's always stuck, for some reason.
- NB What were they doing? Was the idea of sending the junior leaders out on guard duty with pick helmets to just go for the experience of guard duty or what?
- GM Well, if somebody was in there who shouldn't have been in there then reasonable force I suppose would be the police aspect of it. C
- KN Didn't they have those pick helmets at Deepcut hanging on the wall in the guardroom?
- GM They were pick helms as part of the store for going on exercise.
- DB You could use it as a pick axe.
- GM Yes, and you would have the handle and the head is separate. D
- NB But you never saw those being used at Deepcut as a substitute?
- GM Not at Deepcut, no.
- NB There's certainly somebody, I can't pinpoint it in this conversation at the moment, who suggests that on occasions when a recruit like Benton wasn't allowed to carry a gun, and a pick helm might be.
- GM During my time – I am not 100 per cent sure, but I would put my hand on my heart and say that all guard duties were supplied with weapons. E
- KN Do you recall with Sean Benton where you expressed concern that he shouldn't be on guard duty. Do you recall having similar concerns there, with any other recruits, and how frequently that happened?
- GM No, none that stick out in my head. It was quite unusual, but no, I can't think of any other instances where I have thought it or took a bloke off guard duty because I didn't trust him. F
- DB We have seen guardroom logs from late 1996 which the Surrey Police hold. Later on there are incidents of a female trainee going to the guard commander and saying "I don't really feel very comfortable handling a gun on armed guard". Did you have anyone approaching you in a similar vein?
- GM No, that sounds a very unrealistic statement for a soldier to make – "I am not comfortable carrying a weapon" – it doesn't make sense. G

- A NB What if they were feeling depressed or something like that.
- GM Never heard of it.
- NB OK. I am going to move then on to [RSM Z], and this begins to relate to some of the questions we have posed in our letter to you. I understand that Colonel Josling asked you for information about [RSM Z] and you had some information.
- B GM I very much doubt whether he got any information from me. I know he asked me questions.
- NB What questions were you asked?
- GM I think it was all when it came out about – I think it was something another officer mentioned and he got [RSM Z] back from wherever he was, and I think the CO felt that I would probably have * confident in [RSM Z] and asked me some questions – I don't know what it was specifically.
- C NB Do you know what he was trying to find out from you?
- GM Yes, probably trying to crucify [RSM Z] with me.
- NB Right. Why would he be trying to do that?
- GM Probably because of the information that he had been given.
- D NB Did he not like [RSM Z], Josling, or were there problems between Josling and [RSM Z]?
- GM He was never fair with him and they were in a round of bad mouthing the man.
- NB Did you have any information given as to whether [RSM Z] was a good RSM?
- GM I think he was a very good RSM.
- NB He was single. Is that a problem? Does that affect ones suitability for the post?
- E GM Not as far as I could see. You have two lives in the Army – you have your day time life and you have your night time life. I had two lives. I was green during the day and then I took it off and went home.
- NB So you didn't think that was a relevant consideration to him getting that post in the first place?
- GM I knew it was mooted that you should then be married with children to be an RSM at a recruit depot. I heard that flung about.
- F NB What do you think of that?
- GM I think if you are professional enough it doesn't matter what or who you are.
- NB Well, did Josling mention anything to do with sexual allegations against [RSM Z]?
- GM I think when he asked me whether anything was going on between [RSM Z] and the recruits.
- G

- NB Yes, so he did ask you that question? A
- GM Yes.
- NB And what was your reply?
- GM My answer was no.
- NB Right. Did he ask you about the woman in the Sergeants' Mess with [RSM Z]? B
- GM I think he asked me what his behaviour was like, but I think that was all that was mentioned.
- NB Right. What did you say about his behaviour in the Mess?
- GM He was the RSM, he ran the Mess – he ran it very well.
- NB Yes. C
- GM But he also had a room annexed to the Mess, and that was his own domain.
- NB One of the themes that is emerging from this material is what he was doing in that room.
- GM That's what all the rumours were saying.
- NB And the staff in the Sergeants' Mess have given information about that. D
- GM They have obviously got first hand experience. I didn't live in the Sergeants' Mess. I frequented it quite regularly to drink, I was what they call PMC for 6 months, I used to go to all the functions, so I used it quite regularly. But he never did anything in Mess time untoward. In my opinion.
- NB Right, OK. You certainly weren't aware of any misbehaviour with females of any sort?
- GM Probably he had relationships with females, yes. E
- NB Yes, but were you aware of any inappropriate relationships?
- GM Not that I know of, no.
- NB Did you hear any rumours of any inappropriate relationships?
- GM There are always rumours wherever you are. F
- NB Right.
- GM That doesn't say you have to listen to them.
- NB No, but you heard them, did you?
- GM Yes, there were rumours going round about everyone, not just [RSM Z]. They go round about everything in the Sergeants' Mess and also in the Officers' Mess. G

- A NB Were there other rumours of other Sergeants having relations?
- GM No, I don't think so.
- NB But there were rumours about him?
- GM I heard rumours about things and you either agree with them or disagree with them and make your own opinion about them. Nothing gave me the impression that anything was wrong.
- B NB But obviously having affairs with recruits would be wrong, wouldn't it?
- GM Very wrong.
- NB So do you remember a Mr [...] in the Sergeants' Mess?
- GM Mr [...] was the Mess Manager, yes.
- C NB He says "I recall [RSM Z] with NCOs were bringing back girls, Phase 2 trainees were brought back. These girls were brought in the accommodation areas" and they were brought in to Deepcut by [RSM Z]. "Trainees were led to believe that they had the power of life and death over them". Any comments?
- GM It seems a bit dramatic to me but Mr [...] was obviously there when I wasn't. He was the Mess Manager. I mean, that's his interpretation of things. If he sees somebody coming back.
- D NB [Sergeant V], we have mentioned him already. He says "[RSM Z] was power crazed bastard and the worst thing that could happen to Deepcut. He used to order girls to his room to make him breakfast and tidy up. I was aware that he was having some sort of sexual relationship with girls **. This was obvious – he was just a womaniser".
- GM Some might interpret it like that.
- NB Agree or disagree?
- E GM Disagree.
- NB Right, but are you turning a blind eye to everything? Was he a mate of yours, [RSM Z], in particular? Best mate?
- GM No, a very good friend. We served together before – we were in the Junior Leaders together. But I just can't get it into my head, all this has come out in statements to police, yet it never came out when we were actually there. If they knew all this information then and there –.
- F DB But [RSM Z] ultimately stands down as the RSM.
- NB Why would he stand down, do you know?
- GM I think he was backed into a corner.
- NB By whom?
- G

- GM The Commanding Officer. A
- NB And what had the Commanding Officer got that backed him into a corner?
- GM I think you should speak to Colonel Josling.
- NB I have. Do you know what he tells me? He tells me it's what you told him. About alcohol.
- GM Why would he have something about alcohol? We all drank alcohol, probably to excess at times. That was the Sergeants' Mess culture. We worked hard, we played hard – that's where we got our relaxation. B
- NB Colonel Josling leads me to believe that during the interviews that he had with you that we logged up in my letter, that he pressed you for information about [RSM Z] and you indicated that a number of the Sergeants–
- NB The suggestion is that [RSM Z] was pressurising the Sergeants to heavy drinking bouts in the Sergeants' Mess. C
- GM I never said that. Not those words, definitely. I probably did say there was heavy drinking in the Sergeants' Mess, because that's the way it was. He was asking me for the truth and I gave him the truth, but he would have no comeback on any of these Warrant Officers or senior ranks next day in public.
- DB Presumably that's not really a reason to step down as an RSM.
- GM Not at all. The Sergeants' Mess is his domain. How he runs the Sergeants' Mess is entirely up to him. There should have been a supervising officer who does an annual appraisal. I think you will find that at that time it was Major [...]. Because the Sergeants' Mess has to be overseen by an officer, so if there was anything untoward I am sure it would be in one of his reports. D
- DB How much information was given to Major [...]?
- GM Just as far as the books were concerned, and how it's run. He would attend and look at things, I presume, and speak to the RSM. E
- NB Mr [...], who we have mentioned already, as the Mess Manager, says "when I took over the RSM was [...] and was due to retire. The replacement RSM was [RSM Z], a bit different from [...]. As soon as he started the Mess degenerated, I would describe it as becoming a fast drinking den and it soon became an extension to the night club Joe Bananas in Camberley. I do recall I had trouble keeping bar staff due to them not wanting to work any longer than the rostered shifts. [RSM Z] dictated how long the bar and Mess would stay open, or when it would be opened, and I recall the bar being open regularly between 4 and 5 in the early hours. I do recall that [RSM Z] would contact me and demand that the bar must be open forthwith. Sometimes [RSM Z] would ask me to cover for him and inform other persons there was a meeting in Aldershot when in fact he was drinking at the bar in the Mess. His behaviour was just becoming intolerable.' Does that come across to your neck of the woods? F
- GM It sounds feasible. It also doesn't say there but Mr [...] would actually drink in the Sergeants' Mess when he was supposed to be working. He obviously forgot to mention that. He drank at the bar. G

- A NB He's not meant to drink?
- GM I don't know what his terms of reference were but he was the Mess Manager and I presume he was entitled to drink. It seems odd that he's commenting on this when he actually uses the same bar and does the same thing.
- NB There was a [...], wasn't there?
- B GM [...] was the chef.
- NB Yes, well he has made comments about this.
- GM Who also drank in the bar.
- NB Is drinking in the bar a reason to disregard their statements?
- GM I can't see why they make statements about something when they are doing the same thing.
- C NB Well, I don't think it's a question of drinking, it's a question of having a bar open at all hours and a culture of a heavy drinking den emerging as a result of the regime of [RSM Z] and I thought you had indicated to me that he was responsible for the regime in the Sergeants' Mess.
- GM He is, but it was open long hours when [...] was RSM.
- D DB Was there much of a difference in the style of the men?
- GM Yes, two different RSMs.
- DB What were the striking differences between the two of them?
- GM What, in my opinion? [RSM Z] was a better RSM, a better soldier. I didn't get on well with [...] at all. He got everybody else to do his work for him, myself included with the rest of the Sergeant-Majors, and he sort of took the credit for it.
- E DB What about drinking in the Sergeants' Mess? Was that similar?
- GM Yes. I was PMC for [...] as well, and ran various functions for [...]. I should have finished when he finished, but obviously [RSM Z] wanted me to stay on. There were various dinner nights, stag nights, and that could be 3, 4 or 5 o'clock in the morning, as you probably well know. We weren't bound over by normal permits.
- F NB So you don't think there was any significant difference in that respect or anything wrong? So let me put to you then what Colonel Josling says. He said he is prepared to believe there was substance in the allegations in [RSM Z]'s case, and I said to him, "why are you prepared to believe it?" "I became aware of something else of which I was not previously aware – that was that [RSM Z] was putting pressure on some of the Sergeants, Warrant Officers and senior NCOs, going to the Sergeants' Mess on a regular basis, particularly on a Friday for effectively what would be drinking sessions". And I said to him, "how did you get to know that?" "A couple of the warrant officers, one in particular, whom I pressured, whose view, whose objectivity and integrity I valued very highly, and that was Sergeant-Major Major Milne". And it comes into our conversation again, "the same Sergeant-Major Milne. He did not deny my assertions to him, that he and others had been put under pressure".
- G

- GM I didn't confirm them either. A
- NB "Did not deny my assertions to him, that he and others were being put under pressure by the RSM to get involved in drinking sessions in the Sergeants' Mess, and I reached the conclusion that a man who was prepared to do that to a senior NCO, all of whom had a great strength of character, if he was prepared to do that, I was prepared to believe he was putting pressure on other people". Accurate?
- GM No. Accurate as far as the drinking goes – I am not disputing the drinking fact, but I probably did mention that there was drinking, and we did go out on Friday. Friday afternoon has been a Sergeants' Mess tradition since the year go. You go into the Sergeants' Mess on a Friday afternoon and have a good drink, and that is happening in every Sergeants' Mess in every unit in every regiment in every land. And that was no different here. And what Colonel Josling is saying there was that he admired my integrity. He got nothing out of me that was not what I have just said. B
- NB Was that because you wouldn't grass up a mate?
- GM Not at all. No, if there was something wrong I would have told him. C
- NB Would you?
- GM Yes. I was a great believer in work hard and play hard, and that was my philosophy all through my Army career, and that's the way I ran my units when I was a Private, Corporal, Sergeant, Staff Sergeant, Sergeant-Major, it didn't matter, but I had two lives, I had an Army life, and I had a civilian life.
- NB Well, I've put to you the conversation to see why I am raising these issues with you, because that was an important conversation in Colonel Josling's decision. D
- GM Well, I don't remember two conversations. I thought I had only one interview, I thought it was all involved in the same one but obviously it wasn't. But I knew now that we were having a conversation about [RSM Z]. You get a formal interview and I thought it was all combined into one but obviously I was mistaken.
- NB The Surrey Police have got the interview books, and from what we have recorded the 19th of September, final interview, that's you, "outstanding year, posted October '95, farewell interview, WO Milne". E
- GM That's why I can't understand why there is two.
- DB I think Josling mentioned at some stage at the last interview you were in civilian clothes.
- GM They didn't like it when you go into the CO's office and wear civilian clothes.
- NB That wouldn't be the done thing, even if you were about to go off? As a matter of interest I hadn't realised that you were posted in October '95. F
- GM So everybody had leave after that, we used to get 3 weeks or a month to get yourself across to your new posting.
- NB I am sorry to switch the topics again, but to go back to the beginning, so your recollection would be that you would be out of Deepcut by the end of September, or would you have been around for longer? G

- A GM I can probably try and check this, although I either went to the mother-in-law's or I went abroad or maybe I went ahead first and came back and picked my wife up – I wouldn't know without looking back at everything and checking. But that sounds like the right dates.
- NB OK. Let us see what happens then. He comes back in later that day.
- GM Well, that's what's said there.
- B NB Do you know any different?
- GM No, I can't challenge that. Maybe he made him stand down, I don't know. I don't think I spoke to him after that.
- NB When did you last speak to him? Did he ever speak to you about what had happened to him?
- C GM I spoke to him on the phone since about something completely different a few years back but this has never been raised when I was at home.
- DB I was just going to ask some questions. Obviously the RSM standing down from that position isn't good in career terms.
- GM His career is finished.
- DB Presumably Josling must have had something, otherwise if you were the RSM, your career is about to be finished, you could have had redress through the complaints process and you would be able to defend yourself which you would probably want to.
- D GM But I mean I presume that Colonel Josling would have had information or something that made him stand down.
- DB It was stronger than what you had given him?
- GM I never gave him nothing, Darren. I think that statement was absolutely terrible.
- E NB So Josling is saying that he was having you in, and the fact that you didn't deny after he's putting pressure on you to respond to an allegation of pressure by the RSM to get involved in drinking sessions.
- GM If we all had a great strength of character, why would we do it? I don't know where he is coming from on that. He asked me about [RSM Z], about what I knew, did I know anything, and I didn't, and I didn't give him any information. I may well have said about his drinking, but he would have already known that, because officers come to the Sergeants' Mess various occasions throughout the year. I don't agree with that at all.
- F Colonel Josling, if I remember rightly, statements from [Lieutenant C] about [RSM Z], and that's where it all started.
- NB [Lieutenant C]?
- GM Yes.
- NB That's [Lieutenant C]?
- G

- GM Yes. And that's where it all started. A
- NB Written statements?
- GM Written or verbal, I don't know.
- NB He mentioned that to you in the conversation?
- GM No. B
- NB Is that a guess, or is that something you can recall?
- GM In fact I didn't like him. He wasn't a good soldier.
- NB I am going to come on to him because I don't think that's a unique view, as far as I understand. So you are saying to me that you didn't give Josling any confirmation of his suspicions, and you could have vigorously resisted the assertion that he was putting pressure on you if that had been the suggestion that was being put to you? C
- GM If you asked my wife the same question, nobody has to put pressure on me to have a drink of beer. I mean, sorry but that's how silly that statement is, because Friday afternoons it's tradition that you go for a drink.
- NB I don't think we are talking about a drink.
- GM No, I mean a very good drink.
- NB We are talking about something of the sort that Mr [...] was telling us about. D
- GM But he was part of that, and I would be stood in the bar with him.
- NB He's not the RSM.
- GM No.
- DB But you never said to Josling that you were being pressured? E
- GM I have never been pressured in my life.
- KN Since you didn't deny it or you didn't confirm it.
- GM There is a drinking culture in the Army and we had one like everybody else did, but it didn't affect our judgment or our work ethos. We worked hard and we played hard, we were on duty the next day and we were there, ready to go.
- NB Well, I guess I just have to ask this last question before moving on to a different topic, then. Did Josling actually put to you the suggestion that the RSM had been putting pressure on you to join in the drinking culture in the Sergeants' Mess? F
- GM He probably asked the question, if I was pressured.
- NB And what did you respond? G

- A GM Well, I wouldn't have been pressured. I would have probably said "no", if he asked that question specifically. If he had asked me if I was involved, I would have said yes.
- NB Can you recall whether he did ask that question specifically?
- GM Not specifically, no. I don't know how I can say it any better than what I am, because he took me in to ask me about [RSM Z] and what information – I didn't have any. He knew I drank with them. He could have been trying to get something from me, I don't know.
- B NB Can we move on to [Lieutenant C]? [Lieutenant C] you said just now you didn't think he was a very good soldier. How did that manifest itself?
- GM You just form an opinion of people. Especially the officers and the people like that, being a Sergeant-Major and being where I was, my big thing was kit, turnout of kit, and he just didn't have that area that he could just turn out and I used to get annoyed with him and spoke to him on several occasions when I inspected the troops.
- C NB Right, so he was poorly turned out.
- GM He was poorly turned out, and I think he was just in it for the ethos of being an officer.
- NB The power and the influence?
- GM Well, yes. He didn't influence me in any way.
- NB I don't imagine that that was who he was intended to influence.
- D GM I just didn't like him because I didn't think he was good at his job, and I demanded that people that work there, do your job properly. What you do in your own time is your business, and that was always what I stood by. And I didn't like him turning up slovenly dressed and stand in front of trainees.
- NB There was something else I would like to put to you, and I will come on to that in a minute. Apart from not being turned out and shoddily dressed, was there anything else that strikes you today as to why he was either not a good soldier or you did not like him being in the command post that he was in?
- E GM I probably wouldn't have trusted the things he was telling me, because it wasn't the right things.
- NB Did you hear him saying things to trainees?
- GM No, on giving out and noting information, being an instructor, you learned what you were going to instruct on and you give that verbatim. I wouldn't have trusted him to give out a lecture or a talk on anything remotely like that.
- F NB Now what about his relations with female trainees?
- GM Again, there were a couple of rumours, I think, if I remember rightly. I think him and I had words about it, but nothing more than that.
- NB Right, so you did actually have words about it?
- G GM Yes, I think.

- NB Things that had come to your attention that you thought was specially relevant to put to him? A
- GM I think one of the trainees actually mentioned something. It was either in my earshot or I got it second-hand.
- NB Was it a female?
- GM Yes, I think so. B
- NB What was she mentioning?
- GM That he was up to something with a recruit, but I got no more than that so I spoke to him on a Sergeant-Major/Lieutenant footing. Whereas I could ask the question, the answer was up to him. But as far as I was concerned he then knew that I had heard something that I wasn't happy with.
- NB Do you know roughly when that conversation would have been – how long before you ended your tour? C
- GM It's just a vague memory. I still know the recruit's name, and it means nothing to me, Private [...]. They were just soldiers.
- NB Well, let me just read you out the bit of her statement.
- GM There were photographs of what we were all like then.
- NB So she says, "[Lieutenant C] was a sleaze bag, he was always after women, he was a smarmy twat, he was always asking us to meet and giving me his mobile number. I did meet him once out in Camberley. There was an incident in his car in which I ended up kissing him. Some petting went on but I didn't have sex with him. He made it obvious he was an officer and it was difficult being 17 years old at the time. There were rumours which involved me going to Sergeant-Major Milne. He warned me that if there was any truth in the rumours that it wasn't allowed and couldn't happen". D
- GM It rings a bell. It rang a bell when I read it, and I think when you mention that Camberley thing, that's the first time I have heard that now. I think that's what it was, that he was out in Camberley with a recruit or something, and that's what I acted on. I think I probably spoke to her and then spoke to him. What she told me I can't remember and the recruits were very funny because as soon as they got in front of authority they would clam up, I found, because, as I said, when there were any complaints, I was the man with the big hat and stick. E
- NB You might be a bit intimidating to a young 17 year old recruit.
- GM Well, that was my intention. And actually how I worked in my own Squadron. F
- NB That may well be the way you work your Squadron. Right, but one can imagine why that may well be, but they are not always going to tell you everything that's going on.
- GM Yes, but I was there for discipline. I wasn't there for their problems. They had other outlets for that. G

- A NB Who was there for when they had problems?
- GM The NCOs that they got on with, the padre.
- NB So you raised this with [Lieutenant C], the question of him associating with females.
- GM I vaguely remember speaking to both of them on separate occasions, whether I spoke to her first or him first, and it was probably in passing.
- B NB Do you know what he said?
- GM He would have probably denied it, if I can remember right. I think Sergeant-Majors and Lieutenants didn't really get on.
- NB Generally as a class?
- GM Generally, because they were the commissioned officers, we were the workers, if you like – that's how we used to put it. I mean, you led a different life – the Officers' Mess and we were there. I had no great problems with [Lieutenant C] or [Lieutenant A] or any others, the Lieutenants have come and gone.
- C NB But you clearly didn't like [Lieutenant C].
- GM No, I didn't like him. I wouldn't treat him any different to [Lieutenant A], whether I liked him or not. He was still a Lieutenant in my squadron and to that end we all toed the same line as far as the OC was concerned.
- D NB I mean, as a matter of your assessment of him, do you agree with what generally [...] says about him? "Sleaze bag, smarmy twat".
- GM He was smarmy, but lots of young gents are smarmy. I never heard him say anything untoward to recruits, if you know what I mean.
- NB I think this part of the conversation started and my recollection is that you said there was probably a couple of rumours that you heard. Was it more than one rumour with a female that you had heard about?
- E NB And that was it?
- GM I definitely heard the Camberley thing, that rings a bell there. He was out with a recruit in Camberley and that's why I spoke to him. But I haven't heard anything more specific or untoward other than that, I don't think. And I think that's why it was informal. I probably spoke to my office about it and they either gave me an answer which I can't remember.
- F NB And that was it?
- GM I think so, yes.
- NB And you didn't have to mention that again to him?
- GM No, I didn't mention that again to him.
- DB You wouldn't have said anything to Major Gascoigne?
- G NB I would have spoken to [Lieutenant C] on his own. If I thought any more of it I would have spoken to the OC because obviously him and I worked close together on all

- matters. I mean, he was able to look after his officers as well as looking after his soldiers, but I don't think I spoke to the OC if I remember rightly, I might have just said, "[Lieutenant C], can I have a chat with you?" – I can't remember, to tell you the truth. A
- NB And you certainly didn't socialise with him?
- GM I think you know where I socialised.
- NB Yes, and he wasn't in there.
- GM No, not entitled. B
- NB No. [Sergeant V] says this about [Lieutenant C], "[Lieutenant C] was a complete knob. When he came into the store I remember him talking about female recruits and making various comments about their bodies. I felt it was OK to do that in private but he used to do it in front of everyone. He complained about the system at Deepcut. He was a bad manager. I believe he went off to Abingdon as training officer. However, he was eventually sacked. I did go sailing with him a couple of times, generally with the recruits he was over the mark in a lot of things. He forgot that he was an officer. Because of his character people did not go to him for advice, and no one had any faith nor respect for him". C
- GM Someone's opinion, sir – that's quite strong. He has said a couple of things about people now, [Sergeant V]. Why has he never mentioned it to anybody else? Why has he waited for all this to come out?
- NB I was wondering whether you agreed with any of that. D
- GM Well, I don't think he was very good at what he did, [Lieutenant C].
- NB That's about as far as you will go, is it?
- GM There's not a lot more I can say. I mean, he wasn't a good officer, he wasn't a good soldier, in my eyes. I thought I was a good soldier. I don't think he was – he definitely wasn't a career soldier.
- NB Yes. I understand that he used to take people sailing in a boat with him – did you hear about that? E
- GM Yes.
- NB Was that all right or was that going beyond the bounds of what he ought to be doing?
- GM I wouldn't have sanctioned it if I had been in charge, and I think you will find that that's where the story about [RSM Z] came from, if I remember right. Females speaking on a boat in earshot of an officer. And that then came back to the Adjutant or the 2i/c. F
- NB The officer?
- GM [Lieutenant C]. A bit like calling a kettle black really, isn't it?
- NB OK, well I think this is probably a new bit of information – can I just reflect, put it back to you to see if I have got an accurate recall of what you said so far? What you are saying is that you think that there was an occasion when [Lieutenant C] took some G

- A female trainees out on a boat. He heard the female trainees talking about [RSM Z] and [Lieutenant C] decided to use that as an occasion to complain about him – is my information correct?
- GM From my recollection, I think that's right. I think that's where the allegations about [RSM Z] came from, from a sailing trip, and that's what kicked it all off, if I remember right.
- KN How do you perceive the relationship between [Lieutenant C] and [RSM Z]?
- B GM [RSM Z] didn't like him either. Purely because he wasn't a good officer or a good soldier.
- NB We have got information from one or two other people that appears to be to a large degree that the Adjutant possibly with Colonel Josling conducted some sort of investigation and drove up to Leconfield to interview some female recruits. Did you hear about this?
- GM I think [Sergeant V] mentioned that to me. I think it did happen, yes.
- C NB Did you know what they were investigating?
- GM Probably allegations from the boat. I think you will find [RSM Z] was away at the time.
- NB So that would have been in the summer, shortly before he came back. I think Colonel Josling told me that he was away.
- GM He was out of the country at the time.
- D NB He was out of the country doing something, and then he comes back and faces the meeting on the 28th of September. So we think the trip to Leconfield would be when [RSM Z] was away. And the trip to Leconfield is with the Adjutant?
- GM I wasn't privy to it, I don't know who went.
- NB Right, OK. [Corporal(f) W].
- E GM It rings a bell, but I wouldn't have known their first names. Yes, I think from what I can remember, all the allegations came back from the boat, [Lieutenant C] took it to higher authority, be it the Adjutant or the 2i/c. The CO acted on it and then they started their investigation, I think.
- KN And that issue with the sailing trip, was that put to you by Colonel Josling in the interview?
- GM I can't remember.
- F DB The boat itself, was it an RLC boat or was it [Lieutenant C]'s boat?
- GM I presume it would be an RLC boat. It was organised. It happens all the time, sailing trips, canoeing, rock climbing.
- DB So presumably it wouldn't in terms of supervision just have been [Lieutenant C] on the boat alone with a bunch of trainees?
- G GM It may have been [Sergeant V], according to that statement, which was quite feasible, a Sergeant and a Lieutenant in charge of however many trainees, half a dozen.

- NB When I read that part of [Sergeant V]'s statement I think your reaction was, "I wouldn't have sanctioned it", wasn't it? A
- GM No, as I said before, it was because I didn't like [Lieutenant C] and didn't trust him with trainees.
- NB So if it had been put to you whether this was a good idea you would have said "no" for those reasons?
- GM Well, yes, but it goes on all the time and [Lieutenant A] would take recruits away as well. B
- NB So on the whole there's nothing wrong in NCOs and officers taking recruits out on sailing trips or other forms of activity?
- GM If it had been done through the OC he would have had knowledge of it, possibly the CO. It's adventure training.
- NB Right, but the problem will be how the officer behaved towards the recruits particularly of the opposite sex. C
- GM Well yes, I mean, he's an officer.
- NB Right.
- GM He should not be behaving like that.
- KN Yes. Can you speculate on what motivation [Lieutenant C] would have had to report [RSM Z], given that [Lieutenant C] knew that you would have known about rumours involving him? D
- GM I think that probably he was a nasty person, and if he could get one up on somebody, he would. I think he had his own problems being an officer with the OC and the CO now as well. I think they knew that he didn't do his job properly, because again that would have been done between them behind closed doors and it wouldn't have involved Warrant Officers. E
- DB Is it reasonable to assume that if you are having a word with [Lieutenant C], that [Lieutenant C] would assume that if you knew, then the RSM knew?
- GM Those are two separate entities.
- DB I wondered if there might be some kind of revenge issue?
- GM No, we have been in 20 years and we have different types of service. I don't know if he was a vindictive person but he could have done other things as an officer to get us into trouble. I wouldn't have thought that would have been his motivation. F
- NB Presumably it would be very difficult for a Lieutenant to get the RSM into trouble.
- GM Yes, unless he had something on him or threw a rumour in the works which I think he has done.
- DB So that is the best way you get an RSM and probably the only way you can get an RSM into trouble? G

- A GM Why he would want to get him into trouble I don't know, but I don't know whether they fell out or what. You'd have thought they would try it with me or something if that was the case, if he was that sort of person.
- NB Perhaps because of your reputation, which is what Colonel Josling says. Was there anybody else who was in the frame in terms of gossip at the time?
- GM Nothing springs out 10 years down the line. If we go back to being there, it's a long time.
- B NB You said to the Surrey Police, "I have been asked to comment on the behaviour of NCOs, both males and females, with the opposite sex. I am sure that relationships were formed but whilst the Deepcut is not party to any evidence where male NCOs abused their authority with young female soldiers".
- GM That a true statement of how it was while I was there.
- C NB Surrey Police have got this file note that you indicated to them that you thought [RSM Z] shouldn't have got his post at Deepcut because he was a single male and there would have been a little bit of temptation working with single females.
- GM That was on the back of them saying this should be a married man's post.
- NB Well, Surrey Police recorded that you said that, I think probably after the formal statement had been signed.
- D GM Yes, because that's what I think out then that to be the RSM you had to be married with children, and that's why I mentioned it, there was no other reason apart from that, I don't think.
- NB Well, at the time when he got the post there was no such rule.
- GM Not as far as I know, no. I'm sure I said that it was the consensus that RSMs, or I think I might have even been instructors, should be married, accompanied, I think I mentioned, because that was the words we used to use, married, accompanied.
- E NB Yet but what they captured as an opinion from you but it would be a little bit of temptation working with single females.
- GM Well, it would be a temptation if you are single, I am sure, and that's something I meant in no other form other than that. If I were a single male and had 500 recruits there, a percentage of which were female, there would be a temptation, don't you think? I didn't mean it to come across other than it was a temptation for a single man, which it is. Temptation even of a married man.
- F NB OK. Do you remember [Lance Corporal(f) E]?
- GM Female?
- NB Yes, female.
- GM Yes.
- G NB Did you have any dealings with her?

- GM She looked after the women's accommodation, if I remember right. A
- NB There's just one block dedicated to females?
- GM One female block, yes.
- NB And then the trainees go there and are there anyone else living in there apart from the trainees?
- GM There would have been female NCOs, they were on quarter strength, and course personnel I would think. B
- NB Course personnel?
- GM Female course personnel. The married personnel had their own quarters.
- NB So any single female personnel at that time would have been here.
- GM Unless they were a senior rank. Sergeant and above would either have been in the Sergeants' Mess in the camp or the one out of camp. C
- NB Anyway, [Lance Corporal(f) E]'s job was to live in that block, was it?
- GM She lived in there, I think. She just worked in the admin office in the B Squadron as well, I think, if I remember right. She worked in the troop offices and took on the mantle of being the NCO in charge of the trainees, if I remember right.
- NB Did you have any particular dealings with her about the affairs of Deepcut? D
- GM She would have been part of my staff here coming and going and I would have spoken to her on numerous occasions to ask her to do things for me and put her in my office and I don't know. Nothing specific.
- DB I was just wondering about the guardroom standing orders that appear in the James Board of Inquiry.
- NB Cheryl James died in November 1995. E
- GM She was the second one. [...] was there.
- NB The Board of Inquiry is January 1996.
- DB By which time you are long gone. However, an extract is included from the Unit's standing orders concerning the guardroom dated '93. Would you as the Squadron Sergeant-Major have duties as the Barracks Orderly Sergeant or Orderly Officer or would that fall to others? F
- GM What, would I do duty?
- DB Yes.
- GM I was the Orderly Officer.
- DB And presumably that means that you would be quite familiar with the orders? G

- A GM Yes.
- DB It's just that the 1993 extract we have got – it's only one page of details – appears to be out of date with the Land Command Anti-Terrorist Security Measures which date to 1994. There is a contradiction and we are just surprised that the orders that we have captured as a snapshot from the Cheryl James Board of Inquiry in 1995 carry the date of 1993 where a lot has changed in between but isn't reflected in the orders.
- B GM That would probably be down to the Adjutant. That would be his remit, I would think, as far as orders were concerned. He would be the one that would be in charge of the update with the chief clerk, because everything comes into the chief clerk to whom it concerns.
- DB And you were the Orderly Officer. Presumably you are going to get a book, a manual giving the orders as issued by the Commanding Officer and regarding guard duty and the like.
- C GM No, you don't get it on every occasion. The guard would be formed at a specific time, the guard commander or the Orderly Sergeant would brief them up for a 12 hour, 24 hour period. As the Orderly Officer I would probably do an inspection of the guard. I would go out and check they had their various bits and bobs on patrols, check in on the guard room, do a show parade at 10 o'clock, 12 o'clock, whatever was necessary, and then we used to sleep in the Sergeants' Mess on call if anything was untoward, the Sergeants' Mess in camp.
- D NB Yes, just to fire off from that question, in November '93 Deepcut standing orders appeared to relate to an era when guard duty was not done with armed rifles routinely but only in the event of a specific emergency on Commanding Officer's specific instructions, whereas I think you mentioned earlier in this discussion that in '94 it seemed to be the guards were always armed with rifles.
- GM Thinking back, I think we always had ammunition.
- NB And ammunition in the pouch?
- E GM I'm sure we had 10 rounds. Not cocked.
- NB Not loaded?
- DB Unit standing orders are talking in terms of the all the ammunition should be held in the safe.
- NB Except on occasions.
- F DB And distributed.
- NB Which I think relates to a certain period of guarding.
- DB Which is why they look out of date.
- GM I am sure you will find in my time you were issued with 10 rounds.
- NB Always?
- G

- GM As far as I can remember. A
- NB That's even when you were in A Squadron, which is '93?
- GM I'm just trying to think when we did it. It would probably depend on what the emergency state was.
- DB What was the emergency state?
- GM If something specifically happened in those times, then rounds had been issued on that basis, I think. Like amber or red. B
- NB Do you ever remember a time when either at Deepcut your guards were guarding without a rifle or they had a rifle but the ammunition was back in the safe?
- GM They would have always had a rifle, as far as I can recollect, and I am sure from when I got there, I am sure actually we were issuing 10 rounds, I'm sure we were. I can't categorically state it but I'm sure we were. It used to be handover from person to person. One guard would come in, hand them back in, sign them in. C
- DB I think the practice that is described matches the Land Command UK Land Forces Anti-terrorist Security Measures as we understand them in force at the time, but there seems to be a disconnect between those and the Unit standing orders extracted from the James Board of Inquiry.
- GM I should probably be able to tell you, but I must admit I can't remember.
- NB So I just want to ask you, the age requirement, 17 and a half, does that sound familiar to you? For some reason - do you expect to see that written down in the standing orders? D
- GM 17 and a half sticks in my mind because that's the difference between being a junior soldier and being an adult soldier, but I think the weapon one is, if you are an adult soldier and you have passed your APWT and the weapon handling test, you can carry weapons on guard.
- NB So that means they would have been over 17 and a half to be classified as an adult soldiers? E
- GM I think so, yes.
- NB So it's not something written down in the standing orders?
- GM Not that I can remember.
- NB I think we have probably pursued that as far as we can. I think we can wrap up. Thank you very much for talking to us. F

Appendix 4/13

Meeting with Lieutenant General Palmer

Present: Nicholas Blake QC (NB), Lieutenant General Palmer (GP), Darren Beck (DB), Julie Albrektsen (JA).

Location: MOD Main Building, London

Date: 22 June 2005

NB: I first want to understand the posts that you have held that are of relevance to this Review because I understand you had specific responsibilities for ATRA at a relevant time and then your present posting is head of tri-service personnel policy.

GP: I was Director General of Training and Recruitment.

NB: I have that down as from January 1999 to December 2001. Is that right?

GP: Yes.

NB: As I understand the chain of command you answer to the Adjutant General and make policy for the individual training centres. As DGATR I understand you received reports from Commanders of bases where training was carried out. I think we have identified one such report from Brigadier Dalby-Welsh¹ to you personally in 1999.

GP: And also the Haes Report² which I commissioned.

NB: I have a clear sense that in 1993 and before your posting to Training, that some rather momentous decisions were taken generally about Single Entry recruitment, specifically about the amalgamation of the Royal Logistic Corps and, I suppose, Army-wide, if not Tri-Service wide, women serving and being trained alongside young men obviously for the first time.

GP: Which happened as a result of the abolition of the Women's Royal Army Corps which kept women very separate. With the ending of the WRAC, women became eligible for positions in all the other Corps and therefore it was logical that they had to do the training. Rather, if we hadn't done that we then would have had to set up separate individual training for them in each Corps and Regiment.

NB: I can well understand why that was given and I am not seeking to challenge that.

GP: No, not at all but that's why.

NB: It has given greater challenge for those who have to implement it.

GP: Can I just say one thing about the time schedules? Obviously, at the moment and for the last three years I have been responsible for individual training among other things and personnel aspects across all the three Services so I was the person who advised Ministers to call in the ALI³ and I'm responsible for putting together a response not only to the ALI but HCDC⁴ and you will see that response very shortly. What we haven't done is worked

¹ Brigadier Brown's Report of 9 April 1999.

² Report by Lieutenant Colonel Haes "ATRA duty of Care and Supervision (DofC&S) Report 98-01", 24 April 2001.

³ Adult Learning Inspectorate.

⁴ House of Commons Defence Committee Report "Duty of Care – Third Session 2004-2005", 3 March 2005.

A out the resource implications which will have to wait for the resource review. I can talk about that side of life, i.e. to cover the last 3 years that I've been doing this job and what's been happening or I can talk to you, which I am very keen to do, about the overall context of my time as Director General of Army Training and Recruiting but that is a completely separate thing. Anything that happened before 1999 i.e. before I was DGATR I can talk about from my knowledge as an informed Army officer although I have to say I can give you some detail but the detail of exactly who moved where and what happened is a bit sketchy. But I know you're looking at the first 2 deaths at the moment and the second one of those happened four years before I took over the ATRA

B so if you would rather, as it were, concentrate on the things you are doing at the moment and have me back again to talk about the two others deaths, one of which happened in September 2001 when I was DGATR or whether you want me to try and encompass the whole thing today is entirely up to you. I am happy to do it either way but my main concern personally is the time I was DGATR. To try and put into context things like the Haes Report and what was actually going on in the wider context of the Army which I think is really important for you to understand so that you don't have a view that if supervisory ratios were the problem that it was simply a matter of moving people from one place to another. But of course it wasn't like that it was always a

C balance of risk judgment.

NB: Well OK. Forgive me if I'm just going to go back to the beginning and fast forward through it, if it is not your line of business at all and we can pick up on it later on. The fourth element of the equation: If we go back to 1993, we've got the establishment of the RLC, we've got the introduction of Single Entry training, the training of women alongside men and as part of Single Entry training – maybe it's a sub-category rather than a fourth head – you've got the decision to abolish the Junior Leaders' Scheme or Junior Entry. Now have you seen the documentation about that?

D GP: I was actually doing a job in the MOD that led directly to the abolition of the Junior Entry so I can talk about that. In terms of terminology the Single Entry is what we understand by not having juniors and just having one Single Entry. That has nothing to do with women.

NB: No, OK, that is fine. I realise that I was saying initially that there were three different elements, but maybe there were four. The Junior Entry, let me just pick that up generally, whether it is Junior Leaders or Junior Entry. I can tell you now that Brigadier Evans said that the abolition of the Junior Leaders' Scheme was probably the most momentous decision the Army has taken in the last 100 years.⁵

GP: What, to abolish Juniors?

NB: Yes, and one of the worst decisions they had ever taken. Discuss.

F GP: Oh well, yes I can do that, I can do that because I was party to the decision. I think it arises from the fact that as ever you understand the MOD is constantly looking for efficiencies, in other words we never have as much money as we would want to but that is the same with all government departments. At the time the government were going to raise the school leaving age.

NB: Yes.

G ⁵ See transcript of interview with Brigadier Evans, Deepcut Review, 22 June 2005.

- GP: Now, the advantage of the Junior Entry was that we got people early at 16 before they went on to do anything else. A
- NB: Correct.
- GP: Now it's a very high cost, I mean Junior Entry is very expensive indeed not least because you can't use the product on operations until they are 18 so in effect you are educating them for two years and, as a broad brush figure, it costs as much to send the junior to somewhere like Harrogate⁶ as it does to send someone to Eton or Winchester. That's rather important. This is a very expensive business. Now when the government was saying we are going to increase the school leaving age to 16½ we were going to be prevented clearly from recruiting people at 16 because they would have to stay at school until 16½. B
- NB: Their 16th term.
- GP: Exactly, so given that we were starting people in the adult entry from nearly 6 months later the view was, given the economic situation and the search for efficiencies, that for that 6 months we would probably be able to recruit most of them into the Single Entry, because, unlike the year's gap where they would probably go on and do something else, with 6 months we could probably encourage them to stay interested in the Army until they could start joining the Single Entry, the adults at 17. That was why the decision was taken and again, like everything else this was not a judgment made in isolation, it was a judgment made in view of an enormous number of things that the armed forces generally wanted to do like improve the accommodation of families, buy more equipment etc, etc, etc so it wasn't "just get rid of Juniors", it was a very considered judgment. C
- NB: Yes. I can see that from some of the papers leading up to that decision in 1992, which helped to provide a background. But at the last shout as I understand it the recommendation that was up before the Army Board was to have a form of single Junior Entry consisting of 12 months' training to pick them up at 16½ to 17½ which would then push them into normal training and then I think probably on cost grounds they said we don't need it, we'll fill up AFC Harrogate but we won't do Junior Entry. D
- GP: What happened was the Government never did what it said it was going to do: it never actually brought the school leaving age up. So we anticipated something the government said it was going to do but they never actually did it. I can't remember how long we did without the Junior Entry but it was very quickly appreciated that it was a big error. Not in itself the judgment of the time and the context in which it was taken but given the context that the government didn't put the school leaving age up. It was not just the need to make savings and efficiency but also the school leaving age going up but as it didn't happen all these people who might have waited 6 months – E
- NB: Well, they leave in the summer of their 16th year, don't they? So it could be 16 years, two months, 16 years, three months. F
- GP: Yes, absolutely, that's true. At the moment the Junior Entry starts from 16 to 17.1, that is the age bracket within which people can go into the Junior Entry as opposed to going straight into the Senior Entry.
- NB: But the Junior Entry is now just Harrogate.

⁶ Army Foundation College Harrogate. G

- A GP: The junior Entry is Harrogate and ATR Bassingbourn because we re-started the Junior Entry and built Harrogate. That's really important. Now that is a year's course.
- NB: Yes.
- GP: During which the youngsters do, in terms of military training, the equivalent of Phase 1, which is 14 weeks, but that 14 weeks is spread over the whole year. It is a fantastic place. When I was DGATR I was trying to set up a second one. I couldn't do that because again resources were quite tight so we converted an Army Training Regiment into a Junior one so there are two now. There's Harrogate which is purpose built and there is Bassingbourn which is still just Juniors but instead of doing the year's course they do a 26 week course only.
- B NB: Right, OK.
- GP: Who goes to one and who goes to the other is a matter of detail but by and large the more intelligent ones go to Harrogate.
- C NB: What I pick up at this stage, is that in 1993, for whatever reason – the expectation of school leaving age, cost, whatever it is – you are faced with younger people coming straight into the Army alongside older groups of trainees and then you've got the other mixtures of gender and all the rest of it. And these younger people may, as we know, particularly in a regiment like the RLC, come from quite difficult family backgrounds or have no family background at all.
- GP: Absolutely. That does happen.
- D NB: They may have had pretty disastrous educational careers. They may be leaving school with literacy gaps and a lack of skills, some of which may be curable and some of which could be supplemented by education. They are not properly used to living away from home, they may have no sense of personal administration and discipline and they are going to get drunk and have sex as we know and doing all that at the same time may have created extra risks or challenges or responsibilities for those who look after them.
- GP: I think that's true but I think again it will be very important for you to go and have a look at the selection process where putative recruits go for 36 hours to be assessed on their suitability for training.
- E NB: Yes.
- GP: Now that includes medical assessments and profiles.
- NB: I've seen the personnel files, certainly of Cheryl James and Sean Benton, so I will have seen what documentary data is left to describe the process. I accept that there are quite thorough processes going on there but of course not everyone comes up and says, "well, actually I tried to commit suicide five years ago".
- F GP: In fact they won't, we know for a fact that they won't do this because if they were to do that they would be excluded.
- NB: Quite.
- G

- GP: We have exhaustively examined how we could exclude people who are not going to be a success because what we want is young people who are going to be enthusiastic: who are going to succeed. What we do not want is failures. A
- NB: Quite.
- GP: This was an issue that when I was DGATR I was very keen to resolve and actually put up the entry standard at the Personnel Selection Centre knowing full well it was going to reduce the intake. B
- NB: As well as reduce your throughput number.
- GP: Exactly. I did it on the grounds that the worst thing for the Army was taking in a whole lot of people who subsequently failed and went back to the society from where they had come and they didn't say, "I wasn't up to the Army," they said, "the Army's terrible, don't go and join it". So it's a double loss to take in people who are not up to it. Not only a great expense to take them in and then fail them but also a great expense in the effect that it has on recruitment. C
- NB: But as I understand it to push on through the recruiting aspect although if there is further discussion to be had let me know who I can have them with. There is always a problem in that you can't spot who is going to improve, who is going to overcome their family background, even their medical or psychiatric background and do well and who is going to go under and not be suitable and you are not going to get always credible data although you can possibly improve that by parental involvement, medical involvement and social services involvement.
- GP: All that is true. However, I think overall one can say, and I've not only done three years as DGATR but also having been in a training position before to the extent that I know all three Services take the sort of people that you've described and turn them into something really special. It is absolutely remarkable and they do that with the vast majority and the proof of it is the operational success because these people, most of them, go directly from training to operations if they are over 18 and they have to be able to take their full place in their unit and the vast majority, the vast majority do so. D
- NB: Right, so the recruiting is picking out sufficient problems and working with whatever talent you've got. However, just to go back to that interface between Junior Entry and the recruiting process, it seems that at the least, what you're missing, whether it's a two year full gold standard of being a Leader, the 12 month of something that's recommended or even possibly six months as in Bassingbourn, you're missing the opportunity for young people who may or may not be vulnerable in their particular social, psychiatric, medical backgrounds but will always have a certain degree of vulnerability on the grounds of age as well as gender, if that comes into it. There is a learning curve of living away from home and coping and learning discipline outside the other temptations or risks of Single Entry Phase 2. E
- GP: I think that's right; whether we talk in terms of age or maturity I don't know.
- NB: In broad terms we're talking in terms of age. We adhere to the Convention of the Rights of the Child and say children are those under 18, period.
- GP: Well we don't. For the purposes of the Act we say children are under 18 unless they are in full employment. F

G

- A NB: I want to come on to that.
- GP: The way we look at people is not necessarily in [terms of] age, although that comes into it, it is in the sort of person they are because we are well aware that some 17 year olds are far more mature than some 20 year olds and vice versa. So it is not just an age thing and the purpose of the selection process is to try and make an assessment of the overall suitability of the individual for the job that they want to do in the Corps or whatever. Now the intelligent ones don't have the same amount of problems. There are some who have problems, but by and large we don't have a problem with the more intelligent ones.
- B It is the ones who have the lowest level of attainment to get in, in other words the lowest intelligence level to get in, going into the infantry and into the RLC where the technical skills requirement is much less. That is not to say that there aren't some extremely intelligent people interested in the RLC, it is just to say that the standard of educational requirement is lower in the RLC and infantry than elsewhere.
- NB: And the point I'm putting back really and that is the importance of this part of our discussion is that a form of extended training in the Army environment to develop precisely the skills you want to make the most successful soldiers, men and women all and deal with the 6th month/12th month period can give you that function, can add on the function of social adjustment to moving away from childhood to young adulthood wherever you draw the line and add on possibly educational benefit where our secular schooling system, our non-military schooling system hasn't delivered the goods that you may need even to be able to read and write or perform manual Pioneer duty.
- C
- GP: Totally right, I mean I don't know exactly what the statistic is but more than 20% of them are reading and writing at the standard of age 11 and below. It is a significant failure on the part of the schooling system and they were appalled when I said that to the HCDC. They said "you must be wrong" but actually it is what happened.
- D
- NB: I'm not going to debate that at all. We're looking at the events at what's going to happen subsequently at Deepcut and there seems to me as presently advised, at least, considerable support for the proposition that by abolishing or changing or removing the perhaps protected training entry for the under 16s and early 17 year olds you were losing an opportunity to add value to what makes them a successful soldier and were creating risks for everyone, everyone in Phase 2 Deepcut.
- E
- GP: I think that is true and I think what we're overall what we are talking about is a judgment as to where risk lay in all these discussions.
- NB: Is there any evidence that a Risk Assessment was made? If so, where was it made? I can't see it.
- GP: No.
- F
- NB: I can see something in the Adjutant General's⁷ paper saying if we are going to do this we are going to have to take extra resources because what I'm then told when I pick up the officers like Brigadier Evans, his resources were actually cut for Phase 2. So if you've got the germ of an awareness of risk then the suggestion is you are going to have to back this challenging decision by particular skilled staff, more staff, good trainer ratios, a part we will come to later on and a duty of care ratio.

G ⁷ Paper on Single Entry dated 2nd November 1992.

- GP: Of course I accept that. The question though is: what is the balance here? What is the manifestation of the risk? Although we may not have done a formal risk assessment, I can't remember at the moment, but actually there are other things that would tend to indicate the success of the training organisation as a whole, i.e. the good experience that the vast majority had. I am not at all saying we got it right; please don't think I am. I'm just saying it is not as clear cut as saying: there was a risk there, it eventually ended in the four suicides, therefore the whole thing must have been got wrong. A
- NB: We are going to RLC Deepcut. Darren and Julie have actually been going through the guardroom logs and have been reporting to me on the abstraction of information but I haven't seen the original data. Judging from that, it looks like there are something between 12 and 15 attempted suicides a year at Deepcut. On top of that we are getting a lot of fall-out of people who are unhappy. We're getting the problem of alcohol and when you mix 17s and 18s in the same training regiment some can drink and some can't. That is going to cause tension. And then I was told down at Deepcut from just the snatched impressions of the visit, talking to quite a lot of the Commonwealth recruits who often seem to be more mature in their behaviour. I asked if there were any problems, and they said, "well, the 17 years olds can be a bit of a nuisance, we want to get on with our training and they want to get on with high living". And we were told that they had moved away from 17-year-old only dormitories because they had all the irresponsibility of youth, whatever it is. So age seems to be still there as a pure factor and in addition you've got, presumably but not always the case, the older you become, you become a bit more wise in your personal relationships and your ability to resist inappropriate relationships and it seems to me that those kind of relationships between the sexes in different forms, is a significant part of the Deepcut story. B
C
- GP: I must say, I cannot comment on what happened at Deepcut in 1993. I am projecting forward at least five years when I took over. D
- NB: I'll tell you what happened at Deepcut. I'll tell you a little bit before we leave this afternoon because this is not about suicide because of those relationships, I'm looking at the regime in which these people live and what is now emerging seems to be significant and there are certain problems as to how the Army responds or indeed how I would recommend the Army responds.
- GP: No, absolutely I entirely agree. I can't really add anything to your knowledge of Deepcut from those years. E
- NB: No, I was just testing to see. Well OK I think we've covered some of those questions about juveniles as a whole. Secondly ATRA sets up in 1998.
- GP: No 1997.
- NB: 1997 is it and its first Handbook comes out in 1998. Is that right?
- GP: Probably. I know that the handbook⁸ is on the net. F
- NB: Yes. I've been trying to work backwards and I think recently I've got the 1998 version of what was there and that has the Appendix of Standard of Conduct for Trainers.
- GP: Yes.

⁸ ATRA Handbook. G

- A NB: Which is specific and quite detailed. Do you know, was there some equivalent before 1998, i.e. would the trainers who attended in 1995 at Deepcut have had similarly specific guidance – “thou shall not etc”?
- GP: I don’t know.
- NB: Because I have to say one real problem about doing this Review is that the Army generally seems to be document light, preservation of policies and matters of that sort and it was just by pure chance that one or two officers have kept documents in their personal collections that should come to light that have enabled me to block in some of this material because I’m having interviews with senior officers who have said, we would have done this and we would have done that but there is simply no documentary support.
- B GP: I can’t say that we would have done all we should have.
- NB: Do you know whether there were general document retention policies or was it left up to each Commanding Officer to impose one for each regiment?
- C GP: I think it’s probably the latter.
- NB: Well, I’m told it looks like a 5 year retention cycle at Deepcut which means that much of the 1995 material has gone by the time its due to be re-investigated in 2002. So gone by 2000 sadly and apart from the Evans report⁹, which is preserved, presumably that can be found in ATRA somewhere.
- GP: I’m sure we’ve got a copy of that.
- D NB: Oh yes. Well I’ve been given that. I just wanted to know why should that survive when so much of the other material has disappeared?
- GP: Well I think half of the answer is because after the formation of the ATRA, the training organisation was very run down. I mean, in the Infantry alone we started with each regiment and I was Company Training Commander of the Royal Green Jackets Training Depot at Winchester and each individual regiment, there were 40 of these depots, then they became divisional depots and then after that they became ATRA where one organisation was responsible for looking at the whole thing.
- E NB: So the emergence of ATRA at least offered the opportunity for a single standard solution to some of these behaviour questions.
- GP: And then you start seeing ATRA Handbooks and best practice because that is one way you can communicate with the various Training Regiments.
- NB: Well, I will take that cue to move on to 1998/1999 and looking at the standards then although the examples of failing the standards that I am looking at of course are going to be 1995 to 1997 and it seems to me obvious enough that trainers shouldn’t be having sex with young female trainees but that would seem to be going on quite a lot at Deepcut in 1995.
- F GP: Really?
- NB: Yes.

G ⁹ Evans Report “A Review of the Phase 2 Training System within Deepcut”, 14 December 1995.

- GP: What has always been evident as long as I've been here is anybody having sex with anybody who is in a position of authority is a no-no. A
- NB: That's quite so.
- GP: That doesn't mean to say that it doesn't happen. It does happen. When you get recruits together, young people you know, it is very difficult to prevent them having sex although you know it is certainly not encouraged. But any idea that it would happen, that a Corporal is using his position to have sex with a recruit. I mean I would absolutely never condone it but I do know having been in the Training Corps very long that on some occasions it is encouraged by the recruits. That is absolutely not to condone it. But I mean they should be mature enough to be able to deal with that but they don't. B
- NB: Now then we move into 1998/1999 and you can help me?
- GP: Yes, sure.
- NB: If a Commanding Officer has reason to believe that something of this sort is going on, even if its not a complaint from the recruit but someone is saying that Sergeant X is taking Recruit Y to a dance or skating or sailing, all of which are examples from the earlier period I may say, what does the officer do? Is there an administrative action or does he have a disciplinary investigation whatever you two are up to? C
- GP: I think the first fundamental thing is the investigation into the facts because when it first comes to the attention you won't be in a position to take action until it has been investigated And depending on the nature of the allegations my advice to Commanding Officers, is to get the SIB to do it, independently and present it to the Board. If it's a training organisation, then while the SIB investigations are going on the trainer would usually be suspended. That is standard practice. D
- NB: Suspension means what? They return to their unit?
- GP: They don't have any dealings with the recruits at all until the investigation is over, and hopefully the investigation will only take 4 or 5 days depending on who is available. But you have the investigation first and then depending on the result of that the Commanding Officer will take whatever action he thinks [appropriate]. E
- NB: Right, now supposing the result of such an investigation is that one or two other Sergeants are saying X is behaving oddly, he has young women deliver things to his room at odd hours of the day and night, like breakfast when you tend to be in bed but we don't know what goes on in the room and the young woman concerned says I don't want to make any allegations against my Sergeant and ruin my Army career. And you're left with that kind of end product.
- GP: Yes sure. F
- NB: You've got a sufficient degree of smoke to know there is some kind of fire going on but you haven't got disciplinary standards, possibly evidence saying you had been indecently assaulted or you solicited a sexual act but you've got some evidence of inappropriate fraternisation or inappropriate use of authority. [RSM Z]¹⁰ allegedly insisted on having two women clean his room and make his breakfast and then he had sex with some of

¹⁰ Former Regimental Sergeant Major at Deepcut. G

- A them later on but it was known to start that he was calling for two female trainees to come up and clean his room first and that's what probably started it but I don't think it was known to the Commanding Officer what was going on, at least at some stage. Now what was the response to that situation?
- GP: Well, I mean if the Chain of Command is anywhere involved in that, whether it's the Sergeant, the Corporal who finds out, the same procedure would happen. It would be reported up and it would then go to the Commanding Officer who initially instigated the investigation. If they've got somebody that feels that, by virtue of the fact they
- B reported it, it is going to damage their career – this is something we have been really trying to get to the bottom of because in an hierarchical organisation it is quite difficult to develop a culture that encourages people to blow the whistle and we've developed – and indeed there had been for some time, I can't exactly recall the date – confidential helplines. There is the welfare organisation within the barracks, the WRVS, there's the Padre, the doctor. What we are trying to do is to make sure and I think this is going back some way, that there is a conduit for this to be investigated. But I accept entirely that at some stages you know people have been not keen to blow the whistle. And certainly, when something comes to the attention of somebody in authority, they have to take action. They have to take action.
- C NB: Do they have to say I can't prove this to a criminal standard, we do nothing or do they have the option saying I'm satisfied that something inappropriate has gone on, I want to get rid of this person from this post?
- GP: Well my view, we have obviously got to be fair, to face the issues but if there is any doubt on any of this and it gets into the chain of command that something has
- D happened, we're not quite sure what it is, then I go back to my first point which is an investigation must take place and it must be handled ultimately by the SIB. That is the way it should be handled.
- NB: Is there a guidebook or is there a set of commands to Commanding Officers to say if anything looks serious of this sort call in the SIB?
- GP: Yes, I'm sure there is. I can't actually put my hand on it but I'm sure you'll find it somewhere there. It's absolutely standard practice and again I can find out exactly. Going back as far as the record exists, which is the records problem but we certainly will do that.
- E NB: Yes.
- GP: I mean, I'm sure we will find something in the ATRA Handbook here. This is all about it here, discipline and exactly what has to happen.
- NB: It's just the schedules¹¹ from my understanding.
- F GP: Schedules for dealing with allegations of ill treatment and that stuff. I think you'll find it is all here. The question that you want to know the answer to and I will try and find out, is when was this produced.
- NB: (a) when was this; and (b) do you always call in the SIB? I get the impression from the 1995 incident when certain information comes to the attention of the Commanding Officer of the Training Regiment and Depot as he was then called, he took a couple of

G ¹¹ ATRA Handbook Schedules.

his staff and tried to crack it himself and people didn't have confidence he was going to be able to do that and so certain of the women involved said I'm not going to tell you what's going on because I don't think you're going to reach a result although he was prepared to do so and then he didn't and then he gets stuck.

A

GP: Well.

NB: And there were certainly two or three people of whom I mentioned still in post when the next chap takes over. The next chap takes over and hears rumours that a Lieutenant is taking groups out on social occasions.

B

GP: And I think I should like to cover one of those questions about social occasions and sailing and all that sort of stuff because when you get to Harrogate you will see that a lot of adventure training, which necessarily means that the staff and the recruits –

NB: Will have close relationships.

GP: It would be horrific to suggest that that sort of adventure training activity shouldn't take place because it is part of what is very important for the military which is the team building and where it goes wrong is where people – you know it applies to all institutions not least of course the armed forces – it's where people in authority take advantage of people under their command.

C

NB: Yes, or invite them for a particular ulterior purpose, which is not properly related to you being on one particular team.

GP: Absolutely.

D

NB: Right. Can I move on to a slightly related sphere about double jeopardy?

GP: Yes.

NB: Is it right that if someone is court martialled that a decision was taken not to dismiss them from the Army that that precludes the administrative action against them being re-employed?

GP: Basically, if someone has been found not guilty at Court Martial or has been found guilty and not dismissed it is possible administratively to dismiss them but it is something that will be done extremely reluctantly for obvious reasons, i.e. double jeopardy. There has to be some other factor which led to that action and it would be very rare for it to happen but it is possible in law for it to happen. And I think that this is where I would quite like you to have a discussion with the legal team because they will give you the complete answer. I have had a discussion with them when I got your questions and they confirmed to me that it is possible, but it is very unlikely that it would happen.

E

NB: I just want to get back to see on this, the administrative action route. If a Commanding Officer thinks that X has overstepped the line or is not performing as a proper trainer for the reasons of the sort, whether it is bullying, harassment, seduction or attempted seduction or resisting or attempting to resist seduction or whatever it is. And decides to move them on administratively, is a record kept as to why they have been moved on?

F

GP: If it is a question of harassment and my broad feeling is yes, then there would be an entry on his record but if there was an administrative one then probably there wouldn't be.

G

A NB: OK.

GP: And the thing I am not sure and I'm not up to speed with the law on Data Protection and all that stuff, but I tend to think there is, because to a certain extent it is conjecture but again it is something I would like you to address to the legal team. It is something that's coming up more and more in the context of our work. It is the boundary between administrative action and legal action and being fair to the individual and all that but it is a very difficult issue we have to face.

B NB: But you see generally speaking in civilian life the fact is that you can be sacked for suspicion of dishonesty even though you are acquitted in the Crown Court by the jury for having stolen from your employer. Good. The Police now say that the fact that the DPP thinks they do not have sufficient evidence to prosecute a police officer for civilian criminal conduct doesn't prevent his chief constable from bringing disciplinary proceedings upon a civil standard of proof for failing to properly perform in the fair and effective discharge of duties.

C GP: That is the same in the Army.

NB: Except in the Army isn't it a criminal standard? All Army proceedings are criminal to some extent; disciplinary is a criminal standard isn't it? What does the Commanding Officer reply?

GP: I think you possibly should speak to the legal team.

NB: OK.

D GP: But I mean our law is statutory law; it is enshrined in the Army Act.

NB: It is just that I have this sense from the discussions I've had so far that a disciplinary regime in the Army is everything which is an offence under the Army Act which includes obviously things which for a civilian would be a crime but it includes a breach of orders which wouldn't be a crime for a civilian and it would be other things undermining the Army and of course until the change of policy about gay or sexual orientation you know that could put you in –

E GP: The famous Section 69, Conduct Unbecoming.

NB: Conduct Unbecoming, yes. Now, so any of the things we have been talking about, even presumably inviting an attractive young female recruit out to a dance if you are a Lieutenant for example would be Conduct Unbecoming.

GP: Certainly.

F NB: And that is a military offence.

GP: Yes. It is a military offence.

NB: It is a military offence with a criminal standard, that is how I read it. But if the female recruit didn't want to display that she was actually quite keen to go out with him or thought it was a jolly good career move for her for whatever reason. You're not going to get a witness statement from her but you nevertheless know they were seen together on the dance floor or something of that sort. Is there room for administrative action?

G

- GP: There is room for administrative action. Certainly there is. I don't want to give the impression that a Major can't ask a young Captain out if they're both single. What we like to do is prevent abuse of authority where there is this element of coercion here and we reckon that if you are a Sergeant, unmarried and there is a Corporal unmarried, I mean there is no reason why they shouldn't go out, but if you are a recruit and you are a Corporal then there is every reason why you shouldn't do it. A
- NB: And there is room for administrative action but the administrative action would simply mean moved on from post, not suitable. B
- GP: Return to Unit.
- NB: Return to Unit – RTU – but not necessarily with a full explanation as to the move.
- GP: Well, there needs to be an explanation of why the person returned to unit. You can't just do anything as a Commanding Officer; you have to actually make a report etc. What I'm not completely clear on is what happens to that report.
- NB: Right. C
- GP: So you have to apply for an early move, it is not as straightforward as saying one day you're here while the next day, sorry go back to your unit and you go back to the unit and just carry on as if nothing had happened.
- NB: Right. Now do those administrative actions by a Commanding Officer get reported up the chain of command, so will he report to his superior, he or she says, I've done a certain amount of moves? D
- GP: Well the Unit that is giving the person back early will know that there is a reason why they've come back early and it will be explained to the Commanding Officer, on the person returning to the original unit, that this guy has not been successful in training for a variety of reasons.
- NB: Right.
- GP: One of which may be Inappropriate Behaviour. E
- NB: OK. I got the impression from certain conversations that there was an implied culture in the Army even in the 2001 period that people who were over-enthusiastic about disciplinary awards would look like they were telling their Commander up the chain of command that things were wrong in their unit. If they were giving lots of disciplinary awards that it would be bad for their record because it would suggest that something was wrong in morale in their unit while if you had kept to the average number of disciplinary awards and you might not be above the parapet. Was that happening?
- GP: As ever there will be – when I was a Brigade Commander with say six of seven battalions under my command I knew, we looked at the discipline record of each unit to see which were good and which were bad and if somebody had a terrible discipline record then of course it reflects on the chain of command because you know the Commanding Officer, whether in a training organisation or in a battalion he is responsible for the discipline within that organisation, totally responsible. That is why he has the powers that he has to deal with the number of things that he does and that is absolutely at the heart of our business. F

A NB: Yes.

GP: It is true that if a Commanding Officer has got a battalion which is full of people that are on disciplinary charges that the buck stops with him and he may need support or help or whatever but by and large he is responsible. But it would be a very poor Brigade Commander who didn't know enough about the battalion and the Commanding Officer etc to know whether or not this is a true reflection on any individual or just an unfortunate circumstance. So again this is not at all black and white. When we are talking about Commanding Officers, we are talking about somebody with an enormous amount of

B experience and he's come up from being a Second Lieutenant to a Lieutenant to a Captain to a Major and the competition to become a Commanding Officer is absolutely intense and very few make it. I don't know how many you've met, but generally speaking they are pretty impressive people. That's why they've been chosen. But we don't recruit people from outside unlike civilian life where you can recruit anybody to go to a job on account of his moves from X to Y or whatever. With the military, they are bred within the organisation, they come up through the organisation and if you get to be a Commanding Officer you are expected to exercise considerable responsibilities and judgment.

C NB: OK. In this field, obviously we have a tour of duty with training regiments in the RLC of about 2 years and in the period that I am looking at I've probably got four Commanding Officers. Is a tour of duty of 2½ years long enough for command of something perhaps as challenging as the Training Regiment where you've got all the various mixes and I haven't yet talked about rising numbers and falling costs but those sort of problems?

GP: We're looking at something that was brought up by the ALI as well, the sort of professionalisation of the training organisation. It is one of the key facets of the Training Group that we like to take people into the training organisation who have got up to date operational experience because ultimately the trainees are going to go on operations and just to have a training cadre which is an alternative career as someone was suggesting i.e. that we have a sort of professional training cadre that doesn't do operations, it is not what we are about and I don't think we would sign up to that at all. Whether or not it should be 2½ years or 3 years, I think the important point which we picked up is that we probably have to give the trainers a period of education, maybe 2 or 3 weeks beforehand including at Commanding Officer level. Now we started to do that in the ATRA when I was running it with the Phase 1 instructors to make sure that these people before they

D had access to the recruits, really did understand what the rules were and how to get the best out of the recruit, acknowledging that society out there had changed and young people today were very different from even when they (the trainers) were recruits. They had come from Iraq, they'd come from wherever in the world, all from operations and in terms of the credibility of the instructors within the organisation it was immense. There were these people, the Corporals who were very experienced indeed and this did play well obviously with the recruits. Because after all these recruits, 26 weeks later were going to go to the Unit from which this instructor had come and be part of that unit. So the instructor wanted to make sure that the recruit was properly trained etc and they

E worked both ways. I think it is fundamental that we do have this switch from operations to training and back. It is an essential component.

F NB: And perhaps you need that all the way up the line.

GP: I believe so. Ultimately, what the Armed Forces are about is operational capability. We are all in the training organisations, certainly in this place, we're all bureaucrats to a certain extent, I mean this place certainly. We're all basing our efforts on the front line, what happens there because that's what we do, operational capabilities.

G

- NB: You tend to think of a headmaster coming into a school and it is going to take a bit of time to get the feel of the school, turn it round and then set new agendas and then move on. Perhaps that's a bad analogy. Is it a bad analogy? A
- GP: I think it's a fair analogy in certain respects but I come back to this point of the need for operational experience. We've moved on operationally, I mean, Bosnia, Iraq, Sierra Leone, Northern Ireland, they're all very different operations and I think you need to keep refreshing your Training Organisation with people who have been on operations. But I acknowledge the point that there is a balance to be struck between continuity and operational experience and you can get it wrong either way but we are certainly looking at whether or not it should be 3 years or 4. But I don't think we are ever going to move to a headmaster of the school where I think the pressures are probably slightly different actually. B
- NB: OK.
- GP: It's a fairly constant old slog in the school, I mean whereas you know we are a constantly evolving and changing organisation.
- NB: But at the bottom end your 16½ and your 17 year olds are coming in, they are going to be the same kind of creature who are coming through, they have been screened out as manifestly suitable for that, if I can use that as a test for recruitment, but they may come in, they are carrying their expectations, their lifestyles, their social, medical backgrounds and they may need some trained, sympathetic – C
- GP: I think that's absolutely true. I think we do need to make sure that everybody who goes into a training position starts by going through a process of training.
- NB: More than they are getting at the moment? D
- GP: Yes well I mean everybody should do 3 weeks.
- NB: Right.
- GP: But that is in itself is not going to be simple but it is something we are totally committed to and I make no secret of the fact that had I had the ability I would have made sure that happened when I was DGATR. Why it didn't is something that I can explain in the context of – E
- NB: OK. Why didn't it happen?
- GP: It didn't happen because, two things really, when I took over I was the second Chief Executive of ATRA and when you do a rationalisation of anything it is I suppose fair to expect that there should be an efficiency associated with it and I can't remember because it was the first Agency but there was an ongoing need to drive down the cost of the training operation, there is no doubt about that, we were faced with doing that. F
- NB: You took over from General [...] there?
- GP: Yes, exactly that. But at the same time the armed forces were heavily committed operationally and for most of the time they were under-recruited bearing in mind my responsibility was also to recruit the people as well as to bring them into training. So the pressure that was on me was not just financial. I accept that everybody has those pressures and also they want more money but the pressure was also to look at the non-deployable bits of the armed forces to see whether or not more people could be transferred from the non-deployable end to the operational end. G

- A NB: Front Line First.
- GP: Yes Front Line First, Non-deployable establishment review and all that stuff. So I was having to look at whether or not I have too many people in staff positions and if I did then I should be looking to return them to the front line where the pressures were. I did this and I think on occasions I was being invited to put anything up to 500 or 600 people from my existing establishment, not recruits but staff, back into the front line because the assessment was that there is a balanced risk judgment here. Should they be in the front line or should they be taken out to the training organisation?
- B NB: Since 1999/2000?
- GP: Around that sort of time. But the resource pressure on me was constant. But it was not something I wasn't expecting. It is something as a senior officer you are always faced with – the balance of judgment as to where you carry the risks. Conversely if you are looking at trying to do it the other way by identifying issues such as the supervisory ratio problem. It wasn't very simple to persuade people that, rather than me sending people back there to an operational slot, actually what they should be doing was to send operational people into the training organisation. So I had to find, in my view, other ways of dealing with the issue. Indeed my commissioning of the Haes Report was actually not so much because I was concerned about some of the things that might have been going on, but because I was worried that there was an enormous burden being placed on the trainers, the Corporals and the Sergeants in terms of the workload. Not only because there was enormous pressure to get people through the training system and out to the field army but also it seemed to me inherently unlikely in the current environment that I would persuade people that the balance of risk lay in the training organisation rather than the field army. Now can you see what I'm saying?
- C NB: Yes. Can I ask you, did you have a clear view what the establishment training ratio ought to be in a training establishment?
- GP: Absolutely not. I didn't and I recognised that it was something I needed to get a grip on, which is partly what Haes did but he produced a report which no doubt you've read that although it started to go some way down the line to doing what I wanted it but it just wasn't practical in terms of its ability to implement. But I had recognised some time before that there were other things I needed to do strategically within my organisation to bring the amount of resources I had much more into line with what I was being required to do. And that whole thing was called The ATRA strategy which was collocating a lot of the training organisations, closing a lot of the places because we didn't have enough money to make them into what I wanted them to be which was Centres of Excellence. You know, they were Victorian buildings, they need a lot of upkeep etc so the obvious answer to me was that we should rationalise the estate, build new training establishments.
- D NB: Phase 1 and Phase 2.
- GP: Yes, I'll come on to that a bit later. For instance I started down the route of a PPP Programme¹² to do exactly this and you know Deepcut was one of the first places that I went out to and told them what I wanted them to do at Defence Transport at Leconfield and Deepcut i.e. produce a new organisation that would be much more efficient etc but it would also be much more up to date etc. And you know that got very high-level sanction. Now I'm in this job I find myself responsible for the Defence Training Review

G ¹² Public-Private Partnership Programme.

which indeed will make a significant difference to the Training Organisation and will do all the things that I was hoping to do all along in order to try and resolve some of the resource issues that were becoming difficult to manage. A

NB: Right, can I just look into this era and remind myself of the report. You're in post in January 1999 and I've got Brigadier Brown's report to you, Tweedie Brown, 9 April 1999. I'll show this if you want reminding but paragraph 17, Duty of Care Personnel. "The RLC Training Group is responsible for the day-to-day management and administration of all Phase 2 trainees". "The average number on Held Strength is about 1000 personnel. Of this 500 to 600 are physically located in Deepcut at any one time. They are either on course, awaiting a course allocation or start date, pending posting or discharge". That is the SATT¹³ problem. "Currently the Training Regiment and Depot RLC is established with 10 Cpls for direct face to face duty of care responsibilities, this equates to a ratio of One Cpl to 120 Phase 2 trainees. Although attempts have been made to improve the situation we have been continually hampered by lack of establishment guidelines with duty for care and responsibilities"¹⁴and then he makes reference to the Working Time Directive. Now 9th April 1999. B

GP: I mean I'm aware of it; I took over in January 2000. C

NB: I thought you took over in January 1999 according to my lists?

GP: I can't remember.

NB: Major General Palmer, January 1999 to December 2001, is that right?

GP: Yes that's right sorry. It must be. I was there for a 3-year period so that must be right. D

NB: This is addressed to you.

GP: Yes. And I absolutely acknowledge that we were concerned about supervision and supervisory ratios, particularly at Deepcut over women, you know the number of women NCOs.

NB: Yes.

GP: And as I said at the time we were faced with making a judgement about whether or not it was likely that we would get back from the field army people in order to deal with this issue. Actually, as I said, I was being asked at the same time to put people into the field army rather than the reverse. That doesn't mean to say this was ignored. E

NB: Right OK. But was it ignored? I pick up this because this is one of the few clear indications where I've got a Brigadier spelling it out to his superior officers up the chain of command.

GP: Yes. F

NB: I'm told by Evans this morning that he was doing the same thing too. I think it was a different regime and he was probably talking to his own establishment at the Royal Logistic Corp rather than directly to the training organisation although he copied you in. But here we have in 1999 a clear expression of the problem and saying, "we're constantly trying to do this but we're just not told what the establishment figures are".

¹³ Soldiers Awaiting Trade Training.

¹⁴ Brigadier Brown's Report of 9 April 1999, para. 17. G

A GP: That's right.

NB: Is the ratio of 1:120 in any way sane, sensible, safe, acceptable or whatever?

B GP: Well all I will say is that I was very concerned to correct the problem of supervision. But at the same time I was very aware that it was going to be very difficult, it was a very under-recruited Corps with heavy operational commitments to transfer the risk back from where it would lie in the field army into the Training Organisation. That is not to say that either I didn't appreciate that there was a problem and acknowledge that I would have liked to have done something about it, though the answer to your question is that the ratio is too great. Or that nothing was done about it. Because, one of the big problems of the RLC was soldiers awaiting trade training. That was the big issue that I was keen to resolve and we did any amount of studies into how we were going to reduce it. But basically the problem was this: that ideally what you would have thought would happen is when somebody wanted to join the Army they would go straight from the recruiting office to the recruiting selection. Into Phase 1, do their Phase 1 that everybody does and then go on to their Phase 2 specialist course with no break. But because the capacity of the Phase 2 organisation was not big enough to take people like that we had to take the decision either to say to people well you can't start your Phase 1 course and you can't join the Army at this stage. Or you can join but there will be a delay and then try and manage that delay. If you took the first course i.e. you said you can't join then there was no doubt that they would not join the Army ever, they would be off looking for another job. So given the under-recruiting you know the decision was taken that we would have to allow people to join and we would try and manage the SATT. It wasn't just that that was causing it if people failed their particular bit of Phase 2 then they had to go back to the start again, which again denied the opportunity to some of them. So that was the big issue that we constantly had – there wasn't just one person we had to consult; we had a whole team of consultants trying to smooth the course – it was called Project Straight Through. Also I was very keen that more imagination was used in what was happening to these people but I expected that ultimately we needed more people to supervise them.

C NB: Yes.

D GP: And indeed one of the things that I asked my operating division to do, was to look at the overall numbers within the establishment to see whether or not, bearing in mind the ATRA as an organisation – if I'm correct in saying this – that if you look at the number of trainees or the number of permanent staff everywhere that it's almost one to one, if you take the civilian staff and then measure them against the number of trainees. And this is something that actually the ALI [deal with] in their report I'm sure you've noted was brought up which was actually you know there are a significant number of permanent staff within the training organisation and that therefore something could be done to try and help. The other thing that happened that didn't help was that because of the requirement to move people back to the field army I decided that we needed to do more contractorisation i.e. there are some companies out there that are very keen to do some of the more basic level training as civilians which are much cheaper. But most of them anyway were ex-Army, so in a way we were in a win-win situation: we would get private companies to do the training; they were ex-Army people so they had the ethos, but they would not count against the establishment.

E NB: Right.

F G

- GP: But when I was running the ATRA I think I had between 500 and 600 people on my establishment that I wasn't paying for but who had come from other parts of the field army – it used to be called the black economy – though I never liked to describe it as such. A
- NB: They were outside the ATRA budget?
- GP: Yes, they were outside the budget.
- NB: But someone else was paying for them. B
- GP: Exactly, exactly and I was under a lot of pressure from the field army to return them.
- NB: Yes.
- GP: But I said I can't return them I mean I want more not less so I was under pressure from what was called the unestablished post database of the black economy. And also because of the risk being carried in the field army. So I had recognised that there was a short-term problem but I didn't really have the means of solving it in my powers. So I was looking at a way of doing other things that would alleviate the problem, I mean as I said there was the actual strategy but there was also my view that we ought to put Phase 1 and Phase 2 training together, because one of the problems for these young people was having to make a move after Phase 1. And actually I considered that Catterick was very successful, in that they reduced the number of trainee failures. But that was going to be spread out through the organisation. We also looked at introducing internet cafes, non-alcoholic ones, and generally trying to make the lot of the recruit, whether actually in the training or awaiting trade training, better. C
- NB: Is that down to ATRA or is that down to the Commanding Officer of the Training & Support Regiment? D
- GP: I'm not denying responsibility because I was the head of the organisation but by and large I was expecting not the Commanding Officers but also there was one above that, there was the Brigadier –
- NB: The Commandant or the Commander.
- GP: So I was dealing through him and never direct with the Commanding Officers because that was his job. To use all the imagination that they could to get round the problem that I was unable to provide them with more people to deal with the supervisory ratios. E
- NB: Brigadier Brown is saying in 1999, "tell me what is the establishment ratio that meets duty of care standards in the Army" and we're dealing with a class of persons who previously – prior to 1993 – are young people 16.10 etc.
- GP: Yes. F
- NB: And he's not given an answer to that then is he?
- GP: Well he's not, no.
- NB: I mean I think your reply is later on and indeed I think, is that your reply¹⁵? I'm not able to marry this up.

¹⁵ Points to Serial 8 of response to ref HQTG 3801/ 1a 9th April 1999. G

- A GP: Well this is, I'll tell you what, this is the end of year report and these are the quarterly reports.
- NB: Oh right.
- GP: But I mean there's no way that I wasn't aware that there was a problem of supervisory staff.
- NB: "Response" is the response from you is it?
- B GP: No, well, this is from my staff, from my team.
- NB: So you say there we're aware of the problem.
- GP: I'm totally responsible for this response even though I may not have scripted it myself I certainly would have previously agreed it. But so this is a number of, you know, concerns that they have of which duty of care is certainly one and a very important one. And ultimately what happened was I commissioned Haes to look at it, not in the context of supervisory ratio, but in the context of the Working Time Directive, to give an idea of this establishment ratio.
- C NB: Right OK because I mean I'll certainly want to come on to Haes. I take these dates because it's at the start of your tour isn't it? We've got this documentary evidence of the problem being raised but in responding to this concern which I would summarise as what are the establishment ratio, supervisory ratio that are causing immediate concern. We can't ignore the fact that according to the Brigadiers and their equivalents, these similar concerns had been expressed for the previous six years of the RLC. Obviously, my review is RLC-focused.
- D GP: Yes.
- NB: Looking at that, if we look back to 1992 some of the Army Board decisions being taken saying "OK, we can go for Single Entry, we can go for women etc, but you're going to have to watch out for duty of care and you're going to have to throw some resources at this", we're getting a problem of what appears to be dimly recognised as necessary in 1992 to make this ambitious scheme work. We're being told that we haven't got proper establishment figures to make it work, and you're being told in 1999 "how can you marry up duty of care as an emerging concept with these establishment figures?" And then the next move is to commission Haes in 2001.
- E GP: Yes. I think I can only really speak from my stance at the ATRA; I'm sure always people in the Training Organisation wanted more resources, better accommodation and they wanted more supervisors. I don't think there's any doubt about that, even if I haven't got the information from 1992.
- F NB: We've got reports from October 1997 that were going to ATRA. Perhaps not quite as clearly as I had previously stated in that paragraph.
- GP: As I say, I'm completely acknowledging that I knew supervisory ratios were an issue. What I'm trying to do is to say there were an enormous number of issues within the ATRA but all required more resources. It is the nature of the beast that we are always trying to make efficiencies. We're always trying to do more with less. And I'm not complaining about that. That's a fact. And there are difficult decisions that have to be made about where resources go. Whether they go to training, whether they go to the
- G

- front line, whether they go into vehicles or equipment etc. So Defence will overall always say they haven't got enough resources, just like Education or Health. But we have to try and manage. And therefore, as I said, my response to this in acknowledging that within the context of the operational environment and the resources environment it was very unlikely that I was going to get more. A
- NB: Alright. I understand the unenviable position that the organisation and the holder of the post were in when he has got the ministerial demands or the public economy demands and the question of where do you want to put your money? One way, surely, of answering those questions, is to say, "we are a can-do organisation, but below this, we will not go" and then do a risk assessment. And to say, "you, Minister, must make the choice. When people die, you must take responsibility". B
- GP: Well, that's putting it very starkly.
- NB: But that is what risk assessment is all about.
- GP: Yes, that is what risk assessment is about. Do you carry the risk in the front line or do you carry it elsewhere? And ultimately, it gets up there. But obviously, I was taking these reports coming in, and I was trying to do something about it. At the local level, there were various local initiatives, and also with the ATRA strategy, which was trying to address the overall problems of how we train more efficiently with less resources. Which is exactly what the DTR is doing now, but which, because it was introduced while I was trying to do it in the Army, I was unable to do it in the ATRA. But in my submissions upwards, September 2000 I said, "I've identified the need to undertake a study of the duty of care provided within the ATRA as a result of the significant civilianisation and contractorialisation. It is increasingly difficult to meet the minimum level of supervision required". So this is the start of Haes. C D
- NB: I've got a document void – and it's taken some time, I'm not sure when we got hold of these, about two or three weeks ago. And as soon as I got them, I was able to start. A complete document void between these reports from the RLC Training Group until we move into Haes. I mean, I've got documents via the ATRA manual so I know ATRA was doing that, but on this question of what is the response to the manning levels, and you know that it is an issue of concerns to the HCDC, it was to ALI, it is now to the public. And if this Review is to achieve anything, I must at least try to explain the reasoning process or the reasoning context or the response. E
- GP: That is precisely why I wanted to see you, to try to put into context the supervisory issue, that it wasn't just there and ignored. There were lots of things that went on to try and correct it. It was again a particularly difficult resource environment and it was a particularly difficult operational environment, lots of operations. And it is a particularly difficult environment in respect of recruiting. There were an enormous amount of pressures upon manpower, and of course, ultimately, money and manpower are pretty firmly related. That's why with 600 people I wasn't paying for, but being asked to put 300 people back into the field army, in effect, we're talking about pressures to move 900 people out of training and into the field army. And in that context, I have to look at ways of trying to deal with this problem of supervisory ratios in a different way. Very strategically and with a number of tactical measures, some of which were played out in Deepcut. But at that stage, of course, if we are directly relating the four deaths to this, the second one happened four years before this. F
- NB: November 1995. G

A GP: Exactly. And the third one – that of Gray – took place on the 17th of September 2001. And very coincidentally, I had written to all the operating divisions on this issue of supervisory ratios on the 1st of September 2001. This was after I got Haes, and of course I will give you a copy of it, it is here¹⁶. Saying basically that we've got to be more imaginative in trying to find solutions to this issue, because I don't believe I'm going to be able to do much in the way of giving you more people. Indeed, I personally believed that this balance of risk thing, you know, when we're taking people out of the field army, we're increasing the risk there. Where's the duty of care there? In that context, we were running what I perceived as a very successful organisation, both training and recruiting levels had gone up, partially because I instituted Foreign & Commonwealth recruiting, partially because we reintroduced the Junior Entry and all that. So as far as I'm concerned – and I'm going to be quite up front about this – it was a successful operation.

B

NB: From 1999 to 2001?

C GP: I'm talking about when I took over from 1999. But it had risks within it, and I was fully aware that one of those risks was supervisory ratios. And I was trying to do something about it within the context that I was talking about. But it was not the context of lots of people committing suicide, lots of self-harms. It was in the context of successful training, successful operations and a relationship established between one and the other. I do not mean in any way to sound complacent, because I realised that the organisation was stretched in a number of areas. For instance I wanted to put more money into buildings. And again, if you look at ALI, they describe some of them as slums, but there were intense resource pressures. And I would give my assessment of all this coming in, and every level you go up, you would have to adopt, if you like, a slightly more strategic approach to it. And on the specific issue of duty of care within ATRA issues, because Haes took a very, very long time and it was very detailed –

D

NB: How long did it take? When did you commission it?

GP: When did I commission it? I have absolutely no idea, but I will find out. I've got the date somewhere.

NB: How long did it take?

E GP: It took about six months, something like that.

NB: So that would be October 2000 that you commissioned it.

GP: Here we are. Haes report. No, this is 2001, so this is not very helpful. Anyway, Haes obviously reported in about –

NB: April 2001.

F GP: But again, the ATRA is not configured with an enormous HR department– in fact, our entire HR organisation was entirely devoted to civilians. We had one military officer who looked at the civilian-military interface. That was Richard Haes. He was the only one I had. He was very keen to do the study; I was very keen for him to do it. Unfortunately, I think he decided to leave early, when he was actually doing the study, but he was committed to it. And he did it during his resettlement and then he pushed on. I got that report and it was frankly pretty unrealistic. It was suggesting things that, as I think I said here “the study has usefully highlighted a number of areas of concern but has not provided a practical solution”.

G ¹⁶ Hands over letter D/ATRA/20/578 Pers of 6th September 2001

- NB: What was impractical about his solution? A
- GP: Well, the numbers of people that he was suggesting that were required.
- NB: Do I get the impression, just about the dates, is it generated in about December, 12th of December.
- GP: Well, you had the duty of care supervisory study instructions, no, here we are attached as an annex. The TOR study. I think that's about right. I mean, he must have started about January 2001. B
- NB: The report is actually dated the –
- GP: The 24th of April, it was.
- NB: So the report is being commissioned in about January.
- GP: Yes, exactly. C
- NB: Or December 2000.
- GP: Something like that. Because in one of my submissions to the AG in September 2000, I say that we are going to commission a report into a study of duty of care. Then there is the issue of getting the AG to do it and then giving it to Haes and telling him to get on to it.
- NB: I'll put it in graphic terms, but surely your business is precisely occasionally to say to the Army, to the Ministers and the funders, "if you want us to do this job". I mean in operational matters, though I wouldn't begin to make that assessment, but you say, "if you want us to attack Northern Iraq or to deal with X, Y and Z there will be X number of casualties. If you make us do it without giving us any tanks or guns and boots, there will be more casualties, and you will have to bear the consequences with the families and everybody else". Now it may not be that graphic, it may not be that easy to make that relationship when you're dealing with vulnerable trainees or trainees whose vulnerabilities may be defeated, but duty of care means ultimately making a risk assessment. Is that right? You're moving towards it and you are being given suggested answers, but there's no sense of a bottom line during this period in which you then say "you make the judgment", next one up: Army Board, the Minister, "these are the figures, these are the risks we've evaluated. If you don't fund this, but you want to carry on doing that and you still want recruits into your army, then" - D
- GP: Well, I think you must read the submissions I made and you can judge for yourself. But honestly, as a guy who has commanded a Brigade on operations, whether I explained it in sufficiently stark terms given what I am telling you about knowledge of the supervisory problem but not yet, although four years before, there was a suicide there. E
- NB: Oh, yes. Do you always have to wait for the blood on the floor? F
- GP: No, well, of course you don't. And I'm not saying I was unaware or unsympathetic and I saw it for myself, and I went around and I talked to the trainees and all that, and I suppose I recognised that there was a supervisory problem. But there were also a number of other problems that came round that came back to resources at the end of the day. And there were lots of buildings that I was desperately keen to do up. G

- A NB: I can well understand that. But occasionally one gets the sense that the Army is given sometimes difficult, sometimes impossible tasks and it's a can-do/will-do organisation, you don't really say to the Minister "you've got to be joking".
- GP: OK, I accept that. But an assessment that said "sure, we acknowledge there's a problem, we've got to do something about it". But if we transfer people from the field army to the training organisation we are merely transferring the risk as well. And the result is that more people will be killed on operations, because the very people that you want in the training organisation are the very people who make a difference on operations. And where does that take you in terms of the overall strategy? And my view was that we had a problem, there were various things that we could do to manage it better than we were managing it. And I was saying, "we've got to be more imaginative in the way we are dealing with this", given the ratios that you have there.
- B
- NB: Is it fair to say for the purpose of this conversation that the response that you were giving down to your Commanders, your Commanding Officers, is along the lines of "the other constraints upon ATRA and the MOD generally, prevent us tackling head-on the supervisory ratio? At the moment, we're going to have to think about other things to do, like cutting down SATT, merging Phase 1 and Phase 2, finding better ways so that young trainees are not so bored out of their skulls or are unhappy at Deepcut, waiting for things, so that the only alternative is to have sex or get drunk".
- C
- GP: Well I'll agree with that. Basically you phrased it very well.
- NB: And that was the post-Haes solution as well? Haes was too ambitious.
- D
- GP: Well, we needed to look at Haes. Because the figures that he produced were way out of size, and some of them looked odd anyway, like the number of extra instructors that he was asking for at Sandhurst and he took a very mechanical sort of, which wasn't really what I was after. But Haes did confirm obviously that we needed to do something about supervisory ratios. But one has to make a balanced judgment about where risk lies. If that is not a formal risk assessment, then –
- NB: Obviously my profession works by perhaps a too slow incremental increase, in that we tend to say this is where we went to when we looked at the issue 10 years ago, 5 years ago, 3 years ago, 2 years ago, last week, now we're going to look at it from a different perspective and try and move forward but you do nevertheless get a sense of logging the future and taking the next step forward in. I get a sense of a series of people from senior commanders at all levels of the hierarchy from Commanding Officer to Commander to the levels that you're dealing with and even above you and at a general level, of people saying "right. I'm in command, the Ministers have got problems balancing resources with needs, we've got operational requirements, we've got to change around, let's come up with this solution. It may not be perfect but it is workable, I see no reason why not. Let's go for it". That kind of can-do culture.
- E
- F
- GP: Pragmatism.
- NB: Pragmatism but missing out the point that someone says if you go there then you're going to have knock-on effects. You've got X but what do you then do about Y.
- GP: Well, I'm not completely sure about that.

G

- NB: I don't sense from the papers, "we're proposing this we've taken onboard that, evidence has been supplied, we've taken onboard what Haes may or may not have said in 2001 and we still think this is the best or the least worst solution for the regime". A
- GP: Well, I don't entirely follow that I have to say. From my perspective of commissioning Haes in the first place or recognising that there was an issue reflecting that issue upwards and you can see how I did that, but absolutely not being complacent about the fact that at Deepcut the supervisory ratios were far too large and that by and large the problem was focused in on the fact rather than the people in training and how we were going to deal with that and we had actually had something called Project Straight Through, which was taking people straight through training and not making them wait at each stage of training and some of these we did, I mean, but just to give you an idea that we were not complacent about this, we were not doing nothing about it. The only point I am saying is that it didn't seem to me to be a practical solution at a time when I was being asked to send 900 people that way to ask for a lot of people to come this way. The practical solution was to try and iron out and reduce the number of people in SATT. One of the ways was how driving licences were issued they didn't properly apply for their driving licences and then they would have to wait before they can go on the course. I remember personally having a detailed discussion with the Driving Licence Agency to say well "why don't you put your people in Deepcut so he can issue the licence immediately and not later?" B C
- NB: Lieutenant Colonel Laden told me that problem was still happening when he arrived in June 2001 and he came up with something you know.
- GP: Certainly I was asking for detailed reports on how many people turned up without a driving licence because the problem was not with the phase 1 but with the phase 2 because if they didn't start doing phase 1 they wouldn't have phase 2 so I mean we were very big on this. If it slipped back again well it slipped back again but certainly it was something that we were well on top of and I was getting reports about how many people were delayed for what reason. D
- NB: Where are these reports?
- GP: Well, I mean they will be probably somewhere in the Quarterly Report and these are Quarterly Reports vehicle driving licences. I remember having discussions with the DVLA on this. All the things that were stopping people going through we examined in great detail including employing consultants and paying them to look at the problem because it is a mathematical problem. E
- NB: Right. Well, if things that I've been told are right when we get to 2001 by the way is that the starting ratio has then gone up from the 1:120 that we saw in 1999 up to 1:250 to even 1:300.
- GP: Well, I'm not sure. Certainly because I'm again responsible for recruiting. We started to get more recruits because changes had been made to the field army, you know, so there may have been more pressure because more people were coming into the organisation F
- NB: Yes, that's what people were telling me about and that seemed to be the position in 2001, which I am little sketchier on. Let me just try to go back to the guard duty question. We do know that there was a standing order that women were not meant to do armed patrol by themselves. Is it the Commanding Officer's obligation to transfer that into a standing instruction to his Commanders so if there was uncertainty about that at Deepcut and if the guard commander wasn't aware of that, and there was no Deepcut standing order to that effect that's the Commanding Officer's responsibility? G

- A GP: Yes, I mean the Commanding Officer is the guy who's responsible for making sure the orders are obeyed.
- NB: Now what about the final questions and communication with the parents. Do you have any observation on communication or is that not your brief?
- GP: Communications are very important
- NB: Yes.
- B GP: No, absolutely we encouraged it to be honest. But you have to remember that a lot of the families weren't interested in communication.
- NB: No, I appreciate that.
- GP: And some, anyway, you know we tried and there is even more effort going into it today I know to get the families involved. Because these are young people away from home and you want the support of the parents in order to help them through the process.
- C NB: Right. Certainly when I met Mr and Mrs James there was concern about communication.
- GP: You know they have good memories of their children and they obviously want to look back with pride on the time that their child spent serving the Armed Forces.
- NB: Now if I sketched briefly to you some of the rather recent details of what seemed to be going on or what a number of people credibly alleged and some of these are staff fraternising with recruits. If that is a failure of the system and these guys shouldn't have been doing this, someone should be stopping it, someone should be reporting it, is there some value now to the army or to the recruiting agency that's now trying to deal with Deepcut to have a public inquiry into that so the extent to which the regime can be assessed beyond what I can do which is only look at the data and make my recommendations on that basis?
- D GP: Well I think that is right. I mean if there are specific allegations of wrongdoing taking place it is essential that they are investigated and with every allegation like this it should be listed.
- E NB: These are 1995 incidents and some of the people will have left the Army. Well some of these things are Sergeants coming in inviting young women to perform sexual acts.
- GP: Appalling, appalling and it should be reported and it should be investigated. I mean as it happened you know the SIB has investigated such incidents and brought people to Court Martial or whatever for doing it.
- F NB: These occasions for one reason or another didn't get reported or the complainant didn't want to complain at the time but now it's come to light. So the question is whether a public inquiry into that is worth a candle given it's probably going to lead to limited disciplinary sanction as you're going to have over people who are committing military but not civilian offences by inviting women to have sex with them but who have since left the Army.
- GP: Well, quite, but my own view is that if that has happened then that should work through the perfectly proper sufficient judicial process which exists which is followed by a Court Martial.
- G

- NB: But how can you Court Martial someone who has left the army? A
- GP: Well, if an offence has been committed which is a crime under civilian law then through the Criminal Prosecution Service. I don't think there is any problem as to a legal question of somebody who committed an offence when they were serving in the Army but only came to light after they left being brought before a court or a Court Martial. But again it's a legal question I'm not an expert.
- NB: The problem is the majority of these are not civilian offences, it is not indecent assault but it's simply saying to new recruits "I'll try it on with you", you know. Now she may say yes or no or maybe, but that's not an assault. However, it is a clear breach of army training instructions. B
- GP: Well I think I will take advice on that. It's a very good question for the legal team.
- NB: I really would be interested to get an answer to that because it helps me get my recommendations right. Now finally and this is finally, is there going to be a response to the HCDC report in the near future? C
- GP: Well there will be a response shortly.
- NB: Right. Is that response going to include what the Army Board thinks is the appropriate answer to the suggestion of some form of Ombudsman?
- GP: I think what it will probably say is that we need to study this in more detail but certainly the principle of an independent aspect to include some aspect of the chain of command doing it but with some independence. D
- NB: For what it's worth I have spoken to Brigadier Evans this morning, who is not in the Army any more but he is quite a forceful informant and he says there is absolutely no reason why [there should not] be some form of independent scrutiny of complaints.
- GP: Well I think what we've acknowledged is the need to ensure that there is some form of independent scrutiny. What we need to examine because it lies at the heart of the sort of question how far this should lie outside but we've acknowledged, Ministers have acknowledged already, that there is going to have to be a change. The new Armed Forces Bill when it comes into force is anyway going to introduce a new form of tribunal investigating offences and I think the plan is that parts of that should be fully independent to make sure that there is independent scrutiny. E
- NB: I'm getting probably varying degrees of detail from other countries which may have similar problems, Canada, Australia, New Zealand. We're getting different forms of response and they seem to have put a lot of effort to training their investigators to be very sensitive about sexual harassment. I mean sexual cases whether sexual orientation or gender generally so you can try and deal with those who are reluctant to come forward. F
- GP: Sure.
- NB: [Asks about discontinuing the recruitment of under 18s]. G

A GP: I mean under the Act¹⁷ the recruitment of under 18s to the armed forces has to be vital. I mean we certainly couldn't get anywhere near our recruitment targets without recruiting under 18s.

NB: I don't think I am minded to say it shouldn't go on but I am minded to say that if you're going to do it you're going to have to have a risk assessment and you're going to have to have the proper structure and training environment.

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G ¹⁷ The Army Act.

Appendix 4/14

Meeting with Lieutenant Colonel Strutt

Present: Nicholas Blake QC (NB), Lieutenant Colonel Strutt (CS), Kaspar Nazeri (KN).

Date: 13 October 2005

Location: Matrix Chambers.

NB: I will still try and monitor this, as you know. I will need a copy of the slides. So how long have you actually been in command there?

CS: Just over two years. I arrived in September 03 and I am staying until April of next year.

NB: Yes. And this was something you did?

CS: Yes it was, and this is based a lot on that year so I can skip through loads of stuff you have seen before.

NB: OK, well you fire away and then we will take it from there.

CS: There are just four issues really. The quick overview of who we are, where we are, and what we do which is different really, as opposed to training in the rest of the Army. I will run through some of the cultural issues and the transition from civilian to soldier. We have got something called Project Hardy which is nearly finished and we adopted following some work done with the marines at Lymestone in developing the abilities of our instructors to deal with adolescent delinquents in uniform as opposed to trained soldiers, and then a few of the issues which we are struggling with at the moment in Catterick and a few of our challenges. I'm not sure how much you know about the school of infantry and how widely spread it is. Our Phase 1 and Phase 2 training is done in Catterick combined, and we have three training battalions and the training support battalion, which is the one I command, and I also act as Brigadier [...]s 2IC for Catterick – he has got a command of Catterick. We also do Phase 3 training at Brecon which is our NCO instructor school, corporals and sergeants, which has a reputation all its own, and we also support the weapon school in Warminster, mortars, anti tanks direct fire and CIS Quite bizarrely part of my command in the 4th Battalion is the all arms drill in Pirbright, and the Army school of bagpipe music and highland drumming in Edinburgh. So truly what I call an international command. Scotland, Wales and Surrey. Brigadier [...], the one star, looks after the whole piece at the School of Infantry at the three key locations, and he also is a commandant of ITC.

NB: That more or less mirrors what goes on at the School of Logistics in Deepcut – they have got a Brigadier and a Colonel.

CS: It works reasonably well, well, let's just say as I work in headquarters with Brigadier [...] and I have my own office in another barracks, it involves some, close management with the other commanding officers, and we have some quite entertaining and quite frustrating moments.

NB: What are the other colonels commanding there?

CS: They command the training battalions themselves, they command the recruits, and if I move on to the next slide, now, the three training battalions, first, second and third, the first battalion has three individual companies, Light Division, Queen's Division and Prince of Wales Division., and the second one has what we call the northern divisions, Scots

- A and Kings, then there's Somme Company, the short courses company. Now the short courses company is different again – that is where the juniors who come from Bassingbourn and Harrogate go, that is a shorter course. So those only do Phase 2 at Catterick, so it's some Somme company in the 2nd Battalion.
- NB: 2nd Battalion. Your intake is the juniors.
- CS: Juniors from Bassingbourn and Harrogate.
- B NB: And what age?
- CS: Any age from, I suppose the youngest they can come to us, if they get to Bassingbourn at 16 they could come to us 17 weeks later, so they could in theory leave us and pass to the field Army at 16 years 9 months.
- NB: That's what I thought.
- C CS: And the chaps from Harrogate are older because they do 42 weeks there, so they tend to be 17 plus.
- NB: Yes, well, I would like to ask you about that in terms of the people at Bassingbourn, because what is the point of having a 16 year 9 month old in the Army?
- CS: He is not employable until he is 18.
- NB: Quite.
- D CS: And it's something we have raised with ATRA, and it actually I believe we should look at.
- NB: And I am raising the same question.
- CS: My concern is that pretty much as you have soldiers working in trade training, sitting unoccupied and unmotivated, waiting for their courses, and we have chaps who are going to go to the battalions sitting in their barracks and waiting for gainful employment.
- E NB: Right, well I am very pleased we are recording this interview because I have put that exactly to the Deputy Chief Defence Staff (Personnel) at the MOD yesterday and I was told something on the lines of, well, we can always find them something to do.
- CS: We do. What we do at the moment is they post to non-operational battalions within the larger regiment so if our first battalion was in Basra, and the second battalion was in Turnhill in Shrewsbury, all the under 18 recruits would initially go to the Turnhill Battalion and then move into their own battalion and they would come back from operations –
- F not good because I will talk about transition and barriers in the minute, and that creates another one – I think the exam question, which is the harder one to solve, is soldiers should join the battalions at 18 and we should work back from that, which involves a complicated loading of courses, but I don't think necessarily are insurmountable, we just need someone to look at the detail.
- NB: I'm pretty sure I was told of the RAF membership in terms of their CO, they work backwards from when they want the people to do the job that they want them to do, and then you recruit them, you design that way.
- G

- CS: I think the fear that the Army has is that they would lose a lot of 16 to 17 year olds who find employment and then decide it's an easier life than joining up. I'm not entirely sure that is a valid argument, because we have a lot of 17 year olds joining our normal entry. A
- NB: Well, that's interesting. All this was a bit of my taking you off your course. How long is the short course at the some company?
- CS: There are two – one is 14 weeks, which are the chaps from Bassingbourn, the less well educated, and the Harrogate course, the Army foundation course, is 9 weeks. B
- NB: And this is what? – supplementary Phase 1?
- CS: It's Phase 2. It's special to our infantry training. So we have done the generic all arms soldier training, and then they come to us, and I will talk a little bit more about that in a minute. The third battalion has paras, guards and Ghurkhas, and they have those three organisations. They also look after all arms P Company for other chaps who want to do parachuting and on the parachute admin unit at Brize Norton, and we have a Ghurkha language man, and that's how we are structured now. That has changed in my time – just as I arrived we were changing to this structure. Previously chaps had come in on a generic intake, multi-cap badge, right across the infantry, and then they would go through in that sort of echelon. We changed the structure, to stove pipe it slightly, and to make it tribal. C
- NB: Tribal being the regiment?
- CS: Yes, so all the Scots training were there, everyone north of Manchester, or north of Birmingham I suppose really, is in King's Division. My division is used to serving with the Royal Anglians and Fusiliers, and mixing it up a bit, so we are all training there, and then he has the Green Jackets and the Light Infantry, and here there is a bit of a mixture of Welshmen and Englishmen. But it means that at least they are used to serving together so a lad from Middlesborough going into the Fusiliers could finish school with his friends, train with his friends and then serve with his friends, and perhaps meet up again as instructors in the future. D
- NB: Yes, so that is of course different to a body such as the Royal Logistic Corps where they split up and you are forming part of a battalion in a formed unit whereas infantry deploy as and when. E
- CS: The reason we did that, we used to have divisional depots based on that structure. When the Army decided to train all Phase 1 together, they all disbanded and Bassingbourn was the principal Queens Division depot, afterwards all our recruits trained with everybody else, up to the year 2000, and there was concern that we weren't getting soldiers with sufficiently developed infantry skills on arrival, and there was an awful lot of catching up to do, and having done most of the training in the south – OK for the Jocks because they came from Glencorse in Scotland – but chaps coming from Pirbright, Bassingbourn, Winchester and perhaps Lichfield heading for the frozen wastes of North Yorkshire, hearing horror stories about what would happen to them and tending to jump ship half way through before they got to Yorkshire, and we just felt that there would be another barrier in their development, coming from the south, and the hard north. F
- NB: And they exchanged fears?
- CS: The decision was made to join all infantry training together again. G

- A NB: In 2000?
- CS: In 2000. That's the combat infantryman's course.
- NB: And that's when you merged Phase 1 and Phase 2?
- CS: It was around 2000. And that's the structure we now have. So the only major change since then was going to divisional companies. This is my bit, or one of my bits, really – Fourth Battalion – it has all the supporting elements, which you would expect –
- B transport, quartermasters, all the bits that make a system work, if you like. It has two strange organisations, it has Williams Company and most of our companies are named after the VC winners, it's our rehabilitation company. We have quite a well developed rehab set up in Catterick.
- NB: These are for injuries and training?
- CS: Injuries only, yes. If it can be fixed with physio and rest, they go to Williams, but if it can't, they don't go to Williams, they are either discharged, sick leave, or do a useful employment until they get back to training, and at the moment we return chaps for training in the same week of training they left, so they step out, mark time, and step back in, so although they are going –
- C NB: How long is the maximum you can go in rehab company for?
- CS: It's a little bit subjective, I have to say, before you lose your place. I would say we keep them 3 to 4 months. If we can't really have an idea of whether we can fix them after that stage, it's the duty of care versus a resource issue. We can keep these chaps 2 to 3 years and then eventually discharge them, which costs a huge amount of money, and they are not motivated to get on with their lives. They are stagnating. So the medical centre and the MOs make that call around the 3 to 4 month point.
- D NB: Just looking at your charts and just picking up from that, although you may come to it and tell me and I'll hold back, you don't have a sort of depot function here?
- CS: This is the next thing. The second company, the depot function – it only deals with two types of soldier, a recruit perhaps who has been absent for a very long time isn't going to go back into training and is going to be discharged.
- E NB: Absence for rehab?
- CS: No, AWOL, just run away. And so they come into the company for administrative discharge and legal processing. They also deal with relocations to other cap badges, to logistics corps, those soldiers who really look to the infantry, decide it's not for them and want to move out somewhere else, so we have that function as well, and they do provide that depot function. What they don't have, of course, as we don't have them, is soldiers in trade training – and you come into Catterick and you either pass out of Catterick or you mark time in the medical centre.
- F NB: But that's it?
- CS: And that's it. Or if you have got a bad discipline record you might –
- NB: You have other forms of disciplinary problems apart from AWOL?
- G

- CS: Because I get so many for discipline, someone wrecking the place or something *. We changed our policy. Around 18 months ago we had an increase in anti-social behaviour, let's say, in the Catterick area, for which some of the trainees were responsible, and also in the barracks. A
- NB: 18 months ago is what? 2003? Late 2003?
- CS: We looked at the alcohol policy, and they were still able to drink in the camp at that time. B
- NB: What, outside the NAAFI?
- CS: No, inside the NAAFI the recruits could have a drink. So what we did was, we looked at the human rights issue and did some consultation and discovered that we could actually ban them from drinking from Sunday night to Friday night on the principle that they were doing technical work and physical exertion the day after, so on safety grounds. We banned alcohol in the camp midweek.
- NB: How did that go down? C
- CS: Initially recruits were unhappy about it, but they are so busy anyway, it's a very small minority that drink heavily, so for the majority it had no impact at all, and it didn't necessarily, as some said it would, send them to Tescos on Saturday lunchtime or Saturday evening to buy loads of booze.
- NB: They weren't binge drinking?
- CS: They weren't, no. D
- NB: Can they bring booze back in on Saturday?
- CS: No. So it's a dry camp effectively.
- NB: It's a dry camp apart from the NAAFI.
- CS: They can drink beer in the NAAFI at the weekends, Friday and Saturday nights. E
- NB: So you said because they are operating –
- CS: Handling ammunition, doing physical training, and we went down the health and safety line. And effectively they haven't been challenged yet! I didn't think they would be. And it has reduced anti-social behaviour quite considerably, which is no surprise.
- NB: I mean, has anyone made the point, well, what about your trainers? Presumably corporals' mess is open. F
- CS: The Corporals' Mess is open.
- NB: There is no one saying why are they allowed to but not me?
- CS: No, there's not.
- NB: And if they did ask that, what would you tell them? G

- A CS: It's difficult, if they challenged it, I would have to consider reinstating it probably.
- NB: Oh really?
- CS: Possibly, because I find it very hard to defend, the corporals can drink and they are doing the same as we are the next day. Now I can always say, yes, but they don't have a record of anti-social behaviour, but as the recruits have moved on after 6 months, they could say, but you haven't given us the chance to show you that we can behave.
- B NB: Yes, but you are basing this experience upon collective recruits.
- CS: On the generic recruits.
- NB: And whilst they are going through their induction before they join the field Army, they are to concentrate on learning rather than upon drinking.
- CS: But I think if it was legally challenged we might have difficulty defending it, I would have thought – you are the expert.
- C NB: Well, depending on the quality of the defence!
- CS: But we haven't had it challenged, and most of them accept it.
- NB: So that would have been early 2004.
- CS: Yes, I think probably March 2004. That's a guess. And of course now, trained soldiers and staff at Catterick can actually have alcohol in their rooms.
- D NB: Can they?
- CS: Yes. There was an admin instruction issued in 2004, No. 53, which permits – you'll have to check that – which permits alcohol consumption in accommodation. There are strict guidelines but we've had no incidents of abuse or misuse in the last year, so it's gone very well.
- E NB: So when did that come in?
- CS: Again, only last year.
- NB: Do you know what the thinking behind that is, to stop things in the NAAFI?
- CS: No, I think it was to achieve parity with the people who had our communal homes in the married quarters. And a soldier's room is his home, so it was to achieve equality in that area. And we also now allow trained soldiers to sign in girlfriends.
- F NB: That was going to be my next question.
- CS: They are signed in so we know who's on the camp for safety purposes, but they have to be booked in, I think it is, they come in for a weekend and midweek, but I think you have to give 48 hours notice or something to get a pass.
- NB: Right, for security.

G

- CS: Yes, so that we know if there is a fire or a bomb, we haven't got to get 'Jane' out as well as Corporal 'Smith'! A
- NB: Well, I'm still pleased we're having this conversation because it actually reflects exactly the conversation I was having yesterday and I would like to ask you more about how you justify that – I mean, you will tell me about what you do with the trainees, I am interested in that.
- CS: That's one of the key differences, the course itself. It's joined, it's not a Phase 1, Phase 2 course apart from the juniors, it's a six month course, it's singular. At the end of six months we will do a bit of training. You don't have a Phase 1 to Phase 2 show or anything like that, and if you just cut our course in half, and move half elsewhere, you would have to completely redesign the course. B
- NB: Do you regard yourself as doing this training for CMS or for the infantry, because it seems to me this is going back to a specialist wing of the Army, do their own training, which was once the position. And it does look like reinventing the wheel, doesn't it?
- CS: Well yes, but maybe it's a wheel that ought to be reinvented, but I deliver trained soldiers to the infantry to go on operations, that's what I do. And I suppose they're my senior enabler, they're my resourcer, they're my what I would call training specialists, advisers and top cover, and the infantry is what I would call my special to arms influence, so the method of delivery and how we teach, how we train, and how we look after the recruits is a much larger business. What we teach them is very much infantry business. I suppose it's no different to a professor at university teaching Physics. The university is where and how he teaches it, but the subject of Physics is not necessarily a specialisation of that university, and it's that kind of relationship. It works quite well. I will talk about one or two of the gaps in the grid a bit later on. C
D
- NB: But just before it goes out of my mind, your previous lives when you were showing me the organisation had *
- CS: Sorry about that.
- NB: So that is the only connection you have to Pirbright? You are not taking ATR?
- CS: No. The Green Jackets used to train at Winchester. Now they come straight from recruitment. The only infantry that don't train at Catterick are the juniors at Bassingbourn. Everything else stays together. For a 24 week course, guards have an extra couple of weeks for more drill, and the paras have an extra couple of weeks, which we only introduced last year, to give them greater time for physical preparation for the P company assessment. And we get roughly a full loading of 130 per intake every 2 weeks. At the moment our overall strength varies, it fluctuates and we are at about 60 per cent capacity at the moment, but that's not enough people joining us because of what's going on in the Middle East. There are several reasons – I think Iraq is part of it, and having talked to parents who said this, a father said to me, and he had been in the Falklands, he said it was the first war that he knew that he'd got involved in recently where it wasn't fighting for the underdog or it wasn't to do with someone else, and I think that does have an effect on the psyche. And some of it was down to the changes to the infrastructures and the loss of core regiments and the emergence of others. As an amalgamated soldier I don't have great difficulty with the change, and the Scots regiments and the retired members of the Scots regiments, had huge problems, as you are quite aware, and I think perhaps that's had an effect on Scottish recruiting which has been very bad. Interestingly enough, my regiment has been not too bad, pretty good. E
F
G

- A We have been amalgamated and we just get on with it. Our course traditionally was split by function, individual skills, sporting skills such as the tennis skills, and we have been changing it now. We felt that it was too strict, too punctuated, and it didn't enable us to get across the philosophy engaging – this is going to sound very trite – engaging the learner about the whole process, and so we tried now just to have a slightly more philosophical approach to it, and this will even things up a little bit later about our training and leadership project, , and getting across to the NCOs that these chaps are civilians in uniform for at least the first 4 or 5 weeks.
- B NB: Outside your Bassingbourn and Harrogate entry stream, what is the minimum age that someone can sign up to go into the Army?
- CS: It's 16 years 9 months.
- NB: 16 years 9 months.
- CS: I think it's 16 and 9. I would have to check that. I couldn't give you a figure.
- C NB: That's what I've been told. What percentage of your present entry for the moment are under 18?
- CS: I would have to guess – half. Between 40 and 50 per cent.
- NB: Yes. And under 17?
- CS: I couldn't give you a figure. I think basically they tend to be steered towards Bassingbourn.
- D NB: Well, I am going to find out exactly what those policies are, so 16 years 9 months is somehow adopted as the definition of adult entry?
- CS: Yes.
- NB: And in 1993 presumably because at one stage you wouldn't enter Phase 2 until you were 17 but once you've now abolished Phase 1 and Phase 2 you are entering a training course at 16 years 9 months and the sequence of supplementary questions I ought to insert in the conversation this is about when can they get out if they don't like it, and what do you do, what's the staff ratios and how do you accommodate them, and then you will tell me about sex and you told me about alcohol. Let's start with ratios.
- E CS: Yes. I think the key thing with us is that we have roughly a 1 to 12 ratio of corporal to recruit, and the corporal will stay with those recruits for 6 months. He is not to us an instructor, he is their commanding leader, he is their mother for that 6 month period.
- F NB: And that is certainly reflected in Harrogate where there is a similar structure and similar intensity of dependence. If you don't know the history before you came to command, let me know, but I mean that's one of the problems, how long this practice has been identified as appropriate, necessary, desirable or giving good value for money?
- CS: In 1985 I was a platoon commander at Depot Queen's Division, and we had sections of 10 to 12 with one corporal and that has not changed since the infantry started training in the modern Army, because our structures within the field infantry, are section based on the corporal as the commander. We always have done it that way, and this was one of the issues of joining a course and not having Phase 1 and Phase 2, because having
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spent 3 months getting used to their instructor, they have been taken out and moved somewhere else, to have another instructor whose methods perhaps they have got to learn again and it's created more disruption as well as the move itself than staying in Catterick, and we have always worked on the infantry section.

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NB: So if one has a very broad system that probably doesn't do justice towards subtle changes, for example, your experience of the old method of junior entry and single entry from 1985 through to 1993 done by the infantry regiments of the units that wanted to recruit, 1993 we have essentially junior entry being hived off and abolished, single entry Phase 1 and Phase 2, that exists for 7 years until 2000, you then take infantry out of the Phase 1 and Phase 2 regime, all going through Catterick and therefore having ...

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CS: And then the final turn of that wheel is the reforming of divisional structures within Catterick, so apart from the size we have effectively divisional depots. I thought the real difference being now is that from the 80s there were no cohesive training objectives across the infantry, there was no policing of standards, there was no common course, and divisions didn't necessarily do their own thing, but some of their interpretation of the training objectives was fairly liberal, as opposed to literal, and so now we have everything in one place under one headquarters and we are able to monitor and maintain standards across the board, so where there are structures, people say it's just like having depots – it's not. It's a much, much better product at the end and having trained soldiers for 20 years it is far, far better now than it was then, and not perhaps as professional as it should be yet, but it is better, and we are reviewing the content of the course at the moment. The basic accommodation over the year – can I talk a little about it later? I have got some issues that the lads have raised. I won't dwell on that, but there are three things. Mental robustness is perhaps the weakest of all. Brigadier [...] arrived in January 2002 and we have had several inspections of varying degrees and type, and I wanted to mention them just very briefly. I think those are the three issues really, the inspections. These are inspections both by HCDC, ALI and DOC. Interestingly enough, the select committee and DOC were quite good on context and reference points, and if I give you an example, with the adult learning inspectorate, but sometimes things are taken out of context. We had a situation where a policeman reported he had found 20 weapons unsupervised in a corridor, which sent alarm bells flying in my head, and I said "tell me more about it", and he said "I can't", and I said "it's a security issue, you must tell me, where, who, when", and he said "but then other people won't talk to us". I said "but you don't understand, I need to know", so he did in the end and we did an investigation overnight and actually if he had found them unattended one or two times, the lads would have confessed to it quite quickly, and they would never have tried to hide the fact, and this was reported up through his chain and caused all kinds of gnashing of teeth and stamping of feet in the centre, and it transpired that there were two recruits, one at each end of the designated weapons sitting on a chair guarding them at lunch time, and he then said to me, "but the recruits weren't supervised. They were unhappy recruits". They were guarding weapons at lunch time, and the question he asked them was, are you happy? And one of them said, no, "it's scheiße", and suddenly we had unhappy recruits guarding unsupervised weapons, and the lads were in the 16th week of training and left in that context, and we are finding now with inspections, we have to do two things, satisfy ourselves that everything is being done correctly, but also satisfy the shop window, so we have to reinforce the fact that things are being done correctly. Now, those weapons supervised by their soldiers from my perspective were perfectly safe – they knew their duties, no one could pick up a weapon and take it away.

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NB: Where was the ammunition?

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- A CS: Nowhere near them, absolutely nowhere near them at all.
- NB: So it was just a weapon?
- CS: It was just a set of weapons they had been using for training, two lads looking after them at lunch time. What we now do is chain them through the trigger guards and have padlocks put on by the corporal. Now, if a soldier wants access to a weapon, he has numerous occasions to do it, and he is not going to take one away from a group of 20 lying on the floor being watched by two soldiers.
- B NB: So now how would he get access to a weapon if he wants it?
- CS: Well, he uses it every day. If you are using your pen, that's how they would use their rifles.
- NB: But he had presumably signed out his weapon.
- CS: If he signs out he is responsible for that weapon.
- C NB: It's now zeroing in for him, isn't it?
- CS: Yes. He signs it out, but he uses it on the range, every week, and it's that kind of context. One size doesn't fit all of reporting mechanism, it is now a recommendation. An RAF educational establishment might fire their weapons once a year. For us it's an extension of our arm, and one thing we are trying to do with recruits is make them comfortable with their weapon, and if it's something they only touch rarely, they don't have that familiarity and comfort, and have to achieve that balance. The other thing that has come from the Adult Learning Inspectorate is they identify what they perceive to be inadequacies but without recommendations have little weight, and the potential there is that the unit is inspected, and I go back to the context issue, they (the unit) might not realise that actually it's wrong at all, they might not see the problem, and therefore would find it very hard to find a solution to a problem they can't see.
- D NB: You have only had one ALI, or two ALIs, so it's now a 12 month cycle or is that whenever they want to come?
- E CS: Whenever. And the report copy, which has only just been published, interestingly, and I think after the first round of inspections we said, tell us what they are expected to do, so now there are terms of reference at last, they are required to go unescorted at all times and I personally think that's a weakness in the inspection system, because it can leave them ill-informed and one of the difficulties we have is how questions are asked. If you said to your average 17 year old infantryman, who left school at 12, "who is your independent complaints officer?" he is quite likely to say he hasn't got a clue. Now don't forget we are crossing the box. They won't ask him, "who do you go to if you have got a problem? " He would say, I would go and see the padre. So they are looking at the process as opposed to the individual and the function behind it.
- F NB: But I mean do you have an opportunity to engage them with the protocols and with the reports?
- CS: Yes, we have been with the reports.
- NB: It is mainly schools and Ofsted.

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- CS: But Ofsted is populated by teachers and headmasters. When they came to us at the training centre there was one retired RAF wing commander who had been involved in RAF training, sent them in with a retired infantry, sergeant major or a retired infantry officer. I wouldn't presume to take a bunch of infantry officers and expect to see them at a school. There is that slight issue – that is me ranting, finished. A
- NB: I will just say very quickly, back in Bassingbourn in 1985 I thought that you were out at Bassingbourn. You were commanding then?
- CS: I was a platoon commander, a young lad with juniors. I wasn't convinced we had got it right in the way we handled the troops, and at that point I wasn't really in a position to say much, and I hadn't been back into the recruiting and training environment at recruit training level until I got to Catterick, and the opportunity arose. I was on the MDA when I heard I was coming to Catterick. B
- NB: Did they let you time out to do that?
- CS: I did a residential MBA, it's the defence MBA. C
- NB: Right, and how long does that take you?
- CS: A year.
- NB: And would that be a specific course you did before you took up your appointment Catterick?
- CS: It's not related. It's just a number of courses – D
- NB: For training and development?
- CS: Yes. And I heard I was coming to Catterick prior to choosing dissertation topics, and I just decided that I would have a look at the cultural transition. I was curious, and I am still curious to know, whether we can learn about our soldiers by looking at the cultural background and their social demographic background as opposed to going through a barrage of psychometric tests, so I can actually test them and in terms of testing identify the key traits and how they might perform. But I was wondering whether we could do it by looking at their backgrounds as well. E
- NB: And forming what it tells in predicting behaviour from?
- CS: Yes. What I want to do is try to identify if we could predict likelihood of passing the course from a situational perspective. What we do at the moment is we test them on their trainability and their education.
- NB: At the recruitment centres? F
- CS: Yes. What we don't look at is whether they will be able to reproduce the performance in the environment of Catterick. You sit on a computer and look at their dexterity, but until they do it in a wet, cold, miserable place, you don't know how they are going to respond. And it's a tool that our junior commanders could use, because that information is available to them as the recruits arrive.
- NB: Well, I don't want to take you out of your course on this presentation, because this is probably a new concept for me to grapple with. Do you think that the quality of the G

- A data they get at the recruiting centres is sufficient to make these estimates? Are you looking for a wholly different assessment?
- CS: On the whole, I think the data would be available, and they are looking at the moment at using a service test. The data is available.
- NB: But it's what you do with it.
- B CS: It's how you interpret it and what it means. Now you can do a psychometric test and I have been tested on various courses. I know exactly the sort of person I am, according to that test. But what it doesn't do is, I don't think, look at the environment enough. It looks at the person and perhaps how they came to be who they are, their identity, but I'm not sure it identifies how they will perform in a certain given situation.
- NB: And you think that is possible? I mean, the other technique is traditionally telling the recruit, giving them a very clear vision of what is about to happen if they go through this 6 months training, and no doubt preparing them, but looking at their background to see whether they have got particular vulnerabilities, in their upbringing as a child, or exactly the matter.
- C CS: I looked at the social landscape, and youth cultures as a resistance against a dominant culture, and that's the issue of youth cultures. They are designed to rebel as part of the developmental process to become an individual, and we of course take them right in the middle of that period, 16 to 18, and put them up against the most dominant culture, probably, that they are going to face, unless they end up in prison, and we shouldn't be surprised. Our NCOs are surprised because they are equipped to deal with trained soldiers, so part of awakening their understanding is looking at a lad's background and looking more at where society has taken people, and they come to us and we put them from their working class background into a subordinate place, give them uniforms, we take away their identity, and youth culture is generally set in schools. Youth culture is very colourful, very loud, very expressive, as a backlash against the subordination that is required in an establishment, and it's no accident when you see youth culture that there is always coloured uniform, something in there, and I will go back to the uniform in a minute. I used this at the director's conference, and he said it was the first time Engels had ever been quoted at this conference! But this is no surprise in the late 19th century and exactly the same now – things haven't changed very much. I was at the Leadership Trust lecture last night and there was some discussion of John Adair's leadership needs model, his three rings model, team, task and individual. Society is based on the individual who works for IBM but really is at IBM as a stepping stone to somewhere else. He achieved his task with a team to help him. With us it's very different – we achieve a task using a team, and the individual is part of that team, so we reverse things, and so self sacrifice isn't something that young people are comfortable with. Interestingly enough, I can't quote what it was – I read that identity – it was Carl Jenkins – identity isn't really established until early to mid 20s, and one of the arguments for taking younger people into the Army is that we can mould their identity.
- D CS: I looked at the social landscape, and youth cultures as a resistance against a dominant culture, and that's the issue of youth cultures. They are designed to rebel as part of the developmental process to become an individual, and we of course take them right in the middle of that period, 16 to 18, and put them up against the most dominant culture, probably, that they are going to face, unless they end up in prison, and we shouldn't be surprised. Our NCOs are surprised because they are equipped to deal with trained soldiers, so part of awakening their understanding is looking at a lad's background and looking more at where society has taken people, and they come to us and we put them from their working class background into a subordinate place, give them uniforms, we take away their identity, and youth culture is generally set in schools. Youth culture is very colourful, very loud, very expressive, as a backlash against the subordination that is required in an establishment, and it's no accident when you see youth culture that there is always coloured uniform, something in there, and I will go back to the uniform in a minute. I used this at the director's conference, and he said it was the first time Engels had ever been quoted at this conference! But this is no surprise in the late 19th century and exactly the same now – things haven't changed very much. I was at the Leadership Trust lecture last night and there was some discussion of John Adair's leadership needs model, his three rings model, team, task and individual. Society is based on the individual who works for IBM but really is at IBM as a stepping stone to somewhere else. He achieved his task with a team to help him. With us it's very different – we achieve a task using a team, and the individual is part of that team, so we reverse things, and so self sacrifice isn't something that young people are comfortable with. Interestingly enough, I can't quote what it was – I read that identity – it was Carl Jenkins – identity isn't really established until early to mid 20s, and one of the arguments for taking younger people into the Army is that we can mould their identity.
- E CS: I looked at the social landscape, and youth cultures as a resistance against a dominant culture, and that's the issue of youth cultures. They are designed to rebel as part of the developmental process to become an individual, and we of course take them right in the middle of that period, 16 to 18, and put them up against the most dominant culture, probably, that they are going to face, unless they end up in prison, and we shouldn't be surprised. Our NCOs are surprised because they are equipped to deal with trained soldiers, so part of awakening their understanding is looking at a lad's background and looking more at where society has taken people, and they come to us and we put them from their working class background into a subordinate place, give them uniforms, we take away their identity, and youth culture is generally set in schools. Youth culture is very colourful, very loud, very expressive, as a backlash against the subordination that is required in an establishment, and it's no accident when you see youth culture that there is always coloured uniform, something in there, and I will go back to the uniform in a minute. I used this at the director's conference, and he said it was the first time Engels had ever been quoted at this conference! But this is no surprise in the late 19th century and exactly the same now – things haven't changed very much. I was at the Leadership Trust lecture last night and there was some discussion of John Adair's leadership needs model, his three rings model, team, task and individual. Society is based on the individual who works for IBM but really is at IBM as a stepping stone to somewhere else. He achieved his task with a team to help him. With us it's very different – we achieve a task using a team, and the individual is part of that team, so we reverse things, and so self sacrifice isn't something that young people are comfortable with. Interestingly enough, I can't quote what it was – I read that identity – it was Carl Jenkins – identity isn't really established until early to mid 20s, and one of the arguments for taking younger people into the Army is that we can mould their identity.
- F NB: This is Mark II?
- CS: Yes, we can do something about developing that individual. Officers when I joined, very few were graduates, and they were 18 and 19 and moulded. Officers now, the average age is about 24 from Sandhurst, so they are almost developed themselves, they know who they are and their attitudes were formed at university perhaps, and maybe I am a bit too old and bold and a grumpy old man, but there is a distinct difference now as a body, where they spend less time with their soldiers, they interact far less with their
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- NCOs, because they haven't grown up over that 5 or 6 year period with them and haven't matured with their soldiers, and we are now looking again at maybe having had too many graduates join. A
- NB: Right, so you want to capture your officers younger, in a similar group.
- CS: Pushing on * all * I got that from my *. It's one of my favourites, that one! I did challenge General Mike Jackson that perhaps the regiment system is a zombie category, and he agreed! Family according to the Oxford English Dictionary is parents and children living together or apart. Family to a young recruit is the person he goes to first if he has got a problem – it could be his grandmother. It could be a foster parent, it could be someone from the care home he has just left, and I never ask a soldier or a recruit, what does your father think of you being in the Army? Because there's a 60 per cent chance I will get it wrong, he hasn't got one. I always ask, what does your mum think? There's a good basis that he might have one of those. There's an 80 to 90 per cent hit rate on mum, which is why we try to encourage older WRVS ladies into the training organisation to provide that supplement mum function. I like that zombie category. The lads see it as an extension of school, coming to Catterick, because it is another dominant culture, they are being told what to do, and they expect people to make things unpleasant if they don't get it right. There's that expectation on arrival, and that's what we've got to break. I think schools have some new developments. B
- NB: Absolutely, I am not going to argue about that, having been to a governors' meeting last night at a secondary school. Anyway, yes, I get that question, although if you want to sort of keep this, whatever, discussion, it seems to me one of the things you are having to do is to explain why getting educational value is a good thing. C
- CS: It is the key thing. What we have to tap into, children go to school because they are required to. At some point on the motivational spectrum a recruit has joined Catterick. Something made him do it. He made that decision, so he's – I will use the drift analogy – he's a bit of wood landed on our beach with intent. D
- NB: And what is the intent? What do you hope to capture and build upon? Adventure? Training?
- CS: Perhaps not. None of them actually. I will go on to them in the minute – none of those, and it surprised me, and our job actually is to anchor them, as some of them are going to drift out and do the usual thing, and some of them shouldn't be there in the first place, they are just not suited. I'll skip that – that's Johnson & Schole's model, values are what you publish, beliefs are what you think and discuss among your confederates, and the paradigm and the essence in Johnson's terminology, is an unspoken understanding that separates you from other organisations, that no matter how many arguments you have with someone from a different organisation, they will not see your point, it's sort of a belief in those things, it's that kind of idea. I will whiz through this very quickly. I looked at the web of youth culture and then of the infantry training centre and tried to find the influences on young people and those are the headings, and those are the drivers within youth really, and there's no great revelation, they are very straightforward. There are some we haven't looked at before. E
- NB: You are doing this in Shrivenham? F
- CS: On the job, but I was in Catterick for a lot of that time, so I was dealing with trainees. In Catterick I spent quite a lot of time there, checking them out. They didn't know I was Army. I was a chap in a t-shirt most of the time chatting to them. Mutual routines, G

- A stories – they are all straightforward headings. There was one when you are signed up to the infantry, it's some of the overlap, particularly in symbology. It's all the uniform. So what we are trying to do is, and one of the good things about going back to our tribal structure, is we are trying to tap in to that element because the Scots now are different to the King's Division, and so we have encouraged them to be different and encouraged them to challenge the other companies in a controlled manner. And there was a punch up in the NAAFI last year when England lost to Portugal in Euro 2004. The Jocks decided to have a go at the English and there were some Fijians joining the Royal Scots, and the Fijians were fighting with the Scots against the English, and I think they had casualties of six tables, four chairs – but that was a classic example of tribalism, and we find that by emphasising that tribalism overcomes some of the racist or the cultural, ethnic differences. Obviously the Fijians would support Fiji against Scotland, but on all other occasions, they are locked into that tribal element.
- B
- NB: Well, I can see how that could work, although I don't quite see how that works in terms of some of the Scottish regiments disappearing, but still, it is there, and when you are building this collective identity, is there then a risk, however, that the collective unit is so much more valuable than the individual, and any individuals letting the collective unit down is encouraged to sort of eject those individuals?
- C
- CS: It is something we were concerned of when we did this, that you would get a corporal saying, "you are not good enough to be in my regiment."
- NB: You are letting the side down. Or, as I am sure I have already said, there have been occasions, it has been alleged, in the 90s and elsewhere to sort out X number of lads because he's letting down the platoon.
- D
- CS: I can't say it doesn't happen because it probably does, but I am not aware of what I would call a great incidence of it. There's bound to be somewhere, when I see Catterick, a corporal saying that, and that's why I will go on to talk about how we work on the NCOs as well. The one thing that's different, the bit in the middle, the bit that makes people tick. They are the real drivers of the moment and from the work I have done, looking at what drives young people in our supposed post-modern society, our fluid society, and it's entirely at odds with what we are trying to do. If you were to look at the real, what we would call a difference with the infantry, is what is called the unlimited liability, and we are the only organisation that trains a soldier to live or die using a rifle and a bayonet – that's all he's there for. Yes, he might be a driver, as a sideline, or a signaller as a sideline, but 6 months of Catterick are purely designed to get him to the front line to kill or die, and if you talk about an essence or paradigm, that really is the infantry one, and that's why we maintain they are different, not better, but different. And that thread, using that symbol of the bayonet, only now I think only one person fighting in four actually has a bayonet fitted now. It runs through everything we do – it runs through the tribalism of regiments, it runs through the small unit cohesion, because they live and fight with the same people, and I think as you were saying about the difficulty of perhaps an individual not fitting in, we try very hard to adopt a family and an inclusive environment, and I think by developing our NCOs, or we are going to more in the future, I think we can overcome most of that problem. That's what recruits find hard. I will whiz through these – they are not in any priority order, but also the NCOs identified these as the hard things as well, and I will throw a couple of quotes in. The top one is from a recruit, the bottom one is from a corporal. I think I have captured some of the answers here. I will whiz through them. I always ask a soldier the best thing and the worst thing at Catterick. A young lad said to me two weeks ago, the best thing was he had his own bed. He was 18 with two brothers and they had all grown up in a
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- big double bed together. And it's that understanding of social background that our NCOs don't have a grasp of – they would never have thought of that. A
- NB: Yes, well, tell me about the training of the NCOs, because you are bringing the NCOs out of the field Army for a two and a half year stint paralleling your stint as Commanding Officer, and they will overlap, to change from being an infantry NCO to being a trainer. And how much are they given? They need training to be there.
- CS: They get two weeks on an induction course with ITC and now they are going to have a three week overlap of handover, which MS has just agreed to. So they will arrive and three weeks later the corporal they are replacing will go, so they get it now at quite a good period to see the induction. B
- NB: To see someone else doing it, learning on the job and watching out for them.
- CS: Yes, but also we get a chance to look at them, and some we have seen are not suitable. It has that benefit.
- NB: And you have some criteria for what makes a suitable soldier, do you? C
- CS: They are selected by their Commanding Officers in the field Army, but what we do have is –
- NB: Against a template that you provide or ATRA provide?
- CS: It's an ATRA provided template, but the people we have as trainers are already trainers. If you have a REME corporal going up let's say to ATR Pirbright as an instructor, he might be a vehicle mechanic or a specialist. The corporal coming into ITC Catterick is a leader commander trainer, because that's all he does in the field Army. He goes for eight weeks on a potential NCO course where he learns to lead at the lower level, learns to lead and train a four man team. He then goes to Brecon, he goes up the NCOs route to Brecon to become a corporal, and that's three months of training where six weeks is weapons training focused and the delivery of the programme, he then has six weeks of tactical and command training in the field. He will then go back to his regiment, perhaps come to us, and then continues to conduct that training and learn the function. He then goes back to Brecon to do his sergeant's course and will then come back again into the field Army, so they will have spent 6, 7, maybe 8 months of their lives on training courses. What we have to do, though, is orientate them. D
- NB: To do what?
- CS: To the raw material.
- NB: Because there's a difference between leading and training trained soldiers and teaching people to become trained soldiers who come to you with all these *. E
- CS: Yes, I think the problem we have had in the past is like most times we are very mechanistic, and our NCOs are very, very good at delivering information. They are not as good at identifying whether it has been assimilated, or to adapt their style and method. If Smith can't work his weapon it's because Smith's stupid, and shouting at Smith will fix it, and what we are trying to do now is change that, change that perception, and I will talk about that project in the next few minutes. F

- A NB: You whizzed through it. In your list you had up a few moments ago, the last one was aimed at age range.
- CS: Yes, I will talk about that. I will do failure just very briefly because it is something that they struggle with, and I think the first quote there is the key one, 'At school it never mattered when you got it wrong.' Trying to persuade a young lad that it matters and that he should try and get it right is one of the real challenges, no one can cope with criticism. I think it's a state of man, to be quite honest. An issue, but one that can be overcome with communication, and I think they all suffer that. This one I think is one of the most important issues, belonging. They don't belong in Catterick. A lot of them haven't belonged in their family, their school, their gang, their job, their neighbourhood. And what we try to do is start to give them that sense of belonging. The regiment, some regiments, are visited by the recruits even before they get to Catterick. They will go and do something called a work experience course for a week in the barracks, looking at life in the Army.
- B
- NB: And is that part of the recruitment process?
- C CS: Yes, it is. Regiments do that in the process. We have satisfied soldiers in Catterick who come back from field regiments and live in the block with the trainees and help them with their ironing, with their administration, and see them along, and they can tell them the exercise next week is not that bad, but they provide a big brother mentoring function.
- NB: So that's built into the training module?
- D CS: Yes, and we have something called regimental shepherds who are NCOs from the regiments who aren't on my strength and they are working really for the regiments, and they are paid for by the regiments, so what we call a black economy.
- NB: That's still part of your 1:12 ratio?
- CS: No, no, this is extra.
- NB: Oh, this is extra. So you have got 1:12 as part of your paid strength plus you have got extra mentors.
- E CS: There's not always a mentor per section – it depends what the availability is from the field Army – but most regiments now have a shepherd, or at least the divisions have a shepherd.
- NB: And when does 'now' begin?
- CS: Oh, the shepherds are there – they have been there for a year or more.
- F NB: Yes, OK, but I mean, we are talking about, every conversation you have with the Army talks about what they are now doing, it is addressing yesterday's problems, but one sometimes wonders why it's taken until 2004 to come up with this.
- CS: Yes, to do something which is so simple.
- NB: I mean, obviously I am looking backwards at a time when these were not the solutions that were being adopted, so I am just wondering what it was that sparked this idea that
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- it would be a good idea to have mentors in the training regiment, or what prevented it from being done before, or is it just simply someone's imagination that opened up? A
- CS: I think there was a period from 93 when the infantry felt it didn't own its own training, and therefore didn't engage as much.
- NB: Because action was taken by the ITG.
- CS: And the ATRs had taken it on, and there wasn't that vertical integration of the process from recruit to trained soldier, and that central brick of Phase 1 training was moved out to the side, and I think the infantry – this is just me guessing – took their eye off the ball, because their soldiers are scattered in different platoons and different companies in a training regiment and it's much easier to have an NCO in the Scottish company providing the mentoring function to Scottish soldiers, or lads in the Scottish regiments, because they are co-located. If they are spread all over Britain, and certainly with training regiments it is more difficult, a fragmented approach, and I think they took their eye off the ball and accepted that someone else was doing our training for us, and didn't engage. B
- NB: It seems that the Army is now saying that co-location is now at its maximum and are not going to fund any more co-location. For us, it is, yes, but you are OK because you - C
- CS: We are OK.
- NB: Yes, exactly. Some are not in the same happy position of this aspect as well.
- CS: We have had visits from the gunners and the armoured corps, and certainly the armoured corps would like to follow our model as closely as they could of co-location. I would like to see our NCO training, the Brecon piece, co-located. D
- NB: To Catterick?
- CS: Yes. Or it doesn't matter where in Britain, because they are our feeder organisation for training staff, and the advantage we have, of course, is that the same one star looks after the Phase 1, Phase 2 and the Brecon piece and so through trainee leadership project that I am about to talk about in Catterick, we can export to Brecon very, very easily. The General might not be too unhappy about the older bloke dig. I spoke to one section which had a 17 year old with virtually no education and a Zimbabwean who was 27 with an MSc from Cirencester in Agriculture, and the two of them are sitting there in this group I was talking to, and they had their initial problems, moaning at the youngsters who were lazy, didn't look after themselves, the younger ones moaning about the old blokes who moaned about them all the time, and what was interesting, after a couple of weeks, they told me, that they had become best friends because the older chap was providing a big brother function, and the older chap had identified the difficulties that the youngsters were having and brought them on and helped them. In my own mind it would probably be quite unusual for the infantry to have the kind of Zimbabwean – but I am aware that that is very much the picture at ITC today. We have got 30 or 40 nations at Catterick. E
- NB: I thought you might be recruiting more from the Fijians than from the Zimbabweans.
- CS: Yes, but we have got a good spread.
- NB: This is where they have loosened up on Commonwealth entry. F
- G

- A CS: Yes, we have got about 2.5 per cent Fijians, 2.5 per cent Jamaicans, 5 per cent other, and about 10 per cent Ghurkha.
- NB: Is it generally? Ghurkhas are meant to be still on a different –
- CS: They are, but purely on numbers at Catterick.
- NB: I suspect for not much longer, but I should tell you that I have challenged the case with Ghurkhas.
- B CS: I know, I was reading about it. I have to confess I have been on your website!
- NB: There are things, if I knew then that I know now, there might have been some different arguments. But generally looking at the Commonwealth entry, these are older people.
- CS: Not necessarily.
- C NB: Oh, because I was told both the Caribbean entry and the West African entry at RLC appeared to be people who have made a sort of later career choice.
- CS: Some are, but we still get some youngsters, particularly coming into the infantry.
- NB: Coming all the way from Jamaica?
- CS: From various places – there is no real focus of age within the Commonwealth intake.
- D NB: Right, so it's a varied age, so it's not a phenomenon that the Commonwealth entry is a certain level of educational attainment.
- CS: Certainly with educational attainment, yes, because that is part of ... particularly in Fiji, part of their culture, we find their written English is very good, their spoken English less so. Their education, yes, they are stronger, but age, we still have 18 year old Fijians, youngsters.
- NB: OK, but what is the problem. I am interested in this topic, so if we could pursue it.
- E CS: OK, the question I would put to myself is whether under 18s should live and train together, and over 18s separately. Now, I have seen 17 year olds who are socialised, do very well on training, are mature, and cope with life's difficulties. I have seen 23 and 24 year olds who have huge socialisation problems, very immature, and crumble.
- NB: So chronological age is not tantamount to maturity?
- CS: No, but it is a factor, and how come? How they integrate with other people, and their ability to survive away from the womb, and it's not a difficulty of having old and young together, it's the difficulty of socialising the youngster as an individual, because for a chap in his 20s he might struggle with the course and fail, and not be right for it, but he is likely to have had several jobs, he is likely to have had several girlfriends, maybe a wife, maybe several children, but he has looked at his life since he left school and has probably made the decision he needs to do something with it. What can he do with it? He's tried lots of things, and he ends up in the Army. Now, quite often it's a last chance saloon for those lads. The youngsters' motivation, I believe is different. You will have the 17 year old, 18 year old, or even 16 year old, who always wanted to be in the Army, maybe dad, maybe brother, so he will come, and because he is so motivated towards it,
- G

- will perhaps have less difficulties, especially if he has got a good support mechanism at home. A
- NB: So motivation will take him through whatever tragedy or culture shock.
- CS: Yes, more than ability – I think so – so the age range isn't an issue, it's how we integrate into the organisation. Those who I feel don't have the background support mechanisms which aren't necessarily just family, but experience in their younger lives. A young lad said the hardest thing about being at Catterick was undressing in front of other men – he had never had to do it. Mother, no father, stepfather, female teachers, female doctors, no brothers, no sisters. And he hadn't gone through that embarrassment of being naked as a boy, realising that actually he was no worse off and no smaller than anyone else, and grew out of it in his sort of early teens, where my boy is now, at 11. I interviewed one lad, and I couldn't work out why this 17 year old, who in my mind ticked all the boxes and should have been finding it really difficult, but he wasn't. Broken home, abused by his father, dropped out of school at 15, and I couldn't work it out. I have spoken to lots and lots of lads who fitted my mould, but he was smashing it. And I said, where did you go to school? And I can't remember what it's called, well Bonham Castle will do, and it was a boarding school. B C
- NB: So it was just the experience of living in that male environment?
- CS: Yes, that was it, and his grandmother had left a trust fund for his education. He dropped out anyway, but he was socialised, had male role models, and had gone through the growing up process.
- NB: So where are your trainees? I take it, therefore, that you are mixing the accommodation – you are not (a) segregating them and (b) putting them in dormitories? D
- CS: Yes, the senior entry – the normal 16yrs and 9months upwards – they are combined dormitories.
- NB: Combined dormitories, and you are mixing them not on the basis of age?
- CS: No, of cap-badge.
- NB: Of cap-badge. E
- CS: So all the Scots living in lines. The junior intake entry from Bassingbourn and Harrogate, they live separately in Wathgill camp at the moment, a few miles away, which isn't really satisfactory from a resourcing point of view and a facilities point of view, but it does make them live and work together, so the cohort that comes from Harrogate, stays together.
- NB: Even though they are going into different regiments? F
- CS: Yes. Because at that stage –
- NB: If they have been to Harrogate they would have been through the initial experience, they would have had 42 weeks of living away from home, living in a boarding school environment, if you like.
- CS: Yes, that is correct. G

- A NB: So they are still ring fenced.
- CS: They are ring fenced as a training function.
- NB: Because they are in a different corps?
- CS: Yes, as opposed to a socialisation function. And I think we have tried, we have experimented with –
- B NB: Because 9 weeks and 6 months don't go.
- CS: No. We have tried an experiment. We have put them into a course, let's say at the 16 week point and joining a section on to a course, but it's quite disruptive, because the course itself, the 6 month course has gone through the forming, storming, non performing stage, and they have established themselves as a little entity in their own right, and suddenly in came these 10, 12 outsiders who were a bit loud and a little bit sure of themselves, a little bit better educated, and it caused so much disruption, that we really try not to do that unless we have to.
- C NB: Right, OK, so I have got that picture therefore, of the kind of accommodation that you are doing, the kind of arrangements. Now, is it a positive virtue to live in a dormitory situation as far as you are concerned?
- CS: In training it is, yes, I think the reason for that is that when you go on operations –
- NB: That is the way you are going to be living.
- D CS: You are going to end up living with other people, you have to put up with other people snoring and moving around at night, and you get used to it.
- NB: Is that accepted or is it a source of resentment? I think the Army told me yesterday that when they upgrade Pirbright and possibly Deepcut they are probably going to move to university style single rooms.
- CS: Now, as an infantry man I like the idea of encouraging the lads to look after each other, and if you are in a room of – well, I will give you an example – last week a young lad was about to take what he thought was an overdose, it was four paracetamol. His girlfriend had dumped him. He picked up this four paracetamol and headed for the loo. One of the other lads in the room saw him and two of them followed him, and they took it out of his hand before he had even taken it. Now in his own room that wouldn't be possible. And so it does help them learn to look after each other.
- E NB: And is there a down side of that, because is anyone saying to you, 'But Christ, I have got no privacy'?
- F CS: They are – they do say that.
- NB: What about someone who is now – let's say someone who is 18½ or 19 even, who is doing a 6 month course, who has got a steady girlfriend and he would quite like to see his girlfriend.
- CS: She can't come on camp during the course.
- G NB: Right. That's all? Weekends?

- CS: No. He can go home at weekends or meet her outside of camp, and some of the lads go to a bed and breakfast and stuff and meet the girlfriends there. I am going to be a bit critical of the average infantry soldier here - the average infantry soldier, and this is a real generalisation, has the perception that all girls fancy him. After a couple of beers that becomes the truth. A
- NB: Unless they are gay?
- CS: Yes. Some of the girlfriends the lads have might decide that his mate is more attractive, and it could lead to, let's say, anti-social behaviour and unpleasantness in the accommodation. B
- NB: The big tribal struggles?
- CS: Yes, the concept of a young girl who would have to be 18 anyway.
- NB: And why?
- CS: Because she's a minor unless her parents give her permission to come into the camp. C
- NB: I just wanted to know that.
- CS: And the thought of her screaming rape in an accommodation block in ITC Catterick is just something we don't want to happen.
- NB: Another feature of your regime is that women don't join the infantry, unlike the RLC, so you are not having to deal with co-trainees. D
- CS: So there is no co-habitation.
- NB: So basically, apart from Saturday nights, it's an alcohol free 6 months.
- CS: Friday and Saturday nights, yes.
- NB: What, Friday after 5 o'clock or something?
- CS: Yes, after the whole week's training. E
- NB: And it's pretty much a girlfriend free 6 months as well as far as camp activity is concerned.
- CS: As far as the recruits are concerned, yes.
- NB: And that's accepted, is it?
- CS: Yes. F
- NB: And that cuts down social competition, or rape, or violence.
- CS: We had a recent situation where some of the lads had gone to one of the north eastern towns, it could have been Middlesbrough or Newcastle, and had gone to a bed and breakfast, and three or four of them had booked into a B&B, and they had taken a young lass with them for the weekend. She was 16. Her father didn't know. They were all interviewed and assured the father there had been no intercourse and it transpired G

- A the father actually, when we got to the bottom of it, knew she had gone, it didn't matter, it's not something we wanted to happen, so we do have to persuade and educate the lads.
- NB: Girls under 18 can't come in generally but even if they could under 18 it poses difficulties. Now I wanted to focus upon the 16 year old recruit or the 17 year old recruit that's in your camp. You know that he's only under your duty of care in your camp?
- B CS: No, it's outside as well, to a certain extent. If he's not booking back in of an evening, he needs permission from his parents, and that would be done either by letter or by telephone call to the parents of that 17 year old. If he decided, at the weekends they have an address where they are going to, which is confirmed. It's mostly Somme Company, mostly the juniors of Somme Company but they have an address where it's confirmed they are going to.
- NB: Except you have got a whole lot of 17 year olds.
- C CS: The same policy as well, the same argument.
- NB: So essentially throughout the 6 month course they are free at weekends, are they?
- CS: Not for the first 6 weeks.
- NB: The first 6 weeks they are kept in to build up an esprit de corps or something. And after 6 weeks they can go.
- D CS: There are a number of weekends when they can go home.
- NB: A number of weekends they can go home. If you are under 18 you have only to notify the guardians, or any variations of that with parental permission?
- CS: Yes.
- NB: And so if they are taking a girlfriend out to a bed and breakfast, you would check with the parents? And if the parents say that's OK that's fine?
- E CS: Very much so.
- NB: And that's how you handle that one?
- CS: And in fact that mirrors a boarding school approach as well, with a child going to stay with a friend – even as a senior they still have to check with the parents that they are allowed to go and stay with someone else.
- F NB: Sorry, that seems like a bit of a burden.
- CS: No, that's fine. What we are trying to do, we are having a huge SLAM built, Single Living Accommodation project in Catterick. We have some dreadful accommodation, and I would be delighted if you would come to see it. We showed Adam Ingram last week. It's quite appalling. It's going to take until 2012 to get it all up to a reasonable standard. The new accommodation is much better – it's based on 12 man rooms but in 4 man partitions.

G

- NB: And so you are keeping that collective sleeping arrangement, because that's a positive plus to your trainees? A
- CS: Yes, at some point they will have to live together. Better to go through it then, the learning process then, than in Basra.
- NB: Than in Basra, right, when other people might have ...
- CS: We changed the pace of the course and it's much less intensive, the front, and this idea of everything the Army does – not everything, some of the things the Army do – in training and in courses is based on a wall. A private soldier goes to his JNCO's cadre, with limited preparation, and he meets this wall that he has got to get over. He will then go to junior Brecon and it's another wall. He will then go to senior Brecon and it's another wall. We work on this hurdle process. B
- NB: Like an assault course.
- CS: What we are trying to do with our course now is to provide that ramp, and that's why we have gone through that philosophical thought process, changing what we call each bit, to try to encourage the NCOs to see it as a continual process as opposed to a series of hurdles. Lots of parental contact. C
- NB: So when they are joining up, you have obviously got the parental address. I mean, do you get both parents, if it's a separated family, do you get both parents?
- CS: I had this discussion with Lynn Farr, actually.
- NB: And because, you know, Army tend to operate on a NOK basis and then you nominate one. And indeed, some of the parents said that when they are not a separated couple and they are not the Mr, then Mrs can't be told if their child does something wrong. D
- CS: I had the discussion with Lynn Farr. She cited a case where a soldier had been injured, not at Catterick, and they wouldn't tell the mother what had happened to him until they had contacted the father, because the soldier had expressly, on his next of kin form, said, mother not to be informed until father is informed, and we have to respect that. Although circumstances dictate whether we do, and so we would break that on occasion. But we have to be very careful – a young lad who self harmed a couple of weeks ago, who came back off leave, girlfriend dumped him, came back off leave, took some Anadin, he might actually have some liver damage long term, which shocked him massively, when he suddenly realised what he had done, so then he won't do that again. But he was perfectly lucid and did not want either of his parents or any of his family told if he had overdosed. Now, this is a similar situation to a young girl who goes for the pill, pregnant, and doesn't want her parents told. Over 12 years old, as long as the person is of right mind, we are required to accept their judgement. If the doctor says he is dying ... E
- NB: Is this legal advice? F
- CS: Yes, at the moment, because we checked with Legal Services, checked very closely, and it would be interesting if you can advise otherwise, but the lad was fine within his mind, although I would argue that anyone who overdoses perhaps isn't. I think on the form that he said do not tell them.
- NB: I think it's your judgement actually rather than that, but if it's a strong reason. G

- A CS: And to be honest we can normally persuade that it's in their interest anyhow.
- NB: Sure. Presumably if they are going to require further treatment or –
- CS: I think that's the key thing.
- NB: Your assessment of their health and safety –
- B CS: And I think actually if we really wanted to breach that trust, and we couldn't persuade a soldier it was in his interest for us to tell them, we could probably go down the line that *. I would get him in front of a psychiatrist.
- NB: Yes, well, I am just going to watch the time, but your time is precious, I know. Probably that example is a good place for me to insert a topic into the discussion, which is that I understand everything about chronological age is not the same as maturity – I understand there is no particular magic in terms of the 18th birthday in terms of those issues, but the law says you are a child until you are 18, and I put this to the Deputy Chief Defence Staff (Personnel) and I think he recognised that though he wasn't too happy with referring to them as children, but they are, and as far as most lawyers or others concerned with children, their first port of call is the Convention of the Rights of the Child, which comes into the Army for a specific reason like the optional protocol. But what is not reflected anywhere, and I think at the moment it ought to be, is the principle, Article 3 of the convention of the rights of the child, that in any administrative authority concerned with children in the United Kingdom, the best interests of the child shall be a paramount consideration. Does anyone tell you that?
- C
- D CS: Yes, and we would take it, quite honestly.
- NB: Yes, there is no question at all. You are using common sense and judgment.
- CS: And the consent of the Commanding Officer. Part of the training briefing is common sense. It's probably what we would call common sense and judgement, and I think –
- NB: That would give you the authority, by the way, to override privacy, confidentiality or anything else, because you are empowered to do it for under 18s with making that judgement, though that's not to say you may not have a good working relationship but that's your call. That's your objective.
- E
- CS: I had this discussion with the padres on confidentiality. It is interesting with the under 18s because they assume that if they speak to someone in confidence, that confidence will not be breached. The danger of course is that if breaching it becomes the norm or a pattern of breaching occurs, they won't go forward. And that is one of those difficult areas that you have to manage.
- F
- NB: How do you manage it? Do you have a working protocol with your welfare padre?
- CS: Yes, they will acknowledge the requirement to confidentiality until the stage when it is in that child's interest to breach it and they will quite rightly say to the young lad, if they can't persuade him that it's in his interest, they will be up front and say, I am sorry, Smith, you are coming with me now. We are going to the Commanding Officer – only the Commanding Officer, but we are going to see him.
- NB: Right, so if a child is looking as if they are getting deeply depressed and into a situation that's out of control, and it looks as if self harm is ...
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- CS: If it's coming up – A
- NB: That's the moment which the padres are trained to make that judgement on it, and your welfare staff generally?
- CS: Yes, but we don't even let it get to that stage. A soldier who goes to anyone in Catterick who is unhappy, genuinely unhappy, becomes a focus, and is then managed as an at risk recruit.
- NB: If the unhappiness is the treatment by an NCO, how do you manage that? B
- CS: The first thing I want is the NCO's name, which is the hardest thing to sometimes persuade them to come up with.
- NB: I have got this specific case and I would like the benefit of your input, but I will probably do that after you have gone through your presentation.
- CS: The interesting thing of course is that my concern, if an NCO is say bullying a recruit, all the time I don't know and can't suspend that NCO he could still be bullying other recruits, and I expressed this to the forces hotline, who visited with Lynn Farr on Monday, and I said to them, if they do nothing else, try to persuade that young lad that phones them that his mates might be suffering the same treatment and that he should do all he can to stop that happening by naming the corporal, because until we know who it is, we can't do anything, and that is so frustrating. I will whiz through this – I will leave that. [...] did some work with the marines at Lympstone, he has also has a Chair at Bangor university and is an Olympic coach, motivational coach. Let's whiz through these. He came to us looking at coaching and training and we put a project in place to better equip our NCOs to deal with younger people, not from a cultural background perspective, but from an engagement in their difficulties, and that is what a coach or trainer really does, it's the most straight forward model, to provide those three things. What it doesn't do is set an example, and this is one of the key things that we are trying to plug into now, that an NCO, especially ours who are leaders and commanders, must set an example, and this is the transformational model actually from the 80s and 90s. Those four issues, the one at the bottom contingent, reinforcement, comes from the transactional model, which is reward and punishment, or recognition and punishment, and so we brought that into the model as well. C
D
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- NB: Contingent in this sense being contingent upon an event happening rather than a unit of force?
- CS: Yes. And punishment is very much part of the leadership function, as is recognition and reward, and what Lew Hardy and the team he put together are doing are identifying which of those elements has a greater effect and in what way on the recruits within each individual company. At the moment in the paras for instance, inspirational motivation is the key enabler. In other companies it's different, and so what we are trying to do now is identify what makes the lads tick. What is it in our NCOs' delivery of the training that makes the lads really want to do it and succeed? And it's a 2 year study that Lew is doing, and to my knowledge it's the first time it has been done scientifically as opposed to doing it anecdotally, and we have a 4 man team of warrant officers run by a major and a WO1, who go to the companies and put them through a programme, a developmental programme of how to use these tools to get more out of their soldiers. This is the key thing they are pushing at the moment. The Army published its core values a couple of years ago. There was much angst, and we expected a soldier to know how he should behave, so we decided actually they probably didn't, so we published it. What F
G

- A we are trying to do is embed this in everything that a soldier does, and the question we ask the NCO, the officer, is, 'When you finish your working day, is there something you should have corrected but didn't? If there is, you have failed, whether it is walking past litter, whether it is correcting a soldier who doesn't salute, whether it's telling a civilian worker who is speeding through camp to slow down, whatever it is, correct it, to raise that standard. And instil that value, and set that example.' Within our training course we are taking the core values and we are plugging them in to the training events so they become a thread through everything. It also helps to explain a lot of the training we do, why we do drill, why we need discipline.
- B NB: So you are finding that being express about your values helps you explain why you are doing it?
- CS: I think it does.
- NB: And it raises the standards?
- C CS: It does. And I think the NCOs are beginning to understand a bit more now as well. And certainly when you have a questioning soldier as opposed to 'Shut up, Smith, just do it', we are trying to get them to engage.
- NB: You have got a context and there is much more explained.
- CS: They are our current issues at the moment really. And no surprises about the middle one – I don't think the Army really talks about brand much, certainly in my time. I think it's time we did – that's the trouble with sending people like Strutt to do an MDA. He does a marketing module, comes out of it thinking, we are not very good at this. We are quite good at glossy brochures, but that doesn't actually persuade people to join the organisation. It's reputation that does. And reputation is only as good as your last error, as we say.
- D NB: And so the media reporting at Deepcut is a drain on that?
- CS: It is, I think. "Catterick: the next Deepcut". We have had deaths at Catterick. What is quite interesting, of course, is that we are coloured with the rest of the garrison.
- E NB: So there's no discrimination between trainees and trained soldiers?
- CS: And most recently I saw a death happened in Episcopi recently, a young lad committed suicide. And I saw an internal memo within the MOD which said, you know, highlighted this lad who died in Episcopi, and said, of course, he was only 2 weeks out of Catterick – as if he had taken the mark of Cain with him from Catterick. But actually his death was nothing to do with Catterick, and his parents invited the corporal and sergeant from his training team to attend his funeral, because they were so pleased with what we had achieved with their son. But it must have been Catterick – and it is that kind of
- F approach that is beginning, I think, to grind the infantry down, grind us down, and I think we are losing our self belief, which worries me. We have taken almost unilateral action in Catterick to engage with the media. In the local press I got tired of seeing "Army spokesman says", so we have stepped out of the chain of command a bit on the media now. We decide to do something then we tell our bosses that we are going to.
- NB: That BBC video, was that the one about the –
- G CS: That's an example about the –

- NB: About the increased level of training, or whatever it was, it was the capture training which was inappropriate. A
- CS: Yes, because what we did, [...] was very good with the BBC. I think they were a bit burned over Gilligan, and decided to get some context before publishing, and we said, send him to Catterick, and there was lots of gnawing and gnashing of teeth and doubt, and eventually he came, and his piece was neutral, and he used phrases like "having to prepare for operations", which was also a duty of care issue, and having to "close with and kill the enemy". I reviewed the piece just in case and it just meant that it was balanced, which we were really pleased about, and since then we have engaged our local media a bit more, and they have been in twice now, and Sky TV came and did a piece on bullying, for which I was interviewed. B
- NB: And the MOD are content or not?
- CS: They are. I think they are beginning to understand that it is right a general saying we have a zero tolerance approach to bullying, but it doesn't really persuade the public, and Lynn Farr and Deepcut and Beyond asked to come and speak to Brigadier [...] and visit Catterick. She wanted to hand out leaflets and stuff, and I think ultimately their concern is shared by us, and it's the care of young people, because without them in the Army, we don't have a job, and so I think our engagement with the media in these things is very important, because we have got to bring them on board. We are setting up in all the training organisations an independent advisory authority, not quite governors, but a body of people who can work with us and look at how we do things and what we do, and they could help, and the Brigadier and I are considering asking Lynn to join us. I spoke to Brigadier [...] and said, well, why not Lynn Farr? C
- NB: I think the CO of the AFC is thinking about something similar at Harrogate, a sort of quasi school governing body. D
- CS: That's what we are doing. We are going to bring a businessman, social worker, policeman, teacher in. But we have to fight back. I use the analogy of a muzzled dog laying down. You kick it long enough, eventually it stops getting up, and I don't want the infantry to stop getting up. Nick Kent from an independent TV company, a producer, has come to see us. He is considering peddling the idea for a documentary on ITV.
- NB: Right, so I mean, have you seen the Soldier To Be programmes from 1999? E
- CS: Yes.
- NB: Now, they traced them up to Catterick, didn't they? They had someone there. What do you think about those programmes, by the way? (a) the style of reporting and (b) was there anything there which you think was old world?
- CS: I am suspicious of the old world aspects and I have the same issue with Bad Lads Army. I think there is so little understanding of the Army in society and so few people have family or friends who are serving now, I think programmes that look at historic training and don't represent what we do now can be seen as the truth now. Quite interestingly, I spoke to a parent about Bad Lads Army on one of the visits on parents' days, and he said the interesting thing is, of course, there is never physical contact or assault or anything like that between the instructors and the trainees, at all with those programmes, which is quite interesting, and he said that he is an ex soldier and you can make things deeply unpleasant without touching anyone! He is exactly right. And so we F

- A say, come and talk to us. I am afraid we have got to the stage now where we have to be open, and we have to trust our subordinates and our soldiers and our systems.
- NB: When was the last death of a trainee on Phase 2?
- CS: Last summer. Guardsman [...].
- NB: And what was the mode?
- B CS: Rifle – shot himself in an accommodation block.
- NB: Now, had that gone to inquest?
- CS: Yes. I sat in the Coroner’s Court.
- NB: First of all who investigated it?
- C CS: The civil police. We now operate a system which is very similar to the way we were back in Northern Ireland. As soon as something happens like that, we sanitise the area, everyone is gathered together, put into one place, and it’s cordoned off, so the police come and take over.
- NB: Is the rifle left there?
- CS: Nothing is moved. Absolutely nothing.
- NB: You don’t even make the rifle safe?
- D CS: No.
- NB: So you are overriding safety over crime preservation order, scene of crime.
- CS: Absolutely, it takes dominance over safety. We leave an NCO outside the room, a couple of NCOs, to make sure nobody goes in, but nothing is touched. They might have to move it to get to the casualty to see if they can save him, but apart from that –
- E NB: Apart from first aid, you don’t then make safe, you will just have a guard?
- CS: Yes.
- NB: And then civilian police – who is your police force?
- CS: North Yorkshire.
- F NB: North Yorkshire will then come along, they take over and report. Did they then give you the result of their investigation, or did they just give it to the Coroner?
- CS: The Coroner.
- NB: So you didn’t know what was going on until you had the inquest, so you can’t have a Board of Inquiry?
- CS: No. We can’t have a Board of Inquiry until any criminal investigation is complete, so really until the Coroner’s verdict ...
- G

- NB: Well, a police officer could be satisfied – A
- CS: Correct. We work on the principle that until the Coroner has finished, we won't have a complete inquiry, in case anything we do prejudices the investigation.
- NB: Hypothetically, supposing that the police inquiry reveals that your guardsman shot himself (a) because there was no security and the rifle should not have been on issue, or something like that, or (b) that he had been bullied or intimidated by someone. I know that may be difficult. B
- CS: If the police identified something like that they would probably come to us straight away.
- NB: You are confident they would?
- CS: Yes, but also we live very closely, very closely. Although we don't do a Board of Inquiry where we interview people involved, we look at the issue and do everything we can without prejudicing the investigation. C
- NB: So you wouldn't do nothing?
- CS: No.
- NB: So obviously that means that you will have to start asking your own questions?
- CS: Yes, we ask questions about processes.
- NB: You have handed over this process to the civilian police. D
- CS: Yes, the investigation goes to the police, and the real difficulty, of course, is that we can't interview the corporal who found him until cleared to by the police, so you do find we are slightly hamstrung, but we do look without interfering, let's say, at our processes as much as we can.
- NB: Do you then get a copy of the police investigation report?
- CS: I haven't seen it, no. E
- NB: Would you ask them if you wanted it?
- CS: Most of the investigation and the police who are involved were interviewed in the coroner's court, and I was there. So I am fairly satisfied, and I have spoken to the police about it.
- NB: Do you take that as your job to attend the inquest? F
- CS: Brigadier [...] would normally, but I attended in this case.
- NB: And were there any learning curves from that experience?
- CS: To say no would sound wrong, but in fact no.
- NB: How did he have access to a rifle? G

- A CS: Because he had used it during the day. It is part of his training.
- NB: What age was he?
- CS: He was mid 20s. I will go over his background - his brother was in the Coldstream Guards, he was training in the Guards Company and a friend of his, one of the instructors, trained other soldiers. He was the best recruit in his section, and in his platoon, and was treated as one of the - I don't know the terms they use in the Guards - it's a supervisor, the Squad Leader. If I had a risk register of soldiers likely to commit suicide, he would not have been on it, he would have been at the bottom, a really good stable lad.
- B NB: Well, that's not a surprise. Do we draw the conclusion that therefore whatever it is you can do in this area, identifying the individual who might self harm is not the -
- CS: One thing we didn't know at the time, and it's changed slightly now, is access to medical records. It came up subsequently in the Coroner's court that he had self harmed a number of times before and indeed had attempted suicide twice before.
- C NB: Before joining the Army?
- CS: Yes.
- NB: Don't you get that on recruitment selection data?
- CS: That hadn't been recorded.
- D NB: By the Army?
- CS: No, by his GP.
- NB: Ah, his GP did not incorporate it?
- CS: As I understand it. An attempted suicide that was not reported.
- E NB: It was known to the GP but not to the court?
- CS: I don't know - it wasn't recorded in his charts, and there is ...
- NB: There were also questionnaires asking about previous ... so he just lied.
- CS: He had been in training before, got injured and came back in again, and the one thing - I have done a certain amount of reading about suicide, and the one thing about suicide which I have read over and over again is that trying to predict it is very hard, and the only thing you can do is, if someone has attempted suicide, they have crossed that Rubicon, they have survived it. That is one of the best indicators of a likely attempt, because they have actually made that decision once, so it's easier to make it again.
- F NB: How was the ammunition and his rifle together?
- CS: He kept ammunition back, by putting it in his pocket, kept it in a sock. We check the pouches, we check pockets and we take a declaration, but he could have put it in a sock, he could have put it in his boot.
- G

- NB: So if he says he fired 10 rounds, and he only fired 8, there is no check? A
- CS: No – we fire 20 million rounds a year, to give you some idea. We could check every single bullet and every single empty case. When you are in a field firing environment some bullets end up in the grass, fired or unfired, and at some point my question would be, at what point do you trust a soldier with his weapon and ammunition?
- NB: Well, what's the answer?
- CS: The answer is, when he can handle it safely and when you are sure about him. It's a subjective judgment. If he can handle it safely, when he has passed his firing tests, and there is no indication of anything, what I would call instability as a person. B
- NB: Because I asked this question of DG ATRA and asked at which point do you consider him to be safe? What week is that at? I guess there's a minimum answer but not a maximum answer.
- CS: Correct. The answer is when he has passed his weapons handling test and when he has passed his shooting tests, he is considered safe to handle the weapon, and confident. I had a young soldier who – C
- NB: So formally he is meant to be giving an account of his ammunition.
- CS: At the end of the range he gives a declaration that he has no live rounds or empty cases in his possession. Now we could strip search every soldier, but again there is a mutual trust issue. At some point you have to trust someone to drive a car, to work with a knife, to work with a weapon, and the weapon and the ammunition merely gives him the means, and actually I have to check the stats – I am pretty sure that hanging and overdose have a greater incidence of suicide in the Army than fire arms – I have to check that. D
- NB: From 1993 to about 2002 I think weapons was the predominant means in the training regiment.
- CS: Yes. That's an access issue.
- NB: And generally speaking that was also when the Army had a blip over civilian suicide rates and you went down there. E
- CS: Actually in society in 1998, I think, was the peak year for 16 to 24 year old males committing suicide in Britain, and since then it's dipped slightly. I do know that that was the peak year. So Guardsman [...], his mother was very surprised at the Coroner's court as well, at the self harm and the difficulty he had had, because he had lived away from her since he was 17. Those anecdotal stories, the Coroner didn't read the suicide note in court. F
- NB: He left a note, did he?
- CS: Yes, he left a note. The Coroner didn't read it. He said it would add nothing to his judgment, but I think he did that to further protect the mother, and the training team attended his funeral.
- NB: Have you read the note? G

- A CS: I have seen it, I have scanned it.
- NB: So you know what's in there?
- CS: And the training team attended the funeral, the corporal and platoon commander, and when that platoon passed off the square they left a blank file where [...] would have stood, and his parents attended And interestingly enough, the Coroner was quite clear in his verdict, his summing up, that Guardsman [...] took his own life. That was the terminology he used, that he took his own life. But it's quite interesting that from my perspective, I have seen and experienced, I wasn't directly involved with the [...] one, but previously two of my soldiers committed suicide in the past.
- B NB: What was the previous one?
- CS: One was in Northern Ireland in 83 and the other was in Canterbury in the early 90s.
- NB: Both firearms? Because infantry have access to them.
- C CS: Yes.
- NB: This probably is not within a line that's particularly relevant to Catterick, but whilst they are going on with their training, do they have to do armed guard duty?
- CS: No. What we do is we do use them for guard duty, but only once they have passed the weapons test, passed the handling tests, and are considered competent to do it. They also undergo a small training package as part of the course to do armed guarding, and they will do it in pairs.
- D NB: You do use your trainees for armed guard duty?
- CS: Yes we do, because it is important that they can carry out protective security before they go to their units. They do it in pairs.
- NB: Is there any minimum age?
- CS: We don't use under 18s.
- E NB: You don't use under 18s? Is that a local Catterick policy?
- CS: I don't know if it's a wider policy.
- NB: Is it in your local standing orders?
- CS: I think I will have to check, but I am pretty sure.
- F NB: I would be quite interested to know where it is written down and how long it has been in force.
- CS: One thing we did do which caused some consternation at the garrison is we had a different chain of command for infantry and ATRA. We have a garrison chain of command which is our administrative peace time chain of command, and we wanted to make a decision to stop armed guarding during the day, and the argument was, what is it deterring? And I can't remember the last time there was an armed shooting at the

G

- front gate of the camp, so what was it deterring? Nothing. So we took them off the other day. A
- NB: And they were happy with that, were they?
- CS: After some persuasion, yes.
- NB: When was that?
- CS: Last year some time. And the reason I did it was, there's more chance of a young lad shooting his foot, his mate or Mrs 'Smith' in the place across the road in a panic, 5 minutes after the car has roared off, even if it is going to happen, you can't shoot a bomber, unless you know, and it's confirmed that it is a bomb, you can't shoot a guy. B
- NB: Under the rules of engagement?
- CS: Yes, you can't shoot a chap who drives his car through the barrier, unless he is going to kill you and knock you over – back to the Clegg issue. You don't know that it's a suicide bomber or the hat man, running into the camp, so what was he there for with his rifle? And I couldn't really work it out. C
- NB: And has Land Command told you the answer?
- CS: No, so I have taken armed guarding off during the day, except as a training function.
- NB: And they say that's within your authority?
- CS: Yes, Brigadier [...] commands the camp, so he has made a command decision. The next move, which I have considered, I asked the question, the Second Battalion and the Third Battalion are in charge of the physical security of the two respective camps. And I've asked the Second Battalion the question, "why do we have armed guards at night?" My concern is the lads patrolling and prowling. To my mind, these days they are not really an anti-terrorist element. I know that in Turnhill nearly twenty years ago the paras had an incursion by the IRA and their bombs. That is an unlikely method of attack on a camp. It's high risk for the perpetrator and I don't see it as a significant threat. The greater threat is criminal damage or a recruit climbing over the wall to get out and run away, or to get in because he has been out illegally. And therefore, two chaps unarmed would be sufficient deterrent for that. So we're looking at this again, and it is much harder to do, but we are working on it. D E
- NB: Maybe when I produce my report that will help you with that argument, because I think we have discovered that from 1983 through to 1993 when there were certain things going on with the Army and the Irish question there was no automatic requirement for armed guard.
- CS: I know. F
- NB: There certainly were situations with the RAOC which took a complete * in July 1994, it would seem that there was a review of security and a general decision taken for a general lowering of alert state whereby they would still maintain a guarding regime appropriate to a higher alert state apparently overriding the local commander's discretion. And that has remained in force ever since. The alert state and the priorities states split because you've got soldiers sleeping over in barracks I have been told is the reason why they are a number one priority in terms of security. But why armed guard G

- A
- duty and what armed guard duties you do basically amounts to, as far as I can understand it, to a general deterrence, of making things more difficult for the enemy to have a crack.
- CS: And as I said, that's why we changed it. It's important that they do guard and that they know how to do it and that they understand it. Our lads only do one or two in their six months. So it's an exception for them.
- NB: (1) You are only using over 18s?
- B
- CS: I'll check.
- NB: (2) in pairs. (3) After a sufficient weapons training and an assessment of their suitability and you have the staff to assess their suitability if you are on a 1:12 ratio. (4) You don't do it during the day. (5) How many entrances do you have to guard?
- CS: Two vehicle entrances and two foot entrances and the foot entrances aren't armed guard.
- C
- NB: So two vehicle entrances means that you ration the amount of guard duty which is being done and that guard duty seems to be part of the training exercises.
- CS: Yes.
- NB: Right, and how far away is an NCO from them when they are doing the armed guard duty?
- D
- CS: There's a civilian guard and an unarmed MGS with them at the barrier and the remainder of them are in the guardroom.
- NB: So if one wanted to go on a sole prowler –
- CS: He wouldn't be allowed to.
- NB: And who is going to intervene to stop him?
- E
- CS: The civilian. He's got a hotline to the guardroom.
- NB: Because obviously, just having the standing orders regarding pairs didn't work, because that is how two of the four deaths happened.
- CS: With ours, there is so much opportunity to do it that the requirements to sneak off to shoot yourself isn't necessary because they could have weapons every day for six months. Now, you could have a situation where on a range, a fixed range, we say to the young lads "we have a rule where if you are going to the toilet, you're not allowed to take your weapons". Now, if you're going to do that in training, at what stage do you allow someone to go the toilet with their weapon? Are you going to not allow me to do it?
- F
- NB: Would you in the field army?
- CS: Why is that any different? What changes on the last day of that 6 months to make you competent and safe with a weapon in the toilets, when a lad – Cpl [...] – was 28 years old and in the mortar platoon that I commanded had shot himself? It's not. He had been
- G

- in the regular Army for 10 years. I don't mean to be contentious about it, but if there is a law that says nobody in the Army is allowed to be alone with a weapon until they are 28, that's law, so that's fine. But if there's no law that drives it, there's a security argument again, isn't there. If there's no law that drives it, someone will have to make a decision of when that person is competent. If someone is not on the At Risk Register, and is not deemed to be at risk, they are therefore judged to be competent to be trusted with a weapon. A
- NB: But then, as your last example shows, your risk assessment is only as good as the data that goes into it. And you could be operating in the dark. B
- CS: That's why any risk assessment I've ever run when I've been in command, has been for every single member of my command at company or platoon level.
- NB: Right.
- CS: And I had a series of – a matrix really.
- NB: Of how everyone was doing. C
- CS: Yes, it makes it variable. Money trouble, wife trouble, divorce, sick children, disciplinary problems, and I didn't just have a chat to the ones I knew had problems. Also on that list, I had a chat to those whose problems I didn't know about, who didn't seem to have any. But if there's a danger with the At Risk Register, it is that you become focused on those people who you think have got problems, to the exclusion of the others.
- NB: Who may have got the real problems. D
- CS: Exactly.
- NB: I well understand that the risk registers are not the solution to elimination of the risk.
- CS: At some point you have to trust the infantrymen with weapons with ammunition. The question that I can't answer -
- NB: With ammunition, so you give them ammunition? E
- CS: Well, we could take the ammunition off him but at some point in his Army career, he is going to be on his own with his weapon somewhere. So at what point do I trust him?
- NB: The field army has these virtues, I would suggest that you consider at least. Tell me what's wrong with this analysis. Number one, you've been through six months' experience and with the intensity of staff ratios that you've got, the six months' experience would be complete. At any previous point, you're only part-way through that. Whatever training programme you're doing and whatever technical knowledge you have, you may not have the full picture of the person who is going to join your field army. Number two, for reasons which you've spent a long time on in your slide show and which you know better than me, joining the Army is a culture shock. How long the culture shock or any reaction to that culture shock lasts, may not be possible to determine and it may not be possible to determine by a risk register or any other analysis of the data of the individual. Six months and joining the field army may be arbitrary, but at least it's based upon going through a whole phase in one's life, in one's army career, in one's training programme and you've also emerged at the end of that with a measure of success, pride and achievement and no doubt added motivation to get on to what G

- A you've come to do the job for which is to go off the field army, presumably to be deployed to an operational unit or somewhere else. So you've got added motivation, you've got added experience, you've got added chances to pick up, although this person didn't present as a suicide risk when he joined the army, my corporal tells me he had black moods about something particular, which we ought to check out etc.
- CS: That particular individual should be more closely supervised. But this is why it has to be down to the individual in the judgment. It's very hard to make a global judgment when you are dealing with the individual character.
- B
- NB: All rules and regulations, 18, Phase 2, Phase 1, involves apparently levels of arbitrary criteria.
- CS: And our criteria are "considered competent", which I believe is a better measure than saying "when you join the field Army".
- NB: Would he be able to join the Army if he wasn't considered competent?
- C
- CS: No, but if he was considered competent earlier, then he should be trusted earlier. And if we trust our soldiers, when they have earned that trust, we believe, we'll get a better product from them. What we're saying to soldiers is, "You can't be trusted to handle a weapon and ammunition on your own, until you've finished this course". Now, you could have a lad who is the best shot, passed all his handling tests, but he isn't considered competent do to do it.
- NB: Well, it wouldn't be not considered competent, it would be health and safety.
- D
- CS: Yes, but I include that in the "considered competent" criteria.
- NB: Because you belong to a class of trainees, you haven't yet reached the moment where our increasing trust in you means that we will let you do with this lethal weapon what you will.
- CS: If that was a decision that was made, I would agree with it. But it's not one in my heart of hearts I'd be comfortable with because –
- E
- NB: Do you think that interferes with your building relationship with your trainee?
- CS: Yes. I do feel that if we use passing out on any personal weapons test, passing the training tests throughout the course as objectives. Little objectives to get through.
- NB: Yes
- CS: And once you pass the personal weapons test around about week 12 to 14, it depends on the profile, they are well on the way to being a soldier. It is an over the hill moment. "I have shot my weapon, I have passed my test, all the handling tests, I am nearly there".
- F
- NB: But you are saying that is not the criteria of trust?
- CS: No, but that is one element of it. Now surely the Platoon Commander and the Corporal who lives and works with that soldier will make the judgment on whether he is suited to go on armed guard. And if the lad is considered not suitable he won't do an armed guard. He will be watched more closely.
- G

- NB: And does he know that? A
- CS: Yes.
- NB: So he knows that. I would have thought myself that if we are talking about treatment between week 13 and week 26 – my proposed marker line is that, at least, there might be greater scope for undermining trust etc if someone says “why aren’t I eligible to armed guard duty when the others are?”
- CS: If it is explained to a lad. Most of the lads know when they have got problems and a lad who has, let’s say, self harmed, taken half a dozen pills or threatened to self harm, because we make no distinction between the two. He has threatened self harm. An element of our trust in him is taken away and he knows that he has been responsible for losing our trust. B
- NB: Or supposing it is that he hasn’t been overt with self harm, or threatened self harm but from information that you have got from elsewhere, not from him, maybe from your padre or may be from your profile. Actually this chap comes from a really pretty awful, high risk background, you want to monitor X particularly carefully and get to know him over a particularly long period of time before you are satisfied he is right to go. But of course you are doing that within your 26 weeks. But then X will say “well hang on. Why am I being treated that way?” I would have there is a greater danger of them thinking that they are being singled out as something less. Then if you impose a general rule saying “these are the weapon handling drills that will apply to your six months”. And one of those drills is you don’t go off to the toilet with ammunition. If you haven’t got the ammunition you can then go with the rifle, unless somebody is going to bludgeon themselves to death, it is not particularly lethal. C
- CS: I haven’t seen any stigmatisation of lads who are treated differently. If we had that suspicion the lad is confronted with it. Without a doubt, because otherwise we can’t start to solve the underlying problems unless you do confront the lad with it. And actually, the neat solution for us at Catterick is to agree with you and say “right nobody is allowed to be on their own with a weapon unsupervised until they leave Catterick”. Because potentially that reduces or technically it reduces the risk and therefore it moves it to my domain. And that from a technical perspective is attractive, so is not recruiting under 18. It takes away the problem we have of being under attack for having under 18s. But that is the easy way out. Certainly for the Infantry the more and sooner we can trust our people based on their own performance and ability the greater potential we can gain from them. Well that is certainly how I perceive it. D
- NB: During this part of the conversation I certainly would like you to confirm that you don’t put your under 18s on guard duty because if you took that away and you did find that on someone’s assessment I think I would come back to you a little bit stronger.
- CS: If I find that the battalions are using under 18s it will be stopped on Monday. That’s easy and that’s something we can do very, very quickly. E
- NB: Right. That will be of interest.
- CS: You are busy aren’t you today?
- NB: Yes I have got someone coming at one unfortunately today and therefore I want to make a break. Thank you very much for all that it was extremely useful. F

G

- A CS: I wasn't entirely sure of what you wanted.
- NB: No I mean I have tended to make it what I wanted to do. I have got self harm, guard duties, supervision of weapons and I think probably that last exchange has dealt with that. Let me just try you on this. I am not going to get you to read the whole RMP investigation. These are events that occurred in 1999 at Deepcut. A Commanding Officer had been in post for a year or so now first thing that he hears is that a Sergeant has been banned from going to another regiment for allegedly chasing after a young woman. This is the point that the young woman that he is chasing after had been one of his trainees previously, but never mind about that. The next thing which happened is that he gets an anonymous letter which I will just show you saying. I think they did a supplementary report which is after the exhibits page but I haven't got a proper index. An anonymous letter saying there is bullying in the Army. He then had a word with Army Welfare Services who tell him that three trainees have alleged a serious assault or punching by a training Sergeant. He then phones up Glasgow records and manning and they removed the training Sergeant out of the Training Regiment where he goes somewhere else.
- B
- C CS: Was he just removed or was he investigated?
- NB: He is removed the same day and that is the problem that I have got. That is he is removed, on the one hand he is got rid of.
- CS: So he is just moved sideways,
- NB: He just moves sideways.
- D CS: Right, OK.
- NB: He is moved sideways and he is therefore out of the training Regiment. That is the letter he writes to Glasgow and that gets him moved. And that will give you an indication of what the welfare officer has told the Commanding Officer that he has just discovered that day from the trainees, the three trainees. And he is removed. RMP then start an investigation because these three trainees are willing at last to name the man they get good data capture on it and they are supported. They have got primary witness statements and corroboration of all this activity. But the RMP report in August 1999 by which time our man, our Sergeant in this particular case has moved on. Just for your interest that was the anonymous letter that the Commanding Officer gets and can do nothing about. It is quite interesting.
- E
- CS: When was this received by the Commanding Officer?
- NB: I can track it down to between the 26th January and 3rd February so that's six days before that letter. But obviously you can't relate this to an individual. He doesn't do anything.
- F
- CS: He would have been in front of me within hours and any of my Commanding Officers within hours of receiving this.
- NB: You would have acted on that letter in itself?
- CS: Yes. Yes.
- G NB: What about malicious complaints against people?

- CS: The Sergeant would have been in front of me. I would have explained the reason. A
- NB: Yes.
- CS: Made a call based on how well I knew him, whether I confronted him directly with the evidence because there is a real danger that he might recognise the writing, and therefore who did it.
- NB: The Commanding Officer in this case said he discussed that with his Major and decided not to confront for that reason. B
- CS: Yes that's fine. And then would have made one of two choices depending on the individual. I could have moved him to another training team if he didn't come clean and say "yes I have, or no I haven't" and then investigate it straight away. And I would probably, this is slightly contentious perhaps, if he is a troop sergeant with 2 Troop, OK, I would have wanted to have spoken to the rest of the troop.
- NB: Right. C
- CS: And gone down the line that if this is malicious it must stop, if, however, there is truth to this you must tell me.
- NB: Each member of the troop?
- CS: Yes. Either individually or collectively. Probably individually. And explained to them that this is not acceptable in the organisation. The way I can make it stop is by investigating and punishing this Sergeant. D
- NB: Yes.
- CS: And hopefully if there was a ring of silence someone would have broken it.
- NB: Added as a matter of background this is the witness statement that the RMP subsequently obtained when they investigated. They were brought in on the 9th February and they get this background to the Army welfare man but you can see that it has taken quite a long, three months, for the recruits to come forward. E
- CS: My experience of recruits is that if there is an issue they want someone to deal with it and sometimes they need to be confronted for them actually to speak up.
- NB: Just have a read of that and I am conscious of time but I mean it seems to me that this is quite an interesting example.
- CS: I am very disappointed there that this welfare worker –
- NB: Didn't press. F
- CS: Didn't press and didn't give her options of what action to take. She just said there she was unsure what action to take.
- NB: Yes.
- CS: And that meeting I assume finished? G

- A NB: Yes.
- CS: That is really disappointing.
- NB: That is the first engagement.
- CS: From a trained counsellor as a welfare worker.
- NB: She is obviously trying to encourage but letting her make the decisions.
- B NB: And at no time during this was the change of command alerted, the Commanding Officer?
- CS: No.
- CS: Right OK, yes.
- C NB: He is going to go there on 9th February and then things are going to happen. So he gets disclosure on the 21st January.
- CS: 21st January.
- NB: He has now got disclosure.
- CS: Disclosure and the name.
- D NB: Yes, disclosure and the name and of course he is doing this which is –
- CS: Corroboration.
- NB: And, this is interesting because the Sergeant is already saying he is vulnerable. Which makes me think that if he is saying that the Commanding Officer must have had the letter shortly after 25th January. All this becomes stated. Nothing happening. Then he says he is going to disclose when he gets the full picture.
- E CS: Yes.
- NB: Then he goes to the Commanding Officer.
- CS: I have to say I have every confidence that had this been at Catterick they would have been banging my door down.
- NB: At which point in that process?
- F CS: Initially?
- NB: Yes. Initially where would you have hoped to have been brought in?
- CS: There. Following that conversation with Sergeant [...].
- NB: What about troop confidentiality, disclosure?
- CS: The weakness here is that she was unsure what sort of action to take. Three things that should have happened there. Should have outlined what action was available. Should
- G

- have invited her initially to say what action she would like taken if she was solving it herself and then say "well if you really want this fixed I need to speak to the Commanding Officer about it now". If she says no the next line is "well I am going to speak to the Commanding Officer about it, I won't name you, but it is important that if this is happening it is stopped". A
- NB: Right.
- CS: And what that does immediately is even if it is a false allegation it immediately identifies to the Sergeant, the accused, that he is being watched. B
- NB: Yes.
- CS: And if nothing else the Sergeant then has two options, it either stops immediately or he takes revenge.
- NB: Which is what he does.
- CS: Because they didn't get to him early enough. C
- NB: No but he takes revenge.
- CS: Yes once you get a sergeant in front of the Commanding Officer and you say "Sergeant, there has been a complaint about you, we are going to investigate it. At the moment I have still got confidence in you, it is not proven yet but just be aware we are watching you". And very few Sergeants once they know they are being watched, actually, do anything afterwards because they know that eventually they are going to be found out. So actually there is two months there lost. D
- NB: That is just the beginning. 11th August we get the RMP reporting. Take it from me please that all these three people, we have three complaints, they all support each other about being hit in the face, being punched and being abused verbally. Threatened not to report and then this riding on a bicycle. That is our lady who corroborated that and there is a second corroboration.
- CS: A quick question without reading the whole statement is that corroboration credible and accurate? E
- NB: Yes.
- CS: There is no obvious collusion?
- NB: No. The two of them obviously talked which might have been a cause of concern. But for example you see they got a statement from the civilian physical instructor and he says he asked the chap "did [...] hit you?" and he said "yes he did". And the civilian says "well he should report him" which he is still afraid to do. So at least he has corroborated the fact that he made that point. And then we have got other people supporting it so, you know, unpleasant things with a banana of a sexual variety. So it is all here, right. And of course he is going to deny it and they have got supporting evidence which backs it all up, it is corroboration, further corroboration etc. He is going to deny it, under caution, where they don't really do a particularly strong thing. Now that's it. Do you expect more from an RMP report? F

- A CS: Yes. What is interesting in here – it is different now – there are none of the interviews in here.
- NB: There are some. He is under caution. But in some ways, not the full thing. I'm afraid it's fairly anodyne. Do you expect a recommendation from the RMP?
- CS: No.
- NB: Do you expect an assessment of credibility?
- B CS: No. The RMP investigate. They present evidence. They don't recommend. This would go to the Army Legal Service who would then suggest a charge and recommend a course of action for the Commanding Officer. And I see those quite regularly. Now I can take that recommendation, that advice, or I can do something different. I wouldn't ignore it. There's an incident where they recommended that I charged a lad for assault causing actual bodily harm. Having been through the evidence, just charging him with common assault I could deal with and there was no conclusive evidence. It was one lad's word against another's.
- C NB: This is a training sergeant. We're in the field of common assault.
- CS: Yes.
- NB: It's persistence.
- CS: But it's sexual as well.
- D NB: Yes.
- CS: The report would go to the Army Prosecuting Authority. They'd make the recommendation, then the Commanding Officer would act.
- NB: I've asked for that report, but I haven't got it yet.
- CS: And we get legal advice from APA. What horrifies me, is that firstly the welfare worker didn't do their job. They didn't dig, they didn't recommend or even talk about courses of action.
- E NB: The courses of action being?
- CS: With the young lads. And they didn't alert the Commanding Officer. Even if she said "don't tell the Commanding Officer", with a little bit of persuasion most recruits, if you say "look, I won't tell them your name, but if it has happened to other people, they're not going to know that it's you reporting him anyway. But I need to tell the CO to stop it happening to other people". And that way, the CO knows and can actually intervene very early.
- F NB: And what would be the correct intervention?
- CS: If it was me and I knew his name, I would march him in, told him what I knew, told him that it would be investigated. Now at that stage, he doesn't know that I might not even know who it is who alleged it, but that doesn't matter. It would be investigated, he is being watched. I might, depending on the credibility of the initial evidence, and I'd take advice from other members of staff who knew the girl, if her allegation was credible I
- G

- would probably remove him to another training team for his own protection at this stage. A
- NB: Still within your organisation?
- CS: Possibly still within the organisation.
- NB: Catterick might be big enough to do that.
- CS: Possibly within the organisation, because at the moment, he is innocent. B
- NB: You don't have a talk with Manning & Records until then?
- CS: No. This therefore was before the full investigation.
- NB: The investigation is going to start on the 9th of February and the statements that you have seen is going to be taken after that. On the one hand, he's got him out of his training regiment. On the other hand, he is out of the training regiment altogether, so in a sense the CO no longer has a particular motivation to see this one through. C
- CS: He has just washed his hands off it, which is wrong. This happened on his command. He is responsible.
- NB: Is he?
- CS: He is responsible for investigating this and seeing it through.
- NB: That's interesting. Let me tell you what happened next. I'm rather shocked by this, as you may have gathered. D
- CS: I share your concern.
- NB: The man is moved to another place. There's a supplementary report where you get some more information. In the other place, there's another RMP investigation. He hits two more soldiers.
- CS: He has gone to a place where he is not being watched and supervised and he does it again. E
- NB: He does. And I can't tell you what happens between that date and this date except that he is promoted from Sergeant to Staff Sergeant when he hits someone else.
- CS: So after the investigation, what happened to him?
- NB: I don't know. F
- CS: I have to say, I have had this sort of thing. He is removed from the training team to protect himself and the recruits to another training team. At the moment, he is innocent. He is watched, he is told he is being watched. The investigation goes on. If there is a case to answer, the Sergeant would be remanded by me for Court Martial, if the APA felt there was sufficient evidence to make a case. Remanded by me for Court Martial, court martialled and if found guilty of this kind of offence, and I just had a Cpl like that a couple of years ago, reduced to rank as Pte and probably discharged. Certainly in this climate, and the climate might be slightly different now, but I had a Cpl G

- A do something similar, though not as extreme at Bassingbourn in 1985 and that is exactly what happened.
- NB: We've asked for the case files but we've only got the RMP files. We're going to get the case files and PS2 at Upavon is going to give me the legal files. What we appear to have got is that it had taken some time for those three recruits to come forward, the CO not knowing what's going on, he decides to get rid of him from the Training Regiment, the RMP investigation then goes to another CO as the principal and I don't know what happened or what legal advice was given.
- B
- CS: The case file should have gone to the new CO as an information addressee.
- NB: Yes, it did.
- CS: Now I assume the new CO marched him in and said "what's going on".
- NB: I would have thought he was on his way to a Court Martial.
- C
- CS: I would too. I can't believe he wasn't.
- NB: So the distribution. It goes to, I think that's his new CO, Legal Branch, all these are copied in, including his old CO and his new one. So the new CO is the primary recipient and Legal Branch is here. But a busy CO in the field army I imagine might have wanted something in terms of advice at the same time as he receives the report, so this without that probably isn't doing much good.
- D
- CS: He doesn't need much advice. All he needs is a phone call from the losing CO. That's all I would need. If another CO, who I probably know, phones me up and says "this Sergeant is coming to you. He is being investigated for this. Watch him". My first action on that Sergeant's arrival is to do exactly what I would have done on being alerted by the welfare worker. March him in and make him aware.
- NB: So the old CO has to brief the new CO to then give the same preventive regime?
- CS: Absolutely.
- E
- NB: So the new CO has the benefit of that when he has to then make his assessment.
- CS: One of the things we've been really bad at in the past with less serious offences is removing people from post without doing it formally. Just posting them away. Then there is no audit trail to their previous behaviour. Now, we've tightened up on it a lot, which I am pleased about, with AGAI 67 now being more formally used to remove somebody. You cannot remove somebody from post without formal recorded action and I served 2.5 years at the APC in Glasgow, so I got involved in a number of removals from post.
- F
- NB: For the Infantry?
- CS: Yes.
- NB: I'm going up to Glasgow next week where this is going to be the subject matter.
- CS: It is a coward's way out to just move someone without confronting the problem. All you're doing is sending the problem somewhere else so someone else has to suffer.
- G

- Whether it's professional incompetence or whether it is what I would call a social misdemeanour. And you can remove someone for professional incompetence as well. A
- NB: And if you thought he was a threat to the safety of the Training Regiment whilst he was there, you would suspend him?
- CS: Yes. We've done that.
- NB: Thank you for that.
- CS: I'm not sure that's written down anywhere, but as a Commanding Officer there is a generic action. B
- NB: I shall look forward to find the rest of the jigsaw on this one. I think eventually, he is dismissed from the Army, but only for adultery.
- CS: And as you say, the evidence is credible and corroborated.
- NB: This looks like quality evidence to me. C
- CS: As an example, I sat at a Court Martial Board recently in Northern Ireland and a young lad was being charged with assault causing actual bodily harm. It was a punch-up between two men vying for a senior position in the group. An Alpha-Male engagement. One came out slightly worse and had some minor injury to his face. He didn't report it himself. He was spotted on parade that evening by a Cpl. The Cpl said "how did you get that?" Went down to the medical centre, got him checked out and x-rayed. The Cpl then got the lads together without these two and said "right, what happened?" One of the lads came up to the Cpl the next day and told him what happened. The Cpl immediately reported it and that's how the charge came about. And it wasn't within my unit, but I was very pleased that it had happened, because the Cpl could have said "oh, two lads having a fight". D
- NB: From the limited data I get hold of in this rather lengthy period of review I am certainly of the impression that in the past, far too much has been laid on the door of the complainant and they themselves are having to cure the problem in the Army.
- CS: The issue of bullying in the Army perhaps, rather than a problem, to be a bit defensive. E
- NB: It's a problem isn't it?
- CS: There is bullying in the Army and that is an issue. Would you say that if it is an issue, then it is a problem to be solved?
- NB: Yes.
- CS: That's fine because that's accepting it's there and we've got to solve it. If you say as a statement that there's a problem of bullying in the Army, it's more inflammatory. F
- NB: You're making an assertion of facts?
- CS: Yes. I've seen it in a report recently which says "ITC Catterick doesn't process documents correctly". And then it said "there is one incident where ..." That's an exception. Where were the rest of the training staff? Was it just that sergeant looking after that troop? Were there no Cpls? Was there no Platoon Commander? And were the Cpls involved? G

- A NB: Once we go into this case, there's clearly quite a lot of conspiracy of silence going on. And indeed, the CO told me that one of the problems of the case was that he told me when I asked him about this that he was being told that other recruits had been backing the Sergeant and were putting razor blades in the boots of the complainant to keep quiet. And this chap gets beaten up after he makes a statement by other recruits.
- CS: It wasn't nipped in the bud early enough.
- B NB: He's boasting in February that he was getting away with it. I'm sorry to use you for these examples, but it's quite useful to do that. Kaspar, have you got any topics that you think I should be covering?
- KN There was just one * which was to do with self harm reporting.
- CS: One of the things we changed. We treat all threatened or actual self harm the same as a starting point. If it is a threat of self harm or an actual self harm, we go straight to the doctor. The doctor then makes a professional call on whether the lads can go back into training with normal levels of supervision or whether we should watch them a bit more closely or comes out of training. He is then delivered into the Hook Company and that does two things. It removes some of the stresses of the training, although most of the problem is probably outside anyway. It removes some of the stresses of training so that he has only got the underlying problems to be dealt with and it buys us time to deal with his issues because we've made a separation and by moving him out of the training we've said "we are taking this seriously, we are paying attention, we are doing something about it". He is in Hook Company where he is supervised and we can then get him to see counsellors, psychiatrists, speak to the family and do that.
- C
- D NB: Do you have a minimum threshold of self harm?
- CS: No.
- NB: So plastic cutlery on the wrist is enough?
- CS: Everything.
- E NB: Even a couple of feeble Anadins?
- CS: Where the lad would try to take the Anadin. It had a secondary effect interestingly. I've not got the data but we had a number of self harms in the early summer of 2004 which were not attempts to take a life – small cuts on the back of the arm – the procedure as always is in to the doctor and off on sick leave. Interestingly enough, one of the lads certainly went to Tenerife with his girlfriend for a couple of weeks' leave while he was on sick leave. So a couple of stitches on the back of the arm is a small price to pay for two weeks off with your girlfriend. Self harm is seen now amongst recruits as an almost direct route out of the Army and perhaps, they'll think twice, if they really wanted to be in the Army, about going down the line of a false self harm. It's had a by-product. But at present, any self harm is treated the same. Exactly the same action. And if it gives that time and space to deal with them and help them out.
- F NB: I'm going to have to stop but I would just quite like to pick up where I came in earlier on about age which you may appreciate has been a theme which is of particular interest. I just want to make sure that I've got it accurately that as far as you're concerned, if Bassingbourn was taken out of the frame and so you had Harrogate
- G

- people in or your 16 years 9 months in, is that the Army losing a valuable resource of is it just removing the problem of not being able to deploy its troops for 9 months? A
- CS: I don't know in detail the numbers who come from Bassingbourn, but I'll try and make a suggestion. At the moment they do a minimum of 31 weeks.
- NB: I'm told they might be increasing Bassingbourn.
- CS: Yes, to twenty-something. One of the reasons we joined Phase 1 and Phase 2 was to remove barriers, to give better welfare care because they were with the same Cpls throughout. It meant the commands didn't change so the Platoon Commander and the Company Commander could keep an eye on them for a longer period of time. It's time that we had the infantrymen's course approximately 40 weeks long, based in Catterick, perhaps with a minimum entry age of 16 years 6 months. We would not then lose much – B
- NB: That is very much like the old Junior Entry.
- CS: Yes. It does two things. It enables us to retain – C
- NB: It was recommended to the Army Board by the Adjutant General in 1993.
- CS: And we've been trying to instigate it since I arrived at Catterick. It does two things. The Army is still able to take those numbers in.
- NB: I have no problems with the 42 week course.
- CS: There's a product at the end of it and there's an argument that we have lost that junior element. Also, there's a number of thousand of young men who aren't on the streets *. D
- NB: That's the Army's role of socialisation.
- CS: And that is a concern. It's a concern of soldiers we lose through training. Where are they going?
- NB: I recognise that if it works and you are providing the appropriate environment you're providing that extra social benefit. I suspect, however, the Army's primary reason why they want these numbers is that they want them in the Army rather than from a perspective of wanting this wonderfully humanitarian egalitarian society. E
- CS: If people say to me "how big is your family?" my answer is 1000. And I think most COs would say that. Every soldier on his command is a member of your family. They are all foster children to us and it has to be that way. And that's why we are a little bit upset when we are accused of having a culture of bullying that's institutionalised. I think they only have to be in my office when I have an arm around a soldier and he's crying because his girlfriend has dumped him. F
- NB: I think part of the activity I'm doing is trying to unpick myths and look at good practice and try to identify what good practice is and also look at bad practice. I'm not going to be giving a judgment on history on every allegation. I can't possibly do that. What I am trying to identify is whether good practice could have been learnt quicker. A final comment then about your answer about blue skies thinking regarding a 42-week junior infantry course. There's an argument against that by saying that some of the young lads G

- A on the course want to get to the field army as quickly as possible. They don't want the education and the skills.
- CS: I wouldn't design a course on a Harrogate model. It would include education at Basic Skills level, but it would primarily be a soldiering course. One of the criticisms of Harrogate that I've heard it said that it is a school with a cadet force. That it doesn't come across as a military training establishment with education. It comes across as a school. And perhaps that's part of the perception out in the training organisation. Now the course at Bassingbourn I would want to run in Catterick which would involve
- B personal development, social development, military training with an educational element in it. It wouldn't be a college, it would be a military training course with education. And I know that lads who don't go to school, don't want to go back to school, but we run a two week Basic Skills course for those with a reading age of 7 and 9, entry level 1 and 2. And the boys call it the dumb and dumber course. And I speak to every course when it forms up and when it finishes and they take the success of the CIC six months with them onto the Basic Skills. It's the first time they realise that they have achieved something.
- C NB: Because they have achieved something, they can do better.
- CS: And that's why we attach it at the end. But in the two weeks, nearly half step up one level. They may have a reading age of 9, and in the two weeks, you get them up to 11. We would structure the course based on military principles with education. The perception of Harrogate is a view. It's even the name – Army Foundation College – as opposed to Army Foundation Training Centre.
- D NB: They are obviously doing quite a lot in terms of education. And you would be content with boosting your infantry entries' educational ability to basic literacy skills?
- CS: Yes, literacy and numeracy. It depends on the starting point and the more you want to do, the longer it takes. And the more the balance goes towards education away from military training.
- NB: Thank you very much for your time. It has been a very interesting conversation.
- E
- F
- G

Appendix 4/15

Meeting with the Adjutant General's staff

Present: Nicholas Blake QC (NB), Darren Beck (DB), Brigadier Advisory (Adv), Colonel PS2 (PS2), Chief of Staff ATRA (COS), SO1 Employment Army (EA), DM(A) Col Manning (DMA), Deputy Provost Martial (Army) (DPM).

Location: Adjutant General's Headquarters, Upavon

Date: 25 August 2005.

Session 1: Brigadier Advisory (Adv), Army Legal Services and Colonel Personal Services 2 (PS2)

NB: I'm Nicholas Blake, I'm with Darren Beck and could you just introduce yourselves?

Adv: Brigadier [...]. I'm Brigadier Advisory at Headquarters Adjutant-General. I'm a solicitor, as well as being an Army officer and I am the Adjutant General's principal military legal advisor and a member of the Army Legal Services.

PS2: I'm Colonel [...]. I'm Colonel Personal Services 2, and PS2 is responsible for Army discipline policy. And we also have within the branch the post-trial section, and I have no doubt we will come on to that later. I work for the Director of Personal Services in the Army.

NB: The impression that I'm coming away with, looking at various documents on the ground, particularly of how the RLC and various Commanding Officers of 25 Training & Support Regiment were doing their job, is that we have (1) a formal disciplinary system, which can either be under the AGAI 67 regime, where a Commanding Officer with the consent of the person concerned, if it is within his jurisdiction, can bring a charge and award a punishment at a certain level, or it might then have to go to a court martial, if it is more serious or the person doesn't consent or matters of that sort. But (2), alongside that, you have administrative removal from post, and that seems to be both formal, asking Glasgow¹ to remove someone from post and giving written reasons and then I'm getting a picture of a slightly less formal procedure.

Adv: It would be – in legal terms – appropriate to describe the separation between the two systems as one being criminal and the other being administrative or employment law based.

NB: Right.

Adv: And the Services are, I think, unique in having their own criminal justice system. Within the Services, we refer back to that as disciplinary action, whereas in civilian organisations, they would regard disciplinary actions as being not criminal.

NB: Yes.

Adv: So we call it disciplinary or administrative, but what it means is criminal and administrative. The criminal side is largely dealt with under the Army Act of 1965, which sets out certain purely military offences, which are nevertheless criminal offences and they can be dealt with either summarily by a Commanding Officer who has a limited range of powers to deal with both purely military and also some civilian criminal

¹ Army Personnel Centre.

A offences, for example common assault or driving a vehicle with a blood alcohol level over the prescribed limit. And his powers of punishment are also quite limited in terms that he has a maximum punishment available of 60 days detention. He also has a limit in terms of the ranks he can deal with. He can only deal with an NCO up to the rank of Staff Sergeant. Warrant Officers and officers are dealt with by the appropriate superior authority. So there are limits on the summary dealings system. Instead of dealing summarily, if he feels that the limitations based upon him are such that the case is more appropriately dealt with by court martial, he then will refer the case to his higher authority, who will be the Brigade Commander usually. And that Brigade Commander will then look at the case and decide whether to refer it to the Independent Army Prosecuting Authority. That authority will then decide whether trial by court martial is appropriate. They use the same tests as the CPS², that is, the evidential sufficiency test, and the public interest test, although military lawyers also look at the service interest as well, as part of the public interest. And if they decide that those tests are satisfied, they will direct trial by court martial, using the classic principles that are used in criminal law.

B

NB: But most of the incidents that I am interested in for the purposes of this review are either perhaps NCOs having liaisons with recruits – not raping them or indecent assault – but nevertheless, either inviting them to have sexual intercourse or having it. It seems to me that could be defined as conduct prejudicial to the Army and that would be an Army Act offence, which would then be dealt with in a criminal, rather than administrative sense, or it could be a ticking off or a form of administrative action and then you could say “well, you’re no longer suitable to be a trainer in my regiment”, or not. Or you say “if you do it again, you won’t be suitable to be in the Training Regiment”. Who makes the judgment? How does it come about? And am I right that that kind of complaint, that kind of conduct can span the gap between, as it were, employment law and criminal law?

C

D Adv: It can indeed. And conduct for example involving an instructor, let’s say, who goes into the female accommodation, which would be a breach of standing orders under certain circumstances, and has some sort of sexual relationship with a recruit, could well form the basis of a criminal charge, most likely under s.69 of the Army Act, that is “conduct of a prejudice of good order and military discipline”. Which could be dealt with summarily, by the Commanding Officer, or, if sufficiently serious, maybe tried by court martial.

E NB: When I came here last, I think [COS ATRA] was suggesting that that kind of conduct probably would lead to a formal charge before a court martial. I think I said “well, have you got any evidence of that” and he said “I have”, and I don’t think he’s come back with it. I’m rather finding from what I’m looking at, certainly in RLC from 1995 onwards, it never has.

F Adv: No. Ultimately, the decision is that of the Commanding Officer, because he is at the centre of both the criminal system in making the decision of “shall I deal with this summarily, shall I refer it up to trial by court martial, or is it a matter that I can deal with administratively under, effectively, employment law?” The AGAI is now called AGAI 67, it was called AGAI 62. It’s the same AGAI. When did 62 change into 67?

PS2: 2001.

Adv: Ultimately, the CO being at the very heart of both systems, he is the man who will decide which way the case will go. Now, every Commanding Officer has access to legal

G ² Crown Prosecution Service.

advice from one of my officers, who are embedded in divisional headquarters. And so at Deepcut, they would go to the legal branch at 4 Div, based at Aldershot. And he may well, instinctively, say "this is an administrative action case and we'll crack on, we'll deal with it in this way, it's a very minor matter". But if it was rather more serious, he would consult with his legal adviser at Division, and say "what do you think? Do you think this is a matter which in legal terms is deserving, fully deserving of criminal disciplinary action, or is it a matter which is more appropriately dealt with by way of administrative action?" And the lawyer would give him some advice and guidance, but ultimately, it's his decision with the benefit of that legal advice.

A

NB: Does he have any guidance before the incident had occurred? Is there a circular or an instruction or a guidance note?

B

Adv: Yes, the AGAI itself, in the introductory paragraphs will give him guidance on how he should approach it, it describes the difference between the criminal system and the administrative system and how he should approach the two. Ultimately, of course, it is very much a matter of judgment. And I must say, if I look back let's say 10 years, as the Army develops, and as society develops, certain matters which would have undoubtedly been dealt with by way of formal charge under the Army Act let's say 10 years ago, these days might well be dealt with by way of administrative action.

C

NB: Such as?

Adv: For example consensual sexual relationships. I'm talking here outside the recruiting environment. The instructor/recruit relationship makes things very different, because you have that disparity of rank, you also have that trust and the authority of the instructor over the recruit. And so, that would be a major consideration if we had, say, a consensual sexual relationship, that would be a major factor in deciding how to deal with that particular case. There's no doubt about that. Even today.

D

NB: I understand that, for obvious reasons, that that it strongly disapproved of and it undermines that relationship and it is viewed with considerable disfavour. But if there is evidence that such a relationship has happened, does the AGAI itself or does any other circular supplementing it deal with this particular class of conduct in a training regiment? We are dealing with NCOs, trainers and trainees in Phase 2. Does the Commanding Officer get a steer that really you need to go through a formal criminal procedure for this kind of conduct or is it left to him to make that choice?

E

Adv: I think it is a matter of judgment for the CO, and the CO of a training unit would be much more attuned to this sort of incident.

NB: Does the Commanding Officer always seek legal advice? Or does he or she think that they can handle it?

Adv: In those sort of cases I would suggest that he doesn't always have to seek legal advice and therefore probably doesn't seek legal advice.

F

NB: In which case, therefore, I want to put myself in the position where I'm the Commanding Officer. Someone tells me this has happened. I've got my AGAI 67 which tells me, I thought, about ways in which I could deal with it, but it doesn't tell me specifically how I should deal with it in this particular case. I might get some advice on how to deal with the particular case if I get on the phone and speak to your officers at Aldershot. But no-one is telling me that I have to do that in every case, or at a certain threshold case, and for whatever reason, I decide not to pick up the phone. So I'm now

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A cutting myself off from the benefit of that advice. So if I cut myself off from that advice, I don't find anything in the AGAI on this particular issue which says "go this way, rather than that way". What do I do next? I know there is the ATRA handbook, but that just tells me that this is something which shouldn't happen. There is no other circular which says "this particular conduct needs to be dealt with in this particular way". And therefore, is it just back to tact and discretion and forming a judgment of my own?

PS2: In terms of Army discipline policy, you are correct. Whether there is anything else within the ATRA, I'm not aware of.

B Adv: There's what's called a Land Standing Order – a LANDSO – which gives policy directions to those operating within the Land chain of command. As to those allegations of offences that had to do with those, would go to the Royal Military Police. Now, you're talking about the more serious wounding assaults, so it does not include this.

NB: And equally, I'm told that self harm has to be reported to the Royal Military Police.

C Adv: It is set out in the LANDSO and there is a list of matters, not offences, though some of them clearly are offences as well, but there is a list of incidents, to put it that way, which should be reported to the Military Police. Can I just tell you the difference between a case which my officers would advise for a charge under, say, s.69 of the Army Act and a matter that might be dealt with administratively? And that would be where you have a sexual relationship between an instructor and a recruit, and that's it. It's purely consensual and there is no other factor involved. In those circumstances, I would regard that as largely an employment matter. In other words, that instructor is unfit to work in that particular environment, and therefore, we should take administrative action. First of all, to issue some form of sanction or even removal from the Army, but certainly, that some action should be taken immediately to remove him from the training environment. If, however, that consensual sexual activity involved some for example coercion, some abuse of authority, clear abuse of authority, then that would bring it towards the category of disciplinary action. Where someone had been, clearly, it wasn't a rape situation, but there was some element of coercion, a series of offences, for example. Someone who had taken steps to target a particular person or group of persons. And then that clearly is in a different category than just the opportunist consensual sexual activity.

E NB: Yes, though it is quite difficult to work out which is which if you are dealing with a Sergeant and a recruit.

Adv: Yes, it is. And again, we would rely upon the CO and in those circumstances, my advice would be to ask the RMP to investigate have they not already done so, so that a full statement can be taken from the recruit and an interview under caution can take place with the personal alleged to have committed the conduct. And then we can look at that. The document that I would refer to is, I think either in the QR or in AGAI, which sets out, it's certainly in the Code for Service Prosecutors, which sets out those public and service interest aspects of a case which might lead you towards a prosecution or against it. And it is very similar to the CPS Code of Practice.

F

NB: Yes.

Adv: And it sets out the aggravating and mitigating factors.

G NB: The reason I'm going through this terrain, is because of all the instances we've got, and Col Laden when he was Commanding Officer at the Training Regiment, said he dealt

with about 8 of these incidents. Let's just have a look then at the other side. The non-criminal, employment side sanction to this. Supposing that's the route that the Commanding Officer decides to take. Now, it seems to me that once there is a recognition of those two routes, one of the things about an employer is that he can sack someone without having to prove beyond a reasonable doubt that he did it. If you have reasonable suspicion, and you've made reasonable enquiries, then an employment tribunal can say "well, you can be sacked". Is it made clear that that is the test for administrative action, and if so, where is it made clear? A

Adv: It's actually in AGAI 67, and I'm referring to the present one. We do have, in my office, indeed all my officers have, a set of all the AGAI 62s, then going to AGAI 67, and you can see how the document and the procedure has developed over the years. B

NB: That might be useful then, because AGAI 67 we think is 2001.

Adv: Yes, but the latest iteration of that is of January this year.

NB: I would like to know what it was like at the time. I'm concerned with 1995 through to 2002. C

Adv: Certainly, in the present AGAI 67 the balance of probabilities test is made clear.

PS2: That is made clear in the AGAI itself. My team briefs on the Commanding Officers Designate Course and it is made absolutely clear the difference between beyond a reasonable doubt and the balance of probabilities. And obviously, every Commanding Officer will attend that course.

NB: Right. If the Commanding Officer gets a report from one of his members of staff that X female soldier has been the subject of either groping or sexual impropriety or harassment of some sort, but this person doesn't particularly want to talk about it to the Commanding Officer, it seems to me that the Commanding Officer is on notice that something untoward may well be going on. Does he investigate it himself? Does he get his unit to investigate it? Does he call in the RMP? The SIB? Or does he simply say "until there's a formal complaint, it doesn't exist"? D

Adv: He's got a variety of means available and a variety of sources of advice available. For advice, he can go to one of my officers at the divisional headquarters. He can seek advice from his immediate military superior. These are all areas where I know the COs have sought advice. He can go to the G1 staff. G1 is the discipline and personnel branch. And that exists at every brigade and divisional headquarters. Or he can go directly to PS2, which will give him guidance on what he should do. He can also go to the Military Police. And he can also go to the Equal Opportunities Investigation Team, which will take on case that involve allegations that might give rise to a claim before an employment tribunal. E

NB: How long has the Equal Opportunities Investigation Team at Bulford existed? F

PS2: 8 or 9 years, maybe more.

NB: So that would be 1997?

Adv: Yes. And those are the sources of advice. In terms of investigation, he can conduct his own investigation, and indeed, under AGAI 67 that is the ordinary means by which he would do it. In other words, as a Commanding Officer, I'll have you in and say "I've G

- A received this allegation, this is what it says. What do you say? Do you have an explanation? Do you deny it? Do you accept it?" And then you record that. That's all part of the procedure under AGAI 67. He can ask one of his officers to do that, ask the Adjutant or someone in his unit. Or he can ask another military officer to do it. He can also ask the Military Police to conduct a formal investigation, depending upon the seriousness of the allegation and also the rank of the accused, if I can put it that way. And then, finally, he could ask the Equal Opportunities Investigation Team to look at it, if it's within their remit. The fact that a victim will not make a formal written complaint will not necessarily prevent him from conducting an investigation.
- B NB: Right. That is very much part of one of the incidents that I'm looking at with the response that the Commanding Officer gave me. No formal complaint, no investigation. And he said he phoned up the RMP at Aldershot who said "until the victim has made a formal complaint, we can't investigate". One of the trigger questions that I've got in my notes for this part of the meeting, is that whereas criminal law provides due process to find out what happened in the past, in an Army environment, perhaps a more important question is to make sure that things aren't happening now or in the future and so you are trying to prevent those types of activities by marking out your disapproval of them and trying to sniff out whether there is any basis of the rumour of these activities going on, rather than simply waiting for all the evidence to pile up and then you meet the criminal standard of proof. Is that right?
- C PS2: I wouldn't have said that it is more important with the now and the future. I think that certainly Commanding Officers, when they are trained now, it is critical that if there is any evidence of an allegation of a criminal offence or professional failing that they should investigate.
- D NB: And if the allegation of professional failure, I'll call it that for the moment, relates to an important senior NCO upon whom you rely every day to run the regiment, that would make it even more important to get to the bottom of it?
- PS2: Absolutely. And if it concerns the RSM, you can't rely on anybody more than that. He is critical.
- NB: This case I'm looking at is precisely about an RSM who clearly was abusing his authority according to staff. And as far as we understand, because one of the women wasn't willing to make a statement to the Commanding Officer, he felt that he couldn't take that further. So he did have an interview with him and the RSM was somehow removed from his job. But I think that was administrative action and it is not on his record. He was around for an awful long time and he was setting the tone for the beginning of this period before the deaths happened. And I don't think it has ever been grappled with and I just wasn't sure what powers were available for him to do that. If there is a rumour that something is going wrong with someone you need to rely upon, you can then decide by yourself to instigate a formal investigation, and then do you do that yourself, or do you call in the police?
- E F Adv: Unless it's one of those listed offences in the LANDSO, that's up to you.
- NB: Right. And the best way to do that it then to get the Adjutant to start making some enquiries?
- Adv: It could be handed to any one of your officers, depending on what is appropriate. If you do too much of your own investigations beforehand, that hampers their investigation later, and therefore that judgment needs to be made fairly early on. But we say to
- G

- Commanding Officers that if at any stage of an investigation that you are conducting, there is any evidence of criminality, you should stop immediately and call in the RMP or the SIB. A
- DB: So in the circumstances described, you wouldn't expect the RMP to decline to investigate if asked to do so by the Commander Officer because there hasn't been a claim made direct to them?
- Adv: No. Because the first thing the RMP would do is go to the complainant and say "what about this allegation that you made and will you make a s.9 statement telling us exactly what happened?" Of course if at that point the complainant says "I don't want to make a complaint", that does give you rather more difficulty. There would be then on record that the RMP approached the complainant. B
- NB: So where there is an apparently credible account of an allegation – direct or indirect – the answer is proper investigation?
- Adv: Yes. C
- NB: I've seen a formula that is being used where there is a feeling that he is no longer suitable to be a trainer in a training regiment, and so, something along the lines of "undermining my confidence", or "I no longer have confidence in him doing that role". Now, is that a formula that has any legal status or is that just a form of words to suggest that he ought to think about a job elsewhere?
- Adv: It can be administrative action in its own right. It's not actually at the present time within AGAI 67, because I think removal from appointment is not a sanction as such, but it is administrative action in that the CO can say "I want to remove you from the appointment". He can do that with the means available to him; first of all by suspension from that particular appointment, that's immediate action, and then by an application for the person to be removed from his appointment, in what's called a 9926 form. And he will set out in the form exactly why he considers this person no longer suitable to fill this particular appointment, and the decision is then made by Glasgow. D
- PS2: Well, Glasgow would advise, but it is made by the deciding officer in the chain of command, the superior officer in the chain of command. That's the current system. And if you look in AGAI 67, the removal from appointment, first of all the suspension pending investigation, then there is non-blameworthy removal from appointment, in other words, it's a compassionate issue over which he has not control, Glasgow has no control, and therefore he needs to be moved from that appointment. Blameworthy removal, in other words it is his actions that have caused his unsuitability for that appointment is always then supported by administrative action. In other words an investigation and consideration of a sanction against him. E
- NB: Always supported by it? F
- PS2: If it's a blameworthy removal, it is always supported by administrative investigation.
- DB: When it comes to soldiers and NCOs being removed from post, on their personnel files, their career files etc there is no reference to 9926 action. No paperwork or any explanation whatsoever as to why they were being removed. There was certainly, to take the Laden examples which date from 2002, there's no record on any of the personnel files relating to why, or even relating to the fact that they were removed. In one instance, no recognition that they were ever at Deepcut. G

A Adv: I find that very strange. Certainly in 1999, I recall that 9926 action was in force. This makes clear that he is the subject of an SIB investigation. In terms of the process involved in achieving his removal from appointment, that is the correct organisation, the MCM Div at Glasgow³.

NB: But am I categorising this as a request to suspend him or is it a request for removal from post?

Adv: It states removal from post.

B

NB: So this is a request that, as I think you were telling me, ought to be through this 9926. But he's not using that procedure, he's just writing the letter?

Adv: Well, he's not using the actual form. If that was to be on a 9926 form, that would be all the information you would require on the form.

C

NB: The picture I'm being told is that we have a system which is less formal, a telephone, someone saying "I'm not happy with X" and then being moved on. But of course, that's leaving no audit trail as to why you are unhappy with X and that creates a problem of where X is going to be employed again in the future.

PS2: As you described, 9926 would be the Army policy. Whether there was any subordinate policy written by RLC, I don't know. Not specifically on removal from appointments in training establishments, but there may be something from the RLC which would give an indication of the policies at the time.

D

NB: I have reason to believe that I may find, when I speak to Glasgow, that there will be evidence of this informal procedure, which may get results in the suitable removal of people who are unsuitable, but create other problems further down the line. What paper trail ought to have been left if we start off with an allegation?

PS2: Part of the investigation is the interview with the Commanding Officer. And certainly, if formal administrative action is going to be taken under the AGAI, there should be a report by the Commanding Officer to the chain of command, to his superiors in the chain of command.

E

NB: Where does that report end up?

PS2: A copy should certainly be retained by the initiator, in other words the Commanding Officer of the unit.

NB: In what? The discipline book? One of the problems is that Deepcut doesn't seem to have had a document retention policy at all. But if there is another copy, that is going to go up to Land Command? Aldershot?

F

Adv: It would be to the Brigade and the disciplinary chain of command of the Brigade, in other words, their superior Brigade, which is subordinate to 4 Div. So 2 South East Brigade. Depending on the rank of the individual, depending on the sanction that is going to be recommended. It dictates where in the chain of command the decision is going to be made.

NB: What documentation ought to exist to support a criminal sanction?

G ³ Referring to a letter shown to him dated 8 February 1999 relating to a Sergeant removed from post at Deepcut.

- Adv: That should be on his unit conduct sheets. And Queen's Regulations state how that should be recorded. A
- DB: Which record would it be kept on?
- Adv: His disciplinary record on his conduct sheet.
- DB: Would it be on his personnel record, his career file?
- Adv: They're held in the unit. I don't know whether a copy is sent to Glasgow. B
- DB: Well, the answer is no in these instances. And of course, the unit isn't responsible for posting him, Glasgow are. So if they don't have access to the material which says he was fined, and they don't in that instance, they wouldn't actually know why he was fined.
- Adv: That just says disobedience to a standing order.
- NB: But that could mask a multitude of sins, some of which may be technical and some of which may make one unsuitable to be a trainer. C
- Adv: I personally don't know where these documents are kept, whether they are routinely sent to Glasgow and how they are taken into account in posting or promotion.
- PS2: There is also now the record of summary dealings. So that will be kept and obviously in 03, there should be a record of summary dealings, which the Post-Trial Section might have here. But before 2000, there was also the charge sheet 252, on which it will have the detail of the charge. Not only the section of the Army Act, but also what he was actually charged with. For a summary dealing you'd have essentially three main documents. There would be the 252, which is the charge report which sets out the two elements of the charge, statement of the offence and the particulars of the offence. You would then have the documentary evidence which would support it, usually statements of evidence. You would then have the record of summary dealing, which is only since the year 2000. And then finally, the document you'd have would be the record of the summary dealing. Which is the conduct sheet. If you are saying to me "how do we know what this related to?" you would need all four of those documents. Because the charge report would only give you the charge, it wouldn't necessarily give you the detail which you would find in the statement which would allow you to know not only what he did but how he came to do it. What the evidence was which underpinned it. D
- NB: The impression we're getting, I think, is that if these documents were generated, they were retained locally at the regiment at which you are serving. And then if the result is that they are transferred elsewhere, then they don't seem to follow the person back to Glasgow, so they are effectively lost.
- Adv: Do also be aware that, as you've seen here, it is marked due spent, and that is under the Rehabilitation of Offenders Act, and we do, of course, take account of that fact. And all such matters are marked with the due spent date. For example, if you get the conduct sheet for someone for a court martial, it clearly says when that is spent, although the court will occasionally take something like that into account as an exception. But for employment purposes, by and large, you should not take such matters into account. E

- A DB: Even when someone has been punished as a result of unauthorised sexual contact with a Phase 2 trainee?
- Adv: Well, the Rehabilitation of Offenders Act, as you know, sets restrictions on what can be taken into account when an offence is due spent.
- PS2: It remains on your record, there's no doubt about it, but with the due spent date. If you have a look at the Rehabilitation of Offenders Act, service in the Armed Forces is not on the list of exempted employments.
- B NB: Has it ever been suggested that service in the Armed Forces ought to be an exempted employment?
- Adv: There is an exemption in s.7 of the Act for certain, I think it's described as judicial proceedings. And clearly, that applies to a criminal court, but it can also apply to a body which is looking at professional conduct. And we have used that particular exemption under s.7 to allow the Army Board to take into account offences which were committed and prosecuted in a civilian court, to take those into account even after they've been spent under the Rehabilitation of Offenders Act⁴.
- C DB: The Rehabilitation of Offenders Act also prevents Commanding Officers from detailing in soldiers' confidential reports, the nature of their crime. So that again, you have a very oblique reference, if you're lucky, in a confidential report, to someone falling below the standards expected. And again, there's no detail of what they did.
- Adv: There's no reason why it shouldn't be mentioned in a confidential report. The practice you described arises out of people's view that since this matter will be recorded on the person's record separately, there's no reason to go into the detail again in the confidential report. The fact is, there's no reason why it shouldn't be mentioned.
- D DB: Ron Laden told us that he wrote more detailed confidential reports, describing that a soldier had had an inappropriate relationship and the MCM Division bounced the report back to him with the instructions that it had to be amended because of the Rehabilitation of Offenders Act. And he had no choice but to water it down.
- E NB: What do you think of that piece of advice?
- Adv: I would disagree with that. The report should be an assessment of the man's conduct and potential. And part of his conduct is properly described in that.
- PS2: What you cannot say is that he is subject to administrative action and was given a severe reprimand, because that is recognising the punishment which is subject to the Rehabilitation of Offenders Act. What you can say though is that he is subject to administrative action because of an inappropriate relationship with a trainee, or something like that.
- F Adv: What I can tell you is that they are looking at what procedures now need to be in place in checking the criminal records for people before they are posted into a training organisation. I think that may be a separate area.
- PS2: With the changes in summary dealings in October 2000, we started a new part of the Post-Trial Section, and units are now mandated within 48 hours to send a brief summary

G ⁴ s.7 (2) (6) Rehabilitation of Offenders Act 1974.

- of all summary dealings to the Post-Trial Section here in Upavon. They then send the full record of the summary dealing. A
- NB: That would imply that all of Lieutenant Colonel Laden's sackings of Lance Corporals and Corporals for inappropriate sexual relationships ought to have been retained here.
- PS2: If they were subject to summary dealings. In other words, they pressed charges under the Army Act.
- DB: What is the purpose of the Post-Trial Section holding those records? This information doesn't appear to filter through to any of those who might have a reasonable expectation of using it, like the posting branch, to determine suitability for future appointments in training. B
- Adv: The first purpose is to make sure that people follow procedures correctly and one of the abilities and the functions of the Post-Trial Section when there is a summary dealing is to appeal on the soldier's behalf to the Summary Appeal Court if that is required because procedures haven't been followed correctly. C
- DB: Or the punishment is excessive.
- Adv: Correct. So it's a control mechanism to ensure that Commanding Officers are not exceeding their powers. That's part of it, and it is to safeguard the individual.
- NB: We had an example of a Sergeant who, as a result of an investigation by a Commanding Officer, is deemed to have used inappropriate language with a female trainee. The Commanding Officer thinks that this means that the Sergeant is unsuitable to be in a training regiment. The Sergeant agrees, and he is then moved off post. Again, all I've got on data retention on that is the fact that there was an interview headed "disciplinary" with the Commanding Officer which is in 1995. Now that sounds to me like not criminal, but administrative. What paper trail in 1995 ought there to have been to back up that decision of the Commanding Officer? D
- Adv: If the Sergeant said "I agree, I'm unsuited to this job", that may well be down as a voluntary request for posting and therefore, there will be no record other than the fact that you could look at the dates and say "well, look, he only spent a year in that job, whereas normally a posting there would be 2 or 3 years. We wonder what the reason for that is". E
- NB: If the Sergeant agrees that he's unsuitable for the job, because he agrees that he abused or shouted at a recruit, then that could avoid a record being kept and capturing the very fact that leads to him being transferred out of the training regiment.
- Adv: Policy-wise, that wouldn't require a paper trail.
- NB: If Glasgow decides to then reassign this person to the same training regiment a few years later, is that going to stop him? F
- Adv: They would have recourse to his confidential report to see whether he was suitable for that particular job, and again, one would hope that the Commanding Officer would have recorded some reservation at least in his report as to this man's suitability for this sort of job. G

A NB: This is a problem, because this is a case where this chap has been reassigned to a training regiment. Can I then just deal with what I call double jeopardy, in a broad sense. And obviously, it arises most directly in the Skinner case. Skinner is first of all recommended for prosecution by the RUC⁵ but for some reason the DPP⁶ Northern Ireland decides not to prosecute. And the RMP are informed about that so they've captured that segment. He then is prosecuted by Court Martial in Northern Ireland for indecent exposure but his punishment is reduction in the ranks, not dismissal from the service. They find him a job at Deepcut. Is it not possible to say "he may not have been sacked from the Army for that offence, but we can't find him a suitable job to do in the Army, because of the circumstances of his conduct? Therefore, we don't want him anymore".

B

Adv: Yes. The present rule is that, whilst it is seen by some people as double jeopardy, it is not, because it is the Army acting in two different roles. And we're talking about court martial here. Court martial makes a finding of guilt and imposes a sentence. The Army will then look at that automatically and say "is there scope here for administrative action?" As the AGAI stands at present, the Army would not take administrative action against the person, based solely upon the events for which he was tried. And the reason for that is that a Court Martial has the power to dismiss him from HM Service. That is one of the sentences available to a court martial, which is not available to a Crown Court. So the AGAI takes a different view of a sentence of a Crown Court and a finding by court martial. So what he will not do, is effectively put the man in double jeopardy because he is faced with being dismissed from HM Service by court martial. The court martial has looked at his record and made a decision not to dismiss him. We must assume they have made a conscious decision having taken into account the range of punishments available to them and decided that he should continue to serve. And the Army considers that in those circumstances, he should not face administrative action solely upon the facts of the case. If there is something else which came out during the trial of which he was not convicted, bearing in mind that administrative action and the standard of proof for administrative action is on the balance of probability, not beyond a reasonable doubt, then the Army may look at such collateral matters and decide that those themselves are deserving of administrative action.

C

D

NB: Right. He is court martialled in July 1996 for an incident which comes to light in January 1996. When SIB pick up the complainant – this is indecent exposure – they go to Skinner's room, where they find 46 gay magazines, 8 videos of pornography, including Young Cadets etc. They then transfer him to the Training Regiment. So the fact of his possession of homosexual pornography, which was significant in the part of the RMP search, as well as in fact he admitted to having ammunition, which he shouldn't have had. Although as many people I certainly welcomed the change of policy of the Army that they do not dismiss homosexuals from the Army simply because of their sexual orientation, it does seem to be slightly odd that at this particular time when that change hadn't occurred, that it didn't excite any administrative response by the Army and so, he's sent back to his home depot where they employ him in the gym. Is that simply because possession of homosexual pornography is not part of the offence of indecent exposure. It rather suggests a more prolonged interest in homosexual acts and pornography.

E

F

PS2: Is that the sort of matter which could be the subject of administrative action following a prosecution? The answer is yes.

G ⁵ Royal Ulster Constabulary.
⁶ Director of Public Prosecutions.

- NB: And what would have been the appropriate procedure for someone to have taken that decision? A
- PS2: It would be to look at the offence itself and also then to obtain some information about the case itself.
- NB: Who ought to initiate that?
- PS2: That would be the Commanding Officer. B
- NB: At the old post or the new post?
- PS2: Whoever is his Commanding Officer when he is convicted. To look at the offence. What was the evidence that supported it? Is there scope now for administrative action? And that should apply in every case where someone is convicted of an offence. And secondly, what sort of sanction was appropriate. But it's the CO who should do that.
- NB: The particular case seems to be demonstrating some problems in the system. He pleads guilty in July 1996 at the General Court Martial. He is reduced in rank in August, I think there is an adjournment in the sentencing hearing. There's a month's adjournment. C
- Adv: The court martial was in Northern Ireland?
- NB: Yes. And he is removed that day from Northern Ireland, so he is removed immediately. Now, who ought to ask themselves the question is this a case for administrative action to be removed from the Army? Is it the Commanding Officer in Northern Ireland, even though he is removed that day when he knows what the sentence is going to be? Or is it someone else? Because the problem with Skinner is that he has not been assigned somewhere else. And what he then does is, to give the context of this problem so I'm sharing with you the data captured, he turns up at Regent's Park Barracks which is an RLC division for Transport, and the Commanding Officer there says "I don't want you, thank you very much". So he then just turns up himself at Deepcut, his own depot. And then the Commanding Officer thinks "well, my hands are tied". But I think the answer is that they weren't necessarily tied. He could have made a recommendation, someone could have made a recommendation to remove him. But that only arises when you know that the court martial hasn't sacked him from the Army, so that possibility only arises from the 29th of August 1996 in this case, by which time, my trigger notes suggest that this is the same time that he is removed from Northern Ireland. They don't want him in Northern Ireland anymore. D E
- SV: My understanding was that he wasn't actually posted anywhere, formally.
- [Meeting temporarily suspended for meeting elsewhere with the Adjutant General (not recorded)].
- [Meeting resumes with Brigadier Advisory (Adv) and Colonel PS2 (PS2)]. F
- PS2: In terms of who is the appropriate Commanding Officer to do that and to take that action, it would be the Commanding Officer of the man at that moment. If he was between jobs, there is a possibility that that might fall between the two Commanding Officers.
- NB: Which may be what happened here. G

- A PS2: It may be what happened. In terms of process there is no doubt, certainly under the present AGAI 67, that consideration must be given in any case where someone has been convicted to administrative action.
- NB: *Must* be given?
- PS2: Consideration must be given. That's the requirement for it. In every case, he must look at whether it is necessary.
- B NB: I'm just going to finish off this topic and then we'll get onto the duty of care material. If, using the Skinner example, we find that because he was removed from one Commanding Officer's remit the day of the court martial sentence, then for the sake of argument – and it's not quite what happened – but a couple of months later he is in someone else's purview, and they're finding some difficulty knowing what to do with this person and in fact, Skinner's tour was not too long, he was only a couple of years before reaching retirement date. But could someone then say "well, no-one has actually looked at this assessment that AGAI 67 now says must be considered", although what the conclusion of the assessment says I appreciate is not mandated. "I want to now do it two months later", or is that considered unfair for the man, because there has been a two month gap?
- C
- Adv: Two months wouldn't be too long, but it would have to be done in a reasonably timely fashion. And in the Skinner case, I would have thought it would have been perfectly obvious to his new Commanding Officer that he'd been reduced in rank, I think from WO2 to Private. That's a fairly dramatic fall from one rank to another. And I would have thought that would have been very obvious to his new Commanding Officer. He would know that. And having known that that is such a large disparity between his previous rank and his present rank, would put him on notice to inquire why that had occurred.
- D
- NB: In this particular case the Major, the officer commanding the squadron to which he was going to be assigned, was able to deal with the previous regiment and had all the information. The personnel file shows that he knew what he'd been convicted of. He knew of the surrounding aggravating factor of the homosexual pornography and knew that his past flock said "no, thank you very much". I should ask the question of whether the system is set up so as to enable that data to be captured, because reduction of rank might have prompted the question but it is the circumstantial detail that seems to me significant in terms of what's going to happen next that might have put someone on warning about that?
- E
- Adv: There was a police report which you pointed out which would have been written to the Commanding Officer.
- NB: So if you are deciding then, supposing sufficient prompt has been given to the Commanding Officer to consider administrative discharge, notwithstanding the sentence of the Court Martial, I accept that you're not going to give just another punishment for the offence, because the Court Martial has that power; that would be an improper double penalty. But if you look at the surrounding circumstances and say "although I am not going to sack him because he did this, I don't think he is now useful for the Army. Because he did this, we can't use him in the training regiment, that is the only regiment that would have him, or the depot would have him, therefore, we can't put him anywhere safe or particularly safe. Therefore we want to get rid of him. Is that a legitimate piece of reasoning?"
- F
- Adv: The QR is not specific about what the choice is for someone who is unemployable.
- G

- NB: Because you see, Skinner was a single man, and it was being put to me strongly by his then Commanding Officer that because he was a single man, they couldn't even suspend from duties because there was nowhere for him to live and the Army had an obligation to house him while he remained in the Army. Therefore, they couldn't keep him out of the barracks or the Deepcut area itself. So if that were true, then again that would seem to me the question of whether he should be there at all. The final factor is that if he had made the inquiry, the RMP report does mention that there was this earlier incident that was recommended by the civilian police for prosecution, but for reasons which we don't yet know, though I'm going to push it, it wasn't ever proceeded with. But it looks to me like a good identification. This child gives the registration number of Skinner's vehicle and that is the vehicle he was driving at the time. The Major writes "oh, the flashing is an out of character incident". I don't think the information before him would enable him to make that assessment. I appreciate he hadn't been convicted of a previous offence, but he has been apparently credibly accused of it. Now, you can take that into account with administrative action, can't you? A
- Adv: You could. You would have to decide on a balance of probabilities that that was something which could be properly held against him. But an allegation which wasn't pursued by civilian police, I think I would look at that, if that was going to be used as evidence against him in support of an application for discharge, and say "what exactly is that evidence and what is the strength of it? Why was it discounted and why wasn't he prosecuted?" If you ask the Military Police what they know about a particular soldier, they've got a computer system called REDCAPS and they type in his name and his number. And that will give you every single occasion upon which that person has come to the attention of the RMP. And that's not only as a suspect, it is a witness as well. And includes occasions when he has been dealt with and occasions where he has not been prosecuted. B
- NB: Now, I would have thought that that is all legitimate material to enable the Commanding Officer to make the judgment. Is that right or is that wrong? C
- Adv: It would depend upon why he wants to do that. If we're talking about someone who is dealing with young people, then I think today, I would have thought that is legitimate. I don't think the RMP would allow every Commanding Officer access to that computer system simply because someone was thought to be unsuitable for that particular position. There would have to be a very legitimate reason for interrogating that computer system and coming up with information which otherwise would not be made available outside the criminal justice system. D
- NB: Assuming, in anticipating the next part of our discussion, that someone takes the view that under-18s or young people require a degree of protection which is a little bit higher than ordinary adults in civilian life, doesn't the RMP have authority to provide the Commanding Officer with that information or do they have to apply then a legal test? E
- Adv: I don't exactly know what their procedures are. I know that if I'm prosecuting a particular case, and I ask for the record of the accused which of course I'll want to put in. Then I would normally get that through the military system from the Commanding Officer, from the unit, looking for the sort of records that you showed to me this morning. But all the formal action against this man would turn up. It would not turn up stuff on the REDCAPS computer where there is an allegation made against someone or where he is a witness in some sort of case. You would have to make a special request for that. F

A NB: But in principle, I'm not sure why, if you hadn't had your own police force who has this material as part of the Army, what data protection or other restraints there would be on making that material available for whoever had to make an exercise of administrative judgment as to whether it is suitable to continue in post?

PS2: If it is appropriate and acceptable to do an enhanced security vetting check on someone then it would be a check made both by the RMP and the Central Criminal Records Office.

B Adv: Where someone is convicted by court martial of an offence under s.70 – a civilian criminal offence, if you like – that will be recorded on the Criminal Records Office database. But you're asking me about matters which are training and police issues, although they do have legal implications of course.

PS2: Two things, first of all an answer. The EOIT – the Equal Opportunities Investigation Team – was formed in October 1997. And the second thing is, I'm afraid I lead you astray on the 9926. 9926 was only available for administrative procedures for officers and I've spoken to a soldier in Glasgow this morning. The procedure before AGAI 67 came in, which gives common procedure across all ranks at the beginning of this year, was that it was very much a phone call from the Commanding Officer to the MCM Division. The normal procedure would have been a phone call and then a posting order.

C

NB: OK. So to go back to the example that I've got of 1995, the Commanding Officer had a Sergeant in because there is a complaint that he has used inappropriate abuse. And he says "if you were a man, I would have hit you for that", or something. It seems to be threatening. He says it was inappropriate language. The Commanding Officer decides that he is not suitable to remain in post in the Training Regiment. Would, as of January 2005, that situation now lead to an AGAI being completed?

D

PS2: The Commanding Officer has to justify to the Army Personnel Centre, whether he believes it is a non-blameworthy or a blameworthy. And so therefore, if he says "it's a non-blameworthy, because he used abusive language and therefore, he is not suitable", you'll say "hang on, look, there's blame there because it is his action that has done that". It's not compassionate or something like that. And so therefore, that would have to be blameworthy and it would have to be accompanied by a report under AGAI 67.

E

NB: And you now can't avoid that reporting, but would the admission of the Sergeant remove the need for a trial?

PS2: That would form part of the investigation. The Commanding Officer would say "I interviewed the man and he admitted it".

Adv: The MCM Division at Glasgow are going to have to approach that person and so they'll want to make sure that he has been removed for a good reason and they're going to have to look into it, because it is going to have to be their problem to solve.

F

NB: Is that best practice or is that what does happen?

Adv: I'm suggesting that's a human imperative. And it's always been in place. If anyone is removed from any post, the MCM branch in Glasgow, the manning branch, has always had to replace him. So it isn't a formal structure, but I'm saying it's a human factor that is going to reinforce our procedural system.

G

- NB: But the question is, if we now move from that back to duty of care generally, is that it is reasonably clear for us that the records at Glasgow don't contain the reasons for some of these administrative removals. And therefore, the chap that I was talking about had in fact been posted back to the regiment from whence he came. After a period of years. No-one had been the wiser, apparently. Let me just ask you to look at that⁷, which we've retrieved from the records. This is a note sent from a Major to the 2i/c. Now, what should happen next? A
- Adv: Well, even though there is a complaint, an allegation has been made to the Company Commander of improper conduct. Whether that is criminal or professional is something that would have to be decided on an investigation. If that was, then that should have been brought to the attention of the Commanding Officer about the behaviour about one of his senior NCOs. If there was doubt, and there would be doubt in my mind as to on what side of it it was, I would task the SIB. B
- NB: Assuming for the time being that it is the administrative route that may have been in contemplation, one would have expected what? To have been brought to the Commanding Officer? C
- PS2: Yes, and the Commanding Officer would have initiated, now, obviously it wasn't the case at the time, investigation under AGAI 67.
- NB: If you just read the comment at the end that this is not the first time it happened, one would have seen that it should have lead to an investigation which lead to an AGAI 67 outcome of the investigation and report and if administrative removal is being recommended, the reasons for administrative removal.
- Adv: Well, if he decides during that investigation that he is not appropriate to hold that appointment, then there will be a removal from appointment. Now, removal from appointment is not a sanction under AGAI 67. It's using the same process and it is included in the AGAI because it is using the same administrative process, but if I as Commanding Officer investigated, looked at that and said "right, my sanction is that I am removing you from appointment", I'm not able to do that. The only people who are able to do that is the Army Board. But the sanction I would consider using is a severe displeasure, a letter of censure or something like that. All of which have implications on career. In parallel, because of the action, because of the environment that he is doing it in, I would consider that it would be inappropriate for him to be in that appointment. And therefore, using that process, I would say that it is blameworthy removal from appointment, state my justification for blameworthy removal from appointment and here is my administrative report which supports that. D
- NB: If AGAI 67 doesn't lead to a criminal sanction, does it lead to administrative action?
- Adv: Administrative sanction. The way we describe the difference is under criminal, in other words, actions taken under the Army Act, a summary dealing or court martial, results in a punishment. And that can include lost liberty; that can include financial. Whereas administrative action results in a sanction, although it may have financial implications, does not have a financial penalty. E
- NB: But the sanction doesn't include removal from post? F

⁷ Handed document. G

A Adv: No, but within AGAI 67, what we say is that removal from appointment cannot be given as a sanction, but it is a process which is closely aligned to AGAI 67. The AGAI 67, the formal action, in other words, the sanction that is going to be decided and taken, that goes through the chain of command. So in other words, the Commanding Officer of an organisation, to his Brigade Commander who will be the deciding officer. He will decide on that sanction. The removal from appointment, because it is a manning issue, a posting issue, whether it is blameworthy or non-blameworthy, needs to be agreed with Glasgow. If Glasgow say "yes, we agree that this is a compassionate issue and therefore it is non-blameworthy", there is no requirement for that administrative action.

B

DB: Will there still be a report of some description?

Adv: Yes, because there is a form which is filled in and saying "I believe that this is blameworthy or non-blameworthy", so he says "it's non-blameworthy removal for the following reasons".

NB: So if I've got the structure now. Information coming in to the Commanding Officer. Commanding Officer is this chap here⁸. He investigates and fills in paperwork as required by the AGAI. If he's going to impose a sanction, he goes up the chain of command that way.

C

Adv: Yes. The manning, in other words the replacement, and his posting process they go through Glasgow. But the key thing is that the administrative action, the sanction, goes up through the chain of command.

DB: In addition to being removed?

D

Adv: Correct.

NB: And does Glasgow manning get the documentation?

Adv: They will get them, that then goes onto his P-file in Glasgow.

DB: About the system, what was the system in place at the time that e-mail was sent, just so we're clear on what the comparison is and whether a document should have ended up in the personnel file of the individual concerned had it gone through?

E

Adv: Well, as I said, if he had been removed from appointment as a result of that, the Commanding Officer would have sent it to Glasgow and said "he needs to be moved". Glasgow would have said "yes, understand that. We'll move him".

NB: But with no traces. We can't find any trace.

Adv: Exactly. Well, there is potentially, but in the vast majority of cases it isn't retained.

F

G ⁸ Pointing to sketch of structure.

Session 2: Chief of Staff ATRA (COS), SO1 Employment Army (EA).

A

NB: Now, at various times in the documentation, one sees the phrase *in loco parentis*. Is that the phrase being used, or has it stopped being used in the Army?

COS: I think we used it up until relatively recently. It was not understood by those who were using it, its precise legal definition was not understood, its precise application was not understood and the situation has now been clarified and we do not use it for those reasons. What we do have though is a firm recognition that we owe a particular responsibility to those under 18. And we have articulated that now through a series of formal instructions, guidance notes from the Centre which we have turned into an Army AGAI, a new AGAI 109, which we in turn have passed down to the ATRA as an addition to our ATRA Handbook.

B

NB: And when was that promulgated?

COS: Last week.

NB: Right. Why has it taken that long to get to that division?

C

COS: I think what the AGAI has done is given Army expression to the guidance from the Centre. The guidance from the Centre is very much the distillation of best practice. As I said earlier, we have always recognised, across all three Services and in particular in the Army, that we have a special duty to those who are younger, of course. And different regiments have discharged that in different ways and so on.

NB: There was some advice from here, from Upavon, in answer to the question "is there a duty of care for under 18-year olds?" And the memo that came back down the line was because the Army is regarded as employment and because under some regulations and statutory instruments the Minister promoted in about 1989, there is not a duty upon employers to make criminal record checks upon their fellow employees for over 16s who are in employment. Therefore, so the memo went, there is no duty of care that the Army owes to under-18s.

D

COS: I remember that.

NB: There were then memos which were going out saying "well, the Army is not under a formal duty care, but the loco parentis phrase comes into it". Now, do you remember when the date of that memo was?

E

COS: I remember one particular set a couple of years ago where we raised the question again. Is it appropriate for us to conduct CRB checks on our staff, as an additional filtering if you like, in advance of them taking up their appointment? And we were advised as you said by Army Legal Services that that was not possible and we should not do so.

NB: I have three problems with that. One, the fact that an employer has no right to receive more information from the civilian police, does not to me seem to preclude that you could ask for it from at least your own police, the RMP. Two, the fact that you didn't have the right to receive the information seems to me to say nothing at all about whether you have a duty of care and therefore, it was overemphasised. Thirdly, it seems to me that the Army as a training organisation would have been in quite a sensible position – if it was consulted on the statutory instrument – to have said "actually, we think we are rather more akin to an educational establishment" which therefore would give you the right to the information.

F

G

A COS: I went to the Bichard inquiry⁹, to the seminars that they held afterwards, where Michael Bichard was explaining to the police forces and education authority representatives how he sees this being taken forward in the future. And as I understand the way he is proposing things for the future, is that these opportunities should be available to everyone under any circumstance who wishes to make such an inquiry about a potential employee. But the legal advice we received at the time, and we've asked this question about two or three times certainly to my knowledge over the last few years, is that it is not possible at the moment. And that's the position we stand at now. I think to give us an additional degree of confidence, we would like to be able to run these checks past the CRB process.

B

NB: Because I would have thought that in the reasoning process or the debate, at a fairly early stage, it should have been apparent to someone that even if the analogy is not precise, it is much closer to an educational situation or even a children's home checks are necessary.

C

COS: I don't know how far up the system, as it were, this was chased. I understand that the Army Legal Services consulted with the MOD Legal Advisor on this issue. I don't know how much more widely it was consulted.

NB: The question I'm really asking is does an organisation that has responsibility for trainees, including under-18 trainees, and an organisation which feels it has some responsibility because they are under 18 to protect the interest of these people, does it then say, well if we can't do it under the present regulation, shouldn't that regulation be changed so as to enable us to do it? Because the Minister will probably depending upon you saying that you have a problem here.

D

COS: Yes, and we have been pressing for a long time for this to happen, not least following on from the DHALI recommendations. You remember there were three reports written by the Director of Operational Capability on the Individual Training Organisation in the '02-'03 period. We then had the HCDC report and we had the ALI report. Those three, so DHALI, an acronym of acronyms, which we have brigaded together, and all the recommendations from those reports are put together in a comprehensive document and in a comprehensive matrix, that is owned by the centre of the department, against which they progress various initiatives and recommendations from the various reports.

E

NB: You said as part of that answer as "we've been pressing for some time".

COS: So coming to it, one of the work strands that has come out of the DHALI recommendations is that we should progress this business of getting the legislation adjusted, however that's done, in order to enable us to conduct these checks. And that action was laid upon by the part of the MOD called SP Pol – that's Service Personnel Policy – and they are pursuing it. And I know that they are pursuing it in consultation with the Home Office and the Bichard inquiry because it is all linked in to that work. And that is the mechanism, the way by which they are attacking it and trying to progress it. Because we the Army, I know from at least my time as Chief of Staff in the ATRA which is two years, have been pressing the system to allow us to come up with those checks.

F

NB: The question is did anyone then say "well, shouldn't the legislation be changed to enable us to conduct those checks?"

G ⁹ An independent inquiry into the Soham murders chaired by Sir Michael Bichard HC 653 22nd June 2004.

- COS: Absolutely. That's now contained within this DHALL working grid. And that's how that's taken forward. Because that's the enunciation of all three Services' desire to have further checks. A
- NB: So do I understand the position then to be that having made one or more requests to be allowed to conduct these checks and being told that the law doesn't permit you to, in 2005 it is part of this DHALL response, you've now asked the law to be changed to agree to these things?
- COS: Yes, in a nutshell. B
- NB: As you say, in loco parentis, to go back to that phrase, has weaved its way in and out of documents from the mid-1990s.
- COS: Indeed.
- NB: And it never quite follows by definition what that means or what it means for the Commanding Officer. C
- COS: Indeed.
- NB: A duty of care to juveniles, though, was recognised, was it? Or is it now recognised?
- COS: No, I think it was always recognised that we had a particular responsibility to those who are younger. I think no guidance was given but people did recognise that of course they had a particular responsibility to those who were much younger than normal soldiers.
- NB: In the mid-1990s, for example, can you assist me as to what was recognised centrally at least as to be the content of that duty of care for under-18 year olds? D
- COS: I think you could say that there was certainly a recognition of the issue. If we start from the premise that soldiers are soldiers and, whatever their age, there is that 'all of one company' philosophy. But we've now recognised that we need to make allowances for their diversity, in the sense of the make-up of our constituent body of soldiers. However, I think that in the mid-1990s, there was very much a firmly held belief that we were all of one company. Soldiers were soldiers and he or she was to be treated, as practically as possible, identically – with one or two firm exceptions: access to alcohol and gambling being the obvious ones. And I think if you try to find any hard guidelines you would not get much more than that. E
- NB: My reading has lead me to believe that in about 1993, the Army Board considered the recommendations from AG I think that the old Junior Leaders' Scheme be consolidated with junior entry to have a single junior entry one year training course to join the Army. The Board rejects that in the end and says "no, single entry" with only Apprenticeship College, as it then was, and that then re-emerges as Harrogate some years later on. So only single entry, therefore 16-year olds are going to go to for example Pirbright. But in that document, as I recall, it said "of course, we can only do this if we acknowledge the duty of care to under-18s". So single entry with special provision. Yet I did never quite see what that special provision was, apart from no alcohol, which is mentioned, and granted, that has been a constant. F
- COS: I think, again, I remember General Palmer¹⁰, in his evidence to the House of Commons Defence Committee, made the point very strongly that those sorts of changes were forced upon us as much for financial reasons as anything else. And I wouldn't want to G

- A put words in his mouth, but what I deduced from that is, had we had a free rein, had resources been unlimited, we would like to have perpetuated the separation and kept junior entry separate from senior entry schemes.
- NB: Well, that's what it looks like. Is it now too late to rewind the clock? Because it may be that you're going to have to.
- COS: Indeed. And the way we're looking at it now is that, first of all, we've got the Army Foundation College at Harrogate, which you've visited. And jolly good it is too.
- B NB: I had asked the question in advance as to whether AFC Harrogate could be the model for the rest of junior entries in the Army. And the answer came back: it's too expensive.
- COS: So, what we do is we have half our junior entry at Harrogate and the other half at ATR Bassingbourn. And there is particular focus on juniors there, and they are all collated in one place and we are making improvements, we think, all the time. For example at the moment we're running a financial measure which we are pretty confident will be successful, to extend their course by a further three weeks. Which doesn't sound a huge amount, but it does give them that little bit more time to mature militarily before they go to Phase 2.
- C NB: From?
- COS: From the current 17 weeks to 20 weeks.
- NB: And what age can they join Bassingbourn?
- D COS: It's the same for Bassingbourn and for Harrogate.
- NB: They could be joining at 16?
- COS: They could be joining at 16 years on the dot.
- NB: If we just take that, I've been working it out by the school year. If you happen to be born in August of a year, you could leave school at 15 years 10 months and we know that Harrogate will take you in September if that's where you wanted to go, so that if Bassingbourn is the same, we could be in Bassingbourn literally at 16 years. Doing a 17 week course at present, you're going to be out shortly after Christmas aren't you. In your 16th year.
- E COS: Yes.
- NB: What are you then going to do?
- F COS: You then go to your Phase 2 course. And therefore, there is a very small number of people each year, somewhere in the order of 200 perhaps, in the last couple of years, who have gone to the Field Army under the age of 17. And that's something we think is not a good idea, and we are taking steps to organise things so that people enter at the beginning of the pipeline in such a way that they do not exit it into the Field Army until they are 17 at least.
- NB: But then you've still got a year before you can go on operations. So you might get shorter training, but longer waiting.

G ¹⁰ DCDS(Pers) - Deputy Chief Defence Staff (Personnel).

- COS: Yes. The longer we make youngsters who've left school at 16 wait, the quicker they find alternative employment. So there is a business imperative if you like to secure their employment early on. And I acknowledge that that is a difficulty that we have to work through. And we've submitted all these arguments, presented them to the Secretary of State and as you remember, his formal response to the House of Commons Defence Committee and the ALI report, he indicated that we would continue to recruit those under the age of 18. A
- NB: Yes, well I can see that while the school leaving age is under 18, I can see a good case for allowing young people who want to join the Army and who have the requisite mindset and skills and future ability to do well in the Army, to join before the age of 18. It seems to me that quid pro quo comes in. If you're saying you need to recruit them before they find another job, you then have to provide the suitable environment in which to train them under the age of 18. B
- NB: The impression that I got was that you still had to have a slightly higher educational attainment to go to Harrogate than Bassingbourn. Is that right?
- COS: Yes. C
- NB: And one of the reasons that Harrogate gives for their 42 week course is of course that they are adding educational value. Getting young people who didn't leave school with qualifications extra qualifications. I would suggest by logic there was an even greater need for the Bassingbourn contingent who, if they have a slightly lesser educational ability, whatever the scale is that you use at the recruitment office, there might even be a greater need to add some educational value, literacy, language, technical skills, using a computer, to make them good soldiers as well as good people. D
- COS: And there are two parts to the answer to that. First, yes, absolutely, if we had the resources. But the second part is in a way counter-intuitive, unless you're a 16-year old. Many of the youngsters at Harrogate actually resent all the education and the academic work that they have to do at Harrogate. They joined the Army to get away from that. Frankly, that appeals to the gatekeepers and the parents who see it as an opportunity to continue their education for their kids within the military context. And those who go to Bassingbourn are even less inclined and motivated to continue an academic type career. So it wouldn't necessarily be an academic-based one, but certainly, if one could get the resources for training additional skills, then that would be very welcome. E
- NB: Well, let's then go back to the content of our duty of care. We're going to have under 18s in the Army. Not all of them it seems are going to be trained separately. Perhaps I should just clarify one other point, you remember there was a trilogy of points about Bassingbourn. The third point about Bassingbourn: If Bassingbourn is designed for 16-year olds, why don't we put all 16-year olds through Bassingbourn, because some of them are still going to Pirbright?
- COS: Right. This is the cross-over between the junior entry and the senior entry. There is a bracket, an overlap in the two age bands. A youngster comes forward to the recruitment office and says he wants to join the Army. The recruiter, in consultation with the Recruit Selection Centre makes, a decision on the maturity of that individual, and somebody can enter the junior training establishment up until his 17th birthday if he is judged to be at the less mature end of the bracket. Equally, if he is judged to be a more mature 16-year old, then he can enter the senior entry stream from, I think, 16.9. F

- A NB: That is designed so that when he has gone through his 12 weeks at Pirbright, he is 17 when he enters Phase 2, as I remember. But at Pirbright, you are still being trained alongside people who are older.
- COS: Yes.
- NB: And then you have a similar mixing of under 17s and over 17s, or they could be over 18.
- B COS: Yes.
- NB: So you're losing the feature of a young people's initial training regime, whether it had any protective value, I don't know.
- COS: I accept that. Being absolutely frank, I think we who are in the military system can all see the advantage of a system which has a greater separation and these mechanisms that have been introduced are frankly ameliorations for a system which is not as well resourced as we would like it to be.
- C NB: Clearly, the continuing ability to recruit under-18 year olds into the Army may depend upon you resourcing them sufficiently to comply with the duty of care. Because if the concept of duty of care is to have any meaning at all outside alcohol and gambling then it must mean a sufficient level of protection of their needs as young people to (a) not do them any harm; and (b) hopefully better than that, bring out their talent and abilities and qualities as individuals, both for the armed forces and to develop them as a person, because that's what we have to do with children generally. And so resources may need to follow if you're going to have under-18s recruiting at all. Can I then move from that general system of resources and age into the particular feature of what you are doing to these under-18s in essentially a non-segregated environment, whether it's Pirbright or it's Phase 2, whether you've come through from Basingbourn or indeed in Harrogate, I suppose. And as I understand it, there was no policy until December 2002 about young people doing guard duty with firearms.
- D COS: I'm not sure if that is the date, but I know there was a change.
- E NB: I think that at least by December 2002, we're getting some policy on this. Before then, there did not appear to me to be any instruction or guidance given to Commanders of training regiments about your under 18 or under 17 handling weapons on guard duty.
- COS: I think that's true and the reason for it is the point I made earlier about all of one company, a man is a soldier, irrespective of his age. And I think that actually an area where it is just worth considering that people do mature at different rates. And there are people who are well over 18, even within the Army, who one might be nervous about giving a weapon to. So I'm not sure that the age is such a critical discriminating factor in terms of access to weapons.
- F NB: It seems to me that your duty of care is looking remarkably thin of content if it actually doesn't translate to different training streams entry, doesn't translate to distinction on the ground of age. Point taken that one's 18th birthday isn't always where you somehow assume the garb of adulthood and responsibility, but that's the way that society and the Convention of the Rights of the Child makes the demarcation line that you are a child, a non-adult up until that date. You are an adult thereafter. And therefore, a number of our key social stratagems are based upon that. We know that
- G

when you'd come to Deepcut in the 1990s and indeed 2001, that they are in accommodation of the same sort without any added supervision because of their age. They can't afford to have NCOs living in the blocks. And then we come to firearms at a time when, by 1999 at least, probably earlier, DASA, your statistical agency, is telling you something. That the Army has got a suicide rate of young people between 16 and 19 which is 1.8 times higher than you would expect by comparison to the civilian population. And you're much better than the civilian population for later on. Obviously, something is going on as you grow up beyond 19 in the Army, making suicide risks significantly less than in the civilian population. But you alone, not the Navy, not the RAF, have this significant risk between 16 and 19. Look at the statistics. How do these young people predominantly kill themselves? They kill themselves predominantly by the use of firearms.

COS: And it is us tightening the control of access to arms and ammunition from that period of time that has actually now put us back on par with the rest of civilian society. So I think we can say that was a factor which we have successfully addressed for the time being. I'm a bit out of my depth – a little bit – but I do know that the changes to the suicide statistics cannot be matched precisely to the means of suicide. So a diminution of the number of suicides is not directly in linear relationship to the reduction in the number of incidents with weapons. It is a much more complicated situation than that. And because the number is so small, it is difficult to draw conclusions from that other than over a long period of time. But rather than disagreeing with you on this, I think it is fair to say that we do recognise that we need to make a good assessment, a quality assessment of an individual's suitability to undertake guard duty with a weapon, and that happened. And I would agree with you that platoon commanders when they make these judgments about individuals, the fact that a person is younger, is a young soldier, would be something that he would take into serious consideration .

NB: What of course we then get is routine security guarding at Deepcut is taken over by the MPGS, £1.7 million made available. Trainees now don't guard most of the sites where the deaths occurred. Where they do still have trainees guarding, they are supervised by MPGS and/or another NCO. Alongside this, there was then policy generally within ATRA. It was obviously Deepcut focused, but there, we get after the fourth death the money and resources to change the ratio of trainers to trainees and the change in guarding policy. So the question I then have to ask in my review is could we have got to this conclusion a little earlier than we did? Or another question: was ATRA ever giving advice to Commanding Officers about armed guard policy before 2002?

COS: Taking each of those in turn. First of all, guidance to Commanding Officers beforehand. I'm not absolutely sure, but I'm pretty confident that beforehand, the guidance that was given was that we must mirror the rules and regulations that exist for the rest of the Army.

NB: So no special treatment?

COS: No special recognition of special risk factors, if any such existed, for those who were younger. I suspect that was the case.

NB: I think you're right, because we found a guardroom log entry in Deepcut in 1997, when one of the NCOs there questioned whether a 16-year old should be on armed guard duty, and the message coming back from the officers was "yes, no difference". But I wanted to see whether that was a formal policy.

- A COS: As far as practical in that period of time we are talking about, in the 1990s, the intention was to mirror the Field Army as closely as possible, but make exceptions where that was necessary.
- NB: Was duty of care as a substantive concept to under 18s basically not buying alcohol in the NAAFI.
- COS: Yes, I think that's the case. I'll come back to my original point that I believe, certainly today and even then, those who were charged with responsibility for under 18s recognised that they had a higher moral duty to them. But I can't prove that of course.
- B NB: It's difficult to see how that higher moral duty is actually a reality. It's not that they're being supervised with their sexual behaviour, they clearly weren't.
- COS: And we recognise that and coming back to your second question of a moment ago, we now recognise that. Could we have predicted it earlier? I think from the ATRA's point of view, the numbers of deaths are so small, I mean, they're statistically terribly difficult across the whole Army, across the Services. Within the ATRA, they are very, very small numbers, and therefore, it would have been incredibly difficult to have predicted that there was a problem from the numbers of deaths in advance of that, until this came to a head, in 2002.
- C NB: So you need four deaths to bring it up?
- COS: Given the circumstances at the time, given the numbers of deaths and the statistical problems of dealing with very small numbers, I don't think that a real problem could have been identified much before 2002.
- D NB: It looks like they commissioned a special report from DASA. It demonstrated that you had 15 deaths in training organisations, 8 of which were firearms. So in a sense, although I appreciate that the numbers are very small, and I appreciate that there is always a danger in looking at the percentages of small numbers in order to extrapolate trends. However, despite those caveats, isn't it fair to make the comment that the training organisation was suffering more than 50%, 8 out of 15 firearms deaths, whereas the Army generally were suffering 31% or 25% according to whether it is suicide in the Coroner's verdict or open verdict, suspected suicide. So it looks as if by that perhaps crude measure of percentage comparison, that that might have alerted attention to a particular problem with firearms there.
- E COS: Perhaps it should have done.
- NB: OK. Then there are the Deepcut-specific factors, which are quite cogently, I think very cogently, identified in DAG's report. Guard frequency, the number of gates at Deepcut, which means that they were doing many more guards than in other ATRA establishments. 28 as opposed to 8. But none of those are changed factors. All of those constant from 1994, I think, through to 2002. So that analysis could have been done by someone at anytime. But is there any indication in documentation held here that anybody at Deepcut was concerned about the number of gates, the excessive burden that Deepcut as a training establishment was having to have by guard duty?
- F COS: I've not seen anything historically in reports that we see from that period that indicates that. And it is very easy to be wise after the fact.
- G

- NB: That's why I approach this topic with some caution and try to look at what was known at the time in terms of statistics to see whether any thinking was done about it. I don't see any evidence to that effect. A
- COS: I don't think there was. But if I could just broaden from the ATRA for a moment, because in my previous appointment, I was Colonel PS4 from 2000 to 2003, roughly. And it was taken forward in the recommendations of Dr Walton's report. We had already established the Confidential Support Line and we were doing much more on the education side of suicide and so on. And we were beginning to analyse and flag up the number of deaths that we had, we were certainly collating the number of what we called undetermined deaths. At the time we called them ISID. B
- NB: Yes.
- COS: Intentionally Self-Inflicted Deaths.
- NB: The label suicide is of course a legal label, and it is one of the features that the James family complain about. C
- COS: Indeed. So my point is that even before 2002, there were people, and I use myself as an example of that, who were responsible for looking at the overall trends of suicide across the Army. The area that we thought would pay the greatest dividends was in training and education, and that's where our efforts were focused. So I think it's not fair to say that the Army corporately was completely blind to all that was going on. That's one extreme. Equally, there's the other extreme. They didn't recognise instantly that there was a problem and take very fast remedial action to pre-empt any further deterioration of the situation. D
- NB: And the trouble about the suicides working party group and Dr Walton's activities, is that it is pretty difficult, even for experts in the field, to predict who is going to self-harm.
- COS: Absolutely. And we've done lots of academic research on this, and I remember examining academic research from the American army. We looked at it and the key question we kept asking was "will we be able to identify these people early enough and be able to identify the risk factors associated with their behaviour and their character that will provide a warning". And the answer was "yes, you can, but 80% of your population will fall into that risk category in one way or another". So it isn't a discriminator. So there was a lot of work done, a lot of research. I think the Surrey Police 5th Report underplays the amount of research and effort and focus that was put on this subject before 2002. They're suggesting there wasn't much happening before DAG reported in 2002. And I think I disagree with that. And one can produce evidence as to the fact that the Confidential Support Line was set up in 1997, which was a direct response to this, and the huge effort and investment in the Walton research and the recommendations that came from it. But perhaps not enough. E
- NB: But if I were to take that point and review the literature I'm principally reviewing therefore the meetings of the Army Suicide Prevention Working Group, which clearly was set up before 2002, and commissioned Walton and one or two other studies that I recall. And the philosophy you come out with, I understand, is to see whether you can predict self-harm by looking at these conditions. But did you prepare an instruction to Commanding Officers of what to look out for? F

A COS: We did. We produced leaflets and there were already leaflets on suicide, on identifying risk factors and warning symptoms and warning factors and how to deal with them. And we dealt with it through two chains. One on the stress side of things and then secondly, on the specific suicide and self-harm route as well. And these were complementary. And leaflets existed already but they were revised and refreshed. I don't know when the first ones came out, but I revised one in my tenure, so somewhere around 2001. Definitely before 2002. When that first leaflet came out, I'm not sure.

B NB: Lt Col Ron Laden took up his command in June 2001. Now, I'm pretty sure that he wasn't aware of particular vulnerabilities to suicide, hadn't received any particular training on suicide on the Commanding Officers' Designate Course and his knowledge today is self-taught. He said he first started picking it up via Men's Health, then he went voluntarily to the chaplaincy course that's in Amport House. And that's where he started picking it up. Sadly, I think, because of the gruelling experience of what had happened during his tour rather than something to prepare for his tour.

C COS: The answer to that is that leaflets were produced, we were pushing hard on the educational front but clearly, we weren't comprehensively covering all of the Army as we wanted. We weren't just focusing on the ATRA, we were focusing on the whole Army. We weren't as good as we could have been.

NB: This is an initiative from before your ATRA days?

COS: Pre my ATRA days. This is when I was Colonel PS4.

NB: So this is personnel management generally?

D COS: Absolutely. This is across the Army, suicide across the Army. We recognised it was an issue. And so these leaflets went out. They weren't obviously as well distributed as they should have been, they weren't supplemented by lectures and instructions as they should have been. And we weren't as good as we could have been. But I'm suggesting that there was some activity going on, there was a lot of activity going on. Perhaps it could have been a lot better.

E NB: Right, can I just round up that line of inquiry by saying the Commanding Officers' Designate Course, now if the command to which you have been designated is an ATRA command, does ATRA then put the content into the training of the Commanding Officer? Or is it standardised throughout the Army?

F COS: It's standardised throughout the Army. The idea was that we would educate across the Army and identify particular risk factors. Because there are young people throughout the Army, there are those who have financial problems throughout the Army, there are those who have personal problems everywhere, with young and old. And so we did it on a pan-Army basis. And when I was instructing on the COs' Designate Course, then that was the approach we took. Now, as you may know and as you will see when you get your copy of the DHALI grid, one of the serials on that is to actually design a course specifically for those who are going to be Commanding Officers of training establishment across all three services.

NB: But that hasn't been done, I assume.

COS: Not yet. It's something called the TNA – the Training Needs Analysis, it's being done at the moment.

G

- NB: So it could be said that even that aspect of the duty of care until recently hasn't been addressed? A
- COS: You could say not addressed specifically, but if you look at the fact that all Commanding Officers went on the Commanding Officers' Designate Course, and these topics were covered for all.
- NB: But not specifically for under 18-year olds.
- COS: No, but not all under 18s are in the training organisations. There are lots of under 18s who are in the Field Army, as we discussed. And therefore, it was deemed appropriate to teach all Commanders in the Army about these matters. B
- NB: Ah, about under 18s?
- COS: Well, about suicide, stress management, that whole panoply of affairs. In the COs' Designate Course.
- DB: There isn't a specific module that says "we're now going to talk about under 18s and the management thereof". C
- NB: It does not seem to manifest itself as part of the sub-head of the Commanding Officers' Designate Course about suicide and risk for under 18s. Yet the statistics from 1997 onwards were showing you might have a problem.
- COS: I started lecturing at the CODC in the year 2000, and very quickly, because I remember Walton was a hot topic at the time, when we were actively considering it. D
- NB: She was 1996, wasn't she?
- COS: But it went on for three years or something, because it is a long dissertation that she produced over three years. And when I took over from my predecessor I remember distinctly being told "this is the Walton report, it's important stuff, we've actioned a number of the recommendations, for example Confidential Support Line, but you need to take forward other ones, for example, the education needs of our people you need to take forward". And therefore, I remember re-vamping the component that I gave to the CODC to include a section on suicide. And within that, I explained and I identified, as we did in the various leaflets, there were lots of risk factors. To take two good examples, the breakdown in relationship and with girlfriends in particular and financial risks, people who got themselves into financial trouble. Those two risk factors, as we know, are prevalent across society, but are concentrated in some ways perhaps in youngsters. E
- NB: Obviously, it's difficult for you to give me a detailed account of that element of the training course, except I got the impression that there wasn't a specific element saying youth is itself a risk factor. F
- COS: Not that youth itself was a risk factor, but I remember that I pointed out to people that these were the kinds of risk factors, that suicide was a young man's game. I remember using that expression: a young man's game. Because we had the breakdown of the figures and there were very few, one female suicide as far as I can remember in the last ten years or something. And we knew at that time that the numbers of youngsters were slightly greater than for those who were older, and explained the reasons perhaps for that. So it wasn't a specific module on the programme on under 18s risk factors, but there was instruction that embraced those areas. There were handouts, actually. When G

- A we update our leaflets, we ditch all the old ones and so I remember handing out something called the Welfare Handbook or the Welfare Guide or something.
- NB: Sorry [to EA], we haven't fully managed to bring you into the discussion. What particular expertise can you bring to this question?
- EA: All I would be able to bring, which you don't already know, is terms and conditions of service for under 18s, that for example they have a statutory right to discharge. And that can be extended if they are unhappy in the Services. They can approach their Chain of Command, their Commander, and basically register as an unhappy soldier. And then the Commanding Officer can then consider his discharge. That's the sort of area that I deal with. The other side is the employment side. And really, my key work is to do with equality and diversity.
- B
- NB: Is the Discharge As Of Right regime uniform for under 18s, or is there a special regime for Harrogate? I just seem to remember Harrogate had a window of four weeks, but then there are general under 18s who are going through Pirbright. Are there different regimes?
- C
- EA: I don't know to be honest with you. All I know is, because again it is on the manning side, as far as I'm aware, there is the right to discharge for those 6 months.
- COS: That's right. Because the window as you described is actually 6 weeks after attestation, so that ends up being about 4 weeks into Phase 1 training. The window opens and then it proceeds, depending on the age of the individual. And there is a provision in the regulations to discharge anyone who's an unhappy junior, that's what it's called in the regulation, under the age of 18. And it is very rare for us nowadays not to discharge anybody under the age of 18 who requests to be discharged.
- D
- EA: And that can be extended to after 18, if the application has been put in before the 18th birthday.
- NB: And presumably this is explained to your young trainees? Do they understand this?
- EA: They do, because the DAOR window assumes gigantic proportions in their mind when it's actually nothing at all, it's simply a mechanical process. But it assumes huge significance psychologically in their minds. And that's why we've now emphasised to our staff that those under 18 have a right to be discharged.
- E
- NB: I mention it because one feature when we got to Harrogate that the Commanding Officer was anxious to brief me about at some length, was the fact that last September, they had this significant blip of self-harming activity at Harrogate, in the first few weeks.
- EA: Which would fall before the window opens.
- F
- NB: Before the window opens, yes. And his explanation was that there was a copy cat activity of people wanting to get out.
- COS: We have historically, as you know only too well, we have real problems with collation of data and particularly things like self-harm. We have not got good records. Now, more recently, we in the ATRA have been collating those records through the medical chain, but we've only had a comprehensive system since the beginning of this year.
- G

- NB: Right. I understand that there was a Land Command standing order that incidents of self-harm, all incidents of self-harm, Land Command I presume is throughout the Army, not just training establishments are to be reported to the RMP. Does this ring a bell? A
- COS: It does.
- NB: Do we know when this SO dates from?
- EA: I can't remember precisely. B
- NB: But is it part of a package of response in December 2002?
- EA: I can't remember exactly when that came out, but that actually is not as straightforward as that, because of course, a number of people who self-harm present only to their medical officers. And the medical officers' code of confidentiality prohibits them in many cases from passing this information to the Commanding Officer and to the RMP. Now, what happens in reality, is that if somebody made a serious attempt of self-harming, and this was identified outside of the medical chain, then that inevitably would get reported up to the RMP. I think they believe they've only captured part of the data, a proportion of it. There's a number of incidents that won't be the medical chain. C
- DB: I think that's correct, but also, the picture is all the more partial because of the definitions applied locally to what are serious incidents.
- COS: Indeed.
- DB: And we certainly found when we went through the guardroom logs from Deepcut, there are invariably more instances of self-harm and attempted suicide which are not all reported to the RMP. D
- COS: And again, the Army Suicide Prevention Working Group in the early years, you know 2001, 2002, we recognised that we had incomplete data on this and were struggling to find a mechanism by which we could capture it. And therefore usefully identify possibly trends and take pre-emptive measures to head them off. And even now, we still haven't got a computerised medical system and it's all done on paper records.
- NB: So the lack of clarity as to whether the policy is that all self-harms be recorded or only those which in the opinion of the Brigadier and the Commanding Officer is serious. E
- COS: There are no instructions given. And that's part of the impartial data and incomplete data capture.
- NB: But I assume that the Harrogate blip – I seem to remember it was 21 – ultimately considered not so serious in terms of degree of self-harm, but nonetheless it should be recorded, so that they can take preventive action to respond to it. F
- COS: Harrogate is a good case, because I remember having to produce similar statistics to HCDC because they asked me about it. And we showed the number of cases, not in relation to self-harm, but to bullying. And there seemed to be a huge number, relatively speaking, at Harrogate. And we didn't put it down to a bullying regime at Harrogate, we put it down to an awareness of the need to report things and having a proper process in place. So I suspect it's the same thing with the self-harm statistics.
- NB: Right. G

- A COS: And I suspect in other places, little bits of self-harm that either were hidden or deemed to be unimportant or only presented to the medical authorities didn't get onto the RMP database. We had a very difficult debate with the medical fraternity about this whole business. And we resolved that if there was a case where the doctor concluded that there was something that had a serious effect upon operational capability of the unit, then he would report it to the Commanding Officer, but always the judgment was with him as to whether he should report it to the Commanding Officer or not. And the guidance to come up to the RMOs¹² was "this stuff should be reported to the Commanding Officer". But of course, as a GP, as a doctor, you have the final discretion.
- B That's fine with our uniformed doctors, and by and large, in the Phase 1 establishments we have uniformed medical officers. It is much more difficult where we rely on civilian practitioners, and particularly locums, who come in and fill in for short periods of time. And getting them to understand the system is much more difficult.
- NB: I think you may not be aware of this because it was before your time, but there were particular problems with the medical practitioner at Deepcut.
- C COS: I didn't know that. She was a serving doctor?
- NB: She was a civilian. Appointed there under the Army Surgeon-General.
- COS: That whole medical area I'm not an expert on. There are lots of areas where we are making progress, and being able to introduce a particular course for Commanding Officers in training establishments, that we can do. But getting to grips with these sorts of difficulties is much more difficult. And I don't know if we've made much progress on that.
- D NB: Right. Let's just go back to DAOR. So after 18 years and 3 months then your next window is at 21, isn't it?
- EA: It's four years. Your service is for four years.
- NB: So it's 20 if you came out at 16.
- EA: So it's on the length of service as opposed to age.
- E NB: Now, if someone wants to leave and they're 18 years and 4 months, is there a guidance given to Commanding Officers to deal with this? They've lost their Discharge as of Right, but they can still be discharged if the Commanding Officer so says.
- EA: Yes. There are means through which they can apply for a discharge.
- NB: Because a soldier is unhappy or unsuited?
- F EA: If he is deemed unsuitable for military service, s.9414 and that determination is the Commanding Officer's to make.
- NB: But that's where you can get rid of him even if he wants to stay on.
- EA: Absolutely.
- NB: Because with Benton they decided that they wanted to get rid of him.

G ¹² Regimental Medical Officers.

- EA: But equally, if an individual is particularly unhappy and doesn't want to stay and the Commanding Officer judges it to be in the interest of the service, he can be discharged even after that window has closed for DAOR. But of course, Commanding Officers are reluctant to do that, because it's another soldier lost to the system and also, our experience as officers is that often, particularly young soldiers go through these phases, by the time they get to their unit in Germany or whatever, he's having a great time and has completely forgotten about whatever it was that was bothering him earlier. So he can be discharged later, and we're talking about previously, he could always be discharged later. But it wasn't the norm. Now, there is much more of a focus on these individual concerns. A
- NB: What about a soldier going AWOL? "Why are you going AWOL?" "I wasn't happy". And you're told that the reason for not being happy is bullying or something. How is that treated generally in the Army? B
- Adv: If he makes an allegation of bullying, the requirement is on the Commanding Officer to investigate that. And that may be through his own investigation, as we discussed earlier on, or through tasking the SIB to come in. With regard to somebody who is then unhappy, say for example that he had decided that the Army is not for him, and goes absent again. It is at that stage that the Commanding Officer will consider whether he is suitable for continued service in the Army. And that's when under these Queen's Regulations he can apply for his discharge. Sometimes, the doctor can suspect that he might have psychological issues, in which case he is referred to a psychiatric nurse for assessment. Absence in itself would not be a cause for discharge, but the causes that underlie it may be. C
- NB: Yes. But if they don't find the evidence of the bullying, either because it is a malicious allegation or evidentially unsupported, then he is going to have to complete the service. D
- Adv: Until you go absent again or you become a persistent absentee. And that's when the Commanding Officer can make a decision. We used to have a system whereby people could buy themselves out, called Premature Voluntary Release, which has now gone.
- NB: When did that go?
- Adv: I don't know. In the first 4 years of service, there is no need, they can get out. E
- EA: It must have been about 4 years ago.
- NB: 2001?
- EA: Yes, it would have been then.
- Adv: Because once they've passed those 4 years they're on a notice engagement. And so therefore, they have to give 1 year's notice to leave the Army. So that's how the system works. So even if they decided they wanted to leave the Army, they know they've got a year to wait. F
- NB: That's after the four years?
- Adv: That's after the four years. Or at the three year point, they can give that notice to leave at the end of that 4 years.
- NB: But PVR was abolished because you were losing so many people on PVR? G

A EA: It must have been as a result of restructuring the four 4 year term. There were too many people going, it was difficult to manage the structure, and you weren't sure on operations that half of the Army would decide to PVR. You couldn't manage it. So I think that's the rationale behind getting rid of that.

COS: And we took the opportunity at the time to extend the minimum engagement from 3 to 4 years, because it used to be 3 years. So it must have been about 4 years ago that we changed from 3 to 4 years. Except for those who had already joined on the old terms, they had those rights.

B EA: And the problem with it is that in the discipline policy and casework we see an awful lot of absenteeism. And one of the reasons for that is deemed to be because they've passed their DAOR, because they are unhappy, there's no other means to get out, through PVR or whatever. They know they've got to do their 4 years. The only way they can do that is going AWOL.

NB: So what's the assessment of the first 4 years of no PVR and extended minimum commitment?

C EA: Well, it's kept the retention figures artificially high, one could argue.

COS: I don't know the exact date when that period comes up, but it's any minute now.

EA: September rings a bell.

D COS: I think we're going to see a dip. What I mean is a lot of people will come up to the termination of those 4 years. I think it's going to be very difficult though to attribute that to any one cause, though, like the change in the nature of the engagement and so on.

NB: Well, I guess that just adds an onus to make sure the Army itself is not culpable for reasons why people might want to leave early. This comes to bullying, which we've touched upon.

COS: Yes.

E NB: Is there a definition of what is unacceptable behaviour by trainees that are clear, comprehensive and manageable?

COS: I think we've got a good system now. It is not perfect, but we aspire to perfection.

NB: When is the now dating from? What element of the package enables you to describe it as good as opposed to aspiring to be good?

F COS: Of course. I think the first point to make is that it's not as the Surrey Police suggest a sudden flip of the switch in 2002. We had some pretty horrendous bullying incidents in the 1980s and the early 1990s and since then, there has been a real focus on it. And the number of incidents of bullying has steadily declined since those days. I think it's fair to say that the focus following the Deepcut incidents and so on and the various reports has put more pressure on it and has helped suppress that number even lower. Within the training organisation I can tell you for a fact that we have a recruit trainee survey which is completed by every recruit when he exits training and the figures are about an average of 10% of those who leave training each claim that they experienced some form of bullying during their time.

G

- NB: And you are turning through roughly how many in a year? A
- COS: Roughly 11,000, given that not all of them complete their training of course. Many of them leave before they have completed the training.
- NB: OK. So about a thousand a year of 11,000.
- COS: Roughly. Some of these incidents, you know, one or two, are quite unpleasant. And a large number are simply because the Provo Sergeant looked at the young soldier in an aggressive way and he deemed that to be bullying. We focus extremely hard on this and Commanders at all levels are aware of their responsibilities for supervising their subordinates. Because this is the essence of it: supervising those lower down. And when an incident is discovered, blind eyes are not turned nowadays and people are held to account. B
- NB: Obviously, that phraseology suggests that there was a bad old days where they were.
- COS: I have explained this thing to a large number of audiences, particularly Warrant Officers who sit there very sceptical. They think we all want it very pink and fluffy in the training organisation. And I talk about the more sophisticated way in which we are delivering our training now. And I also explain that the Army of today is unrecognisable to the Army of 20 years ago. It's unrecognisable to Wellington's era, when they flogged men. Over a long period of time, things change. Society changes and attitudes change and what is acceptable changes. My point is that it is a gradual change. It has not been a flick of the switch. There are cultural changes that started in Wellington's day and there are eras when it has accelerated. It accelerated in the late 1980s and early 1990s and it has accelerated in the early years of this century too because of these incidents. C
- EA: Just to follow up on that, there's a huge amount of effort that has been put into explaining what is acceptable behaviour both for the chain of command instructors and soldiers. CGS has an Equality and Diversity Director, for example, and that implicitly says that it is a responsibility within the chain of command to ensure training is given and that all the procedures are followed correctly. And each soldier is given a small booklet which explains to them in very simple language what is required of them, what they should expect from the chain of command, what they should expect from their peers, because of course a lot of bullying is a peer group problem. And then it goes on to stating what procedures are for complaints. So there is awareness and a lot is being done to raise the awareness on the whole issue. And you don't notice the changes until you suddenly do a quick audit on it yourself. But just in the last five years things have changed enormously. The acceptance of things like homosexuality in the Armed Forces. The recognition that bullying in a team disrupts cohesion. And a simple fact like a turret crew in which there is bullying doesn't work as well. D
- NB: Well, in the training establishments there were in the 1995 period still hints that peer bullying was encouraged and maybe even incited by some commanders to try to get them to sort out weak links who were letting the platoon down in terms of poor performance. Now I take it that is certainly not tolerated. E
- EA: Certainly not.
- COS: We have very much this "train in, not select out" policy, we are very much focused on bringing people up to the standard rather than weeding out those that we don't perceive to be up to the standard. And the reasons for that are first of all that we understand that society has changed and the sort of unacceptable brutalising regime is F
- G

- A no longer acceptable in society. And secondly, because in business terms we recognise that we need to be able to get the greatest number of soldiers through to go on to be valuable members of the Army. We need to change the way in which things were perhaps done in the National Service days or in Wellington's day.
- NB: Yes, I think we can probably leave Wellington behind. We can even move on from Suez into the volunteer army, because you're dealing since 1961 with a volunteer army. You are now dealing from the 1980s and 1990s with a volunteering army with the attitude of today's youth. So what are you going to have to do to attract them to come in? It's not terribly attractive to know that they might be harassed and bullied and knocked around until survival of the fittest, a neo-Darwinist philosophy. There are some indications of one recruit who told Surrey Police that the respirator gang aspect of things was encouraged by an NCO to sort out the weak members of the unit because he is going to let the whole unit be back-squadded, and there will be a collective punishment. I'm trying to see how far collective punishments were still administered at Harrogate. It appears to be only if the unit as a whole is failing.
- B
- COS: Indeed. That's our philosophy. And we try not to use the terms "punishments". If a platoon has failed to tidy the lecture room when they left it, then they must all be brought back in to sort it out. If one of them has maliciously stubbed out a cigarette on the floor and burnt it, then he must be dealt with as an individual. And this is almost universally accepted.
- C
- NB: The questions really now go towards "what is bullying: harassment, abuse, shouting, physical violence?"
- D
- COS: As we've said, we've defined this very precisely in the literature and in the teaching to our people, to our staff, and they're quite clear on it. And the other thing is, of course, that the trainees are also very aware of what is acceptable and what is not acceptable in this day and age.
- NB: Because you've drummed it into them?
- COS: Yes and because of their own experience from school and so on where these things are very much in their minds as well. And we make them aware and we encourage them to report matters that they deem to be inappropriate.
- E
- NB: The next aspect is what sanctions can legitimately be applied to behaviour which doesn't meet required standards? Does that include extra press-ups, physical training?
- COS: We've codified this very carefully in the ATRA Handbook. First of all, there is the military discipline system that [PS2] has spoken about, action under the Army Act 1955. There is administrative action, AGAI 67 and then there is a raft of much lesser measures that can be imposed for two reasons. One is to rectify failure to understand or perform a drill or a particular part of the training, which is called remedial training. Which is literally repeating the training or doing whatever is needed to get you up to the standard. The second is what we call corrective training, although this terminology isn't accepted by the Centre, which is to correct an inappropriate attitude or behaviour. And for that we have some very specific measures that can be applied such as a small number of press-ups, we use ten at the moment. We explain to our instructors that in conducting any sort of training or in conducting any activity, it has to be first of all in pursuit of a legitimate training objective, a legitimate training aim. It may be appropriate to be beasting the entire platoon up and down a hill carrying a log, but that needs to be in pursuit of a particular training objective as laid out in the course syllabus, rather than any malicious or less honourable motivation.
- F
- G

- NB: What is “beasting” exactly then? A
- COS: It is a piece of strenuous military activity, any strenuous activity, I would say, I was using the term loosely. Whatever is done, whether it be that or keeping people behind late into the evening or whatever it may be. Secondly, we explain “you need to view it from the perspective of the trainee”, to see how he perceives the action that is being undertaken. And the third element is that you need to look at the action itself, because there are some actions, you know, stuffing a broom-handle up somebody’s backside, that are always going to be unacceptable, whatever the circumstances. I’m taking a gross example to make the point, but what I’m getting at is that those are the three pillars. The motivation of the trainer – what his objective is in conducting whatever activity it is, the way that it is perceived by the trainees, and the act itself. B
- NB: The first and second may afford quite a lot of discretion to the trainer to impose beastings-style activities, which he or she thinks are related to the training objective to cancel out the cheeky attitude amongst trainees.
- COS: Yes. But that is why we have a chain of command that has to supervise all that is going on. And most of these incidents that come to light, when one investigates, it is a failure of the chain of command to supervise properly what has been happening beneath. C
- NB: What are the limits to the actions that can be taken with whatever motive they are undertaking?
- COS: There is not a single document in which all of these are codified precisely and one has to rely hugely on the professionalism, education and training of the staff themselves.
- NB: So ten press-ups is not a limit which you impose? D
- COS: There are some documents and there is some guidance against which they can benchmark their actions. The first is the literature produced by the employment branch on what constitutes unacceptable behaviour. The second is by regulations such as those in the ATRA Handbook about the number of additional press-ups that may be imposed. And so on. But that can’t cater for every eventuality and we have to allow our people a degree of discretion in the training they undertake. But it must always be within layers of supervision in scrutinising what’s going on. E
- Adv: I think it makes sense to use AGAI 67 as a vehicle to try and explain this. As I’ve said at the beginning, it is administrative action which is taken to maintain the values and standards of the Army. So in other words, it’s professional failings, which may be serious social misconduct at one end right down to dirty boots or late on parade at the other end. Major and minor action and there is a clear division. When you get down to the failures at that lower level, which result in minor action being taken or anybody with rank from LCpl upward, so it may be an instructor in a training establishment, saying “right, you just appeared for the master parade this morning with dirty boots and that’s unacceptable, a professional failing. I’m going to take minor action under AGAI 67 against you”. He will then go and discuss with his chain of command the failing, what he is suggesting in terms of a sanction, which may be an extra duty, it may be a show parade to show that the boots are correctly cleaned. Going back to David’s point that the sanction needs to be remedial towards what the failing was. So in other words, if it is dirty boots, I want you to show me your boots clean tonight, and the punitive element is that it is in your own time, 6 o’clock tonight, the remedial element is the fact that the boots are now clean. Now, once that has been given, he goes back to the individual and says “right, the sanction that I’m awarding you is that I’m going to be giving you a show F
- G

A parade tonight at 6 o'clock. Here's a piece of paper", there's a form that's in the AGAI, "that's the failing, that's the sanction, that's my signature, that's your signature". That then goes to the Company Sgt-Maj of that particular company who looks at it, says "yes, that's in line, that's proportionate, that's appropriate, therefore, I'm accepting it. We'll put that in the book". If the individual says "no, I think you're being slightly excessive giving me a show parade at 6 o'clock tonight, I want that reviewed", there is a process which is in the AGAI which says who is the man who reviews that, which in the case of a sub-unit level, is the Company Sgt-Maj. So there are checks and safeguards.

B NB: But this element of the AGAI has been in existence since when?

Adv: 1st of January of this year. One of the reasons for that is that with the changes to summary dealing which happened in October 2000 when the Human Rights Act came in, a lot of feeling across the Army that the junior commanders, the LCpls, the Cpls, were having the authority taken away from them. So they were being given their stripes, they were being given a little bit of pay, but they were losing the authority, because they couldn't place people on charges. And so, consequently, what we've done is we've redressed that with AGAI 67, to return that authority to the individuals who have the rank. And what it does is formalising, with safeguards, that authority and the exercise of that authority. So what may have happened between October 2000 and the 1st of January this year, is that they may have taken alternative action, which might have been construed as bullying by some people.

C

NB: Which is unrecorded?

Adv: Which is unrecorded.

D NB: Let me get back to then the period which I'm interested in for the review. First of all, the period of 1994 until 1997, when ATRA is in existence. And it is producing this draft of the code of conduct, the ATRA Handbook. Now, I understand that there was something earlier, the ITG¹³ Code or something, but that at least exists. Now, that is meant to define or attempt in a public document for the trainees to have access to, as well as training staff and Commanding Officers, as to what is unacceptable in terms of abuse or violence or matters of that sort. But I'm not entirely sure where in the grey areas of physical exertions, press-ups or running up and down or running on the spot or rolling in the mud or whatever it is, this seemed to have happened at the time in 1995, whether that would have been spelled out as unacceptable before 1997.

E

NB: Then in 1997 to 2000, the disciplinary regime is such that NCOs have the authority to award punishments, but that's not dealt with by an AGAI.

EA: They in those days had the authority to effectively charge people which would then mean that they would go into the summary dealing process and come in front of their Commanding Officer. And then in October 2000, that authority was taken away from them effectively.

F

NB: So they lose that role of being able to bring a charge.

EA: Correct.

NB: But despite that role, there seems to be some evidence of informal sanctions, often you could use a description such as "I can put you on a charge or you can accept my informal punishment".

G ¹³ Initial Training Group.

- EA: Absolutely. A
- NB: Which is “I’m going to punch you in the stomach or make you run up the hill or something else and it’s for your own good, son”.
- EA: And that’s what we’ve tried to overrule and I think we have been reasonably successful in codifying it within the AGAI.
- NB: In 2000, they at least can’t use the threat of putting them on a charge because they haven’t got that. But the problem then is, they haven’t got any authority at all so they may be tempted to behave outside the confines of their authority by informal punishments without the threat of a charge, because they can’t now do the charge. B
- EA: Yes.
- NB: So in 2005, we’re now in a position where they have the ability not to bring a charge in the full sense of the word, a criminal charge, but administrative action which is reviewed for proportionality by the next officer up. And the trainee, if he or she objects, can get a further review. So those are the various phases of transition. C
- EA: Yes. And I think you will always get those individuals who will go outside whatever regulations there are. Even with AGAI 67, you’ll still get people who will resort to inappropriate and illegal methods.
- NB.: If we had evidence of a trainee going to his Commanding Officer and saying “do you know I was given a punishment last night by my section Sgt and I would have complained if I had the chance to and it was never recorded and there is no record of it”. So the AGAI procedures have not been used in this hypothetical example. What happens to the trainer? D
- Adv: Well, there’s an allegation that has been made against the trainer. So therefore, the Commanding Officer has the ability and the duty to investigate that allegation.
- NB: So that’s an offence by not recording it? E
- Adv: It’s an offence inflicting on somebody something which he is not entitled to do.
- NB: And of course, the reason he is not entitled to do it, is because you haven’t used the procedures.
- EA: Because there might be remedial procedures that [PS2] spoke about or it may be the sanctions under administrative action under AGAI 67.
- NB: So again, it seems to be quite a late solution if we’re looking at 1994 through to today. It looks like when the clock had struck twelve there was suddenly a lot of interesting initiatives coming forward, but we haven’t actually tested them out over a four-year period apart from the changes to the service of duty to see whether this is the position that we’re happy about. F
- Adv: But the AGAI 67 is not the only solution to the issues that you have been discussing. G

A NB: No, but it is quite an important new approach because on the one hand you are seeking to address the frustration of NCOs who felt that they didn't have any power post-2000 and therefore attempted to act improperly by imposing punishments which they can't impose whatever procedures they use.

Adv: Which is the corporate view that quite a lot of that had to do with the impact of the Human Rights legislation and the impact that had on the military criminal justice system and the impact on the authority of the various ranks. And so the two combined and I think it was in April 2002 that the Army Board directed that we should review our administrative procedures in support of the military criminal justice system to try and redress some of that.

B

NB: So the AGAI 67 is then addressing this perceived frustration by NCOs which might have led to a form of bullying and replacing it by greater authority to impose sanctions but in exchange for documented peer review.

Adv: Well, with a review by the chain of command. The trigger of course is failures in our widely accepted and codified values and professional standards.

C

NB: But the question is: is the Army able to assure the public that it has got a handle upon unauthorised, punitive measures adopted by NCOs which, because they are unauthorised, are perceived to be or are substantively bullying.

EA: I would say that the Army is able to reassure the public and reassure itself that it has better processes, more open and visible processes, to ensure that the authority is being exercised correctly and properly. The other side of the coin is that if the excesses are identified, the advantage of the military criminal justice system is that we have our own power of self-regulation to be able to call to account those people who have failed either in a criminal, if that's what it turns out to be, or in a professional sense. So they will then be subject to the same process. So I don't think we can say that we have done away with everything, but we've got a much better system.

D

NB: But is it possible now to give one definition of bullying as any punitive action which is taken outside the authority of AGAI 67?

E

EA: That's a very narrow element of bullying and harassment.

NB: But it is a fail-safe method of defining it.

COS: But that would preclude every other possible action that an instructor could take or a teacher could take, to put it into the educational context. How does a teacher deal with someone who's mucking around at the back of the class? That teacher needs to have the authority to say "go and stand outside the door for ten minutes and when you've calmed down, you can come back in". In the same way, the instructor needs to be able to say "run over and touch that flag three times, and when you've come back, you'll all be quiet at the back and stop messing around".

F

NB: That's outside the AGAI, is it?

EA: That's within the Code of Conduct. There is the day-to-day recovery of standards, the day-to-day reminders to people that they are not performing properly, which may involve the raising of voices. Now that's outside the AGAI. But the AGAI is written in such a way that we say this is not written and designed to preclude and prevent the day-to-day –

G

- NB: What are the limits of the interface between procedures and penalties which can be awarded at the discretion of the instructor without being recorded and going through an AGAI procedure, and those that can only be awarded going through an AGAI procedure? A
- COS: Well, that's the interface between AGAI 67 and the remedial training in the ATRA Handbook.
- NB: Remind me of that. What is the highest sanction? B
- COS: It is ten press-ups, it's a short 50-metre run, it's still sort of low-level little sanctions that can be imposed.
- NB: Now supposing we've got one unfortunate member of our training squadron who seems to be more often failing than others, and so he says "I'm being picked on. I'm having to do press-ups and 50-metre runs twice a day, every day". That's not recorded?
- COS: No, but if he's desperately unhappy about that and believes it is totally unjustified, then there are several mechanisms by which he can bring this to the attention of his superior's superiors. C
- NB: Well that's putting the onus upon the recruits. I personally think that certainly in the period that I've been looking at, too much was placed upon the responsibility of recruits and trainees to launch formal complaints to stop behaviour that the Army thinks it ought not to be condoning. And there seems to me that there was more of a responsibility shared between younger members of the squadron and the officers and NCOs of the squadron to stamp out that practice by their own peers or anybody else. And independent of the complaints. So, how does that work? D
- COS: It requires us to make the chain of command work better and we are striving towards that the whole time. And we have made great strides. There are practical measures. For example, the additional staff that we have put into places like Deepcut, Arborfield, Borden, Blandford, other such places, gives us sufficient numbers. So, we've put additional staff, as you know, into there in the last couple of years. And that was one of the big headline measures, there were 179 posts across the ATRA. Because we accept that we had hollowed out too much, particularly in places like Deepcut in terms of military manpower. And that's part one. Part two is making people aware of their responsibilities to discharge their functions properly. And this is all about education and leadership, right from the top. And for example, now DGATRA has seminars with his COs and RSMs twice a year and he visits the whole time. The operating Division Commanders, one hopes, are going and visiting their COs of their units. It happens all the way down the line. And we've got to get better at it, including the quality of our supervision, so that we can hopefully regulate the system more effectively. E
- NB: What are they meant to do? Are they meant to watch what the juniors are doing? F
- COS: Yes.
- NB: Or are they meant to just make inquiries?
- COS: It's a combination of all of those things. It's physically observing, it's going around speaking to other trainers, it's speaking to trainees, it's receiving reports from the WRVS.
- NB: It's being around and listening. G

- A COS: It's being around, listening and being engaged. And the more engaged they are and the more professional they are, the better leadership they provide to their organisation, all of these factors produce a better quality of supervision.
- NB: So if Surrey Police have found evidence with statements made in 2002 by people who were Sergeants, Corporals, Lance Corporals or members of staff as opposed to just being trainees, of practice which they thought was unacceptable by a trainer in 1995: abuse, violence, whatever it is, what has gone wrong by the fact that were only capturing this in 2002 rather than the CO capturing it in 1995?
- B COS: It's impossible to answer. No system is perfect. In an ideal world where the system works particularly well, these incidents are picked up more frequently. And the tighter you have the system and the better quality of leadership, the more of these things you'll pick up and the fewer incidents you'll have.
- NB: What should the leadership have been doing in our hypothetical example that I put to you to have been aware of what is now recorded as having taken place?
- C COS: Alleged to have taken place. 170-odd statements, of which very few are usable, I understand.
- NB: I've chosen this answer from statements from former Sergeants as to what they had seen, which would have been useful. I have in mind three people who have said "what I saw shocked me. It was unacceptable behaviour". They then go on to say "I didn't report it and neither did anybody else".
- D COS: Exactly. That would be my question: did they mention it to anybody else?
- NB: No, they didn't, I suspect.
- COS: Your main question would then be the role of the chain of command.
- NB: Quite. So I put this to the Commanding Officers, who said "I never knew. If I had know, I would have done X, Y and Z". And they would have done, because there were examples of them getting rid of people.
- E COS: But you see the e-mail that you showed us was a very clear example of exactly that sort of thing being reported. Is it acceptable for a trainee to take up issues in front of everybody else? In the view of somebody, it wasn't. Therefore, it was reported.
- NB: It was reported, because (a) the person concerned was prepared to kill himself, a bit of a strange reaction, but there we are and I think particularly the timing of October 2002 at Deepcut, one can see why they would be slightly more weary. But (b), he had done it before. And the Major said "I've had enough of this". So he's obviously been doing things which cumulatively causes the Majors to think he is unacceptable.
- F EA: But the key thing is that the chain of command needs to be engaged, and that goes to exactly what [PS2] says, it's presence, it's listening, it's finding out and it is making sure that this inappropriate action or behaviour isn't taking place.
- NB: I just want to see how far I can blame the Commanding Officer. It seems to me that if the Commanding Officer said to me "I don't believe that the Sergeants' statements could be true, because I spoke to him every week about whether he'd seen anything, and he never told me he's seen anything untoward". If you can't quite put closure on it
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to that extent, then there's a failure somehow to inform himself of what the views of the staff were.

A

EA: Well, yes, and yet, you've got one Sergeant who three or four years later is saying something.

NB: Six years later.

EA: Six years later. And then you've got the Commanding Officer who's saying "I remember speaking to him every week". So you've got two different sides of the story.

B

NB: Quite. I have to say, no Commanding Officer has given me that answer, by the way. But if he had said that, I can see the application of a standard, a process, which is doing as much as can be expected to review the activities of the staff generally and therefore, giving the Commanding Officer a clear picture that there's nothing untoward that is visible with a view to making inquiries. I just don't get the impression that there were any inquiries of that sort going on, and I do get the impression that the Lieutenants were looking the other way. At least one of them said precisely that of an incident. "They had started to drink, I thought it was inappropriate for me to hang around. I left the scene". And then they get drunk and someone gets badly injured. Which doesn't seem to me to be very hands-on.

C

COS: No. But I have to say that I don't think it is quite as mechanistic as that. These are human relationships and it's a whole lot more sophisticated in the inter-relationships up and down. And if this system is working well, then up and down, every rank, all the way down and we have this circular exchange of views and information, then that is less likely to happen. Where that system breaks down, it is more likely to happen. But it is not going to be a single part of that machine, it is all the cogs that are whirring. It is much more than a single cog. It is the whole system, one would suggest. And now, the whole system has been tightened and people are very focused on these issues.

D

NB: The sceptical members of the public think that historically the Army turned a blind eye, looked after its own, didn't want to know and on with the show.

COS: And that's why we need people like the Adult Learning Inspectorate to continue their series of visits to provide some degree of confidence in the evaluation of our process. You're right in a way, if we need to give that degree of reassurance to the public, then we need to continue the role of people like the Adult Learning Inspectorate.

E

NB: Which I gather is part of the plan for the future?

COS: Yes, indeed.

NB: And it is now part of your supervisory fixtures?

COS: Exactly. External scrutiny.

F

G

A Session 3: Colonel Personal Services 2 (PS2), DM(A) Col Manning (DM), Chief of Staff ATRA (COS).

COS: The one thing we're absolutely hopeless at is keeping old information. Historically, we've just seen no need for it.

NB: Quite.

PS2: Old information is something that is actually purged. You don't want it kept.

B

NB: Yes, you can purge it from the operational unit, but I would just have liked to have seen an historical file which someone could have produced to me when I say "what was the position in 1995?" Well, one authentic file marked "history", not for current distribution, which would give the benefit of showing how it had evolved and to see how you are doing better, or worse.

COS: That's a fair criticism.

C

NB: But if every bright Commanding Officer comes on board and says "I've got a good idea, it's this", and you've got no record, then you can't always know whether you're repeating the mistakes of ten years ago.

COS: And we've gone parts of the way towards addressing this by the ATRA Handbook, which is our authoritative permanent reference and repository of all our policy documents which we are keeping going.

D

NB: And updating.

COS: Could I just give one last point which I didn't get the chance to make under the bullying bit that we were discussing. It's the context point. 10% is what we have in the Army. If one looks at other public services, the NHS, the police force, the percentages are much, much higher. And that doesn't mean that there is any excuse or reason for us to tolerate any of this activity, I'm just trying to put it into a bit of a context. And also the peer bullying is a significant part of the total.

E

NB: Yes, I think that may well be. But those are still things that impact adversely and the duty of care should be about addressing peer bullying as much as staff bullying.

COS: Indeed. Of course.

[The meeting then addresses posting].

F

COS: When an individual is considered for a post, it means there are their previous reports to review to see what the recommendations are. And if it's a very strong recommendation that says they shouldn't, for whatever reason, somebody who was just not suited to working with trainees, not because they're in any way deviant, but because they are just not right for the role. And it will say that quite clearly on the report and therefore, they will not be recommended.

DB: I'm not quite sure it says it quite clearly on a report, because I've yet to see it quite clearly on a report. And in any case, when it has been ticked and on those rare occasions where someone has ticked the box to say they are unsuitable for a training appointment, the next job has had it ticked again to say they are suitable. With reference to whatever the activity may have been, it is so oblique that you have no indication of their suitability.

G

- DM: You certainly know more about the reports than I do, but the ones I've written and which I have been involved in, I've certainly made it clear whether I think an individual is suited or not. Whether others have, I don't know. But you clearly know more about that. A
- PS2: The other thing is of course that people who are used to reading reports will read more than simply that which the box says, and they will pick a flavour of the tone and the flow of it.
- DB: That's true, but the problem we've got, is we look at the Commanding Officer's Interview Book, and we can trace from there disciplinary interviews with NCOs who have abused trainees or who have had inappropriate sexual relationships with them. They're moved on, they're fined, getting a severe reprimand on a number of the occasions that we've got from 2002. There's no record on the personnel file or the career file as to what occurred. In one instance, there's no record on his personnel file that he was ever at Deepcut. On those rare occasions where there is a reference to an incident in a confidential report, it is very, very vague, related to "falling below the standard". And on those same occasions they can even have a box saying they are suitable for a training appointment ticked on the same report. And so, effectively, you've got someone who'd been moved on quite rapidly, as it turns out, with the help of Glasgow, outside of the training environment, so they are no longer posing a threat, but nothing to indicate or prevent them from returning thereafter. And that's the point, some of them may have. B
- NB: You do have control over the qualities that you think are relevant for an individual.
- COS: Indeed.
- NB: You've probably heard this before in the earlier session, but this is just an example to test out the system. What struck me with Skinner's career, is that he is investigated by the civilian police. On the face of the documents, a credible allegation of flashing, for some reason the DPP in Northern Ireland doesn't take it forward. RUC recommended it, so it wasn't like they had doubts about it. And it ties up, and RMP were told about this investigation and told, therefore, that he was suspected by the RUC of being a flasher. Now I appreciate that it never gets to a civilian court, but it is there. Now that might be, it would appear to me, certainly in child protection practice today, a previous apparently credible not withdrawn allegation of indecency with children or sexual proclivities towards a child or flashing towards a child, would be something which you could warn an employment agency about, a posting agency about. So it's something which could go in without offending double jeopardy and all the rest of it, because you're simply saying "I'm not saying he's guilty of the offence, I'm saying that there is maybe a reason not to post him to an establishment with trainees". C
- PS2: Sure.
- NB: If duty of care has any contents at all, then this ought to be something which would be picked up in the system. D
- DB: It's probably worth adding that in conversation with a RLC MCM Div desk officer in following these up, he wasn't able to find anything that gave any reference, anywhere, to these individuals having done anything which would preclude them being posted to a training regiment in the future.
- PS2: Well, Glasgow have got access to WAMI. I have to say that not every battalion, not every regiment or every unit is as good as they are required to be in terms of passing things on. E
- F
- G

- A DB: Which is what the RLC MCM Division said.
- PS2: One point may be that we haven't got the record of summary dealing, for example.
- NB: And whose head should roll for that? In a hypothetical way.
- PS2: That's the unit's responsibility. Because there is Army policy that states that within 48 hours, as I said to you this morning, that the sheet recording the fact that a summary dealing happened and the broad outline, is faxed to the Post-Trial Section and the record of summary dealing plus those other documents which I described this morning, should be sent as soon as possible.
- B NB: This is still a hypothetical question, not a summary adjudication of guilt, but in terms of asking the right people the right questions, who within a training unit ought to be the section or the officer or the person who would have the responsibility to inform your department of a summary dealing?
- PS2: The Adjutant and the Staff Assistant, but it would ultimately have been the Adjutant.
- C NB: So strictly speaking the answer to my purely hypothetical question would be if there's been a failure to provide you the information, it would be the Adjutant who hadn't delivered the goods to you within 48 hours.
- PS2: Yes.
- NB: Or at all.
- D PS2: Yes. The 48 hours is a single sheet broad summary. The documents we spoke about this morning, that comes later.
- NB: But it is the requirement to send it to your division?
- PS2: Correct.
- DB: The sort of offences like sleeping with a female trainee, wouldn't necessarily be a crime in a field army unit.
- E COS: No. That's a very good point. Because the point about why it is so forbidden in the ATRA, is not so much the act itself, but it's the abuse of the position of trust.
- PS2: What about dues spent and the rehabilitation of offenders, how does that impact on human rights?
- NB: I've covered this conversation with DGATRA, because he was up at Harrogate when we were, and so at the end of the day, he told me the answer to that. Shall we say we're here dealing with at least a 5-year period before the slate is wiped clean? Whether that ought to be the position if it's serious enough and it's a cause of concern for something else. But let's just stick with the system that you are describing here and which I'm trying to evaluate just how good this system is, or where its flaws are. You've identified one.
- F COS: The way we split it out is that if a trainer is clearly not a good teacher, he's not good at imparting information, that sort of thing will be recorded in his confidential report and that will therefore be picked up as a reason not to send him back to a training organisation.
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- NB: Darren's point is why doesn't the confidential reports mention the reason why the instructor left the training regiment because that would be the obvious place for data capture, which will go into the confidential report, which goes into the personnel records and it will go into Glasgow. Is there any reason why not? Isn't it best for that material to be logged into the confidential report per se, where it is open to Glasgow to say "doesn't look like this chap right now is the right person for this job". A
- COS: I think the reason we have is the one that has been chosen, and there's quite specific guidance in the instructions on how to complete a confidential report that indicate that you should not specifically refer to these matters or describe these matters in the report, it specifically excludes those sorts of things. B
- NB: Oh, really.
- DB: I thought we had the opposite explanation on that exact point this morning on consulting the Brigadier, in relation to the fact that you could not record a penalty, but you can record a crime.
- COS: What I've betrayed is what Commanding Officers commonly believe. C
- NB: But actually, what you've just explained is what Glasgow told Lieutenant Colonel Laden. So I had better see what the guidance is on this. Where is the guidance on how to provide a confidential report?
- COS: We get that from MS, from Glasgow.
- DB: So there is guidance as to what should and shouldn't go in? D
- COS: The point that I was going to make is that the reason, whatever the bounds of what should and shouldn't be on the report is, it is bounded, and the reason it's bounded, is that these reports stay on a chaps report book, it's put into a book, forever. For his military career. And is read by subsequent boards¹⁴. And people may pick up something there, which is irrelevant for the consideration for wider posts. And they are then inappropriately influenced by that which they read. So there's an issue, which I accept needs to be teased out, about the bounding of what goes into the report..
- PS2: If it is a failing which precludes him from going to a specific post like the ATRA, then if he is being considered for another post, where that behaviour is totally irrelevant to, it might influence the selectors, it might influence the board which is going to select him. And I'm not saying that because he has misbehaved like that, we completely ignore that, but if you go into detail of that, the view is that it might have a negative impact later on, on another posting, which he is entirely suitable for. E
- DB: I could buy that sort of argument, and had done until this morning's conversation. But this information is not being captured. It's not being consistently fed into the MCM Division. F
- NB: I'm not sure that I would accept the proposition that it is unfair to have on your personnel record an explanation of why you left your previous post, even though that should not be relied upon by the board as to why they shouldn't appoint this person 5 years down the line to a different job. But it seems to me that there the discipline is selecting a selection board who can know what to focus on.

¹⁴ The Selection Boards that decide postings. G

- A PS2: Correct.
- NB: And disregard that this cropped up, which is irrelevant to that particular post, because the opposite way around, not having it at all, means you run the risk of losing what is relevant.
- PS2: That's why I want to get back to the point that we made this morning, which was that the punishment, because of the rehabilitation of offenders, not necessarily the details, but the crime or however you want to put it.
- B DB: The problem with this is the means of capturing information, certainly with the future suitability for training appointments, is that not everyone gets a confidential report. There are a number of examples we've had with people who appeared in the training regiment, were despatched within the space of two or three months, and they had done things they shouldn't have done.
- NB: The confidential report is an annual thing.
- C DM: Around October. It varies. It depends on where you spend the bulk of your time.
- DB: It looks like 6 months plus you get a report. So that means even if you were to detail what they had done in a confidential report, there may not be one, so you wouldn't capture that information at all.
- NB: Basically, I suppose where the logic of this conversation is going, is the question of is it not wise for there to be some obligation, perhaps irrespective of the confidential report that separately reports to Glasgow the reasons for removal from post? So Glasgow has on their records using primary assessment.
- D PS2: Yes, and going back to AGAI 67, since the 1st of January this year, we do now have that system. So if they are going to be removed from post, there is a paper trail – a paper audit – which indicates the reasons. And that is on their P-file in Glasgow.
- NB: But as we saw from the letter that I don't think [COS ATRA] has seen, we saw a letter of pre-AGAI 67 someone at least putting in writing for the removal. But that is a notable example of the exception to the practice as opposed to the practice.
- E PS2: Correct.
- NB: If a trainer is invited to resign from, or is removed from, a training regiment because he was shouting threats at a recruit, inappropriate language, and he accepts that. How do you feel about him coming back to a training regiment?
- F COS: Impossible to answer for the reason that it has to do with the individual case, of course. What you would need to do is not to debar these people forever from coming back to the organisation, because people do grow up and mature. He comes in as a young Corporal, and 5 years down the line as a Sergeant, he comes back and he's learnt a lot from that.
- NB: Let's suppose he is a Sergeant.
- COS: If he is deemed to be not a suitable trainer and is returned to his regiment, I would have thought you would need first of all, a decent period of time to have lapsed before he was reconsidered, and then one would look very carefully at his reports to make sure he is a suitable person to return to the organisation.
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- NB: From his current reports? A
- COS: His current reports.
- NB: It seems that depends upon the Commanding Officer in the particular case who has sent this chap away from the training regiment giving sufficient information as to what it was.
- PS2: Which he would now have under the culpable removal. B
- DB: Of course, none of this captures historic data.
- COS: No.
- NB: You're going to have 5 years' worth of at risk.
- PS2: We had a retrospective look through the data that we had on summary dealings back to 2000 and then court martials further back than that, to make sure there weren't any individuals that fell into that category. C
- COS: As time goes on, as people return in more senior appointments, the further they are away from being the Cpl/Sgt instructor, then the less acute these sorts of issues become, unless they are the gross ones which will have been picked up in any event. So the shouting one as an example. The fact that a Sergeant shouts and uses inappropriate language and so on. If he then returns as a WO2, conceivably, the risk to the trainee population I would suggest is severely diminished by virtue of the fact that he is not responsible for their day to day activity. D
- PS2: But it gets back to the point that we were talking about earlier about the involvement of the chain of command at all levels to make sure that procedures are followed and that we train these people properly.
- Session 4: RMP Deputy Provost Martial (Army) (DPM), Colonel Personal Services 2 (PS2), Brigadier Advisory (Adv), Chief of Staff ATRA (COS).
- DPM: I'm Col [...], I'm the Deputy Provost Marshal (Army). E
- NB: It seems to me that if you're dealing with suitability of staff to work in training regiments, where they may have to be sleeping over, where, for example, if they are going to go to Harrogate, they may be the Corporal on duty looking after and sleeping in next door to the dormitory of twelve young people who could be 16 or 17. But that is much more akin to a boarding school or an educational institution, a children's home or a care home, or everything in which enhanced disclosure is required for that purpose, because the opportunity, if somebody was sufficiently motivated, of inappropriate behaviour, is there. And indeed, the Deepcut story is precisely that in one case of this. And therefore, the training establishments in the Army would have been thought to be exempt, it's not like working in a clothes store, where it seems to me that the Minister was probably promoting that 16 and above in employment, because he doesn't want 16 year olds to be squeezed out of the employment market because it is a bit of a bore for the store to work out whether any of their other employees have had some contravention of the law. The theme that I am trying to explore now, is how far can the RMP intelligence database assist the Glasgow Manning & Records or any other personnel division of the Army to make informed choices about the suitability for appointment in a training regiment? Now, we've been through a little bit of the systems that exist for data F
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A retention, and they have in the past seemed to me to be at least very varied. But RMP often captures the most information about the background to persons of interest, and not just on their criminal records file, but upon an intelligence basis. The example that I have used for the most of today, because it is one I've got to grips with most, was Leslie Skinner, because the RMP was informed straightaway by the RUC in Northern Ireland when he was first suspected of this first flashing incident, which for some reason, which I'm trying to pursue, the DPP Northern Ireland did not proceed, although the RUC recommended it. So I don't think it has anything to do with evidential threshold. They had a good hit, it seems to me, and the RUC knew that. But those weren't the prosecuting authority, nor were they the authority that decided that Skinner should go to Deepcut, where he abuses again, although the extent of that abuse only emerges in 2002. Because the Army was aware of one individual complaint in 1997, but only after he is booted out of the Army, although he actually comes back, he gets a flat opposite Deepcut and he entices some trainees to come in and do things with him even thereafter. So he is still preying on trainees after he is booted out of the Army. And there is at least one account we've got of him going in to the NAAFI, after he is booted out of the Army. And a guard person says "should he be here?" There's no orders that he shouldn't be there, it seems. But one of the features of the Skinner story, is that only much later, by happenstance, does someone else contact Surrey Police which leads to the final civilian conviction where he gets four years, where it turns out, because of documents and photographs that they find in his car, that they had previously missed during the two previous investigations, that he's been abusing even before he went to Northern Ireland, when he was in Aldershot. So he's got victims from Aldershot in the pre-1994 period, you've got earlier victims at Deepcut in 1996, within two months of arriving there and that perhaps is evidence that you can't always rely on the complainant coming forward at the time as a failsafe mechanism to make sure things don't happen. For the purposes of the present conversation, is it possible for the RMP to use the intelligence that is retained by its investigations in liaison with civilian police or other sources of information, to feed into the personnel system of the Army to warn off about some people who are problems?

DPM: I think to give you a flavour, we run a central Criminal Records Information Office down at Chichester. That is really our equivalent of the Police National Computer. We have links from there to all national, and many international, police agencies. In addition, we have access to the Police National Computer. We have a terminal within our own organisation for which we have read and write access to the PNC. We are probably the only non-Home Office police department who has that capability. And increasingly, we are now doing that on behalf of the Services, and that organisation moves more towards a powerful organisation over the next 18 months to 2 years, with the RAF now taking on board our crime system, our Military Police computer system, that we have around our units throughout the world. The Royal Navy have already taken it on within their SIB units. So that gives you a flavour of what it is like. We are routinely involved in providing a background check in support of the vetting process. So therefore, we are used to providing information to appropriate agencies, to ensure that, and this covers a whole panoply of subjects, from ex-soldiers, from normal routine investigations to soldiers who are leaving the Army who are going to emigrate, who need a certificate to say that they haven't committed offences in their own country. So in the broad context, yes, we are able to do it. We would normally do it through a particular agency or through the vetting agency at York.

NB: That's Army vetting?

DPM: Yes. It's security vetting. It's for access to classified information. But increasingly of course with what has gone on in the United Kingdom linked with the policy of the Home

Office, we're involved in providing background checks on individuals who want to work with youth organisations etc because that is all part of the latest requirements, of course. And we have people who want to do that within the military and we have to provide background checks on them. So in essence, we would be able to provide some element of provision of background information. Now, there are situations where we own the information and we could comment on it, as opposed to information that we don't own. We would need to go away and look at that particular piece, because we own the information on REDCAP, and under Data Protection, we are responsible for that information. We don't own for instance the information on the Police National Computer, so we would be required to establish protocols if that were to be utilised.

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NB: Can I just see what that means in practical terms? The existing functions include, as I understand it, an ex-soldier who wants to take a job say in the Social Services Department in civilian life.

DPM: Yes.

NB: That soldier is then required to undergo developed vetting or positive inquiries into his background, the whole background, and because he spent the last ten years in the Army, then you are the people who would be able to disclose convictions or intelligence which meets the criteria for being recorded and being passed on that would be relevant to such a posting.

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DPM: Absolutely.

NB: Right. Now, the paradox, it seems to me, is would you be able to do it when the Army are asking you information as to whether someone is suitable to be posted to an Army training establishment where he will be looking after 16-year olds?

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DPM: Personally, I don't see why not, if it's a matter of Army discipline policy, and I think that would be entirely possible to develop a procedure with PS2, which would see the Manning Division in Glasgow applying in a pro forma-type methodology for requisite information with regard to an individual. I don't see an issue with that.

NB: Are there legal obstacles to that?

PS2: No.

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DPM: I can't think of any. I think the Data Protection Act would not hamper that.

NB: No. It's being used for a protective public function and that's why you need to have that concept of duty of care to under 18-year olds, to give you the legal authority to do that. And then that protects them from tittle-tattle or using it for personal vendettas or whatever else it can be misused for. But I just don't see this thinking process in past policy papers or e-mail or even in advice which has come across my review from documents that have been disclosed to us. I just don't see that joined up piece of thinking between public interest, a proper purpose. You have the information and so it seems that at the moment you are not being asked to provide it, and there is no routine it seems of this data coming to the attention of people who have to make judgments as to the suitability of serving personnel.

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DPM: And of course, post-Bichard and all these other inquiries, there has been much greater intimate working between different national police forces in the UK and other agencies, when it comes to sharing information appropriately. And various safeguards have been

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- A put in place and across the board, these systems are working very well. And we, The Royal Military Police, through our organisation, are, if you like, a single point of contact for outside police agencies to come to dealing with any inquiries they have with regard to a person who may or may not have served, or may have served and then left.
- NB: Well it seems like the outside consumer who goes to you because the relevant criteria are met, is at the moment maybe better placed than your colleagues elsewhere in different arms of the service, who perhaps ought to be making similar inquiries, some of them ought to, in order to ensure that the right calibre as trainer is dealing with 16 to 17-year olds. If we are going to have visibility in the Army, which seems to be what the Minister wants to do, the question is what is the price that has to be paid in order to do that with the minimum of risk and this seems to be one of them.
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- DPM: Yes, absolutely.
- NB: Right. If such a system then existed, then presumably, if we were to hypothesise as to Leslie Skinner's saga had it happened in 2005, it would be picked up that it would not be a good idea for him to go to a training regiment.
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- DPM: I believe that would be so but I think that whatever system we put in place, we must accept that it will be a human system and there will be a degree of interpretation. In addition, mistakes made by a soldier as a young man, must be put into perspective of that individual's grade and maturity and experience and if he then becomes a responsible individual, I think the difficulty will be in setting the criteria to exclude an individual from such appointments based on his prior background.
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- PS2: Skinner, with all respect, is quite bizarre. He is one of the extreme cases. What I would like to think we need to think about, is what are the criteria that would exclude an individual from such an employment, because I think, if we're not careful, we could end up excluding some very high-calibre people who have turned their lives around and have become very good soldiers and who would merit an employment in a training regiment, who may have made a minor mistake as a youngster. But that's the only comment and observation that I would make. That goes back to the conversation we were having before about the type of offence.
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- NB: But that's also training your selectors, isn't it?
- PS2: Absolutely.
- NB: So as not to be prejudiced, but to take relevant information and exclude the irrelevant ones. If you deny them the information for fear that he might make a wrong judgment, then you're running into a –
- PS2: They should have the information, but it's a matter of making sure that the threshold is right.
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- NB: If the collective view at the moment appears to be that if the purpose of making these inquiries is to protect the welfare of under 18-year old soldiers for whom the Army has a duty of care, then there appears to be no apparent legal obstacle to that information being provided to the right person for the right reason. When the RMP searched Skinner's flat, they found significant amounts of homosexual pornography. Now, ignoring the fact that he is homosexual in light of current standards, although not at the time, is the fact that one of the videos, this is all very helpfully dealt with in the record of search that the RMP provided in its report, and one of the videos is called "Young
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Cadets”, which tells you more or less the nature of the material in the video. And this, of course, is the chap who is about to go back to a training organisation where he is about to abuse the young trainees, not cadets, but trainees. Now, that’s the kind of information, I would imagine, about sexual proclivities that would be highly material to an assessment of suitability for working with a training organisation of young people. And that was information which you knew about, actually you did report it to the Commanding Officer in Northern Ireland, and it so happens that the Major back in Deepcut does pick up some of it. I don’t think he gets up the titles, but I just think he is aware of the homosexual pornography found. I’ve made a record of the title, for obvious reasons and it just pinpoints the point in a particularly cogent way, it seems to me. Now, obviously, you are not using that system pro-actively. It’s a matter of fact that you found it there, and it’s a matter of fact that it can’t quite be imagined how it cannot be relevant to appointment in the next period of time. Any comments on all that?

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DPM: I think that’s a fair observation.

NB: There is no reason to believe that similar sorts of information might not be around in other cases which would be relevant to training appointments. And although the Army says that it was a mistake and he should never have been there, I’m not sure that there was ever a quite consistent system that would to a high degree of likelihood have ensured that this information doesn’t go missing from the selection process. The final question then would be, for how long should this information be available? Now, it seems to me that if care and child-centred organisations are exempt from the Rehabilitation of Offenders Act, I can’t quite see why different considerations apply to 16 to 18-year olds in a training organisation, bearing in mind the dormitory accommodation, the potential vulnerabilities to abuse someone were they so minded. That doesn’t mean to say that something done 20 years ago should ruin someone’s career. No doubt, people can change and their lives go on. Do you have any thoughts on that?

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DPM: I would agree with you. I think that if we are going to introduce this process there is no reason why young recruits under the age of 18 shouldn’t be subjected to the same legislation, ie that the information should be available to the selector in order for him to make an informed judgment.

NB: Particularly since if we now have similar facts, and there’s now a modus operandi, it seems to me that we are in a very different world. And the fact that Skinner had these previous incidents, I think the Surrey Police would have used to prove his non-prosecution in evidence if he hadn’t pleaded guilty.

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DPM: Of course he has a conviction as well.

NB: Yes, he has a conviction as well, but they were really going to ensure that he got the full whack. Sentencing someone with one flashing may be different from persistent conduct. And so you’ve got to use all the data in order to get a picture. So who makes the appointments in Glasgow, is it senior officer level or junior level? Are they trained to select what is relevant and what is irrelevant and can they be trained?

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PS2: It’s done at desk level as I understand it. It depends on the rank of the person and the nature of the appointment. I would have thought that for soldiers and NCOs, the appointments were made at desk level. But WO1-Major level I would suggest would be ranked higher.

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- A COS: Speaking from my experience as a Commanding Officer, I had nine serials, Lance Corporal, Corporal, Sergeant level to fill. So that was my responsibility. And effectively, I told the desk officers in Glasgow "this is who I'm nominating for that". They would then have a process where they would look at it and say "yes, that's fine".
- NB: How do you know what your pooled resources were? Were they all kept in your regiment?
- B COS: Because they came from my battalion. So I had the criteria that they had to fill for that appointment, which narrowed it right down, and then we selected from there.
- NB: But the training regiments of course doesn't own on a permanent basis these individuals, they are borrowing them from the field army to train. So they won't be able to say "X is suitable", because they don't know who X is.
- C COS: Correct. However, the Commanding Officer nominates to Glasgow. Glasgow will then say to Catterick or Deepcut or wherever "this is who's coming", so if they did have that database, they'd be able to say "hang on, you shouldn't be here because of X, Y and Z". Exactly the same as Glasgow will be able to look at WAMI and say "oh, hang on, he can't go because we need to refer to so and so". So there's a filter through that way.
- PS2: Just to give you an idea, we are moving the Army's personnel support to a system called JPA, it's a personnel administration system. Part of that is that the JPA system will also have a disciplinary area. Now part of this is because the Army has been dealing with the whole area of disciplinary administration in various ways. As you know, there is an administrative methodology that are dealing with people in employment terms. There is a disciplinary way and in order that these can be tracked and properly monitored, on that JPA, there will be an administrative area where each individual will have a record of what they have been subjected to, you know, disciplinary functions, summary dealings, AGAI action or whatever it might be. We intend to link our REDCAP system to that, but we are having to be very careful about the protocol, of course, because we can't open up the whole of our REDCAP system to every HR clerk in each of the units. It's really for us to build on that information from JPA in order to get the wider Army information off the system so that we can populate our crime system. But again, there will be, I think, better visibility through the JPA system of an individual's disciplinary record once that comes online. I think that will then be useful for background.
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- E NB: OK. That sounds like by having to be selective about the data you put on, which I take it to mean there will probably be convictions which are not spent.
- DPM: Well, initially the JPA will be used as a tracking device for all disciplinary offences. So when an individual commits an offence, that initial data will go on, and it will be tracked by the clerk until such time as the charge is dealt with. If it is then cleared, it will, I presume, be cleared off the system if the individual is found not guilty. If, however, he is guilty, then it will remain on the system.
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- DPM: It will remain on the REDCAP system. It remains on the RMP system whether it's a conviction or not.
- NB: Certain cases of acquittal may still give cause for concern.
- DPM: We will put it on and we do flag it, even anyone of interest. So if a policeman as part of the investigation believes an individual has been involved in an offence, he will initially fill out a form to submit that onto the system, as a person of interest in a particular inquiry.
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- DPM: From our point of view, we record on our current REDCAP system everything that is reported, so if a person is reported for an offence, he goes on the system. If he is found not guilty, the report and the circumstances are still on the system. Aside from the resource issue, which we would obviously have to discuss if we were looking at a large number of appointments across the Army being flagged and having to be checked, we would be able, from the mechanical point of view, to do the checks. I think there would be some genuine concerns which I would have to raise with the chain of command over manpower etc, financial implications. But from a mechanical point of view, we could do it. A
- NB: Right. And because precisely you are keeping the real information to evaluate cases of the sort that I've just mentioned to you, you can then see whether it would be a case of an acquittal where the underlying concerns may still exist, or an acquittal which eliminates the suspicion or risk factor. B
- DPM: Well, there are two bodies that do that. The Post-Trial Section would obviously deal with all issues that go to trial and would be able to deal with that.
- NB: But would you look at acquittals? C
- PS2: We have access to that.
- NB: Under what system? Someone has to report to you, do they?
- PS2: Yes, I mean the court martial would report to us. If there's a trial.
- NB: I think I've probably misunderstood our earlier conversation. I thought that if you were dealing with awards or sanctions rather than – D
- PS2: No, sorry. It's record of summary dealing, for example. And then if the Commanding Officer acquits, then the record is still there. The process of summary dealing, the process of court martial I would still have.
- NB: So you keep that.
- DPM: We are increasingly looking at our current REDCAP system and discussing with PS2, because we are looking at them getting access, in order to get us all on to one system. E
- NB: I still rather suspect, although I haven't heard enough about what data you get, which you are likely to have and more information which will be more relevant to someone making assessment as to whether this is just historic garbage or a legitimate basis of concern.
- DPM: And also, we routinely provide information into checking regimes and vetting so we have the people who are trained to understand Data Protection, Freedom Of Information and disclosure. We do that routinely now, so we have the mechanisms for it. F
- NB: At the moment I think the problem is not so much the protection or the disclosure of information which shouldn't be disclosed, but that stuff that could be disclosed and which may have been relevant to the decisions, is not being circulated. Can I just take the benefit of the fact that you're here to just have a crack at something which is completely unrelated, which is the RMP's final report on the Learning Accounts of the 16th of December 2002? And the extracts from the Provost Manual, which now sets out your suicide or suspected suicide inquiries. Have you had the opportunity to give a G

- A psychological autopsy back to the Commanding Officer about self-harm attempts or actual suicides? Have you actually had to use this procedure?
- PS2: That's now used in Boards of Inquiries. So a Board of Inquiry into undetermined death, that is formally part of the process.
- NB: But it is up to the RMP to do it, isn't it? It's up to RMP to go on the data. They've got to interview the families and the relatives and get the data as to what may have been affecting the individual at the time.
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- DPM: It's a medical person who does it, it's not an RMP –
- PS2: The member of the Board or the expert witness is a psychologist as opposed to a Military policeman.
- NB: It's page 4 of the report.
- DPM: Which report are you looking at?
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- NB: 16th of December 2002. "The investigation. The post-mortem examination", so there's a forensic pathologist. And then "Interview with key witnesses". Now that's you, isn't it?
- DPM: Absolutely.
- NB: "Extend to colleagues, close friends and military supervisors". And the reason why you are interviewing these people is to get data about why he may have done it.
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- DPM: Absolutely.
- NB: As well as the background. And then the family's liaison officer, which is now SIB, as opposed to you.
- DPM: Well, the unit will appoint a CVO and a CNO, or the relevant formation of the Army. I think coming back to this feature of the whole business of the investigation. What we now have is that all these investigations are run by formally trained SIOs – Senior Investigating Officers. We have over the last few years invested substantial investment in training SIB officers as SIOs. Trained to Home Office accreditation within civilian centres. The Provost Marshal (Army) has mandated that in every death that occurs, an SIB officer will deploy to the scene, with a suitably qualified Scenes of Crime Officer. To make a proper assessment of the scene. Now, of course, we have to differentiate between the United Kingdom and overseas. Overseas, of course, we have full primacy and therefore we would swing into action with all the requisite tools that we needed to deal with the investigation.
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- NB: Including now, if you are doing a death in Germany by firearms, which looks like it could have been self-inflicted but you don't assume that early on, would you now make tests to work out which gun the bullet was fired from, even though you pretty much think you know.
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- DPM: The point that I would like to make is that actually, we've always done that. That has always been our SOP. Although we are different from civilian police, we are trained in exactly the same way, and we have the requisite skill-basis in order to conduct these sorts of investigations. There was a recent case in Germany where a soldier shot himself on a range, in a Portakabin, when he was on his own. I authorised a ballistics expert
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from the United Kingdom to fly to Germany, the body was there in situ, and a full bullet-analysis was done. So that gives you a genuine case in the last few months where I authorised such activity. So not only does the SIO and the Scenes of Crime Officers come to the scene, also the Forensic Warrant Officer, who is the senior Warrant Officer in Germany attends the scene. And in addition to that, I also like to dispatch a ballistics expert from the Forensic Service in the United Kingdom to fly to the scene. Subsequent to that, we fully video and photograph the scene and we will do all the requisite things, such as searches. In addition to that, we have the good services of one of the Home Office-approved forensic pathologists, who is also an honorary forensic pathologist to Her Majesty's Forces, who does our post-mortems for us with CO SIB in Germany acting formally as the Coroner's Officer.

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NB: That seems to me like you're implementing therefore the range of things in the Learning Account. What perhaps caused me a little bit of surprise was the statement that you had always done this. I mean, there was no ballistics analysis or any analysis of any of the Deepcut deaths until Collinson. When they reinvestigated, there was a bit of a problem. Obviously, you can't match up the bullet to the firearm. That becomes particularly relevant now in the case of Benton, as a result of what someone has said about Benton.

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DPM: This contrasts to the whole business of why I was talking about overseas and our police primacy overseas. The fact is in the United Kingdom, we have always been subordinate to the civil authority. We will always be subordinate to the civil authority. That is fully understood by the Home Office police forces. We are not a primary police service in the United Kingdom. We will provide support to the Chief Constable of each of the areas – he is responsible for all crimes in his county area. If the Chief Constable requests that we take on inquiries or deal with lower-level inquiries, we will deal with those on behalf of the Army.

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NB: On behalf of the Army or the Chief Constable?

DPM: It depends on which route it is going. If it is a minor military offence, it is on behalf of the Army and those are the ones we deal with.

NB: If we take the Deepcut scenario, it seems that within a few hours of the body being discovered, Surrey Police expressed no particular interest and thought it was self-harm, so you were left with the investigation. So any investigation that did happen was in fact done by RMP officers.

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DPM: Surrey Police, though, still retain primacy in all serious investigations, or a Home Office police department retains primacy in all of those investigations in their county area. We act in support of that police authority in any particular case. And in the case of Surrey Police, we acted in support of them and there has always been a clear understanding between us and them that the Home Office police have primacy. Now, we are further wrapping that up. As you know, there is further work being conducted by the Defence Police and Policy Cell, on a new protocol which they are trying to draw up so that we stop having bi-laterals between all parties and have just one protocol between the Ministry of Defence Police agencies and ACPO as the representative organisation for all the Home Office police forces. Despite the fact that the RMP, as you put it, ended up with the investigation, we did not have primacy of the investigation, and we fully understood that situation. They are serious cases in the United Kingdom, and with all serious cases, primacy rests with the civil authority. It always has.

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NB: Yes, because of a protocol that rape and above are civilian offences.

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- A DPM: It cannot be dealt with by court martial in the United Kingdom.
- NB: Well, if it's homicide.
- DPM: Absolutely.
- DB: You were saying that in Germany, you would have primacy.
- DPM: Not just in Germany, but in most overseas theatres.
- B DB: And apply the same standard to the investigations, forensics and so on.
- DPM: Absolutely.
- DB: We've got an example of a death in Germany in 1992, where the same procedural failures which appear in Deepcut as far as an investigation is concerned, appear in Germany in 1992, where there aren't any forensics done on the weapon and so on.
- C DPM: I can't really comment on individual cases at this point, because I don't know which particular case you are talking about. But all I would say is that our current practice, certainly for many years now, has been to deal with all suspicious deaths in a very detailed way requiring analysis at the scene and a full investigation. Obviously, over the years, investigative techniques and procedures have changed and developed, whether it be SIO procedures, the new ACPO manual etc on how these incidents should be dealt with, or the development of forensic capability. Therefore, there have been changes over the years and there has been a requirement for us as the Service Police, to maintain those same standards, in order that we keep pace with current procedures and legislation. At the end of the day, everything we do has to be accepted in a court of law. Now generally, we call it a court martial, but nevertheless, it is part of the structured court system of the United Kingdom and it is subject to the same evidential standards.
- D NB: Yes, if you were going to bring a charge.
- DPM: Absolutely.
- E NB: But not everything is going to be tested, because if it is self-harm, it is not going to be a criminal charge.
- DPM: For instance, anyone who commits suicide, say overseas, would be investigated by the Royal Military Police Special Investigation Branch. We would also have a Coroner's Officer. We would bring that body back to the United Kingdom and we would have to answer at inquest to the Coroner under full scrutiny for the death of that individual and what procedures we have followed. That is the same for any other police force in the United Kingdom, and I would argue that generally, we have not been found wanting in the manner in which we have conducted those inquiries.
- F NB: Well, that's quite a lot of interesting information. But the very same death that Darren mentioned, which is in fact Spr Alfie Manship, the one thing, and there may be a lot of rumours about his death, but one thing we do know, is that because he was buried in Scotland, he never got an inquest, because his body seemed to come through the UK very quickly and of course, under the Scottish system, they don't have an inquest. They have the Procurator Fiscal. So Spr Manship doesn't end up with an inquest, he doesn't end up with a Board of Inquiry for some reason, and doesn't have the investigation which would eliminate some of these suspicions which have been knocking around. But
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the system, you're telling me, is that if you've got a Scottish soldier who dies in Germany, you will bring the body back via Oxford and have an inquest in Oxford?

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DPM: That is generally the way, although we would consult with the Oxford Coroner as to the most appropriate approach, and likewise, we would consult with the DPS(A), who is the discipline policy branch of the Army, as to the most appropriate manner in which to bring that soldier back to the United Kingdom. We have generally used Oxford in the past, simply because it is where our aircraft fleet are based, and therefore, that is generally where the body first lands. And therefore, in order to comply with UK legislation, we therefore register it with the Coroner for the local area. That's generally why we've done that. Occasionally an inquest is held elsewhere but that is very much the exception.

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NB: I know that there has just been a recent inquest on an RLC death. Do you know what I'm talking about? Was that the Oxford Coroner?

DPM: It should be.

NB: But that was an RMP investigation?

C

DPM: Yes, that was.

NB: Would your officers attend the inquest?

DPM: The Commanding Officer of SIB(Germany) is the designated Coroner's Officer. He would assign an SIO to the incident, he would formally investigate and the body would generally be repatriated with the SIB escorting the body back and then explaining and presenting a copy of the report to the Coroner before giving evidence as required by the Coroner. That would generally be the mechanism, the broad outline. And one of the issues of course is having one person to deal with, who will bring the deceased back from abroad, it is much easier to be dealing with one Coroner who generally understands the system and the procedures. And someone who understands what he wants from us in terms of what he wants for the inquest. I think the issues that you raised about interviewing the individuals, that would be part of the SIO strategy, which would be worked out as part of the investigative plan which would be produced by the SIO in order to ensure that witnesses were co-ordinated and spoken to as quickly as possible and in the right sequence etc. Generally, throughout any investigation we will follow the accepted standards and that's why we've got people trained to SIO standards, so that we can actually deal with every issue to an acceptable UK legislative standard. And also, so that we can do joint inquiries with the civil police in the UK where they request our support. Understanding the procedures that they use to conduct inquiries, and that we're using the same procedures. And we've really developed that over the last few years with a significant investment in external courses.

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NB: If we take as a given that the procedures and the investigation into the 1995 Deepcut deaths didn't appear to retain all the relevant evidence; it didn't appear to include tie-ups of the ballistics to make sure the cartridge was fired by the gun that was found alongside the cartridge etc. Which would appear not to meet the standards which you've been talking about. Is that because this is a long time ago, or is it because someone thought that Surrey Police was in charge, yet I can't quite see, Surrey Police weren't purporting to do anything else after a few hours, it seems. Or was it because standards have changed from 1995 to 2005?

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A DPM: I think it is a combination of those issues that you raised. The belief by the service police that the Surrey Police had primacy and that it would be their responsibility to take these issues forward and if they had chosen not to, then there was little we could do given the jurisdiction and authority in those particular cases. We have changed the procedures, as the Provost Marshal has directed that an SIB officer attends every death. A wiser and more experienced individual, you could have argued, would have prompted the Surrey Police to do more in each of these cases and sat down with him and had a joint case conference to take the issues forward. So I think it is a combination of factors at the time and then the change in procedure issue, which has now changed the way we think.

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NB: I take it that you have always had a procedure to ensure you know where firearms are in the course of an investigation.

DPM: Yes, the firearms that may have been used in an offence. The firearm would have been retained as an exhibit until such time that appropriate judicial processes have been gone through. So for instance, if a person had committed suicide and that has gone to the Coroner inquest, and the Coroner had given his verdict, then the issue would be closed. We would then apply to the appropriate authority for disposal instruction for relevant material in that case. Some of that is the responsibility of Surrey Police, and some of that comes to the disciplinary branch of the Army, but in essence, we follow similar rules and procedure to the civil police for the disposal of criminal or found property.

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DPM: At this stage, if the Coroner had given his verdict and it had been decided that the issue was now closed, we would then request the weapon to be returned to the unit.

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NB: Who was the appropriate authority in Geoff Gray's case, December 2001? The inquest was three months after the death.

DPM: Again, the property in theory would have been under the primary jurisdiction of Surrey Police.

NB: The intelligence shows that they took the weapon away on that morning. What is unclear is what happened to it thereafter.

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DPM: I can't comment upon that specific thing, because I don't know that. I could find out.

NB: That has been an issue which has been particularly raised now by the Grays. The Grays say that the Surrey Police told them that the Army disposed of the weapon. That's not what appears on the face of the intelligence.

F

DPM: But in these types of cases when we turn up to a serious incident in the United Kingdom, the Home Office Police have primacy and we look to them to take the lead in the investigation and take direction from them as to what they require us to do. The Army has particular procedures and systems that are different to civil society. That's not unusual for any organisation, it would be the same way if you go into a big multi-national company, you would need individuals who would advise you on how to approach individuals within that company. We enable the civil police authority to access and understand and we will take statements and do other tasks at their direction and in support of their investigation.

NB: Would you now get them to sign off and say "thank you very much, you've done all that we want you to do, we don't want you to do any more".

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- DPM: Well, they have to leave. A
- NB: But you might get the blame, as you have.
- DPM: Which is why now we ensure that an SIO deploys to the scene of this magnitude, policy books are raised and we ask for appropriate case conferences with the civil authorities and record everything that they request of us. So now if we were asked for example to conduct inquiries or recover medical documents for the soldier concerned or interview the rest of his platoon, we would do that for them, document it and provide the evidence. B
- NB: But if you had a repeat of one of these deaths, Surrey Police in charge under the protocol, Surrey Police may or may not have understood that they are in charge, but then you might now remind them. But for some reason, Surrey Police are not asking further questions. No forensic pathologists, no firearms investigation, do you then say “well, that’s their problem”?
- DPM: No. This is part of the reason why we train SIB officers as SIOs, so that we can send the appropriate officer to the scene to advice and we will ensure through those case conferences that all the action that is appropriate is taken. And we will document that. If there is believed to be a problem then that would be raised with this HQ, where I as a Deputy Provost Marshal would speak to the Deputy Chief Constable or whomever of the relevant police agency, requesting a meeting to discuss how we think the issue should be taken forward. But it is their responsibility in the United Kingdom. C
- NB: It seems to be despite the fact that it is their primacy, you would accept responsibility for continuing to monitor what they ought to be doing. D
- DPM: We are the employers of that individual, and I think we have a duty to do that and I think we have a duty to inform the Army chain of command as to what has actually gone on. And so I think that, yes, we would press them on these particular issues and I think we would do that a lot better now given the revisions we’ve made in our procedures, the improved training we get and the fact that we have got the right sort of personnel.
- NB: OK. I think we should probably sign off. E
- DB: I was just wondering, there are a couple of questions. One from earlier in relation to the advice that was sought from the RMP.
- NB: Oh, yes, that’s true. This relates to a Commanding Officer of the RLC who is informed by one of his junior officers that a woman in the Sergeants’ Mess is complaining of sexual harassment by the RSM of the day. Now, he tells me that he didn’t interview this woman, but understood that she was unwilling to make a formal witness statement. He phoned up the RMP for advice from Aldershot. He was told by the Aldershot liaison or whoever it was who answered the phone – I can’t tell you who it is because this was 1995 – “if she doesn’t make a witness statement, we can’t investigate”. Does that sound right? F
- DPM: There are issues which any service police or indeed, any police agency, has to decide on how to best investigate. And of course we would like an individual if they wish to make a complaint to come forward and make a s.9 statement, where they actually sign on the dotted line that they wish to make a complaint about something which may or may not have happened. However, if they do not, that will not preclude us from conducting an G

A investigation. But it would depend on the individual case and the alleged severity of that case etc. What we must understand is that in the Army, discipline is expected from the point of command. It is the Commanding Officer who does that, he effectively acts as a magistrate. Nowadays, of course, the Commanding Officer has a lot more tools to be able to deal with that sort of incident that you raised, because that was, what, ten years ago?

NB: Yes.

B DPM: There is obviously now AGAI 67 action which deals with major and minor sanctions if an individual was not willing to make a formal criminal complaint, and say there were no witnesses to it, but on the balance of probability, there might be some evidence to support it. So it's a lower threshold if you like, it's an AGAI action, it's on the balance of probabilities, rather than a criminal action beyond a reasonable doubt. If, however, the Commanding Officer wishes for an investigation to be conducted, despite the fact that the individual did not wish to make a formal statement of complaint, that is the second criteria where a Commanding Officer can demand that an investigation be conducted. He can turn around and say "sorry, I know you may not wish to make a criminal

C complaint, but I'm not prepared to have such behaviour going on in my unit, I am the Commanding Officer and I am authorising an investigation". So again, the Commanding Officer is empowered to deal with that. Aside from persuading the individual to make a formal complaint.

NB: He's never met her which is a particular feature of this case. He seems to rely upon hearsay that she is unwilling to make a statement, and then he says, he sought advice from the RMP in Aldershot, who told him that. It seems to me odd that they would be saying that, because the one thing that I imagined they would do, was go to see her themselves. And they might have gender training and be able to get a more sympathetic approach to a woman who might have different reasons for not wanting to go above the line to the Commanding Officer.

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DPM: The other side, of course, is that the Commanding Officer, ignoring the character of the person who the allegation was made against, somebody under his command who had a pretty nasty allegation made about him, he would want to exonerate him or call him to account if that was required. So therefore, the Commanding Officer calling an

E investigation is then critical to that outcome. And also, of course, we have the Equal Opportunities Investigation Team now, which deal with harassment and specialist investigations of this nature, which any individual can apply to, to deal with that type of offence. So I would say that that scenario that you put to me, whether it's true or not I can't say, but I would not regard it as satisfactory procedure. I would certainly expect a service policeman to go and at the very least see the individual and talk to her and assess whether or not an offence had been committed. And try and guide that individual to take appropriate action even if that individual didn't want to take criminal action.

F NB: Well, it may be that it was criminal action within the meaning of the Army, because it may have been harassment to have sexual relations.

DPM: Absolutely.

NB: But it is still undermining the discipline in the Sergeants' Mess.

DPM: But I would say that best practice is for the service policeman to go and speak to the individual and discuss it also then with the Commanding Officer and a decision would be made as to the best way to take it forward. It may have been that this was a one-off

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incident, where there were absolutely no witnesses, absolutely no chance of this proceeding in any way, there was no intimate contact, just verbal, and it may be that the individual may not wish to take it further. There may be a slightly more serious offence where there is corroborative evidence, where we would advise that the matter could be taken forward.

A

NB: Well I rather suspect that if the RMP had investigated in 1995 they would have found what the Surrey Police found in 2002, where this was just the tip of a very unpleasant iceberg.

B

DPM: Yes.

DB: Final question, if that's OK. Are the RMP subject to review by HM Inspectorate of Constabulary?

DPM: Formally, the answer is no. This is a matter that is currently being looked into. We recently had two studies into the service police. The fundamental reason of why we exist is to provide military police support to the force, particularly overseas on deployed operations. That is the one area which no other organisation within the United Kingdom could actually do for us. So it's the authority outside the territories of the United Kingdom, so for instance in Germany. And of course in deployed operational theatres, because we are trained soldiers and policemen. So that's the first study. The second study looked into the requirements for service policing, and I say service policing specifically looking at Navy, Army, Air Force, rather than MOD Police (MDP). One of the recommendations, and there were many recommendations after the study, but one of them was independent ombudsman-type character to look at areas where there had been problems. That measure has now been taken forward. How that all materialises, I don't know, but the aim will be to provide an independent ombudsman, particularly focused on those areas where failure has occurred. Maybe where a case has failed to reach investigation, maybe where it has failed to go to court martial, maybe where a court martial has failed, it might be a prosecuting authority problem. Specifically looking at that whole system. That's one of the proposals.

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NB: And very important generally from that in terms of the Army being seen to investigate itself.

DPM: There are difficulties with HMIC. And the reason for that is that we don't follow all the accepted principles that the civil police do. We follow those areas of UK legislation which are pertinent to us and which are appropriate to us. And this you could regard as somewhat problematic at times, because not all UK legislation automatically applies to Service Police. Elements of it automatically apply. And the Secretary of State is then invited to raise Statutory Instruments in order to bring in certain provisions which he believes appropriate for the Service Police to have. This can have issues for us, because it can mean that we are at times operating slightly older procedures than we would otherwise wish. For instance, the taking of DNA swabs prior to arrest from an individual, taking oral swabs etc, which then go on a database. We can't do that. Now there are plans for that to be brought in.

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NB: Are there not things that could be done, that an inspectorate system independent of your force might help you? You've told me today that you apply the same standards of scenes of crime and document retentions as civilian police in that area. Now, in order to make good that, doesn't the HMIC say "yes, RMP is doing that or they're not"?

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- A DPM: First and foremost, we do our own tech evaluation of all our units, which is a very in-depth analysis of our units to ensure that they are follow all procedures connected with investigations. That is done every two years for every unit. The Provost Marshal (Army) also has responsibility for all joint police units, ie those in the Falkland Islands, Cyprus and Gibraltar, and indeed, most overseas theatres. And we provide a team to do that. The second area is that we also use peer-review and go outside to Civil Police (for instance Devon and Cornwall Police), in large-scale inquiries and ask them to review our work. We are also looking at the whole area of HMIC, and an independent commissioner and trying to work out how we could introduce independent oversight aside from peer review that would be best suited for the Service Police. There is much work ongoing in this area. The Armed Forces Bill will also be coming before Parliament in the next year. This should be enacted by 2008, which is changing the scene of primary legislation for the Service Police.
- B

NB: OK. I think that is all for today then. Thank you.

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Appendix 4/16

Meeting with Major Whattoff

Present: Nicholas Blake QC (NB), Major (Retd) Charles Whattoff (CW), Darren Beck (DB), Kaspar Nazeri (KN).

Date: 18 November 2005

Location: Matrix Chambers

NB: It's 10.40 on Friday 18 November and I am with Mr Whattoff, Darren Beck and Kaspar Nazeri. Can I just get a few questions about your own career? I know you were at Deepcut from 11 September 1995 to December 1997 according to the documents I have got.

CW: I started, yes, in September 1995 and I might have left a shade earlier than December 1997. I can't quite recall but I went to HQ 4 Div across in Aldershot. It just depends on how the postings go and availability of who's coming in next and all that. Yes, for all intents and purposes, that's about right.

NB: And you were holding the rank of Captain throughout that time?

CW: Yes.

NB: And the post of Adjutant?

CW: Correct.

NB: Was this your first posting as Captain?

CW: No it wasn't, I had come from 16 Transport Regiment in Germany.

NB: Was that formerly part of the Royal Corps of Transport?

CW: It was Royal Logistic Corps, previously Royal Corps of Transport, yes, and I was Second in Command of the squadron there, and that was my second Captain appointment. Before then I was at Buller Barracks in recruiting.

NB: Where is Buller Barracks?

CW: Aldershot.

NB: Right, and that is working in the recruiting process?

CW: I ran the corps mobile display team, so that was going out to shows and events and I also went to schools and universities just talking to people about the Army.

NB: How long did you do that job for, roughly?

CW: Two years. 1991 to 1993. And then I did a bit in Germany and then I came to Deepcut.

NB: And after Deepcut, how long were you in the Army for?

CW: Until August this year. I just left.

- A NB: And what rank did you have when you left?
- CW: Major.
- NB: Before I get onto 1995, which is the main purpose of our discussion this morning, if you were doing recruitment in 1991 to 1993, is that shortly before the abolition of Junior Entry or after the abolition?
- CW: I wasn't involved in actually the recruiting process.
- B NB: Once upon a time the ATRs were run by the regiments themselves, if I understand it correctly, but after 1993 you have got the beginning of what is going to become ATR Pirbright, but at the same time, I understand, we have in 1993 the decision taken to abolish Junior Entry to the Army and have Single Entry – now, does this mean anything to you?
- CW: Right. Junior Entry, which could either be the Junior Leaders' Scheme or the junior soldiers. Right, there's the Junior Leaders Regiment, the RCT at the time and the RAOC, that was in Wiltshire, Bath way, that sort of neck of the woods, and that ran, as it did, but I think that was abolished then or phased out, and also of course we still had at the time junior soldiers in there doing their recruit training in Buller Barracks, and there was the training regiment there who did all the Phase 1 and all that sort of stuff, and therefore at that time that would have stopped as well. Junior Entry came in about 16, single soldier would have been 17 and a half, so there's an age difference – they are not taken in so early.
- D NB: Yes. I have to say I have asked this question for about 9 months and have got nuances of answers from different people who have had careers as long or longer than yourself, and I don't want to distort your memory by what I am going to put to you. I have the impression that I am getting from you that some time in 1993-1994, Single Entry certainly for corps such as the RLC tends to be defined as 16 years and 9 months when you can start the process of Phase 1 training at Pirbright, and I haven't seen anything suggesting that you have got to be over 17 and a half at that time to get in. I suspect that those may have been dates from an earlier era when there were two streams.
- E CW: It's not my area of expertise at all, I am just sort of trying to logically go through it but you have probably been told something a lot more accurate than I have recalled.
- NB: We are looking at other areas but I mean, when it comes to this, this is the preamble to 1995, so let's now get on with 1995. This was your first training post, yes? Adjutant in the Training Regiment?
- CW: Yes it was.
- F NB: And they haven't given you any special training briefing for dealing with young people?
- CW: No.
- NB: It would have been unique if they had. Colonels and Majors don't appear to have been briefed on it and you are dealing with some trainees coming through who are pretty young.
- CW: Correct.
- G

- NB: How young? A
- CW: Well, there were some under the age of 18.
- NB: Any under the age of 17 in 1995?
- CW: I couldn't recall that accurately.
- NB: Right, so you are just handling what the pipeline has produced? B
- CW: Correct.
- NB: Rather than getting a clear picture.
- CW: I sit in the Regimental Headquarters, I am sure you are all well versed about the regimental structure, and with ATR Pirbright just down the road and the trainees or the recruits who will complete their Phase 1 training at Pirbright and then there will be dialogue with the training squadron, we started with B Squadron and then it came to be called 86 Squadron and they would just be processed in to do their Phase 2 training, of which we coordinate and did not deliver. C
- NB: Yes, I understand.
- CW: And so the numbers game, it started off when I had first arrived very small and there was a lot of pressure and commands on soldiers doing a lot of guard duty at the time.
- NB: Well, I was going to come on to guard duty as a particular topic. D
- CW: And then the numbers because of the recruiting increase started to gradually build – well, that was fine to start with, because it started to release the pressure on guard duty and all of that, but didn't stop, and there was never any equivalent increase in infrastructure to manage this and so I think when I left we were well over 1,000.
- NB: OK, well, we will move on to that. I would like to go through that process in terms of when the numbers changed, because again I have got slightly different bits of information about that, but just sticking with age for one moment, therefore, you weren't aware of exactly how young they could be and that wasn't an issue that your headquarters discussed expressly? E
- CW: We were aware that there would be a number of soldiers which the Commanding Officer would really be in loco parentis for, because they were under 18 and we have a duty of care for those soldiers.
- NB: Now, that phrase in loco parentis, is that something which you are getting down from the Army training organisation or is that an internal thing, is that common sense? F
- CW: I think it's more common sense.
- NB: Really. Over 10 years there were memos saying, we are in loco parentis, no we are not in loco parentis.
- CW: Yes, exactly. I can't remember anything which is sort of definitive, but we recognise that there were some under the age of 18 and a lot of effort was needed and we were conscious about that. G

- A NB: What was the response to that fact knowing that you had people under 18 and you were, or thought you were – whichever it is – in loco parentis?
- CW: Right, I was not involved directly in that area. That would have been up to the OC at the time, which was Rob Gascoigne followed by [Major N]. And it was their responsibility to look at who we have got coming in and manage his squadron, which would include making sure they got the right training and did that, and also their welfare was managed accordingly. And any issues and concerns they would have had would have been discussed with the Commanding Officers directly. I would get involved with the disciplinary side on an advice and coordination role rather than the policies involved.
- B NB: Well, obviously I know that if you are under 18 you are not meant to be able to buy alcoholic drinks in the NAAFI. But was there anything else that you could remember even though you weren't responsible for it that would have formed part of the response to the fact that they were under 18 apart from that?
- CW: Nothing which immediately springs to mind.
- C NB: Let's see how we are doing here. So you arrive as Adjutant, I have got down, 11th September. Now we got that from what, a personnel file?
- DB: That was taken from the confidential report.
- NB: So that would be reliable data. Did you have any idea of problems or issues or perspectives going on in the regiment when you first arrived?
- D CW: No. I was aware that Sean Benton had sadly died in June about 3 months before. I was at the time on a career course at Sandhurst, normal mid-term training, and I was aware of that. And so when I went to the depot I did the handover/takeover in the normal manner with [...].
- NB: And did he pass you on any tips as to things that were going well or going wrong or problems you had to watch out for?
- CW: Overall he was quite happy with how things were going. He never said that there was any major difficulty or anything, and part of our role was to look after the people from the – we were sort of a discipline centre as well – that's a bit of a strong term I suppose. A depot function.
- E NB: Which is C Squadron, later renamed the 87 Squadron.
- CW: Yes, that function which actually looked after people who had issues and so there would have been a list of people – this is where they are in the various processes, whether that be disciplinary, administratively or welfare. So I would have an overview of that.
- F NB: Well, did you discover that there were any problems with the regiment shortly after you took on the job?
- CW: No, I didn't. However, there were two instances and what the first incident was, was a bus trip to France. The second incident was with [RSM Z], and actually within I think about a week or so of me arriving the bus trip to France happened.
- NB: Yes, so the actual bus trip was a week after you arrived?
- G

- CW: Yes. A
- NB: All the reports of what had happened on the bus trip?
- CW: Yes. It was within a week or so, you know, it was that sort of time, from memory.
- NB: And how did you hear about what had happened on the bus trip?
- CW: The way it worked was you had the regiment at the top of the hill and you also had the Headquarter Training Group which [wasn't] up the hill, and there was an SO3 G1 guy there who wasn't my superior, but he was the next level up in the chain of command and I think he would have mentioned it, "Charles, there's been an incident on the bus trip, some of the administration might be coming your way", because my job was to be aware of issues and deal with them accordingly or advise. Also we had some members of the Regiment on that trip as well, and therefore there would have been a requirement to do something on those lines. We would have been involved. B
- NB: Right. And the outcome of the bus trip incident is what?
- CW: There are two chain of command issues here. You have the personnel who are responsible in the School of Logistics, they are responsible to the Commandant who is a full Colonel. And so the bus trip was a School of Logistics bus trip. And a number of the people who were involved in activity on there, on the bus trip, which caused difficulty, were under the Commandant's chain of command. Therefore there were some juniors who were under Colonel Josling's command, so there was a split disciplinary requirement depending on whose chain of command he came under. C
- NB: And your chaps were disciplined by Josling?
- CW: Josling. D
- NB: And was it one or more than one?
- CW: It could have been two, I can't remember the names.
- NB: The most senior held the rank of what?
- CW: Well, the one I think I can remember could have been a Corporal. I genuinely can't remember. E
- NB: I think I have been told, as I have been through this with Josling, there was a Sergeant involved in this.
- CW: There might have been a Sergeant involved, yes.
- NB: But it wasn't [RSM Z]?
- CW: No. F
- NB: Well, anything else you want to mention about the bus trip that you can recall?
- CW: We would have had legal advice from HQ 4 Division.
- NB: At Aldershot? G

A CW: At Aldershot, and I think it would have come from a full Colonel at the time, and I know that the statements which were taken by the Regiment for our lot were sent to Commander Legal and he would have advised the case, I believe.

NB: So it was investigated by the Regiment staff and not by the RMP?

CW: I don't think it was.

B NB: Right. Who would have investigated it in fact? What part of the Regiment would have been assigned the task of investigating here?

CW: It might have come down through the RSM from the Sergeant Majors. I don't think it was RMP investigated. So therefore statements were taken. Who took the statements I don't know. They were collated and put together by a man in a bundle.

NB: Right. Do you know how long paperwork like that would be retained for at the time in the RLC?

C CW: Well, probably about 5 to 7 years.

NB: Was there a document retention policy that you can recall?

CW: All legal documentation would have been held in our HQ at the time. Really I would have looked over it, I would have been ultimately responsible for the retention policy of it as part of my role, and the Regimental Chief Clerk would have made sure it was in his lockable discipline file.

D NB: Right, but you can't recall exactly whether it was 5 or 7 years?

CW: No, I can't.

NB: You mentioned, then, the other topic that came your way early on was [RSM Z]. Now tell me what you can recall about how that issue was.

CW: Right, we talked briefly about Buller Barracks. [RSM Z] was a Sergeant Major in RCT¹ at Buller Barracks in the training organisation.

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NB: Before his job as RSM?

CW: [RSM Z] apparently moved very quickly up the ranks. I wasn't in the training organisation, I belonged to another part of the establishment there, but he was Sergeant Major in that. He then would have been posted, moved out from there, and the next thing I see him as the RSM.

F NB: Did you know [RSM Z] then at Buller Barracks?

CW: No, only as a Sergeant Major.

NB: But by reputation?

CW: No. I mentioned it because he was there and I know he was there, so I don't know whether that has actually come out in any previous information.

G ¹ Royal Corps of Transport.

- NB: I've seen his Confidential Report. And you wouldn't have known what his job was before he was RSM? A
- CW: No.
- NB: OK. You arrived in September, dealt with the bus trip incident, and then –
- CW: And then [RSM Z].
- NB: [RSM Z], right. B
- CW: The first inkling that I had that there was something adrift was there was a complaint from a member of the staff in the Sergeants' Mess, and I don't recall who made the complaint, and it might even have been an anonymous letter. A letter was given from a Mess Manager to the Quartermaster at the time.
- NB: The Mess Manager – is that [...]? C
- CW: It could have been [...], it could have been a civilian, employed by the contractors.
- NB: The Quartermaster, would that have been [...]? D
- CW: [...] comes in and gives a letter to the Commanding Officer.
- NB: You saw this letter?
- CW: Yes, I saw the letter, alleging that she had had inappropriate advances from [RSM Z]. E
- NB: Verbal, physical or both?
- CW: Probably a blend of both actually, because it was sufficient enough for her to write a letter about it.
- NB: So do you think she wrote the letter or she wrote to the Mess Manager who wrote the letter? F
- CW: I think she wrote it, and it came up to [...], who brought it into Josling. And then it just seemed to sort of snowball. Whether it opened a Pandora's box, but [RSM Z] was away on holiday at the time, and it seemed to have transpired that not only there were tales of the Sergeants' Mess being open, the happy hour being extended, the bar not closing, and there was rumour rather than fact, I think – yes, definitely rumour – that they were going down to the night club in Camberley – Joe Bananas – and of course a lot of the recruits went to Joe Bananas, and there seemed to be some inappropriate activity. Now I guess that's difficult to describe, but you don't expect your Regimental Sergeant Major, albeit a single man, but the senior soldier in the Regiment, to be going down Joe Bananas where recruits are. G
- NB: You've got this quite rapidly, whilst he is still away?
- CW: Yes, whilst he's still away.
- NB: Three bits of the information, the lateness of the bar staff, the perhaps lax opening hours at the bar in the Sergeants' Mess and Joe Bananas, and fraternisation.

A CW: Fraternisation, that's the fair word, yes. And I can't remember how much evidence was actually pulled together in terms of physical, if they are written material, but the bottom line was that it was the weight of material just to say that when [RSM Z] flew back in to the country that [Sergeant AQ] who was the gym guy, he was sent to the airport to pick him up and bring him straight back to the CO's office. I wasn't involved in that conversation, but they were in there for over an hour or so and Josling and [RSM Z] were having quite a debate.

NB: Just by themselves?

B

CW: By themselves, yes. I was not involved in that.

DB: Was that unusual? Wouldn't you normally be present at that sort of thing?

CW: We had a change of Commanding Officers in December. I worked significantly better in terms of what was the process of what we did with David Harding than I did with Nigel Josling. The processes were tighter.

C

NB: With David Harding?

CW: With David Harding, significantly tighter. We didn't do anything unless it was categorically in the book, fair and square. We will come on to that, I am sure, , but there was a sea change. Now, in David Harding's time there, I would have been in there, full stop, as it was my job to be there. I wasn't in there with [RSM Z] and Josling.

NB: Did you think that odd at the time or did he not know enough about the job to think it odd?

D

CW: Well, exactly. It's the Commanding Officer's decision. The relationship between a Commanding Officer and an Adjutant is fundamental to how really a Regiment can run, because it actually does have quite a lot of presence in the regiment, and some Commanding Officers run that at an arms distance relationship because that's just how they are, and some run it as a very tight relationship. If you go to a Guards' Regiment, they will have the Commanding Officer, Second in Command and Adjutant all in one room working together, so it's very different, so each Commanding Officer has his own way of doing things, so it will not have been out of place for Nigel Josling to say, "no Adjutant, you are not in this". It's his staff, his call, and his prerogative.

E

NB: So the conversation happened in your absence and this conversation was immediately on his return for about an hour.

CW: Probably yes, for about an hour.

NB: And do you know what the outcome of that conversation was?

F

CW: Right, the outcome was one very agitated RSM who left the building and went back to the Mess or something like that. Clearly the confidence in the Regimental Sergeant Major had been lost. But no form of disciplinary action was being taken, and again it is the Commanding Officer who dictates who has action taken against them or not, and there was no action out of that. We had some legal advice from Commander Legal. I think I had to go to Leconfield as well.

NB: Yes, I think you did. I am very much interested in that.

G

- CW: Yes, because there's more. So therefore we have the letter. I knew there was something else. We had the letter, we had some rumours and it was these allegations that there was fraternisation, the Joe Bananas thing. Where are the recruits now? "Adjutant, go and speak to them at Leconfield". That's what happened. Therefore there was some material produced, documentary or written material, that went to Commander Legal at HQ 4 Division, Colonel [...] did advise on that, and then the Commanding Officer would have had some legal guidance with which to interview [RSM Z]. A
- NB: All that happened before [RSM Z] got back from holiday then? B
- CW: Correct.
- NB: Right, so the Leconfield visit was in September before [RSM Z] gets back from holiday?
- CW: Yes, I am sure it was.
- NB: When you say in your recollection, because we have captured it in the Commanding Officer's Interview Book, the day of [RSM Z]'s return from holiday and interview with Josling, 28th September 1995, so we have got 17 days from you arriving, dealing with the bus trip which you dealt with, then whatever is going on, but how sure is your recollection you went to Leconfield before all that interview? C
- CW: I can distinctly remember going to Leconfield.
- NB: Are you happy to talk about Leconfield now or do you want to talk about that later?
- CW: If you want to talk about that, that's fine, we can do that. D
- NB: All right, well I would quite like to do that. Who went to Leconfield with you?
- CW: As I was going to interview female soldiers, I would have had a female Corporal with me, and it was [Corporal(f) W], off the top of my head.
- NB: [Corporal(f) W], was that?
- CW: Yes, [Corporal(f) W]. E
- NB: Did Nigel Josling go with you?
- CW: He might have done. If we went twice, the second time I can distinctly remember a trip with [Corporal(f) W]. I am really struggling to remember a trip with Nigel Josling, but it's quite possible, and I don't know why I can't recall it.
- NB: So there were two trips to Leconfield?
- CW: There might have been. I am not sure. F
- NB: Well, let's deal with what you can remember. You can remember going up with [Corporal(f) W] and is it the position that you think there were just the two of you, or there may have been three of you, or do you think there were definitely just two of you?
- CW: Two of us. G

- A NB: Right, so if there was only one trip then Nigel Josling didn't go up, is that right? Or would he have gone up by his own means? Did he have his own driver?
- CW: Well, he did have his own driver, yes.
- NB: But would he have taken you up?
- CW: Well, yes, I cannot recall going up with Nigel Josling. If he says I did I might have done, but I can't recall it, but I can distinctly recall going up with [Corporal(f) W].
- B NB: Right. I think in fairness, Nigel Josling is not suggesting to me that he did go up to Leconfield, but I think [Corporal(f) W] may have some recollection about it, which is why I asked you the question.
- CW: Yes, I can't remember. [Corporal(f) W] would have gone up because she was senior, a Corporal and we had very few female Corporals at the time, and she was regarded as trustworthy and the appropriate person to go up, and she could have taken Josling up because she would have driven the Commanding Officer up to Leconfield independently as a female observer, and then come back down.
- C NB: But at least on the time that you recollect, you remember going up with [Corporal(f) W] and that's all you can remember about it. OK, now what were you tasked to do at Leconfield?
- CW: I was tasked to find out whether there were any allegations or substance to allegations of inappropriate behaviour from senior people within the Regiment, without mentioning any names, against junior recruits or Phase 2 soldiers.
- D NB: So it was broader than [RSM Z] only?
- CW: It might have seemed broader, and I was very careful because I could not put words in people's mouths. I wouldn't suggest anything, but I had to ascertain was any senior people in the Regiment making unwelcome advances towards you?
- NB: OK. Just before we get on to what information you may have gathered at Leconfield about that topic, did you know what was the source of the rumours or who prompted Nigel Josling to prompt you to focus upon rumours of fraternisation, cutting out the alcohol in the bar and the lateness of bar staff?
- E CW: I can't recall at all any direct source which would have said, go and see Privates x and y who are now at Leconfield. I can't weave that into the picture of why at the time it was important to go and see them.
- DB: You received your direction to go and instructions from Josling?
- F CW: Yes, I did.
- DB: Did you have the impression that he had done some investigation already or had interviewed people?
- CW: Someone would have made him aware of something, otherwise I wouldn't have driven four or five hours up the road to Leconfield and back again, just for the sake of it.

G

- DB: So it's a firm direction from Josling as to why you are going and who you were going to be talking to. A
- CW: I would have been involved in that sort of general early discussion that there was the letter from the Quartermaster, and that's why I said things would have started to unpack.
- DB: But you weren't given those things yourself, they were given to Colonel Josling, or did you hear anything? B
- CW: No. If someone came into my office and they would say, "Adjutant, there's something I need to talk to you about", fine, close the door, and then I would have said, "OK, thank you for that, we must now go and put that up to the Commanding Officer", and if someone came in like that, it would have been on that basis. The OC may have said something. I can't remember how that information got to him.
- NB: So you know and you can recall the task that you were assigned at Leconfield, and were you going to quiz all the female trainees? C
- CW: No, there were two or three.
- NB: Which Josling had given you?
- CW: I think, and I made no connection with this at the time, but I think I might have interviewed Cheryl James, but unless you tell me that I did or I didn't, I don't know.
- NB: I'm afraid you are the source of information about this. D
- CW: Yes. I can't remember any other name, and I think that someone after James died, and not straight away, but it was later on, said "oh, by the way" and I genuinely didn't make any connection in between those two, I think, but I can't recall.
- KN: So someone told you?
- CW: Yes, but the two were unrelated. I was there just to do that job.
- NB: Well, I appreciate this may be an interesting patch of your new post as Adjutant. E
- CW: Yes, I mean, this is very unusual.
- NB: You are up to Leconfield, we think on the present timing, within your first 17 days of arrival, if you were doing the investigation before [RSM Z] comes back from holiday. Looking forward to the narrative that we now have within 2 months, we know Cheryl James is going to die, and that obviously must have been a big thing for you.
- CW: Yes it was. F
- NB: If you'd interviewed her 2 months beforehand do you think you off your own back would have made the connection?
- CW: No, I didn't make any connection with this at all.
- NB: But why do you think you may have interviewed her? G

- A CW: Because someone mentioned it in passing a lot later on.²
- NB: How long after?
- CW: I am not talking within days or anything like that – a number of months, if not over a year.
- NB: Before you had left your post?
- B CW: Possibly, yes.
- KN: Is there a female recruit who calls you?
- NB: Or recalls that you may have interviewed Cheryl James?
- CW: I can't remember, I genuinely can't remember.
- NB: Officer level or Private level?
- C CW: Senior NCO, probably officer level.
- NB: Did you keep a record of the people you interviewed?
- CW: Yes I did. I wrote a note on them.
- NB: And where is that record? Where did that go?
- D CW: Well that went forward in a bundle which went to Commander Legal and there was a file and I kept the file on [RSM Z] in my office because I didn't trust anyone else with it, in my locked cabinet.
- NB: Your locked cabinet?
- CW: Yes. I was under strict instructions to keep all material between myself and the CO because it was a very senior person in the Regiment and it was being dealt with by a Commanding Officer, and I dealt with it.
- E NB: Right. Where would that material then go?
- CW: I then retained that file in its entirety, I handed that file over to my replacement, at the end of my tour, and stayed in the bottom at the back of my drawer.
- DB: You say copies of that material were sent to Commander Legal?
- F CW: Yes, it probably would have been a copy. Either a copy or the originals went to Commander Legal for review and advice. I personally collected the advice when it was ready.
- DB: You wouldn't have sent the original bundle to him, he commented on it, and sent the original bundle back?

² Mr Whattoff subsequently wrote to the Review and said "I would like to add that in regard to the Leconfield Interviews, I *could* have been told of the connection by [Major N] (Ex OC 86 Squadron). I have given this quite a lot of thought and I can only think that this is the source for me to make the connection. The comment would have been made sometime after Cheryl James's death, possibly whilst I was still serving at Deepcut, but I regret I cannot be certain when".

G

- CW: I know I would have had a copy and I am sure he would have, if he had the originals he would probably have kept a copy for himself. A
- NB: So there may be two lines of documentary search, one the file is kept in your locked cabinet as Adjutant and that was handed over to your successor, and then retained until such time as someone started doing something with it, or documents going to Commander Legal at Aldershot who was a source of advice to the CO.
- CW: Yes. B
- NB: As you may have gathered, I am going to have these documents analysed.
- CW: Yes.
- NB: You have been tasked by Nigel Josling to go up to Leconfield to interview a small number, two or three female trainees in Phase 2. You believe with the benefit of what someone told you afterwards that one of those may well have been Cheryl James, and the reason why you have been tasked, even though you are not to put names of senior officers or NCOs to these young women, is because there are rumours of inappropriate conduct by [RSM Z] towards each of these people. C
- CW: Correct.
- NB: Right. You then spoke to these three people. Now, did you get any capture on descriptions or impressions of the women you actually spoke to and how long you spoke to them for? Was it one by one?
- CW: One by one, and not a lengthy conversation – probably 20 minutes to half an hour. Very difficult, I mean, it was something in which I was trying to uncover something, although you are not trying to incriminate someone. So that was the investigation and I don't think they were very conclusive, the interviews. D
- NB: What did you get out of them?
- CW: I can't be entirely accurate, I think there was some substance and there was something going on, I think that's to be fair, but I cannot recall any specific name being mentioned or any specific incident, I think that they were not going to sort of open that up probably to me, I mean, let's face it, Adjutant turns up to a Phase 2 trainee. E
- NB: That's why you have to be gentle.
- CW: Yes, and as gentle and as pleasant as one can be, I don't think there was anything overly conclusive which came out of that.
- NB: So they were, what, reluctant to go into this in detail or name names? F
- CW: Broadly speaking, I think.
- NB: But you have got sufficient indication that there was something going on?
- CW: That the Sergeants' Mess was not operating in a disciplined manner.
- NB: Yes, but have they even been into the Sergeants' Mess, these Phase 2 trainees? G

- A CW: I can't recall what they were saying but I know what you are coming onto, because it seemed that you get a Joe Bananas activity and then they are invited back to the Sergeants' Mess and the bar is open and it starts to roll.
- NB: That is what you were getting capture on, was it?
- CW: I can't recall. It's a long time ago.
- B NB: I am not trying to put any information into you. I really am not, but you said to me that the impression you had at the end of the Leconfield part of the conversation was the Sergeants' Mess was not being run as well as it ought to be. Now obviously on the face of it, there's no reason for the Phase 2 female trainees to be in the Sergeants' Mess at all.
- CW: There is absolutely no reason whatsoever that a Phase 2 trainee should enter the Sergeants' Mess, on any social arrangements.
- C NB: So is it a fair inference that something which you were capturing in these sessions with these young people suggested that some of them may have been to the Sergeants' Mess?
- CW: A fair inference.
- NB: Right. And is it a fair inference from what you said earlier that you had information suggesting that there may have been some substance in rumours of fraternisation of a sexual variety?
- D CW: Yes.
- NB: Do you think you got this from one or more than one of your three informants?
- CW: Difficult to say. I couldn't say that two of them did and one of them didn't. It is perfectly feasible that one or more than one gave that indication, but I genuinely can't remember.
- NB: Can I ask you this, have Surrey Police ever asked you about this trip to Leconfield?
- E CW: No. I don't think so. Or did they?
- NB: I am going to show you your statement, but you don't think they did ask you about it?
- CW: Well, I can't recall.
- NB: No, there's nothing in here about it. There's nothing in this statement about it.
- F CW: This here dealt very much about what's happening with me on the day and in a way I was rather surprised that I was never asked more about anything else. And all my dealings with Surrey Police I think have been down this sort of line.
- NB: What day was that statement?
- CW: 3rd October 2002.
- G NB: Yes, that's it, thanks. OK, well obviously they didn't capture the information that you have been telling me about in that statement. Now, I think we have got a note, an

Officer's Report of telephone contact in December 2002. Do you remember that? Were you phoned up by Surrey Police?

A

CW: Yes, I was.

NB: Right, that looks like another occasion then. So this is dated October and do you remember what the telephone conversation was about?

CW: Not very well, but I can distinctly remember I didn't like how they were asking me the questions. I thought they were very aggressive and I told the officer at the time, I don't like the manner of the tone you are asking me these questions in.

B

NB: What was the manner of the tone he was asking in?

CW: It was very aggressive.

NB: What, accusing?

CW: Yes.

C

NB: Accusing you of what?

CW: It was just questioning whether or not I was saying was correct. I was answering the questions as best as I could, whatever they were, but I can distinctly remember that the tone of that was aggressive, or his reply to me on the other end, and I said, "sorry, I don't like your tone on this". "Oops, I am very sorry". And he changed straightaway. And he said he was only following up leads. I don't know how they work, but he said he had just asked the following questions and then they went straight back, thank you very much.

D

NB: And you were never asked to make a second statement?

CW: I don't think so, no.

NB: I have got this statement and then we have got this note of the Officer's Report of a telephone conversation on the 16th December 2002 which mentions that you were acting on behalf of Lieutenant Colonel Josling in alleged allegations regarding [RSM Z]'s behaviour. You confirmed you visited Leconfield to interview three persons. Unable to recall who or the person's connection with the allegations, etc. So they started off in a way which was not encouraging to you giving them the product of your memory and obviously dealing with a topic which hasn't been dealt with before in your statement. It is about what we are talking about. This is not.

E

CW: That was on day of death. What I did, I cycled in, went past, and then very sadly within 10 to 15 minutes there was a serious incident at the gates, which resulted in her death. This is about something else, which is really [RSM Z], but I was never interviewed any further than that.

F

NB: OK. Taking it together, I think, did you give a statement to the RMP in 1995?

CW: I probably would have done.

G

A NB: Going back, whoever it was that prompted you to recall that one of the people, or told you that one of the people you had interviewed at Leconfield was Cheryl James, I think would have happened between 1995 and 1997.

CW: I can't put any date on it whatsoever.

NB: But before 2002? It's not just something someone has told you recently, is it?

CW: Oh no, not recent, but I can't recall that.

B

NB: In a sense we have the Leconfield trip, two months later Cheryl James dies, that leads to an inquest, Board of Inquiry, other things under Lieutenant Colonel Harding's regime that we will come to later on, and then off you go to your new job until 2002 when the whole thing is reinterred. Don't let me put words in your mouth but I imagine that's it.

CW: I did the job which faces you at the time, and in the normal Army structure, two years later I am posted and moving to Aldershot.

C

NB: What I want to note is whether it was at some stage, either during the original enquiry into Cheryl's death or whilst you were still at Deepcut and therefore it might have been relevant to the things that you had done and had been doing whilst at Deepcut, when someone reminded you that you had seen Cheryl, or whether there was something which only emerges in the reinvestigation 10 years later – do you follow the question?

CW: Yes. I think it's the latter, re-emerged generally later, but I can't put any definitive time period to how I recall that information.

D

NB: Do you think that something that someone has told you was since you met Surrey Police or was that something which you probably had been told before you met Surrey Police?

CW: Again, I can only say I can't give a proper time on it. I just cannot recall how I got that.

NB: Well, I accept that these things may have happened a long time ago, but the conversation I am trying to press you for may have happened much more recently, although not recently recently, which I take to mean the last year or two, is that right? Since the summer of 2002, the Deepcut deaths, Cheryl James, Sean Benton, we are pretty hot news in the Army, and obviously you know you were around and I would have imagined that any information that you have received from that period of time would have been quite significant in your mind. Right or wrong?

E

CW: I would be very interested in it, but I'd assisted with every inquiry and I have answered every question.

NB: I don't think until this morning anyone had associated you with believing that one of the people you interviewed at Leconfield was Cheryl James.

F

CW: Correct.

NB: But my understanding is that what you told me this morning is that you presently believe that one of the people you deal with at Leconfield was or may have been Cheryl James.

CW: Correct, yes.

G

- NB: And that's based upon a prompt from somewhere. A
- CW: From somewhere, but I can't recall where.
- NB: And you can imagine from the fact that we are spending some time on this, that if you did interview Cheryl James at Leconfield, that would be of some significance to the events generally surrounding her death.
- CW: I can appreciate that line, yes. B
- NB: And I suspect that you are the last chance of capture of information unless these documents happen to come to light.
- CW: Possibly – I don't know what [Corporal(f) W] has contributed, because she might say, actually "yes, it was Cheryl James".
- NB: I think the information we have got is that she is unable to remember, but she remembers, I think, going up there with you and she was sitting in on the interviews rather than conducting them, and I think that is all she is able to recall. I have put that to you already. C
- KN: And we asked Josling about the trip to Leconfield as well.
- CW: I think Josling was a Commanding Officer dealing with a problem he shouldn't have to deal with in terms of his senior soldier, his Regimental Sergeant Major and allegations against him. There is no one in the Regiment he can really turn to, to investigate this, other than having it formally investigated by the RMP. I think there was a reticence to call in the RMP and in my opinion caused by pressure from the HQ Trg Gp, concerned with investigations and publicity. D
- NB: Well, is that what he should have done?
- CW: In my opinion, yes, full stop.
- DB: Was any approach made to the RMP?
- CW: I don't think so. E
- NB: You weren't aware of any?
- CW: I can't recall any.
- NB: Aren't the Adjutants meant to give advice to the Commanding Officer about these things?
- CW: Yes, but as you said earlier on, all of this was happening within me arriving, within 2 to 3 weeks of me arriving. I did do an Adjutant's discipline course. I can't recall when it was – it might have been some time in that new year actually, and Colonel Josling, he's done two years in command, he should have known how to run his Regiment. As I said earlier, some Commanding Officers rely heavily on their Adjutants for advice and guidance and others have more of an arms length distant relationship, and with me arriving it takes time to form a relationship, so he dictated the pace of the investigation. F

- A DB: In the normal course of events if an approach were to be made to the RMP, is it likely that the Commanding Officer himself would pick up the phone and ring a junior NCO in the RMP?
- CW: No, that would be a junior NCO. I know I picked up the phone to the RMP often.
- NB: This is the RMP up at Aldershot, is it?
- CW: Yes. You would get a desk officer. But I would ask to speak to a senior person.
- B DB: So you are talking about an officer rather than a NCO?
- CW: It could be a Warrant Officer and certainly if it was Josling phoning up the RMP, well then it wouldn't be down to an NCO on the front desk – it would be to an appropriate senior person in that organisation.
- DB: Are you aware of any instances of Josling making direct contact with the RMP?
- C CW: Well, it should have gone through me as a matter of routine, but he may have decided to take a phone call himself if he did take one, but I can't recall any conversation.
- NB: But you didn't have a discussion with Josling about "why you are asking me to do this investigation job? Isn't it better for the RMP to be called in" except to say, it's a delicate task?
- CW: Well, I might have, and I can't remember specifically whether or not. I might have expressed "do you want me to go up and do that?" Because I am not trained to do and I don't have any experience of that, but I can't recall specifically saying "this is not something you ought to be sending me for, this is for the RMP". If he tasked you, that was what you would go and do.
- D NB: Are we going to be able to get more information about the contents of this meeting, or have we exhausted that topic?
- CW: I think we are pretty exhausted actually.
- E NB: Well, obviously about who you spoke to, what they were saying.
- CW: Yes, generally.
- NB: I still want to ask some questions about the suitable procedure. From what you have said earlier you think that the most suitable thing to investigate such a sensitive matter would have been RMP?
- F CW: Correct.
- NB: And I want to just go through the reasons for that. Number one, you are not trained in these investigations?
- CW: Correct.
- NB: Number two, this is an allegation concerning the most senior soldier in your Regiment?
- G CW: Correct.

- NB: And number three, is that a factor that might make the young women concerned more or less reluctant to give information because it was a senior soldier? A
- CW: Undoubtedly. It should have been investigated by the RMP. It's an allegation, and the RMP are the best at the time, and they still are probably, if you have a problem in the Regiment, phone up the RMPs and they investigate it.
- NB: And they have jurisdiction over both criminal and disciplinary matters of a serious sort? RMP have jurisdiction over matters which are both a breach of civilian criminal law, such as indecent assaults etc, and breach of Army regulations. B
- CW: Yes. That's correct. The Commanding Officer in military law invokes an investigation into an incident which happens and then he has two options, he has the RMP option or an internal option. Well the right option is the RMP option, and the wrong option is to do a DIY job.
- NB: You will be not surprised to hear that a number of people have suggested that to me, but I was pressing along that line to put to you it's even more the wrong option where the subject of the investigation is the RSM? C
- CW: Correct.
- NB: And it is right that there can be no doubt that if the RSM was seeking to seduce or solicit sexual favours from young female recruits – and those I appreciate are my terms – that would be a matter for disciplinary concern in the Army?
- CW: Correct. D
- NB: Namely, what particular disciplinary offence would that contravene?
- CW: Well, I couldn't give you a standing order or something, but to start with you have got prejudice to good order and military conduct – that is the catch all one, of course, but any additional charge you would normally expect in the legal advice because they would advise the Commanding Officer that actually according to the investigation that this would contravene the following laws.
- [Recording device power cut] E
- CW: It could have been written.
- NB: It just doesn't ring a bell with you?
- CW: If there was a report we would have had it in the Regiment and we would have actioned the recommendations.
- NB: But you don't recall it? F
- CW: I can't recall it per se, as a label like that.
- NB: Well, it may be it is difficult to ask you the next question, but would it be surprising that it was Evans who wrote the report on the two deaths as opposed to the Commanding Officer? G

- A CW: The formal inquiry which ensued after Private James's death, because it was a death of a soldier, had to be convened by the next chain of command up, according to the Queen's Regulations. So therefore we could not investigate our own, and that was therefore convened by Headquarters Training Group which Evans was the Brigadier of, and he wished to commission his own report on his observations or findings or whatever he wanted to do, whether it came out as that in the Board of Inquiry, I don't know.
- NB: He did it before the Board of Inquiry?
- B CW: Well, in that case then, he just wrote a report on it.
- NB: Unusual?
- CW: Senior officers can write a report on what they like. I wouldn't have thought it was wholly unusual, but you know, if he wants to write a report he writes a report.
- NB: Following [RSM Z]'s departure, did you or anyone else think it was a good idea to find out whether there were any other Sergeants or Corporals taking their cue from [RSM Z]'s less than satisfactory stance?
- CW: Right, the answer to that lies in the appointment of the new RSM.
- NB: [RSM AO].
- CW: [RSM AO].
- D NB: Who comes shortly after?
- CW: Shortly after, hand picked between Josling and Paul Evans. He had just come from 3 Close Support Regiment RLC at Abingdon, second tour RSM, married, all the things which [RSM Z] wasn't.
- NB: Did you have any personal capture that [RSM Z] was not the right kind of chap to be RSM before you were plunged into investigating this thing?
- E CW: No, no. And the last Adjutant thought highly of him.
- NB: Do you know what Josling thought of [RSM Z] before he went?
- CW: No.
- NB: He didn't express that to you?
- CW: Not really, no.
- F NB: So before him and he comes in handpicked, different qualities you mentioned, anyone checking up whether others are like [RSM Z]?
- CW: No, there was no other form of investigation following that.
- NB: Right.
- CW: Because all I am aware of is that the new RSM very quickly stopped happy hours, bars opening late and stamped his authority on other things, bloody unpopular.
- G

- NB: Yes, I am told by certain people who were at Deepcut at the time that actually a hard drinking culture in the Sergeants' Mess is not unusual. A
- CW: It probably isn't unusual, but I think that the Sergeants' Mess at Deepcut was populated with a little bit more than just the regimental Warrant Officers and NCOs, because also there are the ones from the School of Logistics, there were another couple of organisations cohabiting in Deepcut at the time, and what you actually ended up with was a lot of single types – now, that is not to say they were single but they were living away from home for a week and commuting, that sort of thing, and well, I think that contributes. B
- NB: Right. Was [RSM Z]'s end of tour because of the drinking culture or because of the other matters which had undermined his confidence?
- CW: Primarily the other matters.
- NB: Right.
- DB: Can I just ask, with [RSM Z] and his being moved on and replaced, to stand down as an RSM must have been a huge event in his career, effectively ending his career, with a huge stigma for him thereafter. Even if not officially recorded it is going to be something that will form the basis of gossip. C
- CW: Yes, an adverse Confidential Report was raised against him.
- DB: So is there not an obligation to give someone in that position an opportunity to defend their name through something like a Court Martial? D
- NB: Or even AGAI which allows representation.
- CW: The AGAI allows representation but [RSM Z] stood down, and that seemed to be the end of the matter. And it's a fair point – I mean, I don't disagree with what you are saying.
- DB: Would you infer from the fact that he stood down that there must be something of substance to justify that action as opposed to fighting it or attempting to clear his name? E
- CW: I think he was fighting it with the Commanding Officer. The reason why he stood down was that he was saying that you clearly don't have confidence in me, sir, therefore I cannot continue as your right hand man. So he said, right, if that is your attitude, and I dispute what you are saying, which I think is the real gist of what he was on about, then quite frankly I can't serve under you, I wish to be removed as RSM.
- NB: Right. I want to return then to the question of other Sergeants. Do you know whether there was any issue between Josling and [Sergeant L]? F
- CW: I can't recall [Sergeant L] specifically. I can't recall him.
- NB: On the 10th October in the discipline book we have an entry – “[Sergeant L], disciplinary, treatment of female soldiers”.
- CW: I can't recall that at all. G

- A NB: But again, is that because Josling is bypassing you or because you are not able to remember events which happened?
- CW: I genuinely can't remember the events of that.
- NB: Female Lance-Corporals and Corporals are quite a rarity at Deepcut at the time. Do you remember a Lance Corporal called [Lance Corporal (f) E]?
- CW: Yes.
- B NB: What do you remember about her?
- CW: I court martialled her for fiddling the ration account.
- NB: Do you know how that arose?
- CW: She was working as a ration NCO in 86 Squadron and anomalies were found in the accounting procedures on a normal check and it was investigated.
- C NB: By whom?
- CW: I think the RMP.
- NB: At whose instigation?
- CW: Well, if you can remind me of the general time of year, that was in David Harding's time, wasn't it?
- D NB: It starts, I think, under Josling.
- CW: I'm sure it was an RMP investigation.
- NB: Yes, I think you are right about that.
- CW: I can distinctly remember it because it was a Court Martial and the prosecutor was Lieutenant Colonel [...], of the Army Legal Corps, so that's why I say [Lance Corporal (f) E] ended up court martialled.
- E NB: Yes, and she got her sentence.
- CW: Yes.
- NB: But do you know what led to the investigation that led to the Court Martial?
- F CW: An allegation was made, there was an anomaly in the books and it was investigated by the RMP.
- NB: Yes, but do you know whether [Lance Corporal (f) E] had come to adverse attention or relevant attention before the RMP were called in on that matter?
- CW: Not from my level, because in RHQ I am not involved in that day to day running of the Squadron.
- G NB: Yes, but you are involved in the discipline, as I understand it?

- CW: Yes. A
- NB: You see, because the same day that we have the entry for [Sergeant L] we have disciplinary [Lance Corporal(f) E], Josling, proper treatment of gossip.
- CW: Right. I can't recall why that was. Clearly there was something there.
- NB: That's not fraud or fiddling the ration rolls.
- CW: No it's not. B
- NB: I haven't got the whole book in front of me but I think some time shortly thereafter we are going to get the RMP investigation, but it looks as if some other factor, we have seen her, she has a clear recollection of being kept out of the Commanding Officer's room during the day whilst [Sergeant L] was in there and then her going in at the end of the day. Does this not ring any bells at all?
- CW: No, the Commanding Officer will have an orderly room, probably once a week on a regular basis and he saw a lot of people in his time, but I can't recall any of those specific separate incidents, no. C
- NB: I mean, she has complained, I think in the press, and has been on some of these media phone-ins about these events suggesting that she was as it were set up and the ration books started. Does that ring a bell with you?
- CW: No, not at all.
- NB: You were not aware of that? D
- CW: No, not at all. I didn't even realise she had been in the press.
- NB: Well, yes. She has.
- KN: Now, how involved would you have been in her being court martialled?
- CW: Her actual Court Martial? I was involved all the way through. E
- KN: What, in the investigation?
- CW: Where the RMP would have investigated I would have seen the RMP report come through and then legal advice would have followed in due course. I think at the time we would have to package it up and then we would send it with a letter requesting legal advice and that comes through and then she comes under the Commanding Officer, he makes the decision whether she is going to get a Court Martial or not, and basically from the evidence and legal advice he makes an opinion up and then as soon as he says remand for Court Martial, I then start another set of paperwork and procedures and it goes through that. F
- KN: Do you recall whether she was at Deepcut at the time?
- CW: Yes.
- NB: She wasn't suspended or she wasn't transferred elsewhere? G

- A CW: No. I don't think so, anyway. She was probably removed from the job.
- KN: It is quite clear that she was elsewhere when she was being investigated.
- CW: She might have been at St Omer, then.
- KN: Why do you say that?
- B CW: Because that's the only place I could think we would have available to send somebody to remove them away from the Regiment while this investigation is going on.
- NB: But you have certainly got no recollection today of [Lance Corporal(f) E] being involved in any other events before the fraud investigation?
- CW: No.
- NB: She played a role in the events around about you.
- C CW: That was before my time.
- NB: And she has, I think, intimated that she had information about the topic of fraternisation. That didn't come across to you?
- CW: No.
- KN: So someone would have just said to you there's an error or a discrepancy in the ration books?
- D CW: Yes.
- NB: Who called from the RMP? Josling or you?
- CW: I could have made the phone call or it could have been made down at the Squadron.
- NB: So anyone could call in the RMP?
- E CW: In the chain of command, but it would normally go through RHQ first.
- DB: It would be unusual for the Squadron Sergeant Major to call in the RMP?
- CW: Correct, yes. I would expect to know, and I would have got very cross if the Squadron had phoned up the RMP without letting me know.
- NB: I am proposing to move on from here. I think just a few other names. [Lieutenant C] – does the name mean anything to you?
- F CW: He was a Troop Commander at the Depot at the time.
- NB: Any thoughts about his performance of his duties and what he was up to?
- CW: [Lieutenant C] was an average Lieutenant, slightly full of himself, but he wasn't a star in the big scheme of things and he was probably quite a senior sort of Lieutenant as well in terms of he had done a second tour. At times he stood in for me or just manned my

G

- desk more than anything else for phone calls or other daily routines sort of thing, if I was away at a Court Martial or something like that. A
- NB: In the latter part of your tour?
- CW: In the latter part of my tour, yes.
- NB: So that was under Harding?
- CW: Yes. B
- NB: Dealing with him before the handover to Harding, did you get any information about [Lieutenant C] from anybody?
- CW: No.
- NB: Did you have any impressions of him? Not a high flier, but not the worst of the worst?
- CW: Not the worst of the worst. Very average. C
- NB: He got terrible reports from Evans and Josling, Confidential Reports – did you know that?
- CW: I would have probably seen it from Josling but I can't recall what Evans would have written. I mean, actually it depends, it might even have been before I arrived.
- NB: He was on a short service commission which is due up in I should think the summer of the following year, so that's 1996 and they don't recommend that he be allowed to extend it. D
- CW: When [Lieutenant C] was there, there was nothing in his conduct, regimental activity, which led us to believe, or certainly me to believe, that there was anything inappropriate going on.
- NB: Would you have known if your Sergeant had been concerned about his behaviour or would that just depend upon someone reporting in to you? E
- CW: Immediate concerns of his behaviour should have been noted by the Squadron Commander, his immediate superior officer.
- NB: Rob Gascoigne?
- CW: Rob Gascoigne, or [Major N].
- NB: Nothing was coming across your radar? F
- CW: No.
- NB: OK. Well, I am asking you these questions about [Lieutenant C] because a certain amount has come to light, as you know. I don't think I have found anyone who has a decent word to say about him really and most people thought that he was a womaniser trying his luck with the girls.
- CW: If there was any evidence at the time over my desk – G

- A NB: There probably wasn't.
- CW: Exactly, well this is what I am saying. If, and this particularly applies, because I have intimated this before, when I was working with David Harding on this, there was, if anything came across my desk, which I had any inkling that someone was messing around with recruits or not doing their job properly, it would have been properly investigated, full stop, and that's the difference, and that's the distinction I will make. I would not have otherwise even dreamt of having [Lieutenant C] walk or step inside my office if I thought there was anything inappropriate that he shouldn't be doing, unless it was for a disciplinary purpose.
- B NB: Well, I have explained why to you, and in case it comes as a surprise to you later on, I think perhaps you ought to know what a number of the other Sergeants in the Training Regiment appear to have been the recipient of allegations in 2002 by Phase 2 trainees.
- CW: I have very little to comment about that, only to say that if there is any activity which was inappropriate and was reported to me I would have gone on with the job.
- C NB: Either all the allegations are completely malicious and false or else they are not getting reported up.
- CW: There is a chain of command before my desk. I support the chain of command. The chain of command is from Troop Commander, Squadron Commander to Commanding Officer. There is a dialogue there.
- NB: [Sergeant B]? Any news on him? Do you remember him?
- D CW: I do remember him. He wanted to transfer to be a social worker or something.
- NB: Army Welfare Services. In 1996.
- CW: Yes, something like that, and there was nothing untoward.
- NB: You are aware that he has been the subject of some allegations?
- E CW: Yes.
- NB: Although you had responsibilities for processing discipline, I think from our conversations that you are not necessarily the person who decides what the charge is. Do you just prepare the charge?
- CW: I prepare and advise after a RMP investigation and legal advice had been received.
- NB: Did you have an idea of where legitimate sanctions for lazy or insolent trainee stop and bullying and harassment by NCOs of recruits start? Do you know where the dividing line is between an NCO Sergeant like [Sergeant B] imposing sanctions within his authority on trainees? What is the difference between that and bullying?
- F CW: By sanctions do you mean extra duties?
- NB: Anything that a Sergeant can legitimately do.
- CW: There is very little that Sergeants can legitimately do.
- G

- NB: What could he do in 1995, if a trainee wasn't in order or a bit late on parade or sloppily turned out in his dress? What could the Sergeant legitimately do? A
- CW: He could interview the person and say you are late for parade and it's not acceptable. There wasn't a lot he could do.
- NB: OK, apart from that, there's nothing else he can do?
- CW: If you want to discipline a soldier it's done by the OC or the CO. You can have formal interviews to say, come on, you are not doing enough, pull your socks up. B
- NB: That's not the way the Sergeants operate in 1995? What about physical sanctions? Running round the parade ground, press-ups, extra guard duties? Are those legitimate or not?
- CW: Extra guard duties were extras within reason.
- NB: So that's a sanction, is it? C
- CW: It's not uncommon, if someone is repeatedly having difficulty then there are extras. That is really a matter at Squadron level.
- NB: Supposing a trainee had come to you in 1995 saying, 'Captain, I am being bullied,' and you said, 'why do you say that?' And he says, 'Well, because this very aggressive Sergeant in my Squadron is making me run around the parade ground, he is making me do 20 or 30 press-ups, he is making me do them in embarrassing situations.' What's your response? D
- CW: That is inappropriate.
- NB: Why?
- CW: It's just appears too excessive and out of a senior NCO's remit.
- NB: What can you legitimately do? I have used the words 'legitimate sanction'.
- CW: A legitimate sanction, it's someone that is requiring such an activity then a couple of extras. E
- NB: Does that mean extra show parades?
- CW: If someone is not keeping their kit in a properly soldierly like manner, it might be that we will reinspect your room.
- NB: Right, so that's something that you can do, you can make them do the things that they forget. But press-ups, physical exercise? F
- CW: When I was a Squadron Commander none of my senior NCOs disciplined any soldiers in that manner at all.
- NB: I am sure each person has their own style. I am trying to find where the bottom line is, and I am trying to work out if at Deepcut in 1995 whether anyone knew what the bottom line was. G

- A CW: Well, I would hope so.
- NB: But who might know and where might I find out?
- CW: The tone of discipline in a Squadron is set by the Sergeant Major and the OC and the Troop Commanders, so it starts from the top in that sense. So if the OC felt that that was inappropriate he should have reined in the Sergeant.
- NB: It's all up to the individual OC, is it?
- B CW: If you look at the chain of command, the chain of command has a responsibility for discipline. And to make sure it is done in a balanced way.
- NB: For example we have got a number of people saying that some of the Sergeants at the time made one or two trainees do lots of press-ups. Sometimes they made them do press-ups over a female lying on the ground.
- C CW: Well, obviously that's inappropriate and that shouldn't happen.
- NB: Is that just your personal view? We can all discuss the matter of morals, but from the Sergeant's point of view as well as the trainee's point of view, as well as the Adjutant's point of view, where is the line set? And so someone can say, press-ups are OK, but only so many.
- CW: There is no discipline standard laid down into a policy document which says a Sergeant can give X extras, X press-ups or whatever.
- D NB: Well that's certainly the impression I got. Let me just try another one on you. Running around with a jerry can full of sand or indeed filled up with water – quite a heavy weight, dragging it around – does that seem to be an appropriate sanction to you?
- CW: No.
- NB: Did you know that had been going on?
- E CW: If I had known that had been going on, I am confident I would have dealt with the matter.
- NB: Right. Well, I'm pretty confident that was going on. At least one Sergeant Major said that he didn't see what was wrong with that, other people are saying that's out of order. That's the problem.
- DB: And as you were saying, the tone in the Squadron is set by the Squadron Sergeant Major. So if you have them adopt that position, then you can reasonably assume that it was accepted custom and practice as far as other NCOs were concerned?
- F CW: I suppose so.
- NB: So we then move from your involvement in the death of Cheryl James as you happened to come to work that morning past the gates and you were admitted by her. At that time, 1995, were you short of trainees on SATT or getting quite a few of them?
- CW: I think they were starting to come in a little bit more numbers but not in any quantity I don't think.
- G

- NB: That would pose problems with guard duty? A
- CW: Yes, it did.
- NB: How often would a trainee have to do guard duty, do you think, in terms of ordinary rota? Assuming there was no extra guard duty as a sanction?
- CW: I think in the summer before I arrived it was a week on, week off. There was a high tempo, and it remained an issue. Of course it was balancing those who were in training at the time, so they would go to school and do their training courses, or at Leconfield. That actually left a small pool of individuals available to do guard duty, of which there was a requirement to man quite a lot of posts. B
- NB: Yes, I understand the problem in terms of the pressure if you haven't got enough numbers, but I just wanted to know what went on the ground. Week on, week off, guard duty you are rostered for 24 or 48 hours?
- CW: 24, I think. C
- NB: 24, so that means you do 24 in one week or you are doing a week on?
- CW: I can't recall. Guard duty and the security side was down to the RSM and the Regimental 2i/c, with the 2i/c responsible for security and all of that side of it.
- NB: Was there a gap between [RSM Z] going and his successor coming, or not?
- CW: Not much of one. D
- NB: So you don't know whether it would have been usual to have done three rosters for guards in say a 10 day period?
- CW: It might have been.
- NB: But that's quite intensive for individuals?
- CW: It was recognised that the requirement of the guard duties on the trainee soldiers was great, if not excessive. E
- NB: Yes, and you had a number of sites.
- CW: And you needed about 30+ to do guard duty.
- NB: Whose job is it to coordinate local standing orders with Army requirements on guard duty?
- CW: 2i/c. F
- NB: Who was?
- CW: There were two at the time, I can't remember their names.
- NB: Major England?
- CW: England wasn't there when I was there, I am sure. G

- A NB: But he comes back. This is the Second in Command of the Squadron at the regimental level. So it's not down to you anyway, so you don't know about the guard duty?
- CW: No.
- NB: And it certainly wasn't unusual for you to see a female on guard duty by herself?
- CW: No, that was not unusual at the time.
- B NB: No, even though that is inconsistent with Land Standing Orders?
- CW: Well, I wasn't privy to that sort of requirement, so that was not in my area.
- NB: You were asked about this at the James Board of Inquiry.
- CW: Yes, I was and I don't know what I said at the time – you have got it clearly highlighted there – but it really wasn't my area, and I am surprised they were asking me that. That was a Regimental 2i/c, that is part of his job description.
- C NB: "Were you the Adjutant of the Training Regiment & Depot" and "are you familiar with the ATSMs³?"⁴ "Are these the orders in use in the unit?" "Yes" You say this, "I came through the gate at 0815-0820. I wasn't the last to see her before she died". And they ask you, "who was the last one?" You say, 'I was in my car on that day. I passed the time of day with Private James. She seemed perfectly normal for a recruit on duty. I saw nobody with her. Nobody else was visible". It's a bit of a long time after the event, but what do you mean by "I wasn't the last to see her before she died"?
- D CW: Someone else went through the gate after me, a Major from the Training Group.
- CW: There was someone who went out through the gate.
- NB: But you were confident enough to say, "I wasn't the last to see her before she died". They ask you the question, "Who was the last one?" You go off perhaps on a tangent rather than answering the question.
- E CW: I don't know why. Evidence at the Board of Inquiry was not taken by a verbatim recorder. I would suggest that is why material can appear out of context.
- NB: But how do you know you weren't, because you saw someone coming in after you?
- CW: Because I heard that someone else had been through later. The Regiment was on a stand-down, staff (officers and soldiers) from the School of Logistics and HQ Training Group, who lived on the married quarters still required access through the Royal Way Gate. I can't recall names but I recall discussing with the RSM of at least one other officer who did pass subsequently after myself as we were endeavouring to put together the sequence of events.
- F NB: You were told that. They could have been wrong.
- CW: The Regiment was on stand-down, because we just had the hosted corps shooting competitions so there were a lot of people working over the weekend, and the CO said, right, in lieu of all that, there will be a regimental stand-down. I was at the time revising

³ Anti-Terrorist Security Measures.

G ⁴ James Board of Inquiry, 11 January 1996, transcript of questioning of Captain Whattoff.

- for a resit on a promotion exam and so the CO had called in a number of people to hold a welfare meeting in RHQ. Of course we had maintained the list of people who we felt were attracting either the doctor's attention or the social worker's. A
- NB: Right, that's the welfare register.
- CW: Yes, it was a welfare register to try and look after people who needed some more support. So anyway, I had come through, I opened up RHQ, made sure the conference room was open, teas and coffees sorted, and next thing I opened my book to start what I was doing and [RSM AO] comes through and says, "A soldier has been shot at the gate". B
- NB: You have got that in your statement, and by the way I have just noticed – maybe you can help us with this – you say in your police statement of October 2002, "I was riding my bicycle". It rather looks as if you were saying to the Board of Inquiry you were in a car.
- CW: I can't remember which one because I think I had at the time an MG, a little bright red MG thing, so depending on whether it was dark or not, I don't know. C
- NB: I mean, I am only trying to just pick up anything which arises from this. I don't think this is a line in the questioning which should belong here, but I am just trying to see what we have got about it. Were you told someone came through the gate after you or did you see someone come through the gate after you? I'm not quite sure how you can say, "I wasn't the last to see her" – you may or may not have been.
- CW: I was told someone had come through the gate after me because I went through the gate and I was up promptly in RHQ by 20 past. D
- NB: That capture on timing and what was going on, because I knew you worked out exactly and you are pretty confident about your time, were you?
- CW: Yes, because normally I'm in before 8 o'clock, but it was a stand-down and I think the meeting started about 9 o'clock, so I thought, well I will still get there in good time, so I can get myself sorted out and ready to crack on with what I am doing during the day.
- NB: Right, and there was no one hanging around Cheryl James when you went through? E
- CW: No.
- NB: Did you have to write the letter of condolence after she died?
- CW: There is a letter which advises office guidance to a Commanding Officer in the procedures, and I may have put a draft together for the CO in preparation but he did what he did with it – whether he used it or not I don't know, it's a bit vague. F
- NB: It's a feature of the case that Mr and Mrs James say they never actually got a letter from Nigel Josling.
- CW: He wrote one.
- NB: He did, did he?
- CW: Yes. G

- A NB: You know that?
- CW: Yes, because it's part of the procedure.
- NB: Well, it may be part of the procedure, but was that part of the procedure done or do you actually remember that he wrote one?
- CW: From what I can recall at the time a letter went to the James family. I cannot foresee that a letter wouldn't have gone to the James family. I think I can remember him writing it in his office. He may have even hand-written it. But I could easily have said here are some guidelines or whatever, and it was his responsibility to write to the family.
- B NB: I am well aware it's his responsibility, but I am just saying, it's not captured on her casualty file. By contrast, I think, to Ron Laden's letters in respect of the later period.
- CW: Right.
- C NB: There's a letter on her casualty file from the Leicester office which was then, I think, the RLC Manning office in 1995. But there doesn't happen to be one from Josling. Mr and Mrs James says they never received one. Colonel Josling says he wrote one.
- DB: The Army have done a fairly extensive trawl to try and track the letter down.
- NB: Should it have gone on the casualty file?
- CW: It probably should have gone on to some sort of file, yes.
- D NB: Did you see the letter?
- CW: All CO's correspondence would have come out through my office and then I would have said to the Chief Clerk, "this goes out", and he would have administered it, exactly like you would administer documents in your Chambers here. But the principle of it is, the letter is written, it's put in the post and that's what is required.
- NB: I presume a condolence letter, being very sensitive, you want to be absolutely certain of the name, address and the details about the individual concerned and so forth, so he would look to you for that, would he?
- E CW: Well, it would have been on her reports.
- NB: But you say to the Surrey Police in October 2002, that you were involved with casualty procedure regulations, i.e. letters to parents. Now, I am not quite sure that I have got it clear what your actual involvement was with this letter and whether the information you are giving me today is based upon what would have happened or what you can precisely recall did happen.
- F CW: I can remember Nigel Josling writing the letter.
- NB: Right, in manuscript?
- CW: It could have been a manuscript, or it could have been typed, but a letter I can remember.
- G NB: Did you read it?

- CW: I can't recall that. A
- NB: I am leaving this question and moving back to the standing orders. You wouldn't have therefore known about the UKLF requirement that females do not do armed guard duty alone?
- CW: No, I wouldn't have known about that.
- DB: Presumably it was brought to attention through the Board of Inquiry where it was featured. B
- CW: Yes, and it was rectified.
- NB: Was it?
- CW: The guard system was changed and they were double-manned.
- NB: Which probably means more people to do guard duty? C
- CW: Yes, more people to do guard duty.
- NB: Was this rectified straight away after the Board of Inquiry?
- CW: Yes.
- KN: You attended Cheryl James's funeral, did you?
- CW: I didn't, no. D
- NB: But do you know who did?
- CW: I believe the OC did. Rob Gascoigne. There would have been other representatives from the Regiment. There was no restriction from the regimental point of view, so particularly her friends who wanted to attend, and I don't know whether the CO did or not. I don't think he did. So Rob Gascoigne was the representative.
- NB: What about the inquest, did you go to that? E
- CW: No.
- NB: Do you know whether Josling did?
- CW: No, I don't know.
- DB: Did you ever meet her parents? F
- CW: No, I didn't meet them.
- DB: Did they correspond with you?
- CW: Not that I can immediately recall, but I think they corresponded with the Regiment but not me specifically. I don't think so. Rob Gascoigne was dealing with that – I mean, that's part of the OC's duty of care and responsibility, you know, the family welfare, it's all down to his side. G

- A KN: There wouldn't be any reason for you to have been their point of contact?
- CW: No.
- DB: Because I think they are under the impression that they may have met you and were given your details for subsequent communication.
- CW: Well, they might have been given them. To be honest, I can't remember physically meeting the James family. I think that Rob Gascoigne passed to them my business card should they wish to contact me.
- B DB: Nor dealing with any questions that they had?
- CW: Well, if they did correspond I would have dealt with the correspondence, but I can't recall that specifically, unless you are going to say, well actually you wrote this and replied to that, but I am afraid I can't recall that.
- C KN: They remember that you gave them a card.
- CW: If I had met Mr and Mrs James, I'm sure I would not have forgotten that, given the circumstances.
- NB: OK. Harding takes over. You say he would at least go through the more formal procedures when these issues arose.
- D CW: David Harding came to the Regiment just before Christmas that year and he had come from being the Deputy Chief of Staff of 145 Brigade which was based in Aldershot and he knew very well the requirements of the disciplinary procedures because that is part of the Deputy Chief of Staff's job, it's discipline and administration and welfare, those issues, and also I think at his initial interview with Paul Evans he would have been told what the requirement was. To get on and sort the regiment out, I think that was the nature of it.
- NB: I have got him down as taking up post in January 1996? Do you think he actually took up post before Christmas?
- E CW: I knew he was coming in and he may have popped in to say this, that and the other.
- DB: We have data capture that suggests he had an interview with Evans before starting and then had an arrival interview with Dalby-Welsh.
- NB: And did Harding sort out the regiment?
- CW: We certainly had a different tack on practically everything. It was tighter and for my part of it a much clearer defined requirement, relationship and how are you going to get on and do your business, and it was sharper, we were sharper as a Regiment.
- F NB: Right. Did he have to discipline any NCOs for fraternisation?
- CW: Yes, I think we did. With Harding, everything we did was investigated by the RMP. Every RMP investigation had legal advice and I cannot recall any situation where the Commanding Officer, Harding, did not follow the legal advice presented to him, and therefore conducted his disciplinary activity in that procedural line.
- G

- NB: Well, obviously the event which is most notorious during his tour is that of Skinner. A
- CW: Yes.
- NB: And you were Adjutant at that time?
- CW: Yes.
- NB: Now, there are only two parts to that story that I want to then just raise with you – first where you aware of the circumstances in which Skinner happened to get back to Deepcut after his Court Martial in the summer of 1996? B
- CW: Yes, we were.
- NB: And who accepted him back into Deepcut?
- CW: Accept is not a term I am comfortable with. We were told we were having to have Skinner, by Manning & Records. We had to have Skinner, and it was ... there was conversation between Harding and MCM Div at the time, it was a senior officer in there on the RLC side, certainly half Colonel equivalent, that Skinner could not go back in, wasn't going to go into another regiment, he had got to go to the Depot. C
- NB: Did anyone protest that?
- CW: Yes, David Harding did, and it was fought as much as it could be fought until we were told, no, Skinner is coming, and we had no further option.
- NB: Did he fight it direct or did he fight it up to the Brigadier? D
- CW: He would have certainly discussed it with the Brigadier Dalby-Welsh. I am sure he did.
- NB: Right, because you know that happened or that should have happened?
- CW: I am confident that that happened.
- NB: OK. Who was the major in charge of 87 Squadron at this stage? E
- CW: [Major M].
- NB: Did you have dealings with him about this Skinner affair?
- CW: He would have been briefed on Skinner, yes.
- NB: I think the slightly odd thing is that by December 1996 there is information that Manning & Records are offering to post him elsewhere, but he doesn't get posted elsewhere. F
- CW: I can't think why not.
- NB: Harding says he'll keep him on at Deepcut.
- CW: In that case there would have been long discussions as to why this would have been the decision. G

- A DB: There is an entry in the interview book where it appears that Skinner asks to stay for the remainder of his time and it's agreed.
- NB: We have got from Skinner's personnel file a posting order saying we have found somewhere where we could send him but Skinner doesn't want to go. Harding interviews him, in January 1997.
- CW: Well, I can only think that the reason for him to stay was that he was a single soldier and was able to contribute. He was doing a job in the gymnasium, I think, with a few other characters.
- B NB: [Sergeant AQ] was in charge.
- CW: And [a civilian PTI], he was an ex WO1.
- NB: So within a few weeks of him turning up, any initial hostilities to him being posted have gone.
- C CW: Well, no, I can't say. When did he turn up?
- NB: It seems he turned up in October informally, it seems, but this is not captured. There is a note from [Major M] in October which seems to be a record of the conversations he is having, and it looks like he is physically there, although there is no posting order there until later. So on the file there is a new posting order for the end of December for him, but there is an interview with Harding in January and so by January the decision has been taken that he is going to stay.
- D CW: Well, if it is that would only have been on the ground that actually there was no evidence and he seemed to have fitted in. From not wanting the character in the regiment full stop, because it is inappropriate for him to be here, he was told that any inappropriate behaviour or anything, one incident, you would be out.
- NB: He was told that?
- CW: Yes.
- E NB: By whom?
- CW: Harding. He was told that and that he would be working for [Major M] or in 87 Squadron because there was nowhere else we could put him.
- DB: There was an arrival interview which Skinner attended with the Commanding Officer and yourself present?
- F CW: Yes.
- DB: There is no entry of that in the interview book.
- NB: That's one of the problems about whether he arrived. I would suggest that's probably between October and Christmas, as a guess, that he was told that. Now he is posted to the gymnasium. The gym, as a location for him – is that good, bad, indifferent?

G

- CW: The gym was selected because it seemed to be the only location where he could be absolutely monitored and supervised by [Sergeant AQ] and there was the senior WO1 gym guy there. A
- DB: Why did he need to be supervised?
- CW: Well, he was a Private soldier. He was a WO2, I think he was, and then he went down to be a Private soldier, and so therefore that was that. I can see it doesn't look as the best decision or most appropriate place, but there was no other appropriate place. B
- NB: But you're reluctant to have him and your decision to supervise him was why?
- CW: Well, because of the nature of why he had been posted to us.
- NB: Because he knew you had been done for flashing?
- CW: Yes.
- NB: Did you know any more than that? C
- CW: Not in any detail.
- NB: Did he know about the homosexual pornography in his possession?
- CW: I recall that he had homosexual pornography in his possession and the flashing bit, and that's it. Which was provided by a verbal briefing from the HQ Trg Gp – probably by the SO3 G1. Why the Court Martial didn't bust him and throw him out of the Army, I don't know. D
- NB: Because he also had unlawful ammunition possession as well. I am told it is a serious matter in the Army.
- CW: Yes, exactly. I can't recall that aspect of it, as I didn't have any of the case details. All I heard was that he had been caught flashing and had homosexual pornography and we were told he is coming your way, and that was the problem.
- NB: One of the titles of the homosexual pornography was "Young Cadets". E
- CW: I don't know about that. I don't know the details.
- NB: is the RMP had it all captured and all written down.
- CW: The RMP did, but all that was dealt with in Northern Ireland.
- DB: When did you get the information that he had homosexual pornography and he had been busted for flashing? He wasn't busted for that aspect. F
- CW: I think in conversation with Headquarter Training Group. I can't remember seeing any reports but I might have done, but it wasn't in our jurisdiction, it had been dealt with so what we had was a Private soldier on our hands.
- NB: On whose authority would it have been to have said, the Court Martial has not dismissed you from the Army – that's a fait accompli? But you can, I am told, say "nevertheless I want administrative dismissal from the Army because he are not G

- A appropriate to serve in this Regiment or in the Army". Is that down to the Commanding Officer of this new post?
- CW: It should have been down to the Commanding Officer of his old unit, because at the time it was in Northern Ireland so he was in an operational theatre.
- NB: At the time the Army had a policy of no homosexuals. That doesn't seem to have been applied to his case. I mean, not just for being gay but possessing homosexual pornography.
- B
- CW: Exactly. I don't think he was found guilty of that.
- NB: It wasn't something they would charge him with.
- CW: I think we would probably have explored that. He should have been disciplined completely and sorted out in Northern Ireland. And he wasn't. Therefore we were left with quite frankly this person who came to us as a Private soldier.
- C
- NB: But he was given acting rank?
- CW: I can't remember precisely.
- NB: He certainly was for the purpose of going on training courses.
- CW: I think he indicated that, OK, he has been busted, he still had time to serve and he was going to serve it. I think that's what he indicated, therefore he was going to serve it, and he was a Private soldier.
- D
- NB: But he was given an acting rank as Lance Corporal for certain occasions, and that's formalising by Dalby-Welsh, I think in April 1997.
- CW: Well, if that was the case it would have been done on the grounds that Skinner was contributing to the Regiment in a positive way and had reformed. He had done wrong and that was that. I have heard subsequently, there are allegations that he was continuing his practice.
- E
- NB: I can put to you now it was 20th of January 1997 that he requested to remain in the Regiment for the rest of his tour and the CO obviously agreed to that. Now, the next part of the Skinner story is when information is received by the Army that he is abusing recruits again.
- CW: And when's that time?
- NB: The report to the Army is 26th August 1997. A Private whose name I can't mention makes a statement to the SIB. "I wish this to be my official statement of complaint and I want full disciplinary action to be taken against Lance Corporal Skinner". That Lance Corporal was actually acting rank that he appeared to have been given in April 1997. There was some evidence he was using it for training courses earlier than 1997. On the 30th September 1997 there is a note in the interview book that the CO, Lieutenant Colonel Harding, refers this matter to higher authority. 5th November 1997 the APA notified Skinner that he is to be charged with two counts of indecent assault and one common assault as an alternative.
- F
- CW: Yes, that sounds consistent.
- G

- NB: Right, I will go back to things which have come to light later, but I just want to deal with what was known at the time. He is to be court martialled. Now, once those allegations have been made known in August of 1997, SIB had been called in and they capture it very early on. There are other recruits that are going to add to that. Once an allegation is made known there does not appear to have been any consideration of Skinner being suspended or removed from the Corps. A
- CW: From what I can recall I'm sure he was removed.
- DB: Where would he have been removed to? B
- CW: Are you talking about removed, as in posted away or just removed from the contact? We removed him from contact.
- NB: How do you mean?
- CW: Well, he was not in daily contact.
- NB: Well, number one, he remained at Deepcut. C
- CW: Right.
- NB: Number two, he remained in his job at the gym. This is until 26th of February 1998, when he was dealt with. Now, if he is doing those two things he has not been suspended, has he?
- CW: No. But then I can't recall why that would be. D
- NB: That was the question I was going to ask.
- CW: I depart the Regiment to go to HQ 4 Div, you have got December, it's that sort of time. Yes, I mean, I think I moved October-ish time.
- NB: It seems there is always a bit of soft edges round the edge of the personnel file as to when people actually move and actually leave.
- DB: Would you have had some pre-posting leave? E
- CW: It might have been that. Official records would record that.
- NB: Are you around in August 1997?
- CW: Yes, I was around in August.
- NB: He's not suspended. That's the position. F
- CW: I can't think of any particular reason then why the decision was made for him to stay or why he wasn't suspended. I can't recall the reason behind that decision.
- NB: Would he have been party to the thinking process of the CO?
- CW: I'm sure I would have been at the time.
- NB: You would have advised him on these matters? G

- A CW: I probably would have done, but I can't recall. [Major M] would have been involved in it, Dave Harding, the RSM, myself, the SIB would have been called in, I don't know the specific reasons.
- NB: The reason I am able to put this at least with some degree of confidence to you is first of all Lieutenant Colonel Harding agreed that he wasn't suspended, but also we have captured [Major M]'s note as OC in mitigation, which says the following: "A high level of trust was placed in him as a member of the gymnasium staff and his performance was kept under constant review throughout. His continued employment up to the end of last week" – I think that means the 19th February 1998 – this is a note dated 26th February, taking 7 days away from 26.
- B
- CW: I thought we were talking August.
- NB: I am reading you a note that appears in the mitigation of the Court Martial.
- : "Notwithstanding the investigation of the then alleged offences from August 1997 was a deliberate decision by the Commanding Officer" – so we have got pretty good capture that there was such a decision, but I cannot understand why.
- C
- CW: The only reason I think that is because in the day job Skinner was doing what he was asked to do as a member of the gym staff.
- NB: We have gone over the circumstances of his arrival there, you have told me helpfully that he was given a pretty clear warning, out of line and off he goes, and here is a credible allegation beyond doubt that he stepped out of line, that the RMP investigate, had evidence of and it is going to result in him being sent to prison.
- D
- CW: It was going to result in a Court Martial.
- NB: A Court Martial and finding him guilty, imprisonment and discharge from the Army.
- NB: Why not remove him? How could you possibly have him in to do his job? The decision to retain him in his job up to his Court Martial or certainly up until the time for his review.
- E
- DB: Well, I think there is a stage before that. There is a stage when he actually appears in front of the Commanding Officer and is actually remanded for Court Martial.
- NB: Yes.
- CW: And I am not too sure when that is, but you might have indicated that it was somewhere around in November?
- F
- NB: Yes.
- CW: So why he was retained then after that I don't know, I can't comment. Before then it might have been just an allegation.
- NB: But what do you need to suspend someone with this past? You know he has got a past, because that was the reason why he was concerned with having him in the first place. And you know you have got something which is more serious than the past act and has been reported by a trainee and the RMP get on to the job pretty quickly. Is there anything you can help me with as to why they might not have suspended him?
- G

- CW: No, I can't. A
- NB: Where would they have suspended him to?
- CW: Well, what I am thinking about it, he was only a single soldier. There might have been nowhere to suspend him to, other than offload him on to another Regiment.
- NB: Yes. Is that a failure of the Army that you actually can't suspend and keep away from a training regiment someone who may well be a serious risk of predatory sexual offences? B
- CW: It might have been very difficult at the time to have done that. I can't comment on that.
- NB: The public might want to know, if it happened again tomorrow, would the position still be the same?
- CW: Well, I hope not.
- NB: Why would it happen that way? A single man in the Army, nowhere to suspend him to, still got depot function going on at Deepcut. It doesn't look too brilliant, does it, in terms of reassurance as to how to keep people who are known to have proclivities, out of contact with people who might become his victims? C
- CW: I can't give any more detail on Skinner other than what we have discussed.
- NB: But your first reaction from memory until I was able to point some information to your way was that he was suspended.
- CW: Yes. D
- NB: I think what I've shown you does show you that he wasn't, doesn't it?
- CW: I can't quite recall why he was still there.
- NB: Well, it's [Major M]'s notes which I read to you which are pretty unambiguous, and Colonel Harding kept him there. If we then, as it were, take August 1997, as the date when the incident on the 18 year old Private comes to attention. There is in fact going back the previous month an interview of him by Harding about something else which we don't really know much about, some other allegation of touching – do you know anything about that? E
- CW: Not from memory, no, I can't remember.
- NB: And of course with the benefit of hindsight, what happened subsequently, similar in 2004 he pleads guilty to assaulting trainees at Deepcut right from December 1996 through to October 1997. So he was at it when he should have been suspended. F
- CW: The only thing I can say, then, is when the matter was brought to our attention in that detail, we had it reported and properly investigated.
- NB: Yes. I put that information to you just so you are under no illusion that it wasn't merely an allegation – it was as early as December 1996 against a Private who was left alone over the Christmas period when others had gone home and he couldn't go home and Skinner uses that occasion to indecently assault him. Is there anything else that you want to mention to me about the Skinner saga? G

A CW: At all times we were trying to manage a very difficult situation as best as we could, and we pursued that all the way through and the allegations ultimately made on this and if something had been revealed earlier or been any clearer, it would have been investigated. I can only offer that Skinner remained in the Regiment as we had no other options ie Skinner had no private residence or other place to go and that it was not possible to move him to another Regiment. A decision to retain him would not have been made lightly and in the course of arriving at a decision, we would have explored all other possibilities.

B NB: My impression on more than one occasion, that the Army relies upon the victims of sexual assaults to come forward, to make the allegation and then the RMP comes in. It's not much proactive checking out, as to whether we have got the right person in the right job.

CW: You mean in general the manning at Deepcut or as a general policy observation?

NB: Both the manning and of seeing what was going on.

C CW: Yes, I mean, that's a very reasonable deduction. Manning at Deepcut was very difficult and good permanent staff were hard to find. I don't think to be posted there or posted into a training environment, not necessarily Deepcut, was seen as a positive career move because you have got people moving in and out of field force regimental units, squadrons going off on operations coming back, getting high profile Confidential Reports, to get them promoted – why go to a training regiment?

NB: So it's a poor move for a career in the Army?

D CW: It could have been viewed by some more capable junior NCOs and senior NCOs.

NB: Do you think that is still the case?

CW: I have not been in that training environment for a long time, so I can't say.

NB: How does the Army at senior policy level counteract that – by putting in good people and rewarding them with a good career if they do a training job?

E CW: I think so. I think it has seemed better now generally, but my career path took me to HQ 4 Div, then I went to Command a Squadron in Abingdon, then moved into the Defence Logistics Organisation after a short stint at Peterborough, 158 Regiment.

NB: Can I just ask you some general questions then about the rest of your tour as Adjutant under Lieutenant Colonel Harding? Did you have behaviour problems to deal with on a regular basis? Disciplinary problems, either by Privates or by NCOs?

F CW: Well, yes, there were, because you have a disciplinary procedure, which was dealt with at squadron level, and then after it couldn't be dealt by there it was passed up to the Commanding Officer, so there would be a regular trickle of individuals going in front of a Commanding Officer for one reason or another.

NB: And they would pass through you as Adjutant so you would have some information about that?

CW: Yes.

G

- NB: Were there more people coming up for discipline problems during Lieutenant Colonel Harding's tour than your experience of a similar period for Lieutenant Colonel Josling? A
- CW: I was only there with Josling for barely three months, so I can't really comment on that.
- NB: OK. What were the kinds of things that Privates were coming up for in front of Colonels?
- CW: You have got a number of generally late or consistently late for parades and not just acting in a sort of proper manner. B
- NB: What kind of sanction do you get for being late for parade if you appear in front of a CO?
- CW: He might have awarded a fine, he might have awarded restriction of privileges.
- NB: What does that mean?
- CW: That means that they would have to report to the guard room at certain times of the day in smart kit and be inspected, and so it was low level. The Commanding Officer could award detention, up to 28 days. That would be for assault, violence. C
- NB: Was there evidence of assault, violence, trainee, on trainee, bullying?
- CW: Yes there was, and where it was we had that investigated and we dealt with it. I can't recall case by case matters.
- NB: But roughly how many cases per month or year did you have? D
- CW: I can't recall without going through any list or record to come up with a figure. I mean, if we had a case it will be investigated and dealt with it. And if it went up to Commanding Officer level the person would be remanded.
- NB: Do all assaults go up to the CO or are they dealt with at the OC level?
- CW: CO level. A Squadron Commander has very limited powers, and so if there was a matter into which we had an RMP investigation and then subsequently legal advice and there was a charge of assault then it would be really the CO dealing with it. E
- NB: And who makes the decision as to whether it's the CO or OC?
- CW: The OC decides whether or not it is in his powers to deal with.
- NB: So if he thinks it is in his powers he might do it himself?
- CW: Yes, in accordance with the Army Act 1955. F
- NB: And if it's not it goes to the CO?
- CW: If it was a serious matter it would be straight to the CO, and of course it was a clearly serious matter. All serious matters were investigated by the RMP and legal advice received. Advice would be offered on the strength of evidence and a draft charge would be presented. In all occasions Lieutenant Colonel Harding would follow the legal advice including remanding an accused for Courts Martial regardless of rank. G

- A NB: And you had serious bullying, evidence of, during 1997?
- CW: We had two characters, Private [...] and Private [...], and they were repeat bullies. They were dealt with.
- NB: When they are repeat bullies, is that because they are doing something, they are warned, they carry on doing it, they are warned again, they carry on doing it?
- CW: Yes.
- B NB: And then it eventually gets to Court Martial?
- CW: It eventually gets to Court Martial.
- NB: But what would they keep on doing? What was the nature of their bullying?
- CW: Intimidation.
- C NB: Of fellow trainees?
- CW: Of fellow trainees, violence towards them, generally.
- NB: Is this Friday night drunkenness or is this something more malicious and persistent?
- CW: Those two were malicious and no sooner we had got an RMP report all ready against them there would be another. They were already in trouble again and they were very difficult to manage.
- D NB: What happened to them?
- CW: They eventually went to Court Martial and were discharged from the Army after a turn in Colchester.
- NB: And that was before the termination of your tour?
- CW: I think the Court Martials were after my time.
- E NB: You think you may have been pulled out before Christmas?
- CW: Yes, I think October-ish time.
- NB: So we are talking about 1 year 10 months you had actually on the job under Harding?
- CW: Yes.
- F NB: So those two characters stick out?
- CW: They just stick in my mind because of the incidents. No other characters.
- NB: How did that come to light, by the way? Is that because the victims complained?
- CW: Yes, the victims complained. And then we called the RMP.
- G

- NB: Now I think during 1997 you also had a number of cases of people in the female block who shouldn't have been, is that right? A
- CW: I think so.
- NB: Was that taken seriously by the Commanding Officer?
- CW: Yes it was. I think they were disciplined accordingly but without the details in front of me I couldn't comment on individual cases. B
- NB: Do you know roughly what kind of penalty you would expect if you were a male caught at midnight in a female accommodation?
- CW: No, I can't recall what was appropriate at the time.
- NB: On 21st March 1997, a female Private reports three male soldiers she didn't recognise who tried to gain access to the female accommodation. Corporal [...] "the three soldiers turned to go back to their accommodation, the private asked if she wished to pursue the matter". That's an entry from the guard room logs? C
- CW: That sort of information would have been in the daily occurrence book which would be held by staff within the guard room, it would have gone up to the RSM, he would have been debriefed on that and on the change-over of guard personnel and the RSM would have briefed probably myself and the CO. We tried to prevent all this – we had roving patrols going out at night.
- NB: Consisting of whom? D
- CW: Of the guard.
- NB: The guards could be the trainees themselves.
- CW: Yes. There's only so many people in the Regiment to do jobs.
- NB: Are there enough people in the Regiment?
- CW: There was not enough permanent staff to maintain a level of responsibility or care, I suppose, with that amount of people. I don't think we had any incremental rise in staff from the fall back of staff numbers on the regimental permanent staff member list from when Josling was there and certainly when I left. There were at least two applications staffed up the chain of command from David Harding's desk into the Training Group, saying we've had an increase in soldiers and we had no increase in permanent staff, and I need more staff. E
- NB: That would have gone to Dalby-Welsh? F
- CW: Yes.
- NB: And the answer came back?
- CW: We never got any increase in staff.
- NB: Right. You are aware of at least two bids during your 1 year 10 months? G

- A CW: Yes, I will say yes because I distinctly remember one, there was a request and I think we had a review as well, he put them all together.
- NB: Was it a happy place? Or was it a particularly unhappy place?
- CW: A lot of genuine effort was put in place to help- when we had the NAAFI refurbished, that was a huge project to achieve, we recognised that the quality of the accommodation was poor, we recognised that we had a lot of people to look after. We tried to put on activities and have things available for them to do, we put a lot of effort into it, we had a WRVS lady, we gave her a lot of extra resources and finance so they could be doing something in the evening. It was a very transitory place. You have got people coming in from Pirbright, you have got people going up to Leconfield, in, out, all the time, and I would like to think that we did the very best for the soldiers we could there and to make it a nice place and a place where they had a sense of soldiering and being a part of a regiment. When we knew about a matter which was inappropriate we dealt with it and we tried our level best to make sure it was dealt with appropriately.
- B
- C NB: Right, but one of the features of the staffing ratios and the transitory nature of Deepcut and the SATT regime, you often don't get to know your soldiers very well.
- CW: I think that's very true as well.
- NB: And that which contrasts perhaps from the staff:private ratio in the field army or within other army regiments would tend to be 1:12.
- CW: Yes, I think that's very fair.
- D NB: And also because of the problems with throughput and SATT some people are stuck around some length of time waiting to get on with their training, others having to do quite a lot of guard duty which is a particularly depressing job, I think?
- CW: Guard duty is not very pleasant at the best of times. I have done my bit on that as well, in my training time, so I know what guard duty is like, but it is all in proportion. We would not wish to have soldiers doing permanent guard duty on/off, if it was at all possible. We actually had civilian guard staff, Military Guard Force, people on the gates, to ease the guard burden on soldiers, and I think they eventually started to trickle in.
- E NB: Yes, well, not really until quite late.
- CW: I agree, not until quite late, but that again was an issue.
- NB: And you had, I think, in 1997, quite a number of cases of self-harm going on?
- CW: Yes, there were.
- F NB: And you were attending to some of those yourself?
- CW: What do you mean attended? On the scene?
- NB: Yes.
- CW: Yes, there was certainly one I recall. There was a girl, I can't recall her name, and whether I was just accompanying, I think, because from time to time I will go in the guard room, I would make sure people were doing what they were meant to be doing,
- G

and I would also accompany from time to time people on the nightly rounds, which I felt was an important part of my job. It was quite late at night, there were some screams from the female block and we were walking. We were in amongst the sort of fielding area in general and we ran down there and a girl had caused self-harm to her arms.

A

NB: Right. Now I think that was on the 12th January 1997. It was recorded in the Occurrence Book that the Adjutant attended at the female accommodation and confirmed the Private bleeding from her wrist. Was that it? Did that happen more than once.

B

CW: I can remember one incident and I am sure that was probably it.

NB: And did you review the guardroom logs for other incidents of self-harm that other people were attending to?

CW: In the incidents of self-harm we had a welfare list where we wanted to capture those soldiers who were having difficulties. Now there was no particular category. If you have a compulsory drugs test on the Regiment, of which we had a number, and they turned up some people who were found positive, we would want to manage those because there was a certain requirements you had to go through, certain paperwork and procedures to do. There were people which the doctor or padre or the OC felt that were having some problems at the moment and therefore let's just monitor and see what we can do to assist.

C

NB: We have gone through the Occurrence Book for self-harm incidents. I am not going to put it all to you, but did you ever get to the bottom of why these people were hurting themselves, and if you found that they were hurting themselves what would you do with them? Would you let them go?

D

CW: Well, they were referred to the doctor and then the doctor would, because it was medical the doctor would advise. Some of them had a review from the psychiatrist, or they went through the medical system, and sometimes they were recommended for discharge, and sometimes they weren't. They were all managed.

NB: So did they take a medical judgement and that's it?

CW: No, we tried to have a balanced judgment based upon character, references from the OC and a medical opinion.

E

NB: I mean, doing the job in '97, did you go back and capture the lessons that had been learnt from earlier incidents in Deepcut?

CW: Well, I think we tried to look at every angle. Why would someone do that to themselves? Well, if we found the reason why we would try to discuss that with the OC and try and make the environment better, but there was no real pattern in terms of it.

F

NB: I think the thought I had there putting to you is that before your time, June 1995, Sean Benton dies of gunshot wounds, apparently self-inflicted. But he had actually been up twice to the psychiatrist and he had made a few attempts at cutting himself on his body, jumping through glass windows and he lingered on but I wonder if that had been an object lesson.

CW: If someone had psychiatric review, they did not go on the guard roster. Because you can't have someone who has done a psychiatric review handling ammunition. From

G

- A memory, with Harding and (Dalby-Walsh – Comd Trg Gp had to sign off a discharge recommendation) any soldier who received a psychiatric report recommending an administrative discharge was promptly discharged. All those who committed self harm were referred to the Doctor and then referred again to the medical system. At times appointments were not prompt and there was no interim medical arrangements other than the Regimental 1st line care available.
- NB: Who would have been dealing with the welfare register?
- B CW: Well, there was the CO, myself, the RSM, the OC. If someone was under review they would probably end up with [Major M] because again they were having difficulty and we were trying to take them to a more comfortable environment which would be more sympathetic and consistent with their needs, and also so they are not with the other people, because the other people would do what they need to do, which is get on and train.
- NB: You were saying earlier that you saw this as an opportunity to put right anything else that had been missing from the Army's side of the Deepcut story. Have you felt that you have had a chance to do that, or are there other things that you want to tell me that you don't think you have had a chance, because I have been asking the questions?
- C CW: I think we have covered an awful lot of ground and I think I have given my best recollection of everything I can do, certainly 10 years on. I would like to make a distinction between the Josling years and the Harding years, for two reasons, (1) when you walk into a post you are new and it does take time to get to know the whys and wherefores and all that, as we discussed earlier. In my first 3 or 4 weeks as Adjutant I dealt with a couple of very big matters, and I don't think I would have dealt with them any differently because that's how they were dealt with and the pace of that was dictated by the Commanding Officer. That was in contrast to how we then did business further on, when David Harding was there, and also Dalby-Welsh, to be fair, because we worked hard to try and improve everything in there. And so we did cover a lot of ground and we had to move with some issues which were very difficult, dealing with people who were not comfortable with being in the Army or struggling and then right on the other scale, make sure that those soldiers who were in were getting the right training and that we are to the field army soldiers who were ready for the job, which was part of our remit. We focused a lot on the difficulties which are very real, but the other side of the Regiment it was producing a lot of soldiers, and so really we did try to be as balanced, fair and professional in everything we are doing.
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- E NB: Well, it's certainly the case that a number of soldiers – a lot of soldiers – are passing through without being captured with any problems. I just then want to end with where this conversation began 3 or 4 hours ago, which is that trip to Leconfield and your recollections today that one of the people you saw was Cheryl James. As I indicated, that is a new piece of information for me. And the time we spent on that indicates that it was of some significance. I appreciate this is difficult to go back and you didn't have an additional recollection of it, and your memory has been jogged by someone about this.
- F CW: It has.
- NB: Yes, but nevertheless your account is that today to me that that is what you think, having been jogged, it is probably what happened. I appreciate you can't really be more certain than that.

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CW: I cannot be any more certain than what I said earlier, my memory was jogged and I never made any connection between the two, and I can't recall how my memory was jogged to come up with that, and I am sorry I can't. A

NB: I just therefore want to be quite certain, fragile as this material is, just which side of the line it is on, because when you even had a telephone conversation with the Surrey Police, I don't think that was your positive memory.

CW: No, it wasn't. B

NB: OK. Well, that's been extremely helpful. Thank you for your time. C

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Appendix 4/17

Meeting with former Regimental Sergeant-Major Z

Present: Mr Z (Z), Kaspar Nazeri (KN), Darren Beck (DB)

Date: 29 November 2005

KN: Today is the 29th November. From the Deepcut Review team, Kaspar Nazeri and Darren Beck, and with us is [Mr Z], the former RSM at Deepcut in 1995. Perhaps we could just start with you describing your role at Deepcut.

Z: Yes, I arrived in Blackdown to the best of my knowledge in November 1994. I was the Regimental Sergeant Major. At that time I was 34 years old and single and took over a post which there was rather a lot of controversy about because of the outgoing Regimental Sergeant Major and this was a second-hand appointment. And, to cut a long story short, I think he was being moved prematurely.

DB: And you went to Deepcut on promotion?

Z: Yes.

KN: Just out of interest, the RSM before, was he a single man as well?

Z: He was a married man.

KN: And as RSM, could you describe your role? What responsibilities did you have?

Z: I was responsible really for the discipline of the camp. At that time there was probably around about 1,100 soldiers from the top down, from those who were permanent staff to Phase 2 trainees.

DB: Do you know just how many people there were as permanent staff, roughly?

Z: In the Training Regiment and the School of Logistics there were probably about 100. There were certain elements of training, again certain elements of security were my primary roles. Within the Training Regiment I was responsible for all the [families] and staff. And there were certain courses that were conducted and there was a training wing as such. And the Regimental Sergeant Major had a role to play in the Warrant Officers' course. The WO2s within the Corps would congregate at the Depot and were doing their course, so there were certain things I would get involved with there. In terms of security, there was an appointed security officer with the Training Group, but we worked hand in hand.

DB: Was this someone working for the Brigadier?

Z: Working for the Brigadier yes, one of his key appointments, which is security, but we used him occasionally. Of course, I had a huge Sergeants' Mess inside the camp, and there was one outside the camp, which was the Headquarter's RLC Sergeants' Mess. And when the Royal Logistic Corps formed and there was this Sergeants' Mess that had to belong to the Corps. But that was also a Mess that I presided over. Other than that, the different security things, there were quite a few.

KN: And just focusing on the discipline aspect, at what point would you become involved in a disciplinary issue?

- A Z: It goes across the board in terms of a policy in any regimental life, if a youngster gets into trouble, depending on the severity and the nature of it, but they can either be dealt with by their Squadron Commanders or Squadron Sergeant Major. But if it's more severe and/or that Squadron Commander is not to be able to make the decision on that, then it will be sent up to Regiment Headquarters level and that should include myself, the Adjutant, the 2i/c. So it would only be unless I was informed of something or I saw something particularly alarming in an Occurrence Book.
- B DB: I believe we have seen instances where the Daily Occurrence Book is presented to you by the Orderly Sergeant.
- Z: Yes, or the Provost Sergeant.
- KN: And that would be the way then that you would become aware of low level disciplinary issues?
- Z: Yes, anything that happened over the silent hours and such would be brought to my attention through the Occurrence Book. And if I needed to speak to anybody, I did.
- C KN: Day-to-day discipline issues would be done by the Squadrons so you have no need to get involved.
- Z: No.
- DB: Would a Squadron Sergeant Major for instance phone up or would he come to you for advice in terms of what discipline they can dish out at that level?
- D Z: I would like to think that my senior NCOs would come to me. I certainly had an open door policy.
- DB: Were there any guidelines in terms of levels of appropriate punishment, or tariff?
- Z: No, there wasn't a sliding scale of whether or not I took any decision-making away from the Sergeant Majors, because clearly when it does get to the attention of the Sergeant Major, it's not something where you necessarily need to sit the Sergeant Majors down and say "right, if they've done this, you deal with it, if they have done anything more serious than that, then I deal with it. You learn as you progress as to whether or not something should be mentioned to your Troop Commander or whether he should go in front of the Squadron Commander. But I had a good working relationship with my juniors, although I was only there for a short period. Whether or not they were completely upfront with me and told me everything is another matter.
- E DB: What were the sorts of punishments that were meted out at squadron level?
- F Z: Again it's something very much a squadron level thing. If I'm not made aware of punishments, then, that's not to say that the RSM is going around with his eyes shut, but I was not aware that there was any unjust decisions made.
- DB: Okay, so what is a "just" punishment? Just to give us some idea.
- Z: I suppose if a youngster got himself into trouble at squadron level, then the Squadron Commander will probably put him behind the guards for 4 or 5 days or something like that, or have restriction of privileges. You have to remember that these youngsters are only in Phase 2 training. So they are yet to conclude their training and go out into a
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- regular unit. So, at troop level for example, if somebody was in trouble it might be decided that their radio was going to be confiscated for a couple of days or whatever. Pretty dreadful for a youngster, but all very low level. If he gets in front of the Squadron Commander and if it is serious enough, they can be fined. So, punishments within the rules and regulations. I certainly wasn't aware of anything else. A
- DB: You mentioned restriction of privileges. What would that entail? Are there specific boundaries in terms of what privileges are being restricted?
- Z: Restriction of privileges would have probably meant that you would have had to parade at the guardroom in the morning. You're restricted in what you can do, what you can do and what you can't etc etc. B
- DB: And would that include the weekends?
- Z: Yes, almost certainly if it was from a Monday to the following a Wednesday.
- DB: Did restriction of privileges covering the weekend mean you don't get the chance to go home? C
- Z: Not necessarily. Again, should a Squadron Commander say someone with some restriction on their privileges may have a sufficient case that would warrant him or her going home in that period. That was up to them.
- KN: So it was left up to their discretion?
- Z: Yes. It's all down to man management. D
- DB: Just to clarify, so that we are clear on terminology, you mentioned "standing behind the guards". What does that mean?
- Z: You would parade in your uniform and be inspected by the Orderly Sergeant or Orderly Officer. There were standard procedures. You would parade and be inspected, because you had to show you had improved for when you were to parade later on in the evening.
- DB: So you're not actually standing guard, you're just reporting at the same time as the guard? E
- Z: Yes and there may be a couple of dirty jobs to do, in the kitchen for example.
- KN: And what about awarding guard duty as a punishment?
- Z: Guard duty is not a punishment.
- KN: You wouldn't be given extra guard duty as a result of discipline? F
- Z: You may get extra guard duties as a form of punishment. So extra guard duty may be one form of punishment, but clearly when you're on guard, you are then on duty. At that level, young soldiers may be given a couple of extra guards.
- DB: And who is it that's actually nominating them for the extra guard duties? G

- A Z: That would be at troop level, squadron level again. That's something that never even gets to my door.
- DB: So is that the Squadron Sergeant Major?
- Z: The squadron Sergeant major, yes.
- DB: So, is it part of their routine process of nominating people to stand guard?
- B Z: Yes. Again depending on what they've done.
- DB: You wouldn't necessarily know as the RSM, which of those reporting for guard were there because it's their turn as opposed to those who have been nominated as a punishment?
- Z: As the RSM, I don't even get involved in who's going on guard duty or parading for guard. I merely brief the Orderly Sergeants and debrief the others. .
- C KN: You brief him, he then briefs other members of the guard?
- Z: Let's just say it's a Friday, I would brief the Orderly Sergeant on a Sunday. And then on a daily basis. If there was anything that was coming up ie something over the weekend, or an event, or whatever, then there would be an increase in security. But whoever was on guard, the Squadrons had a function to provide manpower for guards and that was up to them.
- D DB: Do you know roughly what the manpower requirement was for guard?
- Z: No. I couldn't give you an answer.
- KN: So, if you're a Private in your troop, and maybe feel aggrieved that your NCO is meting out more punishment on you than you feel you deserve, in theory, what are your lines of complaint?
- Z: If you have a Corporal who is not being particularly nice with the troop, then one would probably go to his Troop Sergeant, then to his Troop Commander. For youngsters, that is a way of circumnavigating. If you were being picked on, there's no set laid out procedure.
- E KN: And you rely on the fact that you are able to jump up the chain of command and that person is going to take you seriously.
- Z: Absolutely.
- F DB: Did you have incidents of that occurring?
- Z: Again, nothing comes to mind, but potentially that could be done.
- KN: So you very much expected it to be the case that you would be made aware rather than you would check it yourself if you like?
- Z: If anything comes to an RSM's attention, then if it gets that bad, you deal with it.
- G KN: But how would it come to your attention?

- Z: Someone would have to tell me. As the RSM of that particular unit, you have 2 School of Logistics, with their own command structure. And the discipline of those who are attending the courses come under my camp, so there's a lot of soldiers there. Then you've got the Training Group, the Training Regiment with my Commanding Officer and the Squadrons. So there's a lot happening, so unless anything comes to my attention, providing the Sergeant Majors are doing their job, the manpower is there to provide the guards, the Phase 2 soldiers are actually attending their training at Leconfield. Now, if anybody was being victimised, or harassed by any member of the permanent staff, then if it wasn't dealt with or it couldn't be dealt with, I would have expected it to eventually end up with me and my Adjutant. A
- KN: So are you're relying on that? B
- Z: The chain of command, yes.
- DB: In terms of your role, the Commanding Officer has an Interview Book which records everything from new arrivals and departures through to discipline. The soldiers in the Commanding Officer's Interview Book are those that are being brought to his attention and he awards punishments. In terms of process and how that works, do you have a role in that? C
- Z: If anybody was in front of the Commanding Officer, then they would have been remanded to the Commanding Officer from their Squadron. So whatever charge it was, there would have been a charge report which had started at squadron level, remanded up to the Commanding Officer. And then that soldier would have been brought before the Commanding Officer on that charge. So, all charge reports, copies of which are kept on soldiers' files, copies are kept at regimental level for old charges, so there is an audit trail of who has been in front of whom. D
- DB: And are you actually involved in that process? Presumably a soldier, once remanded, would have been marched in front of the Commanding Officer at some stage. Are you involved in that?
- Z: Well, myself and the Adjutant are really the two people that can essentially take care/administrate that soldier. The Adjutant would make sure that the charge report was correct and that the soldier was being charged for the right thing and the right charge. And, my function there would be basically to get the soldier in front of the Commander on time with the right people there if there was any evidence we could give him and that there were no hiccups and once that soldier was dealt with then obviously the paperwork would be dealt with by the clerks. E
- DB: Are you physically present at the interview between the soldier and the CO?
- Z: I'm there during the period of time when the soldier is standing in front of the Commanding Officer, the Commanding Officer reads out the charge, makes sure the soldier understands the charge. Then perhaps bring the Squadron Commander in and a decision is made whether or not the Commanding Officer can deal with it, and if he does he will consider the specific circumstances, and give the soldier an opportunity to respond to the charge, and then the decision is made as to what punishment is given to the soldier and he begins his punishment and the paperwork is put into the chain. F
- DB: Do they have a right to have a representative or a friend present? G

A Z: Yes, they do. I think policies are changing in terms of what one can't and what one can say to soldiers.

DB: But I think we're quite interested in what was going on in 1995.

Z: A soldier would have the opportunity to have someone there in 1995.

DB: And who would that probably be? Would it be another soldier, a troop officer, one of their friends?

B

Z: As far as I'm aware, it could be anybody.

DB: Do they tend to take up that offer, or are they generally OK on their own?

Z: You would only know that if someone was there to be present. That sort of thing is done at squadron level.

C

KN: In your experience, was it common to have soldiers with a friend present? What was their preference? Were there more appearing with friends or fewer?

Z: I never noticed if it was a common thing or not or the frequency or infrequency of it. I couldn't really comment on it.

KN: There were something like 1,100 soldiers there. Presumably at any one time some of the Phase 2 trainees are away at Leconfield. Do you know how many Phase 2 trainees that would leave behind or how many actually went away?

D

Z: No. I wouldn't even attempt to have a stab at that.

KN: Not so much that you actually can't remember, that wouldn't be your remit?

Z: It wouldn't be my remit. At squadron level, the Squadron Commander, Squadron Sergeant Major and Troop Commanders all have to juggle the troops in order to meet certain courses, quotas, guard duty etc.

E

KN: It was very much up to them?

Z: Yes, it was up to them to manage that, including free time, leave or whatever. That's what they do.

KN: Generally, was the Commanding Officer to enforce discipline or standards throughout the camp? We've talked about how soldiers would come before him on a disciplinary charge but would there be anything else he would do other than meting out those kinds of punishment if you like? What else did he do to as far as to enforce standards and discipline throughout the camp?

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Z: If the Commanding Officer, for whatever reason, thought there was a problem, he would certainly enforce it, probably through the Officers Commanding. If I thought there was a problem, I would get my Squadron Sergeant Majors to deal. And it would be done pretty much in that way. Again you would naturally expect a Squadron Commander that if he had a serious problem with his troops he would have gone to see the Commanding Officer. You can filter things down, but you would naturally expect as well for anything that needed to come up the chain for us to be informed.

G

- DB: Was there any guidance concerning levels of punishment? Was there anything at the time, anything that you could use? Presumably, a number of your NCOs and you would have been in a similar situation yourself, you were newly promoted, placed in a training regiment, would probably not have dealt with trainees or recruits before. They are completely different to trained soldiers. Were there any documents or any training that would give an idea of what the suitable punishments were or is it just subjective and dependent of the ideas of NCOs? A
- Z: Do you mean formal disciplinary actions? B
- DB: Either formal or informal. For instance, the number of press-ups somebody can make a trainee do, or the distance you can make them run; those sorts of 'practical' or physical punishments.
- Z: Right. No.
- DB: No guidance?
- Z: You wouldn't get guidance for anything like that because it is, dependant on what they may be doing wrong. Let's for example take a soldier who is particularly untidy, doesn't keep his bed clean and it happens on a regular basis. The Troop Commander could be made aware of it for various reasons. He is probably going to find himself being drawn £40 a week. But there is no book that sets out that if you have done this, then you have to run 2 extra miles or do 50 press-ups. With these sorts of punishments. I worked in a gymnasium in Germany and I know I can through my experience pretty much gage whether someone is lagging behind on a run because he is not well and he is going to collapse and have a heart attack, or whether there's a history of failing the BFTs because they're lazy. So we gage how we should deal with them, providing the crime is not heinous. But there is overstepping that. C
- DB: Can you give an example of what is either side of the line, what is acceptable, and what is not at that time? Times have changed, but it's 1995, what would you reasonably expect? D
- Z: Well I wouldn't expect anybody to be beaten or hit. That's unacceptable, male or female. I wouldn't expect anybody to be physically assaulted, so does that answer your question? E
- DB: Yes, but part of it is the question of what is acceptable: press-ups, running, those sorts of things?
- Z: Let me give you an example of what I'd give – not as an RSM – I was a Staff Sergeant in Germany and we ran a very tight ship. Three of my soldiers attended a Squadron function. I couldn't attend it. That night all three of them drank too much and ripped the insides out of a mini-bus that was supposed to be bringing everybody home. Having been told by me before they left to conduct themselves as I would conduct myself if I was there. Now, I heard about this the following morning so I told them to go away and get into their No 2 dress. They came back, that wasn't good enough. "Go away and get into your PT kit and come down to the gymnasium". And I beasted them for about 4 hours. Now I didn't do this behind anybody's back; they were paraded outside my Troop. Then I took them on a log run. I went with them and I got them back. Then I said, right, ok, now you know you have to behave yourselves when you are in company with others. Now, nobody complained, and it never happened again, and those soldiers were good soldiers. Now, I didn't stand a soldier up physically and beat him. I didn't hit him F
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- A with a log. I didn't go to a gymnasium not having any experience myself on how to run around a gym and do press-ups and do sit-ups and everything else. That was my experience, that was a lot of experience at that point. So , perhaps you can understand that if anybody is saying to someone "right, go down and give me 28 press-ups", I don't know why they are asking that soldier to do that, but in their opinion they've got a pretty good reason as to why they're doing that. But I can't say whether 20 press-ups is a sufficient punishment or not.
- B KN: If we come back to the experience of being a vigilant NCO, and you rely on their experience and you have the correct level of punishment or whatever the discipline is going to be.
- Z: A Corporal doesn't want to bother his Sergeant or his Sergeant Major with it. It's down to their man management of these soldiers and that comes with experience and so someone who is posted to a training regiment as a training Corporal has either experienced some form of training in their previous unit, done training courses, got qualified and/or wanted to go to a training unit, by and large. The Sergeants had probably been in training before by and large. So that's what it boils down to.
- C DB: Their personal experience alone?
- Z: Experience as a soldier and being able to manage people. I mean, for goodness sake you can get just as good results by sitting a soldier down and talking to him.
- DB: I think, to be fair, we are just trying to get a sense of what is acceptable and what is not. What is acceptable is obviously quite subjective and is based upon the individual who is awarding that form of punishment. The totality of their experience as a soldier and previous strengths and using your judgment. Some of them have had more experience than others, equally at the time you are in one of the most senior positions in the Regiment. Your judgment might therefore be significantly better than that of a Corporal or Lance Corporal; it may be the first time they are in a formal training environment. They will obviously have gone through training themselves, they will have done some training with their unit in the field army, but will not have had the experience in a training regiment dealing with people who have yet to become fully trained soldiers. So, they themselves have a lot of experience, but don't necessarily know what is right or wrong. And I just wonder how does a newly promoted Corporal or Lance Corporal get an idea of what he can and can't do, whether 50 press-ups is acceptable or a 1,000 or whatever. Who is dictating that to those soldiers.
- D Z: It is the whole system. It is like a good or a bad company run by a good or a bad managing director. If the ship is run badly or not looked after in the right way then the person that is supposed to clock on at 8, clocks on at half 8 and that applies equally to a troop. So I would expect a Troop Commander is doing what he is supposed to do. That he is looking the soldiers in his care. And if the soldiers in his care in this case and not just the case of the soldiers but they are actually the Troop Corporals and the Troop Sergeants. Now the Troop Commander going to a training establishment is probably on his second tour. So he has had a troop in Germany or whatever but this is the first time he has properly experienced trainees. Nevertheless he has had experience to look after his troops. So he would be at the helm.
- E F DB: That is a Lieutenant?
- Z: Yes. And he would be ultimately the one to supervise what was going on with his troop. He would need to know if there were any problems. You would certainly not expect,
- G

would you, and I wouldn't, that a Troop Commander is the one that is actually giving the bad example.

A

DB: We will certainly come on in a bit to personalities. But on that point, presumably a Troop Commander, probably quite a young Lieutenant in most cases, are going to be in a similar position, presumably, to the Corporal in terms of numbers of years' experience. They are going to be looking, I would imagine, at their Troop Sergeants and their NCOs to guide and advise them as opposed to necessarily the other way round. I wonder about that relationship whether you've got the Sergeant and the other NCOs in that troop looking at the officer for guidance so much as the officer looking to get experience from the Sergeants, to give him an idea or her an idea of what is the right way of doing these things.

B

Z: Yes, the chain of command is the chain of command. There is pretty much a balance between experience and rank. The young soldiers would not notice anything else than their Troop Commanders running the troop. But underlying that it is probably the Troop Sergeant that makes most of the decisions that makes sure that the Troop ticks over and gives the Troop Commander most of the credit. The Troop Commander knows this and that is how they gain their experience.

C

DB: We are talking about Sergeants?

Z: Yes, in a training establishment.

DB: Just so we're clear, how many NCOs are we looking at per troop?

Z: Probably two or three.

D

DB: And what ranks are they, because obviously you get Troop Sergeants, the others are Corporals, Lance Corporals?

Z: Yes. Corporals, Lance Corporals.

DB: Then you got the Troop Commander, who is a Lieutenant.

Z: Yes.

E

DB: And then at the higher level, the equivalent at squadron level to you at regimental level is Squadron Sergeant Major, Squadron second in command and Officer Commanding.

Z: Yes.

KN: Is the Squadron second in command a Captain?

Z: Yes.

F

DB: Right. Would they at that time have had dual responsibility in terms of commanding a troop as the second in command or are they there in their own right?

Z: I can't remember whether or not the second in command had dual responsibility on running the troop. It would be the second in command generally who runs the Squadron.

G

- A KN: Oh right. So what are you saying just to get back to the troop element, you think the Troop Sergeant very much sets the tone? The young Corporals presumably, Lance Corporal don't have the experience or is he maybe the role model that the others will look to?
- Z: If he is worth his salt he will, you know. Practically everywhere I have been I have had a young Troop Commander. I take them under my wing and I produce good Troop Commanders who have now gone on to be full Colonels. So yes I would say that the troops are sometimes pretty much manned by the relationship between the Troop Sergeants and Troop Commander. A good Sergeant he has got more experience for one thing so unless you have a Troop Commander who has done it before and they then begin to impose themselves more, generally you find the Troop Commander takes a back seat.
- B
- KN: Is it worth turning now to some of the personalities in the regiment. As a starting point you obviously arrive as the new RSM. I think from what you are saying before there was issues concerning your predecessor.
- C Z: [...] that was his name.
- DB: I was under the impression, and it may not be correct, that the RSM post was gapped slightly before your arrival?
- Z: It might have been gapped but he was there for my handover.
- DB: Right so you have a week long handover from the RSM? Your newly promoted to WO1, you had quite a good career at that point, then you become a RSM which is the pinnacle of a soldier's career. You arrive and you are obviously new to the Regiment and need to get a handle on who's who. Who's reliable and who isn't. Is the former RSM giving you hints and tips about the people you have under you. Did he give you any particular pointers?
- D
- Z: No he was hardly ever there. So the answer to that is no. We didn't really get on.
- KN: And what was the reason for that?
- E Z: Well he was not what I would call a good man manager, a good leader. We had met on several occasions prior my appointment. I'd previously flown over as a guest to a Corps lunch that he was hosting. I didn't like the way he ran things in the Sergeants' Mess. After lunch, this was a Friday, the Mess was mobbed by officers who just waltzed in and put their hats on what seemed to be their own hooks; that didn't happen elsewhere. It was not the way. Officers are only allowed into the Sgts' Mess by invitation, they don't just turn up. Also there is this feeling within Blackdown that because it was previously the RAOC depot and we were now under the RLC, there was a lot of ex-Ordnance people there and they didn't want to let go of their heritage. As is reasonable enough.
- F
- KN: So the former RSM was RAOC?
- Z: So there was very much a RAOC mentality. RAOC training instructors in my opinion and the former RSM, we didn't do it as a job we did it as a part of the other job we did. It wasn't a career thing for us we just did this, we did it and then moved on etc. But I didn't like the man, I didn't like the way he managed the people. I didn't like the way he behaved towards his Mess members and so, you know, if your are like that with your
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- Mess members then what are you like with the rest of the regiment. The Commanding Officer was also RAOC. A
- DB: Did the Commanding Officer give you any particular pointers or comments about people or standards?
- Z: He only mentioned to me about the RSM what I knew already, what I am saying now.
- DB: The CO during this phase was Lieutenant Colonel Josling. So he, as far as you know, shared your opinion of the former RSM? B
- Z: Yes.
- KN: And when you first arrived was Brigadier Evans there as well?
- Z: Yes, and the Brigadier was happy with my appointment.
- DB: Had you worked with Josling or Evans before? C
- Z: I hadn't come across Josling before. Brigadier Evans and I were ex-RCT.
- KN: And did you work for him before?
- Z: If I had it was in West Germany. I think that is where it might have been.
- KN: Didn't he remember you from there?
- Z: Yes I think he did, you know, I mean everybody prior to him knew a key appointment like that comes with, he may well have had something to do with it, I don't know. D
- KN: In terms of you securing that appointment?
- Z: Well, I had been told that I was being ran for either that job or the ATR at Pirbright.
- KN: That was also as RSM?
- Z: Yes, yes. But the ATR at Pirbright, the job previously was always Household Division, so it was always the Guards. For the first time they were looking at a Corps man, which sort of whittled it down. I was in the running with another chap. So it was a win/win. If I didn't get that job it was the Blackdown. E
- DB: Did you have any particular preference?
- Z: I wasn't told. I was told subsequently.
- DB: You're in your last appointment at WO2. You presumably know you have been given promotion already so you are going to be made up to WO1 as the promotion and appointment process are separate. And you are waiting on hearing what your next appointment is. F
- Z: Yes.
- DB: Did you know that you were going to be an RSM? G

- A Z: Yes. Not that I was told but that is the way that I was streamlining my career, you know, there was no real way that having served as a training Corporal, training Sergeant, recommended for Sandhurst, had training there, gone back to the training Sergeant Major job, that I wouldn't get an RSM promotion.
- DB: So you were quite happy to be going to Deepcut?
- Z: Absolutely, over the moon, over the moon. That was what I worked hard all my life to do. And to get that was just absolutely superb.
- B DB: And as far as you are aware having arrived and having been interviewed by the Commanding Officer and by Brigadier Evans, both of those individuals were equally happy to have you.
- Z: Yes, I mean I had got the job. They were keen to have me there. The Brigadier was over the moon to have me there.
- C DB: In fact I think I am right in saying, I haven't got a copy with me, but I think there is a letter on your personnel file from Colonel Josling asking the Manning & Records office to speed up your appointment. I think that is where he alludes to a gapped post in the Training Regiment.
- KN: Can you recall Major Gascoigne?
- Z: Major Gascoigne I believe was the Squadron Commander, Training Squadron.
- D KN: Yes, can you recall anything about him as a personality, your impressions of him as a Squadron Commander?
- Z: No, not really. Soldiers either strike me as particularly efficient, good, outstanding whether an officer or a soldier or not as the case may be. He flew under the radar.
- KN: Right. Can you recall a [Lieutenant C]?
- Z: [Lieutenant C] comes to mind because he was a little bit more vocal, perhaps a little bit more experienced than you would expect. And I think on one or two occasions got himself into a bit of trouble. Not that I knew any specifics of it, but I think he was a little bit of a character.
- E DB: What did you know about these sort of experiences?
- Z: Again I can't recall specifics on [Lieutenant C] but I think there was one or two occasions certainly when he made a few errors in judgment. I can't give you particulars on it. It was drink-related, it was something to do with – I am not quite sure.
- F DB: What limited information you have got, is that a product of a disciplinary action or is that in your capacity as the RSM?
- Z: No it was certainly as far as any disciplinary action. He never had to come in front of me or whatever so it was put probably filtering through in another way.
- DB: Was it a discussion in the Sergeants' Mess?
- G Z: It could be.

- KN: Do you remember a [Lieutenant(f) A]? A
- DB: She was a female Lieutenant.
- Z: No.
- KN: [Corporal O]?
- Z: It is probably better me mentioning people that I do know. Josling was the Commanding Officer. Nice man, nice man. Always struck me as a bit of a Cavalry type. Good looking, huge personality, actually very good for that post. And I thought I had a good relationship. Until what happened in the end I thought the relationship was great. B
- KN: I mean obviously this is going to be a focal point, your relationship with Josling and obviously the events leading up to and around you leaving. I mean if we can, we should maybe come back to that.
- Z: OK. C
- KN: I'm just wondering more on the sort of squadron type level whether you can recall.
- Z: I can. Sergeant Major Milne I knew him from old. He is an ex-footballer I used to play football with. Very experienced, more than average man manager. Good lad, sound. Good judgment. There was a WO2 in training when, let's see his name begins with P, I think, ex-RAOC. Didn't know him until I arrived there. Good lad. The training staff, to be honest with you I wouldn't be able to mention any of their surnames. A Captain, second in command, I believe, of the training Squadron. Ex-ranker, good lad. Someone I would have a beer with. I can't remember the Squadron OC, only one of the Lieutenants who you mentioned. The Quartermaster, who again his name escapes me, reasonably good guy, another ex-ranker. D
- KN: How much contact would you have had with him?
- Z: He, through appointment, and this happens across the board in any regiment, he is the fund manager or accounts manager of the Sergeants Mess and he is the only officer without prior approval from the RSM who can go into the Sergeants mess. Because he is the Quartermaster he has got his official hat on. If there is any stuff to be done, but other than that no officer would go into the Sergeants Mess without seeing me first. Yes, he was a good lad and the relationship, again, it is not written down in any manual, but the Quartermaster of a Regiment is an ex-ranker and so he has been an RSM before. So the relationship between him and me, new RSM, is always, that is where you pretty much get your guidance from. E
- KN: Mentor type role.
- Z: Yes. So the relationship is always quite good between the Quartermaster and the RSM. And there was one or two occasions perhaps when he would come over to my office, sit down and have a coffee, take his hat off. So he probably didn't quite deal with this the way he should have done. F
- DB: But that is the role of that sort of relationship. It is probably one of the only sources of advice you have got, as the RSM of a regiment? G

- A Z: Pretty much so. You know, you are the only WO1 RSM, although there are, strangely, WO1s in every corner of the camp.
- KN: Because of the school.
- DB: But you are the senior of those WOs.
- Z: By appointment senior, not senior in experience, but senior by appointment. The fact that you are presiding over the Sergeants' Mess.
- B DB: Which of the two Messes you presided over did you live in?
- Z: The Headquarter's Sergeants' Mess, which was outside the camp. And there was a flat.
- DB: And that was the same for your predecessor was it?
- Z: Apparently so, yes.
- C KN: Any other individuals that you can specifically recall?
- Z: No, not really, not at the moment.
- KN: Can you recall [Lance Corporal(f) E]? Female.
- Z: No.
- D KN: [Sergeant B]?
- Z: The name rings a bell, don't know where he worked.
- DB: He was one of the Troop Sergeants.
- KN: [Sergeant D]?
- Z: Again the name rings a bell, don't know where he worked.
- E KN: [Lance Corporal AV]?
- Z: The name doesn't ring a bell.
- KN: [Sergeant AQ]?
- Z: [Sergeant AQ], yes, I know him. He worked in the gym. I was best man at his wedding. Yes, good lad, young, PT Corps man. Very enthusiastic, very ambitious. But yes, he had a relationship with a young soldier who he eventually went on to marry so things turned out right in the end.
- F DB: That was a relationship with a soldier in the Training Regiment?
- Z: No the soldier was in the Transport attachment inside the camp.
- KN: Did you know a [Sergeant V]?
- G Z: [Sergeant V], Pioneer, again flew under the radar.

- DB: No strong impressions? A
- Z: I think he was fairly strong in character but.
- KN: You mentioned [Sergeant AQ] having a relationship with a young soldier if you like.
- Z: Yes.
- KN: Anyone else that you can recall in terms of sort of fraternisation with young female recruits because there are a lot of them on camp. Anyone that sticks in your mind who is you alluded to possibly [Lieutenant C] although you recall the specifics. B
- Z: No.
- DB: Presumably for the junior NCOs particularly, this is going to be perhaps their first exposure to a sizeable number of female soldiers. It is only a short while before this time that women are fully integrated into the Army. Increasing numbers are joining and so on so I would imagine some of those NCOs coming across attractive young female soldiers for the first time may well be tempted. Presumably that was an issue that you would need to tackle, in many ways, particularly in a training regiment. C
- Z: Well I was, as far as I am aware, one of the first Sergeant Majors to have post-Phase 1 females coming through when I was the Sergeant Major at the Depot and Training Regiment RCT at Aldershot, so I had experienced it prior to going there. But I agree with you that some of the permanent staff at that time in Blackdown, probably it was the first time they had experienced female soldiers in their care.
- DB: Is there much training, not just specific to that point, but generally were any of the NCOs coming into these training posts, yourself included, was there any pre-appointment or even post-arrival training dealing with trainee issues generally? D
- Z: Because of some being female?
- DB: In relation to that, but also more generally. Prior to taking up the posting at Deepcut or indeed any other training organisation, were any of the NCOs given any training dealing with trainees to prepare them for that task? E
- Z: Right we have probably covered this earlier on but in respect of myself, then I had been in a training staff as a Corporal, Sergeant and Sergeant Major. Trained in personnel in working units so eventually I ended up as an RSM of a training regiment. So that is where my background and experience come from.
- DB: It is experienced based?
- Z: Yes and going away and learning the specifics of first aid, weapons etc. To be posted to a training establishment you have either got to voice an interest in going there and/or done it in your own working unit. Or that is where you want your career path to go. So I would say that by and large whoever goes there is keen to be there and/or has some experience, but you are not trained, there isn't a specified course to be in a training regiment. Does that answer your question? F
- DB: It does, absolutely.
- KN: Just a couple of names, [Sergeant L]? G

- A Z: Again doesn't ring a bell. I recall a Staff Sergeant. He was working in the gym. I knew him from Germany. Good lad. You do generally find that the PT Corps men are the extroverts. Small Corps, difficult to get into and they are the only representatives really in the unit so they really are larger than life characters.
- KN: [Corporal F]?
- Z: Again I didn't really have much dealings with Corporal level.
- B KN: No, I appreciate that.
- Z: If I was a Squadron Sergeant Major I would be able to rattle all their names off, but when you are in that appointment and particularly that unit. Unlike regimental life somewhere else where you have got the CO, the RSM, the second in command, the Adjutant and then your Squadron Commanders. At Blackdown we had two Schools, the Training Group, the Training Regiment. So there were a lot of personalities and to be fair, I wasn't there all that long.
- C KN: Your Adjutant, whilst you were there, who was that?
- Z: Do you know what, I am embarrassed that I forgot his name. He was an absolutely super soldier.
- KN: I am not sure, Charles Whattoff?
- Z: No.
- D DB: I think he appears at some stage.
- KN: He takes over from whoever it is who was there when you were there.
- Z: Yes, it wasn't him though. No.
- KN: Alright, but your impressions of him.
- E Z: Absolutely super guy. Really was. I had a Staffordshire Bull Terrier, she had been with me for 10 years and I remember the Adjutant had a mad mongrel who was in his office and I took my dog up to work and these dogs wouldn't get on so that is how we had a common interest, both dog owners. But he was a nice guy, a nice guy and I had a good relationship with him, you know. A very close relationship with him. You do with your Adjutant, if you have got a good one. He was a nice man.
- KN: The second in command of the Regiment?
- F Z: Yes, nice guy. Didn't have such a relationship with him as I did with the Adjutant; you don't really need to with the second in command. The second in command basically gets on and does 85% of the CO's work, but nice enough, nice enough chap, yes.
- KN: I think we have probably exhausted the lower level characters, unless you can recall anyone else. That really leaves us with Brigadier Evans and your CO Josling. Maybe we should start with Evans.
- Z: Evans was a nice enough soldier, keen, very determined that – and him and I both agreed on this – in the first you know tentative years of the RLC formation that we
- G

would be the ones that would pretty much lay the foundations and the standards for shall we say the Corps etiquette, for Corps dinners in the Sergeant's Mess. How the RLC would have wider appeal, that sort of thing. He was very much like me that he was frustrated that things weren't happening when he wanted them to happen. His relationship with me was what I felt was a good one. He even wanted to present me with a silver pace stick. Wanted my title to be Corps RSM and not just RSM, so raise the profile. He was even discussing with me at that time I should get my own staff car, which is just completely unheard of. So yes, it was a good relationship. I mean he thought of me as his RSM as well. So it was quite a delicate balance between appeasing the Brigadier, whose job it wasn't to be the Commanding Officer. It was an equivalent of stepping into my Commander's camp as such. But I used to pop in and see him every couple of weeks or so, sit down and have a chat about how things were going. And yes, I looked forward to working with him.

A

DB: Did you have any feel for the nature of the relationship between Josling and Evans? You say that Evans used you as his RSM.

Z: Well, yes. No, I didn't feel that there was any power struggle or reluctance to give up anything on either side. I think the CO knew pretty much where the Brigadier was coming from so I think Colonel Josling's character wasn't someone to get on his high horse about something and say "well this my camp, this is my RSM". Places like that are really a joy to work in. There are different pressures associated with that job but they are not the same pressures that you would get in working where you are probably preparing three months before a three week exercise and where that is the biggest thing that has happened in the camp. If you are a training person and a Commanding Officer would either have had to spend time in the training regiment or wanted to go there in the first place, so everybody that generally ends up there are happy to be there. And Colonel Josling gave me no reason to think otherwise. So in the relationship I didn't see anything that was.

C

KN: Suspicious.

Z: No. It could be that they were very well masked.

KN: So we come back now to Josling who you were describing before and you said he was a very nice man, Cavalry type.

D

Z: Yes he looked, he looked the Cavalry type in his sort of tall, always a smile on his face, good with his staff, good with me and he was a nice person to be around, you know, to work with. We both had our jobs to do. We got on and did them but it is touch and go sometimes. You either like someone, in my case the Commanding Officer, or you don't, you have to work through it. And/or the Commanding Officer doesn't necessarily sometimes choose his RSM and sometimes that relationship is a bit fraught. But him and I seemed to get on great until I went away on holiday then it just went all pear-shaped.

E

KN: We might as well move to that now? If you can describe it. You say you went away on holiday. Prior to going away there was no indication of anything untoward.

F

Z: No, no. I had trained for three months prior to going away to do a 24 hour charity event, with another WO1 in the Regiment in one of the Schools of Logistics and [Sergeant AQ] to raise money for a mess member whose child had cerebral palsy. Which meant an hour's physical training in the morning and an hour at lunch and an hour in the evening for three months because we cycled between the three of us for 24 hours, ran on the treadmill and did a step-up, for an hour on, two hours off and an hour on

G

A over 24 hours. And that was round about I think September time and I had a function in the Sergeant's Mess on the Sunday. Invited the Brigadier, the CO which was to present the cheque for the money we had raised to the wife and I think the following Monday or Sunday I flew out for a week which was my first bit of leave I had had since I got there in the November 1994. And up until that point there was nothing that gave me any reason to suspect that there was anything going on. I think before I move on from that, it is worthwhile going back to just before I arrived at Blackdown when I was in elsewhere and it might make a little bit of sense or as much sense as I can make out of it.

B
KN: Sure.

Z: I had been picked up for promotion but was still a WO2, serving as the TCW in a Logistic Support Regiment. The Commanding Officer of the Regiment – whose name for the moment escapes me – and I didn't get on. I worked in the Regimental Headquarters with him and without going into too much of an assassination of character I just didn't like him as a soldier. I didn't like his style of management and really his personality. Now he interviewed me prior to me leaving on promotion which is the normal thing to happen. And he had arrived in the Regiment after my Confidential Report had been written which then went off to me and then subsequently to be picked up by the Board. But his management style was such that he sat me down in his office and did a sort of farewell interview and said "right, hats off now you are leaving. One thing I like to do is with my seniors is ask them if you had an opportunity to change the way I do business within the Regiment what would it be". And I, you know, said "really?" "Yes, no problem, this is your chance to say it". OK. So I told him what I thought of him and even down to the relationship that I had with the Regimental Sergeant Major at the time, who had told me that on one occasion when his daughter came from University for some time off, the Commanding Officer was hosting a party at his house. She had arrived, I think the day before, he hadn't even invited his own daughter to the party and I think she was just left in the kitchen, about how he was hosting his guests. So I basically said "I don't like you. I don't like the way that you can't even present a cricket trophy to the troops without getting tongue tied and embarrassed. You are just not a personable, but you did ask". And he says "well I don't like you either". I said "Well that is probably why you asked me in the first place". So he went into, he didn't like me and he said "I can't stop you going to Blackdown but mark my words you won't be the RSM by the time we come over to Blackdown for the shooting competition in November 1995". I said "well, I will be and I look forward to hosting your team in the Regiment when you do". He said "you won't be the RSM when I come over". Now although at that time I brushed it off but I did mention it to my RSM, he brushed it off too and said well there is nothing I can do. So I arrived in November 1994 and had gone through up until September 1995. I am now out in I think it was Lanzarote for a week and I got a phone call from Sergeant Major Milne when I was on holiday saying that the Commanding Officer had basically sworn him to secrecy not to say anything but I was being investigated for something, "I can't say anymore than that, I don't know anymore than that but he has told me not to contact you", which he did.

F
DB: Now do you remember when during your holiday he called?

Z: Mid way through. So now I am on holiday, I am aware that I am being investigated for something and I don't know what and that my Sergeant Major has been sworn to secrecy. I got another phone call saying that you are going to be picked up from the airport by his driver and the driver has been told not to say anything just to take you directly from the airport to the CO's office.

G

- DB: Who was this second call from? A
- Z: Sergeant Major Milne.
- DB: Right.
- Z: So I got off the plane. I am met by the CO's driver who said the CO sent me to pick you up so I can't say any more than that please would you kindly get in the car I have got to take you back to the CO's office. Now I don't know if you can imagine that I was one of the most senior WO1s in our Corps, my Corps at that time. To be picked up in your CO's car with the driver not being able to tell you what is going on, for you then to be taken back to the CO's without a word that has got to be pretty serious, pretty serious. B
- KN: And you didn't have any inkling as to what it could possibly be?
- Z: No, no.
- KN: No thoughts running through your mind?
- Z: No. So I get back to the CO's office and the CO who I had this good relationship with said that. Now, this is a chap who is trying to explain to me something who would ordinarily when briefing anything from a Brigadier or a General down to a young Group Commander would be just so precise and to the point, is trying to explain to me with, watered eyes, that my Mess membership don't have any faith in my ability to run a Mess and I am losing the respect of the Mess members. And that there has been an allegation of a female that I have slept with. Right, OK, now just before I go onto what happened next, if a Commanding Officer hears an allegation purely as an allegation that his Regimental Sergeant Major who he has a good working relationship with, right, and it is pure allegation or speculation that this has happened then ordinarily that Commanding Officer would say "right stop there. When the RSM gets back I will have a word with him and if there is any truth in it then we will obviously have to have an investigation about it. But until such times I will wait until he gets back to let him speak for himself". That is the way it would normally have been conducted. So for me to be driven, not knowing what, arrived there and then he just coming out and my then question to the CO was "who was the female"? He said "I am not at liberty to tell you". "Right, well statements?" "I am not at liberty to show you". "OK, who are the Mess members who are saying they have no faith in me?" "I can't tell you at the moment". "Right OK". It was all steered towards me not being needed there anymore, OK, well that was how it appeared to me. That whatever he was saying and whatever I was saying to counter that they were trying to get rid of me. That's fine. So you would then have thought that an investigation would have taken place because these are allegations against me, a key appointment in that camp. At the very least a regimental inquiry. That is an inquiry that is conducted within the Regiment to find out whether or not these allegations were true or whether the RSM runs a tight ship or whatever. D
- KN: Who would conduct that? E
- Z: Anybody that that the CO would appoint to do it. Someone impartial.
- KN: Didn't you allude before that you said were there statements, he said I am not at liberty to show you. Would that not suggest that maybe he had done that all being in your absence?
- Z: Either that or there weren't any statements. F

- A KN: So you weren't aware that there were statements?
- Z: No. What I did find out was that a Captain or a Major from one of the Schools had been on a fishing, on a boating trip or some sailing ship and a female had been overheard to have said that she slept with the RSM. That is as much as I heard about it.
- KN: Who did you hear that from?
- B Z: That was probably one of my Sergeant Majors. So at that point then in the CO's office I said someone is trying to get rid of me here and I don't know what has happened but the way that I have been treated and the way it has been conducted it is almost as if you are just on the verge of sacking me and I am not going to be sacked. So I said I am going to resign. And I said the letter will be with you very shortly. Now the CO didn't say whether or not he was going to accept my resignation and he didn't say outright that he was going to sack me but that was how the line of questioning was going. So you have now got this happened, you have not got the statement that the last CO had made and whether there is any correlation, I don't know. But prior to me being in that office there were several things that happened during my tenure that I am almost sure contributed towards the significance of this conversation. One occasion was where I had tightened up security in the camp when let's say there were ten different passes, different colours for different periods for getting to camp or transfer through. And I reviewed that and recommended that we change that system and condense it so there was only about three passes. And your camp security is evaluated on a bi-annual basis. You don't really get an indication of when it is going to happen, you might get a bit of a whisper but you are tested and so I didn't want to fail any of these evaluations. So that is why I looked at the security, reviewed it, recommended that we change the passes.
- C
- D One of the Commandants at the Schools, a Lieutenant Colonel, whose name escapes me, tried to get into camp in the afternoon without his pass which he had done so it would appear for quite some time before. I had briefed the civilian gate guard expressly not to let anybody in without a pass. And I spoke to the Brigadier about it and I said look you have got to back me on this in as much as if your driver forgets your pass I have instructed them, even though you are the Brigadier, not to let you in. So you have got to back me on this for this to work. Yes, no problem. So I overheard rather loud conversations in my Commanding Officer's office with this Colonel who was at the gate saying I am not allowed into camp I haven't got my pass. The end result being the CO backed me up and the Colonel had to go back and get his pass from home. So he was pretty pissed off. That doesn't bother me you know he will not forget his pass the next time.
- E
- KN: That is one incident.
- Z: That is one incident. Another incident was my appointment. I was on the committee of the Royal Logistic Corps Association which was headed by a General and the Brigadier was on it and the Corps Colonel. It was all officers apart from myself and the Corps Warrant Officer who worked outside the camp. It really was like a token appointment because this was RLC funds, the balance of having a couple of senior Warrant Officers there was good for politics. WO1 [...] who was the Corps Warrant Officer wasn't able to attend this meeting but I was on this meeting with the rest of the committee members. And one of the points that were raised was the fact that the Montgomery's car which was loaned from Beverley Museum was loaned to Blackdown for the opening of the Corps Museum and this thing was a Rolls Royce, a big, black car that was able to move under its own steam but only 25 yards or so. Apparently it had been delivered the day before and either before the opening of, no it must have been after the opening of, a couple of subalterns had had a few to drink and gone inside Monty's Rolls Royce and
- F
- G

driven it and ruined the engine and it was going to cost about £17,000 to refit the engine. And it was a very embarrassing thing to have happened. Nonetheless it had to be rectified and the proposal was that the money came from RLC Association funds. RLC Association funds are not meant to try and put right what two young subalterns with too many drinks had done. So this point was proposed, all was in favour and I didn't put my hand up. Now you can imagine it is a fairly heavy-handed committee that I am in. And I was asked why I didn't vote in favour and I say well firstly I think it is a misappropriation of Association funds, and secondly I think more disciplinary action should be meted out to the young officers, so I would be in favour of that and that didn't go down very well. In the end I think I was advised or convinced that the vote should go through. But that was another significant event.

A

B

KN: That didn't make you popular.

Z: That I believe may have resulted in the powers saying "look, he's probably not the person that we want here, because he's too opinionated and being in that position as RSM, it may well be that he might say something that we don't want him to say"

DB: Where did this occur? Where were the subalterns doing this? Was it at Blackdown?

C

Z: Yes, the Corps Musium is just outside the security fence at Blackdown Barracks.

DB: So whose subalterns were they?

Z: I can't remember. They were probably two Troop Commanders inside the Training Regiment.

KN: Those two events you think may have been significant?

D

Z: Those are two events that let's say that I strongly believe have got some correlation and influence with what happened to me because how it happened to me was definitely not how you would conduct an investigation for any accusation against and RSM. The CO would have said "I'll wait until he comes back, I'll have a word with him and he will tell me whether there was any truth in the rumour because at the moment it's just rumour". But these investigations were happening whilst I wasn't in the country so they almost waited to try and get something on me or whatever while I wasn't there and they wanted me out of that place.

E

KN: That type of investigations you were talking about before, you would have expected to wait until you had come back and then it would be called a regimental –

Z: A regimental inquiry.

KN: What dictates, if anything, when you would have a regimental inquiry as opposed to outsourcing it?

F

Z: Let's just say there was an allegation of rape. So instead of me having relations with a person, this person's sort of alleging rape, that would probably not be a regimental inquiry, that would be handed over to the RMP or the civilian police.

KN: Because of the seriousness of the allegations?

G

- A Z: Yes. So at the very least because you're talking about an RSM moving on, you would have a regimental inquiry. So that, just like what you're doing here is to find out the truth.
- KN: Were you expecting it to be anything more, you said at the least a regimental inquiry, would you have expected it to be done officially, by something like the RMP?
- Z: No, I would have at the very least thought a regimental inquiry. But not me necessarily moving on. Conduct a regimental inquiry, get the facts, and then if there's any disciplinary action to be taken, I would have gone in front of the Brigadier.
- B KN: There's no-one else. What I'm trying to get across is that the appropriate vehicle in which to investigate these allegations, you're saying, is a regimental inquiry?
- Z: At the very least, it would have been a regimental inquiry. But it wouldn't have been anything that the RMP would have got involved in. Given that the accusation is not rape, and it's consensual sex, and this person could have said that maybe wanted it to happen, but just said it. Somebody heard it, they thought "so, RSM, have you done it or not?" Me being single, not married, there isn't a great deal wrong happen, except for if it did happen, it's happening with someone who's not the same rank as you. That's it.
- C KN: Other than the regimental inquiry, is that the only thing that could have basically happened? Am I right in thinking that?
- Z: Yes, I mean, a regimental inquiry is quite significant. Particularly if an RSM is going to be removed from post and / or an RSM resigns from post. There's got to be a fairly big reason because Manning & Records are going to want to know what's happened. They've got to move a soldier on and post another soldier in. There's all sorts of ramifications on my career given that I dined in to the Sergeants' Mess the then chairman of the Commission Board, Brigadier [...], prior to this happening, who said to me "ok, RSM, you're going to be moving on in two years' time and you're going to be commissioned". And I said to him, "how do you know I'm going to be commissioned?" He says, "I'm the chairman of the Commission Board, I know who's going to be commissioned or not". And I said to him, "well perhaps I don't want to be commissioned". Now, that's not what they want to hear. You're 34 years old, you've just taken up this key appointment and in two years time you're going to be commissioned and then that's it. And I said, "well I like the idea of being commissioned because that's how my career plan's going, but I don't like the idea of the short service commission where I'm going to get 5 years out of this and then whether you need to get rid of a few or whatever I might get then another 5 year contract". As opposed to what used to happen, when you got commissioned, it was a late entry commission and it was up until you were 55. Well that's a lot better than thinking commissioned at 36, I'm 41 and then I might be out. So I said "I'll have to think about it". And he laughed it off as if to say I've never had this conversation with anyone before. But I was being realistic. But there's this chap saying "I know you're already going to be commissioned". And I said "well how do you know whether or not there's any chance of me staying until I was 55?" And he said to me, this is what he said to me, he says "we know who are going to be Quartermasters and who are not, you're safe enough". And I said, "well, that would be great, could you put that down in writing for me?" So I've got a fantastic career going on here, and potentially I'm in till 55. And the Brigadier at sometime when we sat down and talked, wanted me to actually go to Sandhurst and do the Sandhurst course, because he had some idea of me being the first full Colonel, whereas normally you only get up to Lieutenant Colonel.
- D E F G

- DB: Given the opportunities that were being presented to you, it obviously suggests that you had a very good career up to that point and your future is looking very rosy indeed. The prospect of being commissioned and being very likely to become a Quartermaster, with perhaps the opportunity of becoming a full Colonel in due course. That's an incredible opportunity and suddenly it all comes crashing down. You get interviewed by Josling. He presents what appears to be on the face of it very shaky grounds to sack you but you appear to opt to resign. If I read you right you're saying it's because you didn't want to be sacked, you'd rather resign. I can't see why. You stood to lose virtually everything. I mean, whether you resigned or whether you were sacked, the practical implications are the same. I certainly can't see what difference there would be other than the reality that in order to sack you, they would have to present a case which would require more detail than was presented to you on the day. A
- Z: I was not avoiding an investigation, to answer your question and the reason why I decided to resign. So that wasn't the reason. They had to justify it even if they'd decided to sack me, or I resigned. An RSM can't just resign and Manning & Records will say "he's resigned, ok, we'll find him another post". There is going to need to be documentary evidence as to why he resigned, so whether the act of my resignation or whether they sacked me, they would still have to conduct an inquiry, and I would still have to stay there until that inquiry was conducted, for evidence of my resignation to or evidence of their sacking to be conclusive. So I wasn't avoiding it and what was being told to me was that there had already been some form of investigation while I'd been away anyway, so you would expect that that would come to some sort of conclusion as well. The other thing was, so I'd never seen any evidence, and I left without even being interviewed by the Brigadier. So, an RSM comes back from holiday, resigns, packs his stuff up and leaves without being interviewed by anybody at all. That doesn't happen. Why didn't the Brigadier get me in his office and say "hang on a minute, what's this I hear you're resigning, or there's been an investigation or what, you can't just go". We sat there and talked about this was how your career was going, you're going to be commissioned in a couple of years. How do I just leave camp just like that without anybody saying anything to me? That's strange. It's completely against the grain of how you would treat someone, whether they are in the wrong or not as the case may be. The Brigadier's going to want to know from me if there's any truth in this rumour. At the moment there's an inquiry taking place or not or whatever, and we need to get to the bottom of this. I don't want you to resign. But nothing happened. B
- KN: Why offer your resignation? You're saying that in any event, whether you resigned, or whether you were sacked that there was going to be an investigation or an inquiry, they need to document it? C
- Z: Because to me it felt like I was in a lose/lose situation. The whole atmosphere, the whole way it was conducted that I learnt a couple of things – fortunately – from a Sergeant Major of mine while I was on holiday. Otherwise I would have landed knowing completely nothing about it, and then been taken to the CO's office. That in itself is sort of a barbaric way of conducting business with a key appointment. You just don't do it. To then find out there's some sort of watered down wishy-washy, some of your Mess members have lost faith in you, who are they? I've got 20 Mess members that I could count on one hand right now to stand in front of you and say that the Mess life has changed dramatically from what it has been to what it is now and the way of conducting dinners etc etc. Tell me who it is. "I can't tell you that at the moment. All we've heard is an allegation that a woman has slept with you". Ok, well fine. Where's the statement, get a statement from me. He's got tears in his eyes. The impression I got that his strings were actually being pulled by somebody else, and that he was being made to say this, given that we had a great relationship. And in actual fact when I asked D

A the Surrey Police, what comment Colonel Josling had made about the reasons why I left, he said "I can't remember". I can't remember a key appointment, my RSM in my unit at that time why he resigned, I can't remember. I can't remember the Sunday paper's front page, but I can remember that interview with Colonel Josling, and it's something that he'd be able to remember as well. So I left, I believed that I was forced to go for far more mysterious reasons other than an allegation.

KN: When you say forced to go, you could have stood your ground.

B Z: I could have stood my ground yes. It's not up to me to stand my ground, it's up to the system to provide evidence that will support the allegations against me. Neither evidence was seen nor was an inquiry conducted. If you look at the facts, there is a case amounting to bullying behaviour. I was bullied by my previous CO and bullied by the regime at Deepcut. I felt at that point then that my career was over. That was the way I was being made to feel.

C KN: On the basis of an allegation that could quite possibly have been consensual sex and some very tenuous comments that your Sergeant's Mess had lost confidence in you. You had had an outstanding career up until that point. You were presented with those two very flimsy limbs of an argument and you immediately capitulate and resign. I just would have thought that –

DB: It doesn't seem as though you would have lost anything further by digging your heels in.

D Z: Forgive me but you have no idea of Military mentality or the way in which the system will always beat you. The point at which I was picked up from the airport I had lost everything – the system wanted me removed and regardless of an inquiry or not, I was my career at that point was over. So it completely knocked the wind out of me. I wasn't prepared for it. I wasn't prepared certainly for the way the Commanding Officer dealt with the situation. I couldn't understand why he conducted it the way he did and not just wait until I'd got there and said I need a chat with you, go and get a coffee. It all seemed heavily in favour of whether or not I decided to resign or whether or not they sacked me. They didn't want me there and given that I had been told that I wouldn't be there by a Commanding Officer prior to me getting there. Given that I had a lot of controversy over preventing a senior officer from getting into camp, and given that I had voiced my opinion very strongly. All these things came flooding back while I was sat in the office.

E KN: You made the connection then?

Z: Yes instantly and the fact I'd been threatened by my previous CO that I wouldn't make it.

F KN: You thought back to the conversation with your previous CO while you were in front of Josling?

Z: Yes. And that was me thinking right the system, if you wanted a yes man, you didn't get one. The reasons for him having me there were not powerful enough to get me there the way he did.

G KN: Exactly. That's why for an outsider looking at this, it doesn't sit quite right. It would almost seem that Josling would have had to have presented you with more than simply those two limbs, that he would have had to have more for you to hand in your resignation.

- Z: Well, as I say, whether or not I resigned or whether or not they chose to sack me they still should have come up with a regimental inquiry which is what I thought was going to be done, conducted. And I went to see a Major who was an old time RSM of mine in Germany, in Aldershot and he basically said that you can't beat the system. There is something more to this than meets the eye, you know. A
- KN: We've spoken about Sergeant Major Milne, that's obviously a loyal member of the Mess. Presumably he stayed after your meeting with Josling, he stayed around for a while.
- Z: Yes. B
- KN: Can you remember how long he stayed?
- Z: A couple of weeks, three weeks, I can't remember.
- KN: But you were on camp. Presumably the rumour mill went into overdrive. This is a big event, a key appointment. Did you learn anymore information?
- Z: Apparently my name was bandied around with a trip that went to France. This is how bad the rumour mill is. C
- KN: This is the coach trip?
- Z: Yes. Apparently, someone was given a blow job on the back seat and it was supposed to have been me, which was hilarious because I wasn't even there, I was out of the country at the time. But you know that's just a small piece of evidence of how the rumour mill works, once you're a condemned man it goes into overdrive. D
- KN: Did you hear anything else?
- Z: No, I mean once the rumour mongering starts, it's farcical, really.
- KN: Did you ever find out who the female was who was meant to have commented it?
- Z: No. No. I mean if I went to the papers and basically told them about this, and how I'd felt I was dealt from a point of view of duty of care to me and basically verbal bullying from a Commanding Officer and then the mysteriousness around why I should either resign or be sacked or whatever. That would have huge interest in particular to Blackdown and how the authorities there either behaved or not as the case may be in terms of looking after soldiers. I mean the Quartermaster came over to my office one day frustrated and I said "what's wrong?" And he says, "you're not going to believe this. The Brigadier wants a new carpet to go in the medal room. There's nothing wrong with the carpet in the medal room of the Officers' Mess but he wants a new carpet. £18,000 for a room this size, yet that money I had put to one side for the refurbishment of the toilets in such and such a block. And now I'm being told to buy a new carpet". That sort of scant disregard for what's a priority and what's not a priority came from the Brigadier. So the way I believe the whole set-up was run was not as it should be and I believe that they got themselves together while I was away and they said that I should have been out and my post was filled by someone who said yes. E
- DB: When you say "they" who are you talking about specifically?
- Z: Well, I believe that the Brigadier had some involvement in it. I don't believe the Brigadier orchestrated it, because that Association meeting I was on was headed by a General. So, G

- A you know, the fact the Brigadier didn't want to see me smacks of bad practice. It smacks of him not wanting to be in an embarrassing position. It just doesn't make any sense. Now, as I say, I was not an angel but I conducted business in camp, I did my job, I looked the part, I behaved at work properly. Maybe, you know, in the Sergeant's Mess I had too many drinks on several occasions but, you know, that was me at that time. I was single, perhaps if I had been married it would have been slightly different. I remember an occasion one summer ball when I had sex with what turned out to be a soldier although I didn't know she was a soldier at that time. But, you know, I mean I hold my hands up to that.
- B
- KN: Do you think that that was the girl who was the information that came through to Josling?
- Z: I am not sure. But if it was and he had asked me I would have said. You know, this statement, I want you to make a statement. This is the name of the person, this is what they are saying and when their allegation said that you met them there and that is what happened, what have you got to say for it?
- C
- KN: Could it have been someone else other than that person from the ball?
- Z: Not to my knowledge.
- KN: Because if we think about the meeting with Josling and we look at the interview with Surrey Police. I have no interest in passing judgement but I think you have been full and frank in your interview and you said yourself I am not whiter than white, you haven't been a saint. But when you add up the things that you admit in the police interview, albeit subsequently you found out that that incident was with a trainee, a female trainee, I think you sort of admit you were down in night clubs in Camberley. You allude to some incidents in the Mess where you may have drunk too much or, these sort of things which when you add them up for a Commanding Officer and for yourself standing there when the Commanding Officer is presenting you with some of that evidence. When I look at your Surrey Police interview and I look back to that meeting with Josling without another explanation as to why you resigned it might look like you have admitted and thought to yourself, OK, yes there has been an allegation of the Sergeants' Mess and another female. And knowing what you then have admitted to the Surrey police later on it could look like you were thinking yes, you know, the game is up, more will come out. I realise that my position is untenable. Was that the case?
- D
- E
- Z: If I had of thought that and more would have come out then so be it. If you have found out whether more people have come out the woodwork and said things against me through this investigation. But I was confident that, you know, an allegation of me having sex with someone was certainly not something that would damage my career. It would have been different if I had been married, a lot different.
- F
- DB: But, I mean sleeping with a Phase 2 trainee now would certainly get you moved from post, not you personally, but an NCO in the Training Regiment sleeping with a female trainee would be taken very seriously. We are under the impression that it was deemed to be an absolute no-no at the time. I don't think we have seen very much evidence in the Commanding Officer's interview books that would suggest that people were being disciplined for sleeping with trainees, although we do get that occurring in later periods under subsequent Commanding Officers. And it would probably not be unreasonable to deduce from subsequent regimes that you will have a number of NCOs who are succumbing to temptation whatever it be and having sexual relations with trainees, a proportion of them being found out and being disciplined. So, at the time you were
- G

there would an NCO, be it the RSM or someone more junior, sleeping with a trainee have triggered formal disciplinary action or was it deemed to be acceptable?

A

Z: No it wasn't acceptable. It wasn't something that I advocated. It wasn't something that I was aware that there was anything endemic going on. So you know for anybody whether it was an officer or an NCO or a junior NCO. Quite possibly at that time though it was something that, as opposed to now and how they might have tightened up things or giving more advice as to how you should conduct yourself or whatever. At that time, because it was relatively new, there was probably more occasions where mistakes were made as such. But I didn't, I didn't think that there it was a problem.

B

DB: A sacking offence?

Z: No. [Sergeant AQ], whom I had found this young female coming out the Sergeant's Mess through the back way and I subsequently found out where she was from. I sat him down and I said how long has this been going on? He wasn't married, she wasn't married but he was a Sergeant and she was a Private. It is not as if a Captain has never married a Sergeant in the Army or whatever rank. So it is like, you know, you cannot have relations with a Private soldier if you are a Sergeant, that's what we generally say. Having said that I have just said that you do get Private soldiers married to Sergeants. Now when I found out that this was happening I sat him down and I said how long has this been going on? He told me. I said is it serious? Yes, it is serious for her. Yes, right, OK. If it's serious then you get engaged to her and that will demonstrate to me how serious you are. Now I decided at that point to keep that from my Commanding Officer because it was something I could deal with. If he said it is not serious and he is not prepared to get engaged to her then I would say right it stops here and now. If it happens again you will be in trouble. They got engaged and they eventually went on to get married and their reception was in the Sergeants' Mess and I was the best man. So, I mean that is a success story and that is a way that with experience you deal with that situation as you see it and it turned out OK. But, you know, whether or not [Lieutenant C] was caught with a female trainee and there was any substance to it or whatever and there was an endemic at squadron level and everybody was doing it, I wasn't aware of that. I wasn't aware of that.

C

D

DB: In the instance of [Sergeant AQ], you discover him with someone, you talk to him about it, is it a serious relationship and so on. If you had taken that to the Commanding Officer for whatever reason what would you have expected to happen at that time under those circumstances?

E

Z: Several things could have happened really. He could have been posted out. He could have a severe reprimand. The soldier, the young Private soldier could have been posted out. She might have been charged for misconduct.

DB: All of those things could have happened or would you have expected to happen at that time with that regime?

F

Z: If he had gone in front of the CO, he would have probably got a severe reprimand.

DB: So a recorded telling off. So given your own experience at the summer ball. You slept with someone, you discover subsequently that they are a trainee. Was that, would that have been sufficient justification to sack you as the RSM at that time?

G

- A Z: Had I been completely sober, had I taken that soldier to one side on a parade and said "meet me tonight", knowing full well that you are a Private soldier, yes, yes, without doubt.
- KN: Because of the fact that you weren't sober in order to make the judgment could that not also be construed as another aggravating feature of it?
- Z: I think if you are three quarters the way through a summer ball, enjoying a good evening and with several drinks under your belt had been approached by someone who puts her hand on your backside in 1940s dress, like everybody was, you know, and there was 270 odd people there. Then my judgment was impaired and I would defend myself on that judgment. I would but if I would have had been completely sober and on parade said "right you report to my office" and I was caught shagging her in my office then, you know.
- B
- DB: That particular example, the events that did occur that wasn't put to you at your interview with Lieutenant Colonel Josling as some of the evidence against you?
- C Z: No.
- DB Just reference to the statement?
- Z: Yes. Someone had been overheard to have said that she slept with the RSM.
- KN: So not only did you think that what Josling was presenting you with was not enough on its own to sack you, but you also found that if everything else that you knew had come out you still again didn't feel that that would be enough either?
- D Z: No, no. It would have been entirely up to them, I mean you know, you investigate the circumstances and she would have made a statement, I would have made a statement.
- KN: What did you understand about the investigation. Obviously you say that there was you realised that there had been some sort of investigation while you had been away and you also said that even in the case of you resigning or being sacked there would still have to be an inquiry of some sort, still documentation for Manning & Records. So either way there is an investigation either before and/or after. What was your understanding of what had gone on before and what happened afterwards?
- E Z: I believed that a Major from one of the Schools who was on this trip had directly or indirectly been given the caveat of making inquiries into this allegation and so, you know, from a regimental inquiry level as I say someone would be appointed to do that.
- KN: He was given that?
- F Z: And then he was sort of, yes. But I never seen anything ever down on paper.
- KN: So you thought he had been tasked if you like with finding out whether there was anything?
- Z: I think not only had he been tasked but I think that this officer who didn't care for me anyway because I had cause to kick one of his senior Warrant Officers out of the Sergeants' Mess for being drunk, perhaps there is a little revenge there.

G

- DB: Is that not all the more reason to fight it, push back, to put Josling on the spot and ask him to present the evidence? A
- Z: I did ask him to produce evidence and to tell me where the allegations were coming from. He told me he couldn't tell me and I mentioned this earlier in my statement, so what was I to do? Do you know hindsight is a great thing and I wished I had but at that point I thought even if I do, the fact that whether or not I come out of this clean or whether I come out of it not so clean or whatever my career is over. It doesn't matter what they say. They could say you are admonished of any allegations and/or guilt, RSM, right, we will forget about it. It wouldn't have, I would not have gone on to be commissioned. It just would not have happened. B
- DB: But didn't you suffer the consequences of that anyway?
- Z: Yes, but I wanted to go with my head held high. You know, if you look at the sackings of WO1s that had gone before me it was rife in the Corps, rife. And I just did not want to be another statistic. Not having got there at 34 with a brilliant career ahead of me in a key appointment and then he is sacked. I did not want that to happen and had I arrived at work on the Monday morning, the CO would have brought me in and said "RSM, I don't believe this for one minute but I have to say this to you. There has been an allegation that such and such". "Right, OK, sir. That happened actually and I was completely drunk and I didn't have a clue who she was". Yes of course there is but you know what can we do? But I am picked and taken there and not allowed to speak to anybody. It doesn't make any sense; that whole lead up to that to then hear this wishy-washy story and then me thinking for goodness sake it's only six weeks to go to November, this guy in Ireland wanted me out. I know the General doesn't like me now because I tried to muck up this thing with this £17,000. It all came to just a huge point, full stop for me. And I knew at this point that it didn't matter what I did, they wanted me out and if I had stayed there and everything was admonished, they would have had to have kept me there but I wouldn't have been, it wouldn't have been the same. If you can understand what I mean by that and just to stay there and you know people, pretend it was the same, given I had a good relationship with everybody. It wasn't something that I wanted to do. Now I had six years, I had six years left, what the hell do you do, you know. C
- KN: And you didn't allude to having any more allegations other than the two that he presented to you. D
- Z: No.
- KN: Then coming back to this sort of investigation, you suspect that there was a Major of one of the Schools who may have been the source of the information and he was then tasked to find out. Can you recall who you think it might have been?
- Z: I can't remember his name. I actually knew him as well. I knew him he was an old RCT guy but I can't remember his name. I can picture him but I can't remember his name. E
- KN: Do you think he was the one who was charged with doing this investigation?
- Z: You know when you don't know about a boating trip, you don't know about the soldiers that attended it. You don't know which soldier was the one that said, you don't know who was the one who overheard this but nevertheless there is a person now running around trying to find everything out given that I had just sacked one of his WO1s from my Mess to another Mess. How I am conveyed from one place to another, F
- G

- A the way it is the conducted, what has happened previously, what's happened when I was there. But I don't know whether he was expressly told "you will"; he might have been the one who overheard it and therefore went "ah right".
- KN: And do you know who you would have been on a sailing trip with? Any ideas?
- Z: I have got no idea. I have got no idea when or where the sailing trip took place.
- KN: And your information about the Major came through whom?
- B Z: I don't know who told me but I must have said "who the hell is conducting this and why him".
- KN: Are you aware at all of Phase 2 trainees being interviewed?
- Z: No, no. I wasn't told anything.
- KN: So for the two weeks, two to three weeks even that he was around, it might have been up to three weeks that you were still at Deepcut?
- C Z: It could have been longer I don't know, two weeks probably.
- DB: What were you doing in that time?
- Z: I was just keeping my head down waiting for a post. I wasn't obviously doing any business at all.
- D KN: And as far as you were concerned there was some sort of an inquiry that would have had to have been done at that point that would obviously go onto Manning & Records? Did you learn anything about that inquiry?
- Z: No, no. You see, when your career is over you then just get farmed out and you just have to bide your time until you leave basically.
- KN: I would have thought this was quite a big deal happening, you are a key appointment and you are still on camp for two to three weeks. You have got some loyal members of the Mess. They had been able to find you some information out in the past when you are on holiday and I would have thought that there was, you were probably keen to know what was happening. What was the information that they had? Who had told you? Was there some sort of conspiracy? And I would have thought that you were keen to find out more rather than just sit back and accept it.
- E Z: Well it was a shameful thing to experience, it was an upsetting thing to experience. It was an embarrassing thing to experience, you know, given that your power is all taken away. You don't really want to stick your head above the pulpit. You know, we had pretty much gathered that rather than stand up and fight which is, you know, coming across as you two's opinion of one option that I could have taken but I didn't and/or resign so that I was in control and I held my head high. Which was what I did. I keep coming back to the point that I felt that it didn't matter, whatever I did, whatever investigations are made this was bigger than just some foolish rumour mill that happened at squadron level or whatever. This was bigger than the Colonel, this was bigger than Josling. It wasn't him. He was being orchestrated and I wasn't big enough to take that on. That's why, you know, unusually in this instance there was a Brigadier there, unusually I am sat in committees with Generals, unusually I am dining with the
- F
- G

- Duke of Gloucester. It was an unusual environment to be in, you know. In a normal regiment the biggest dinner that you will have to host is your Colonel probably, once a year, you know. At Blackdown they made the tea. A
- KN: The Major, which School was he in?
- Z: The School of Logistics, I'm not sure.
- DB: Can we just go back to the day that you had a meeting with Josling. We have got an extract from his interview book. There are two particular entries, both on the same day, 28th September 1995. Both are headed disciplinary, your name and number, Josling signs it off. The first one says "complaints about conduct. CO to investigate instances further". The second one, the same day, next entry in the register, "asked to be stood down as RSM, agreed, requested written confirmation". What was the sort of time gap between those two meetings? You had been driven straight from the airport to see Josling, you know, all this has obviously come as a bit of a shock. He presumably says in the first interview that he is going to investigate instances further, so that is what they record in the book. And you go away, you said that you change into uniform, mull it over and come back. B C
- Z: I don't think I even came back. I think I phoned up the Adjutant and said there will be a letter or resignation following this phone call regardless of what the CO says.
- KN: So as far as you recall you had one interview with Josling not two
- Z: Yes.
- KN: The Adjutant at that time, do you remember who that was? D
- Z: It was –
- KN: Was it the new Adjutant?
- Z: No it was the Adjutant that I –
- KN: The one that you were very close with? E
- Z: Yes, I am sure he was still there. Do you know different?
- KN: No, I am just trying to work out timing-wise.
- Z: I think he was still there.
- DB: We have got Captain Whattoff down as being in post at that stage, not for very long. But in the meeting you had with Josling did he say he was going to investigate the issues further? F
- Z: The interview was very foggy, very wishy-washy, it had no real substance to it. You know, I very much felt that I wasn't wanted there any more. That is what I deduced from it and that my question to him was right, OK, if someone has made an allegation against me, let's get to the bottom of that allegation, let's find out who it is and let me do my bit. If there are any Mess members that are saying what they are saying, let's have a look at that and let's find out who they are and, you know, at least I can defend myself. But it was very much, RSM, you know, it has just gone too far and just seems as G

- A though. It was that kind of way it was coming across and I thought fucking hell you want me out of here. You know, you really don't want me here. Then things started to click. Right I am actually up against something bigger than you and it doesn't really matter me claiming my innocence here or not as the case may be, it doesn't matter, you just want me out. The system wants me out of here and your strings are being pulled.
- KN: Which is so strange given what you said before about the meeting with Brigadier Evans, very much a case of you being earmarked.
- B Z: Yes, yes, yes.
- KN: You are safe.
- Z: Right and my point is if I am safe and they sing my praises and all this, why did I slip away so quietly, why did they let me go so quietly? If they were so shocked, why wasn't I approached to explain myself to someone higher than the CO.
- C KN: As an observer looking at, that is precisely where we are coming from, I think, you were getting an impression that you had this upward career and when confronted with flimsy allegations you walk away fairly quietly, very quietly. And I understand what you are saying you felt that, if I understand you correctly, you were saying you walked away quietly because you felt that there was nothing you could do, something bigger was going on. It's just to make that connection yourself in a sort of 20 minute discussion with Josling straight back from a holiday you know that is very, very quick.
- Z: Well, it is strange but, you know, the closer to the anniversary of this, me not being there was always in the back of my mind. So you know he said to me you are not going to be there in November next year. And although I took it graciously and said I looked forward to hosting, you know, as August and September comes along or whatever or June and July I am thinking, you know, I just wonder. I mean, I just wonder and I had a bit of time in Lanzarote to think you know because I had been told now that I am going to be picked up.
- D KN: And it's also when you get your call.
- E Z: Yes.
- KN: Then you must be thinking.
- Z: You know I am thinking.
- KN: What have they got?
- F Z: What do I need to be picked up and taken straight to the CO's office for? So already I am thinking is there anything significant about what the CO in Ireland said. And then when I get there to find out there is, sort of a, just a completely wishy-washy line of questions which if they have, that would be great, but if, you know, they hadn't even got any historical evidence of any investigations or whatever. And then knowing who I upset while I was there. It was just mightier than the CO, he was just being told that this is the way it is and, you know, your profile has slipped through and I just put two and two together and I thought, like, you know, they are fucking sacking me. I am not giving you the opportunity to sack me. You don't want me here, I am going. So I resigned and whether it was the right or wrong decision to make, I made it because I was very much on my own. I didn't have anybody to speak to, I didn't have anybody to
- G

get advice off. I wasn't given like we talked about earlier on, someone who is in front of a CO. I didn't get any advice or guidance from anybody. I was on my own on that.

A

DB: Who was in the room when you had your meeting with Josling? Was it just him and you? Just the two of you, closed doors.

Z: Yes. And for him to say I don't know what he resigned for in the statement he made to the Surrey Police really makes me angry.

DB: It was certainly a very significant event, certainly for you but in many respects also for him. I mean, you are having an RSM resign or even sacking one. Either of those events is potentially a reflection in some way on the Commanding Officer.

B

Z: Yes, I suppose you are right.

KN: In terms of the regimental inquiry where does that lead down in any way? Is there a procedure? Is it very much done at the discretion of the CO?

Z: At the end there is Queen's Regulations manual and military law and regimental standing operational procedures that a regimental inquiry would be conducted.

C

KN: So there is a recognised procedure?

Z: Absolutely.

KN: And you didn't say to him at any point, let's have a regimental inquiry?

Z: To all intents and purposes I thought a regimental inquiry was being conducted. You know, once an investigation starts you think Crikey, you know it is like an allegation that Bill Clinton has done something untoward in the Oval room. You know, you just cannot stop things from happening then, it just happens. An RSM's appointment is a key position in a Regiment, I can't stress that enough so you wouldn't have been able to stop anything from happening if you wanted to. The thing is you put yourself on a pedestal. You are a stand-alone. You make more enemies than you make friends. The politics of envy and professional jealousy, that is something that you have got to live with every day of your life. So if someone can throw something at you to knock you off they will.

D

E

DB: Presumably though in a training regiment with male and female trainees, whether or not you have got instructors sleeping with trainees, you are always presumably going to have a bit of malicious gossip.

Z: False accusations.

DB: False accusations, in the same way as teachers must face those same sort of issues. So I mean again you would imagine there would be all the more reason to try and sort them out, whatever vague allegation was being made, on the basis that, you know, someone overhearing someone on a boat claiming she slept with the RSM. It is disappointing I think looking back that you didn't or weren't able to challenge it openly and present your case and equally that the Regiment itself didn't seek to resolve whether or not allegations that were made were true. That leads us to obviously to where we are today which is not knowing precisely what occurred.

F

G

- A KN: As far as I am aware you mentioned you would have expected something to be on your P-file.
- Z: Not necessarily on my P file, but I would have expected that a document would be somewhere at Manning & Records saying a regimental inquiry was conducted by these conducting officers and this is what went on and this is the summary. And the outcome being that the regimental inquiry was completed and [RSM Z] handed in his letter of resignation which was accepted.
- B DB: I don't think we have even seen the letter of resignation, which you would imagine would be subject to document retention. You mentioned, in relation to regimental inquiries, standing orders as a possible source of material on that. Just more generally, what sort of involvement did you have or awareness of the Regiment's security standing orders as the RSM?
- Z: Security standing orders is a document that would have been kept at RHQ, which is an instruction that would have been authorised and permeated down from the Training Group because that is where the regimental security officer was. I can't recall that I would have set of security standing orders in my office, but I may have had.
- C DB: In terms of mounting guard, you mentioned previously that you briefed the Sergeant. Do you have a sort of awareness as an RSM then of how many soldiers should be on guard at which gates? Whether they should be armed and that sort of level of detail. Is that something that is left to the guard commander?
- Z: At the time I would probably have known. There is a lot of information that I would have to know at any one time. Probably numbers on guard but not specifics on where soldiers were posted. The arming or not arming of soldiers would have depended on the security status at the time.
- D DB: What about the employment of female soldiers on guard. Were there any conditions that applied to their employment?
- Z: You mean just actually conducting a guard duty? There was no real differences made between male and female. Given at this time everyone was still learning, you know. I can remember when a female Sergeant came to book on the duty book and I can't remember specifically the conversation but I deal with them like I deal with the guys, you know. We try and observe a certain amount of restraint as much as using foul language, I mean, I did. But I mean if it comes out, it comes out, you know, that's life. But I think she picked me up on something which I thought was highly amusing and I was a little bit cross about it. The fact that she said I don't want to be treated as a female I want to be recognised as a soldier, but she made a point and it was the first time I had met her and I thought, strange. But you know, as far as soldiers going on duty and going to ablutions and sleeping in the guardroom I don't think there was any significant differences to their routine.
- E F DB: Sure, I am under the impression that in the Land Command standing orders relating to guarding at that time in the UK, there is a paragraph in there relating to employment of female soldiers on guard and it specifically says that where possible female soldiers are to be employed with male soldiers and if they are not employed with male soldiers then there should be two female soldiers i.e. there shouldn't be a single female soldier on guard, armed and alone Is it your experience at Deepcut that that was something that was not translated into unit standing orders?

G

- Z: I wasn't aware of that. So whether there was any breach of that standing order, again the sort of security aspect, although I had a lot to do with the suggestions for the implementation of security it was quite a lot on a larger picture than soldiers just on guard. So I wasn't certainly aware that there was any breach of standing orders and definitely not aware that single posted females were conducting duty. A
- DB: The example comes from the death of Cheryl James and it is captured by the Board of Inquiry that she was employed alone and that contravened the Land Standing orders. I really just wondering whether that was because those instructions had not been filtered down and translated into local standing orders? B
- KN: I think we have got to on record that Sean Benton and Cheryl James, the two recruits who die in 1995, either of them never came across your radar, you were never aware of them by name and so on?
- Z: No, no.
- KN: Private Benton died whilst you are there as RSM. Any involvement in the aftermath? C
- Z: No.
- KN: You would presumably have been notified.
- Z: Yes, I was notified. When did he die specifically?
- KN: 9th June.
- Z: 9th June. And it was the 28th of September that I was interviewed? I am just trying to, to see if there was any significant period of time as to why I didn't get involved in the post. Having said that apart from being in a war situation that is the first time I had ever experienced anyone dying in a regiment when I was RSM. I am not quite sure whether or not things were done right or things were done wrong, to be fair. Do you know, if the period of time was nearer to my departure then I might, I don't know if I do and I don't know. D
- DB: But you never came across Private Benton before? E
- Z: I may well have bollocked the lad at some point but I don't know, you know, I mean his name is not significant. It's not a name that struck me, that would stand in front of me. If he had been in front of me for anything of a disciplinary nature, you know, coming up from the Squadron.
- KN: Just in the running of in the Sergeants' Mess were you ever aware of Phase 2 female recruits being inside the Mess?
- Z: What in accommodation? F
- KN: Accommodation or the Mess itself.
- Z: So being the Sergeants' Mess members living accommodation, in their bunks as such?
- KN: Yes.
- Z: No. G

- A KN: Other than [Sergeant AQ]?
- Z: She wasn't a Phase 2, she was actually a regular soldier.
- DB: Were Phase 2 trainees employed in the Mess at all?
- Z: For regimental dinners as waiters which is pretty much a regular occasion because it was a very social Mess.
- B KN: Then there is the female Phase 2 trainee working as a waitress at the ball.
- DB: Do you recall who that was?
- Z: The name?
- C KN: One of the things that comes out of some of the police material which wasn't specifically put to you was, presumably there were, if I understand correctly there were some civilian waitresses who worked in the Mess on a full time basis and then when you have a big function you get some female recruits in as extra help.
- Z: Yes.
- KN: Were you aware of any allegations that were made against you by civilian waitresses?
- Z: Yes. The Quartermaster brought up, not allegations, when you get an allegation from a civilian making some comments about an RSM it is more about the conduct. I mean, unless they were alleging that I sexually assaulted them, you can't stop that and there will be an inquiry about it
- D KN: Is it a more conduct type thing?
- Z: Yes, the Quartermaster told me to come and see him once and said I had too much to drink and either tried to chat up or something a member of the bar staff but I can't remember so it was all down to what she said. That's the sort of risk you take being in an environment like as a single man, you know, that is what you run the risk of.
- E DB: Is it unusual to have an RSM who is single?
- Z: Yes, it is actually not ground breaking. There are a few people but given the appointment, it's a bit unusual yes.
- KN: Another allegation that comes out which was on, I think, a married civilian who possibly was in a relationship with a Sergeant. I don't know whether this ring, I bring it up really for your comment if you can recall.
- F Z: A married civilian.
- KN: Yes. The civilian part may not be entirely correct, there are inconsistencies there, but certainly a female who is married. Who is in a relationship with a Sergeant and apparently you become aware of it. The allegation is that there is some sort of blackmail or something along those lines. I don't know if you can even being aware of a relationship.
- G Z: I am supposed to have had a relationship?

- KN: No, sorry a married female. A
- Z: A married female.
- KN: She is married, I don't know who she is married to, she is married.
- Z: Yes.
- KN: She is having a relationship, an affair with a Sergeant. B
- Z: With a Sergeant in my Mess?
- KN: Yes.
- Z: And who is being blackmailed?
- KN: She is alleging that she is. She is saying that she is being blackmailed by you because you become aware of the relationship. That is about as high a point as it comes to. It is not even more than an allegation and the reason that it comes out is because someone who is meant to be doing some sort of an investigation, this is the sort of flavour of the allegation that is coming out. And I don't know if that rings any bells with you. Whether you can even recall knowing of a Sergeant in your Mess who is having an affair with a married civilian. C
- Z: No, if this Sergeant in the Mess was welsh and he was having a relationship with one of the bar staff.
- KN: Right. D
- Z: That would be him.
- KN: That was one that you were aware of?
- Z: No, I believed that one of the bar staff was seeing one of my Mess members or had relations with one of my Mess members. This just so happened to be the same person who alleged that I didn't conduct myself. E
- KN: Right.
- Z: Yes. That's the correlation. But it has astonished me that I am supposed to have then blackmailed. You know, I mean, you know if they had anything serious to come up then just come up with it.
- KN: And I agree. You would have thought it would be subject of a formal investigation.
- Z: Of course, of course. I never heard about that, never. I agree with you an allegation of blackmail is as serious as an allegation of an RSM sleeping with a trainee. Both of which were never investigated. Now perhaps you'll understand why I'm confused as to why there is no documentary evidence of an inquiry. F
- KN: Can you recall the name of the Sergeant, you say he is welsh?
- Z: He has got a welsh sounding name so I presume he was. I can remember the look of the lad, young Sergeant. G

- A KN: Right, so you were aware that he was having, you suspected or were aware that he was.
- Z: He moved into the Mess I believe. I think he was married or got separated and he moved into the Mess. Youngster, the barmaid was young, I think they had a bit of a relationship.
- KN: You knew of that relationship and you knew that she had made comment about your conduct in the past.
- B Z: Yes.
- KN: The only other thing that you sort of allude to, this is not in relation to you, in your police interview is that the police had moved on to fraternisation and you sort of allude to the fact that, you know, you suggested there may have been, I mean I can quote exactly here. They ask you about relationships between officer class and other ranks and you say in reply, "we as officers, senior NCOs and soldiers in the military are governed by a caveat which is set out for our behaviour. When you are an officer you should not fraternise with soldiers below you. You shouldn't have relations with another officer's wife, even to the point if you are a Brigadier you should not necessarily have relations with a young Lieutenant. That last example may well be something that the local commander has set a precedence on". That would seem to imply that you aware of some sort of relationship with the Brigadier.
- C Z: No, no it was, I don't, I never said that because I knew of a Brigadier having a relationship with a Lieutenant.¹
- D KN: Right.
- Z: It was just to make the point.
- KN: Right.
- Z: But it does go on. What officers get away with and what I know they have got away with and what they have done would fill a newspaper.
- E KN: But in terms of specific examples from your year or just about a year at Deepcut.
- Z: No, I have got no.
- KN: You can't give any examples, you have alluded to the Sergeant, this welsh Sergeant with the waitress.
- Z: No, no. I mean there was, it was, it was less than a year I was there.
- F KN: Because certainly you know the material that we have seen it seems to suggest that there was a lot of fraternisation between NCOs and female recruits. It seems to be fairly well known, indeed it is difficult to find one who isn't alleged at least to have been in some sort of relationship. You don't seem to be able to shed any light on that. That might be because you were that much higher but at the same time you would have thought maybe, particularly in relation to Sergeants you might have had some knowledge.

¹ Mr Z subsequently requested that the following be added:

"But I know of a CO having an affair with a Corporal, albeit not at Deepcut, I know quite a lot that would embarrass the system and those Officers who are supposed to uphold military law. But for now I'll keep those revelations close to my chest."

G

- Z: Honestly, put it this way. I mean I didn't genuinely know it was as rife as you make the suggestion and I will tell you why. If I was a Sergeant, the RSM is the last person I would want to know. If I was a Corporal getting stuck in and you know getting up to all sorts of hanky panky the RSM is the last person I would want to know. A
- KN: Right.
- Z: Now that doesn't mean the RSM is hear no evil, see no evil from where he is. You know the occasions when I heard about what was going on i.e. this Sergeant with this young Private soldier you know I made the point very succinctly that you either end the relationship or if you are serious, get engaged and that is the way I want things to be done. If it is not and I see you again then you will be in front of me and then the Commanding Officer. That way of dealing with senior NCOs in the mess permeates down to everybody else. So he will have told everybody fucking hell I just got called in to the RSM right, you know. And everybody finds out about it so they are not going to tell me. You know, it is not a shagging club. They are not going to tell me if anything is going on I will only get to hear about it if I catch them. B
- KN: And that would be the only way that you would sense or find out is if you yourself find that you. C
- Z: Yes or I advocate it and I didn't advocate it.
- KN: But then obviously if we then come back to your police interview you do accept, you are quite frank.
- Z: Absolutely accept. D
- KN: Do you think that there is any danger that may be if it was known that for instance you were out in Joe Bananas or you had, albeit not realising till afterwards, that you had been with a female Phase 2 trainee do you not think that as the RSM, the senior soldier setting an example, setting the standard, that maybe that kind of behaviour was inappropriate and may have set the tone for some of the Sergeants, Corporals, NCOs?
- Z: If what you are saying is because it might have got round that's what I did they have gone it is open season from now on anything with a pair of boobs, I don't how to answer that. If soldiers make their own assumptions from that I think that is their bad judgment. E
- KN: Would it be a fair comment based on everything that we all know that quite possibly unintentionally, and I have no doubt unintentionally, that may have set a tone that the others may have picked up on and in some ways mirrored themselves.
- Z: It is a fair point. However I think even before I arrived things were not as they should be. That's precisely why the outgoing RSM was going so quickly, discipline was already very low. F
- DB: As far as Joe Bananas goes, night club, Camberley, presumably a venue for a number of the trainees, I don't know how many night clubs there are in Camberley but I think probably quite a few trainees end up there. Who are you actually going to the night club with. Was it a number of Sergeants, Warrant Officers or whatever?
- Z: I can't remember. Either on my own or with a few Mess members. G

- A KN: And were you aware that Phase 2 recruits, female recruits would be there?
- Z: I wasn't, given they hardly make any money and Camberley is quite a way away. A night out anyway is pretty expensive. So you really don't expect when you are going that distance away from your barracks to bump into them. And also they don't look like Phase 2 recruits when they are in night-clubs.
- B KN: The police puts you in their interview, particularly in relation to Cheryl James, she was a young female trainee, by all accounts relatively attractive, that is obviously an angle that they followed up at one point with you is the suggestion that she may have been the attention of, or she may have received attention from NCOs at some point. Given what we have seen in the police material and given what we have discussed today and discussed in the past it is not inconceivable that she was the attention in fact. As an attractive female it was probably more likely than not to be the case in some form or other.
- C Z: Quite possibly. Either you are attracting attention or not or attracting the attention. Enjoying the attention. Could even have been possibly using that attraction to make life better for herself, I don't know.
- KN: Were you aware of female trainees, I am not talking specifically about Cheryl James but were you aware of female trainees doing just that?
- Z: No, not at all but I am just answering your question that if she was, have a soldier who was, as you put it, reasonably well attractive, well there is every chance that, you know, males being males, soldiers being soldiers she would have, you know, been attracted to.
- D DB: Presumably, I am not suggesting that this is the case, but given that you don't recall who the female trainee was who you ended up sleeping with. Could it have been Cheryl James?
- Z: It could have been Cheryl James.
- KN: Would you have expected just going back to the point before about, you know, I appreciate the point as well that female trainees quite possibly themselves playing on their attractiveness against NCOs to make life easier for themselves.
- E Z: I am not saying for one minute that that happened I mean just merely answering your question. I didn't certainly hear of, you know, no guards for a month for sexual favours.
- KN: Would you have been surprised if that was going on?
- Z: Yes, I would.
- F DB: Well, the allocation of guard duties is happening at a level a number of steps below you. Is it possible that sort of a thing would happen?
- Z: I wouldn't hear about, I wouldn't get involved with it. As I say I would only jump up and down if guard quotas weren't being met or you know I would hear of someone that was on their second consecutive guard. You know, without a break, that is the only time I would sort of jump up and down on Sergeant Majors, as long as they met their quota. So if there was anything untoward going on there you know I wouldn't know about it. But it is possible, it is possible. I mean do you know if Cheryl James is the woman I slept with?
- G

- KN: No. A
- Z: Because I don't. When I said to you I don't know, but it could be, it actually could be so do you know.
- KN: Which is precisely the frustration if you like for yourself and for us is that we don't know.
- Z: Alright, well, if you have got a description of her, you know I mean. B
- KN: Do you think you would remember if you saw a picture of her?
- Z: If I saw a picture of her there is every chance I might.
- KN: You haven't seen a picture of her in the press?
- Z: Yes but it's I mean is that all you have got? Have you got a picture of her in civilian clothes? C
- KN: I think the only.
- Z: I don't want to make a big thing about this but you know I mean if there is any significance about it like if you are trying to get any significance about it, I mean I am honestly, you know, if it was her it was her, if it wasn't it wasn't. If I recognise her and I think it is then I would say but you know I don't want not to say that there is not a chance.
- KN: Sure, you were full and frank in the police interview exactly on that point. D
- Z: She was there at the time? She was there during the time I was there?
- KN: She dies on November 27th.
- Z: That's 1995.
- KN: 1995. E
- Z: Right. And our summer ball was probably July time, June/July time. OK.
- KN: I mean the frustration is that this, there was a regimental inquiry, there were statements taken and all this happening while you were away.
- Z: Her name would have come out.
- KN: There would have been capture some way. F
- Z: Wasn't there anything?
- KN: We haven't seen anything.
- Z: If the system was doing its job properly then there would be a record to substantiate whether or not it was Cheryl. Nothing. I just left that camp. I was just allowed to leave that camp, nothing. You get to hear that a Major made a few enquiries. G

A KN: Well you mention that then we were aware that some inquiries were made but it is very unclear who.

Z: They never came out with any evidence of any written inquiry, no.

DB: No, well I think we are under the impression they did come out with...

Z: They did?

B DB: Written material, whether that qualifies as evidence or not I don't know. But that information is not now retained.

KN: The events of 1995, there were the police investigations in 2002, seven years after the event.

DB: In relation to Cheryl James, at the time November 1995, you have already left post, presumably physically moved to another location. Where did you move to?

C Z: I moved to Catterick.

DB: Cheryl James then tragically dies at Deepcut.

Z: Yes.

DB: You had not long come from Deepcut. I presume it makes the news, if it doesn't make the news nationally then certainly you must hear about it being someone in the RLC, I am sure that sort of information flows around officially or otherwise.

D Z: I will answer your question. I didn't correlate or it didn't spark any huge significance to me although I am not trying to downgrade the significance of what happened. But if I can in defence of that say at that at time I am at a new unit with new masters to appease, a new job to learn and the upheaval of going so I might have overlooked the significance, now that you say it the way you do, of the second death, if that answers your question.

E KN: Yes it does. Purely by chance I have yesterdays papers with a picture of her in, albeit small.

[KN shows Mr Z picture of Cheryl James from newspaper]

Z: 99% sure it wasn't her. But there is an element of just. I have admitted to being intoxicated when I slept with the woman, so I can't be 100% certain.

F KN: In your police interview you describe the girl that you did sleep with as being probably 5ft 4, slight to medium build, fair hair, not red hair and attractive.

Z: Yes, yes.

KN: No more than that.

Z: Yes.

KN: So on seeing that picture you are 99% sure.

G

- Z: Yes. A
- DB: I think at this stage it is probably appropriate to ask you if you have got anything that we have not covered that is relevant to either the regime or your experiences there, the events of the time or events that followed.
- Z: I do believe that the regime from the Brigadier down and even higher than the Brigadier surrounding Blackdown wasn't as it should be. My departure whether or not largely due to factors outside my control, decisions made in my absence will never be uncovered but there is certainly something there that hopefully will make people think because it was just not done the way it should have been done. My behaviour from a personal and professional point of view was not always as it should be and I hold my hand up to that. Was my behaviour an influence on how younger members of permanent staff saw how they could conduct themselves? It might have been an influence, but I followed a poorly led camp. I certainly wasn't aware that if it was it could have been so damaging. My records, my reports, what comes out of them is by and large a professional man, ambitious guy, confident, almost sometimes to the point of being arrogant but you know, I am me, that is just the way I am. But I believe that quite apart from the few mistakes that I made that I hold my hand up to, I tried to run things the best way I could. To put my hand on my heart I don't believe that there is anything I could have done apart from a couple of misconduct occasions and sleeping with this trainee, I could have done different in as much to prevent if any these accidents or if they are anything other than accidents, then be prevented. The correlation between what happened to me and what's happened to these. There is a tendon in there somewhere but I am at pains to try and find where it is, but I do think that should the regime have been tighter and more closely focused on the duty of care to these servicemen and women things might have been wholly different, I do believe that and that is where the link, that is where this small tendon of linkage comes. One death or suspected suicide is very sad, hugely sad, two is doubly sad, but significant because it is almost trend-forming. Three, I don't know why there wasn't just a huge, huge matter for investigation and four it's you know, that's becoming common place almost like parcels falling from a tree. Now the conduct of investigation that took place as a result of these and the fact that it probably wasn't done correctly because that is what has been uncovered leads you to think that had it been a different regime things might have been slightly different, that is my opinion. The way I have been taken care of only leads me to think, and I am trying to be impartial here, people weren't doing their job right. And in certain cases, me included. E
- DB: Well that has been very helpful. Thank you very much for that and for staying so long with us today. F

Appendix 5

Duty of care and bullying issues identified during investigation into 1995 deaths at Deepcut

Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
1	S3B	5	17	M	N	1995	Phase 1 Trainee – Claims that having been back-squadded at Pirbright an unidentified Corporal tried to bully him out of the army by giving him excessive hard physical training.
2	S16A	18	18	F	N	1995	Phase 2 Deepcut Trainee – Feels that there were discrepancies between what she was owed and actually paid when she went from Pirbright to Deepcut but cannot be specific.
3	S18B	20	24	M	N	1995	RP Staff Deepcut – Stated that there were a number of staff, both RP and training NCO's who would use their position to give recruits 'inducements' such as less guard duties, easier jobs around the camp etc in return for sexual favours.
4	S20D	22	25	M	Y	1995	RP Staff Deepcut – Names two other persons one officer, one NCO who he believes had relationships with Phase 2 trainees. Relies on rumour has no evidence.
5	S107,S107A	23	21	M	N	1995	Phase 2 Deepcut Trainee – Named NCO is alleged to have entered accommodation block in the early hours and made a group of recruits stand outside in their boxer shorts where he threw darts at them.
6	S89	24	17	F	N	1995	Phase 2 Deepcut Trainee – Claims that a named NCO coerced her back to his room where he indecently assaulted her.
7	S355	44	17	F	N	1995	Phase 2 Trainee – Whilst on attachment to Olympia Horse Show named NCO indecently assaulted her whilst asleep in communal sleeping area.
8	S359	50	25	M	N	1994	Phase 1 Trainee at Pirbright <ul style="list-style-type: none"> • Named Bombardier alleged to have punched him in the stomach

SURREY POLICE

Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> Posted to unit in Germany alleges being beaten by named individuals with baseball bats Same incident threatened with a rifle Transferred to another unit assaulted by a named Bombardier
9	S35/S35A	61	23	F	N	1995	<p>Training NCO Deepcut</p> <ul style="list-style-type: none"> Alleged witnessing verbal & physical abuse of named recruit by training staff. Named NCO assaulted named recruit. Named NCO verbally abused named recruit. Named NCO prevented her from recording incident involving named recruit. Named NCO's harassing female recruits for sexual favours Threatened by two named NCO's to keep quiet about a named senior NCO. Assaulted by a senior NCO.
10	S98	67	19	M	N	1995	<p>Phase 2 Deepcut Trainee –</p> <ul style="list-style-type: none"> Ordered to roll in mud and mark time as punishment for being late on parade. Then put straight on parade and further punished for being dirty. Witnessed female recruit being made to run naked wearing beret and mess tins around parade square. Witnessed named NCO assault named recruit. Witnessed named NCO assault another recruit. Alleged damage caused by named NCO.
11	S97, S97A	80	20	M	N	1994/5	<p>Phase 2 Deepcut Trainee –</p> <ul style="list-style-type: none"> Alleged being assaulted by a named NCO. Stated that named recruit was thrown out a window by an NCO (not witnessed). Stated that a named recruit was beaten whilst asleep.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
12	S50	93	18	F	Y	1995	Phase 1 trainee at Pirbright Male NCO came into her room whilst she was asleep and asked her to go to another room. She refused but believes that he was 'trying it on' with her.
13	R30	94	21	F	N	1995	Phase 2 Deepcut Trainee – Witness to named recruit being assaulted by named NCO on parade.
14	S148	95	18	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Alleged being touched on leg by civilian instructor whilst at Leconfield on driving course. Witnessed named recruit being bullied by named NCO on parade.
15	D1325-28	96	21	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Witness to named NCO assaulting named recruit whilst on parade. Alleged victim of multiple rape by unknown offenders at Deepcut. (Currently being investigated by Surrey Police).
16	S255	97	18	M	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Stated bullying did go on but provided no specific detail. Stated that a named NCO would burn football shirts owned by recruits.
17	S170	98	19	M	Y	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Stated that there were discrepancies in his pay when he moved from Pirbright to Deepcut. Named NCO burnt named recruits football shirt. Stated that named NCO made named recruit chase birds around rugby pitch for hours.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
18	S88	99	19	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Witnessed named recruit being assaulted by an NCO whilst on parade. Alleged that a named recruit was bullied by named NCO. Alleged that female recruits were subject to abuse by female NCO's States that numerous recruits tried to commit suicide.
19	S226	100	20	F	N	1995	Phase 2 Deepcut Trainee – Recalled that a named NCO would pick on certain individual recruits.
20	S48	104	18	F	Y	1995	Phase 2 Deepcut Trainee – Witnessed named NCO make a named recruit do push ups on top of a female NCO whilst on parade.
21	S253	110	22	M	Y	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Witnessed named NCO burn football shirt whilst on parade Witnessed recruit having to transport kit, locker & bed down to parade square for show parade, felt this was harsh.
22	S178	116	18	F	Y	1995	Phase 2 Deepcut Trainee – Recalled that a named NCO regularly humiliated and verbally abused a named recruit.
23	S64, S64A, S64B, S64C	122	31	M	Y	1995	RP staff at Deepcut – <ul style="list-style-type: none"> Alleged that named NCO's abused their position and bullied recruits.
24	S224, D1289, D1290	128	18	F	Y	1995	Phase 1 Trainee Pirbright –

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> Bullied by members of training team. NCO sick over her. Forced to swim in cesspool Assaulted by NCO with butt end of rifle Phase 2 Deepcut Trainee – Assaulted by named NCO whilst on parade.
25		135	18	F	N	1995	Phase 2 Deepcut Trainee – Noted that some people had experienced trouble with their wages when moving between Pirbright and Deepcut.
26	S38	136	18	F	N	1995	Phase 2 Deepcut Trainee – Having just turned 18 the witness got very drunk one night and was taken to the Guardroom to 'sleep it off'. In the morning still feeling unwell the duty NCO took her with him on his rounds. In one of the accommodation blocks he exposed his erect penis to her and tried to coax her into oral sex.
27	S26	140	18	F	N	1995	Phase 1 Pirbright Trainee – <ul style="list-style-type: none"> Unhappy being in the Army but named NCO refused her application to discharge, ripping up the papers. Alleges that named NCO's had sexual relationships with recruits Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Repeatedly self harmed in an effort to get discharged
28	S279	142	23	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Comments that an unknown male NCO, while drunk, forced his way into the female block. Named NCO had a sexual relationship with a named trainee

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> • Alleges other NCO's had sexual relations with trainee's • Admitted to relationship with a named Sgt • Admitted to self-harming in an effort to get discharged. _ • Assaulted whilst on parade by named NCO • While in bed one night was attacked and assaulted by unknown offenders who placed something over her head to prevent her identifying anyone. She attended the medical centre due to injuries sustained but told the Doctor that she had fallen over.
29	S248	148	19	F	N	1995	<p>Phase 2 Deepcut Trainee</p> <ul style="list-style-type: none"> • Witnessed named recruit being continuously bullied by NCO's • Alleges that NCO's were having sex with the trainee's • Named Troop Officer having sex with named recruit • Alleges trainee's had sex with NCO's in exchange for an easier life. • Witnessed named recruit being repeatedly assaulted by named NCO's.
30	S128	160	23	M	Y	1995	<p>Phase 2 Deepcut Trainee –</p> <p>Mentioned named Pioneer recruit who bullied other recruits. This was reported to an NCO but no action was taken.</p>
31	S240	165	29	M	Y	1995	<p>NCO attached to training of junior and senior NCO's at Deepcut. Commented on named NCO's and an Officer having sexual relationships with trainees.</p>

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
32	S229	188	18	M	N	1995	<p>Phase 1 Pirbright Trainee – Having made a mistake his whole troop was punished and as a result another recruit assaulted him. His parents contacted the camp to complain and as a result he was brought in front of one of the NCO's and given a 'bollocking'.</p> <p>Phase 2 Deepcut Trainee – Commented on a named NCO who bullied recruits.</p> <p>Alleged that he was the victim of continued violence and bullying when posted to 5 Airborne Brigade in Aldershot.</p>
33	S314	197	18	F	N	1994	<p>Phase 1 Pirbright Trainee – Witnessed a named NCO assault a female recruit.</p> <p>Phase 2 Deepcut Trainee – Stated that she was subjected to continuous bullying from a female NCO.</p>
34	S160, S160A	199	17	M	N	1995	<p>Phase 2 Deepcut Trainee –</p> <ul style="list-style-type: none"> Assaulted by named NCO. Commented on the high level of punishment dealt out by certain NCO's.
35	S90A	201	17	F	N	1995	<p>Phase 2 Deepcut Trainee –</p> <ul style="list-style-type: none"> Alleged that a named NCO bullied recruits. Alleged that same named NCO tried to have sex with named female recruit.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
36	R111	205	22	F	Y	1995	<p>Phase 1 Pirbright Trainee – Claims to have had a sexual relationship with a named NCO and feels that it was an abuse of authority. Other trainees claim that this witness had a much easier time as a result of the 'affair'.</p> <p>Phase 2 Deepcut Trainee – Recalled a named NCO firing a catapult at recruits made to stand against a wall.</p>
37	S223	602	20	M	N	1995	<p>Phase 2 Deepcut Trainee –</p> <ul style="list-style-type: none"> • Alleged that named NCO assaulted named recruit. • Witnessed named recruit having to run carrying a jerry can filled with sand & water as a punishment. • Named NCO's bullied named recruit • Named NCO's took female recruits back to their accommodation.
38	D1769	236	18	M	N	1995	<p>Phase 1 Pirbright Trainee – Did not get on with a girl in his troop who was having an affair with an NCO. As a result the NCO victimised him, giving him unnecessary punishments and assaulting him on at least two occasions.</p> <p>Phase 2 Deepcut Trainee – Stated that a named recruit was being bullied by NCO's.</p>
39	S106	293	19	F	N	1995	<p>Phase 2 Deepcut Trainee – Disclosed that unnamed recruit informed her that a named NCO had 'tried it on with her'.</p>

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
40	S158	301	20	F	N	1995	Phase 2 Deepcut Trainee – Disclosed that whilst drunk and off duty a named duty NCO kissed her on the lips against her will.
41	M27	322	16	M	N	1986	Trainee at Guard Depot prior to RLC – Alleged to have been assaulted by named NCO, which led him to leave the Army due to the way he was treated.
42	S126	340		F	N	1995	Phase 2 Deepcut Trainee – Disclosed that her leave was cancelled for no reason and that she was subject to bullying by named NCO.
43	S193	349	18	M	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Reported systematic bullying by NCO's. • Disclosed that a named recruit was subjected to continuous bullying. • Describes his time at Deepcut as 'hell'. • Witnessed a named NCO assault a named recruit in the accommodation block. Did not intervene as he knew that he would then become a target.
44	R12CT	395	N/K	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Witness disclosed that she had been subject to unwanted sexual attention from a named Officer. • Having been posted to an operational unit was subjected to a series of sexual abuse and assaults that led her to suffer a nervous breakdown when she self harmed.
45	S220	396		M	N	1995	Phase 1 Pirbright Trainee – Witnessed a named NCO regularly assault a named recruit. Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Witnessed continuous abuse of a named recruit by NCO's.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> Witnessed same recruit being forcibly restrained by two Corporals.
46	S211	401	17	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Disclosed that she was made to do a Basic Fitness Test whilst recovering from glandular fever. When posted to operational unit was subject to verbal abuse and harassment from a named NCO. Resorted to self-harming and was eventually discharged.
47	S210	402	18	F	Y	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Knew of at least one female recruit having been raped at Deepcut. When posted to an operational unit was subjected to sexual harassment by a named NCO.
48	S155	408	19	M	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Commented on unnecessary punishments given by named NCO's for no apparent reason Witnessed a named recruit being singled out for punishment on parade by named NCO's.
49	S199/S199A/ S199B/S199C	409	18	M	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Alleged that he received a serious back injury as a result of an NCO deliberately pulling him off a chair. Alleged that a named NCO used a catapult against a named recruit Alleged that named NCO subjected named recruit to continuous abuse.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
50	S256	432	19	M	N	1995	Phase 2 Deepcut Trainee– <ul style="list-style-type: none"> Disclosed that a named recruit was subjected to bad treatment from the training NCO's Overheard commotion and witnessed named recruit being assaulted by gang wearing respirator masks.
51	M40	441	N/K	M	N	1972	Reports incidents of harassment and abuse whilst in the Coldstream Guards Depot in Deepcut.
52	S204	453	23	F	Y	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Disclosed details of drunkenness and inappropriate behaviour whilst on RLC yacht. Disclosed details of investigation into sexual abuses involving a senior NCO
53	S230	455	18	M	N	1995	Phase 1 Pirbright Trainee – Was assaulted by an NCO for damaging an item of property.
54	S201	469	27	M	Y	1995	Training Corporal Deepcut – <ul style="list-style-type: none"> Makes comment on the difficulties instructors faced due to the poor ratio of staff to trainees. Disclosed that a named senior NCO requested three female recruits to clean his flat which he felt was for inappropriate reasons.
55	M33	474	27	F	N	1997	Phase 2 Deepcut Trainee – Has alleged to have been raped by known NCO. She reported the issue at the time but claims that she was ignored.
56	R13G	475	18	M	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> Believed that a named recruit was singled out and bullied by NCO's.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> • He was himself subjected to violence and bullying from other soldiers when posted to first operational unit. He reported this to his NCO's but nothing was done. In the end he resorted to going AWOL and was subsequently medically discharged having been assessed by a psychiatrist.
57	S247	482		M	N	1990'S	Civilian Deepcut Employee. <ul style="list-style-type: none"> • Discloses the abuse of power by a senior NCO. • Gives details of excessive drinking and sexual abuse in the mess.
58	S242	503	21	F	N	1995	Phase 1 Pirbright Trainee - <ul style="list-style-type: none"> • Assaulted by named NCO witnessed by an Officer but no action taken. • Approached by named NCO to perform oral sex. • Alleged that named female NCO stole sweets and food from female accommodation. • Urinated on whilst asleep by named NCO. Reported to another NCO who laughed and took no action. • Injured on run received inadequate medical care. This resulted in her eventually being medically discharged. Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Subject to indecent exposure by named NCO's. • Witness to an indecent assault on a female recruit by an NCO. • Disclosed name of NCO who verbally and physically abused male recruits. • Was aware of an incident where two female trainees while babysitting for an Officer were both indecently assaulted by him. He was moved 'overnight' as a result.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
59	D1602	489	16	F	N	1995	Phase 2 Deepcut Trainee – States that she was raped by a named NCO but refuses to make a formal allegation.
60	S234/S234A/ S234B	502	19	M	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Witnessed a named NCO assault a named recruit whilst on parade. • Claims that incidents of bullying at Deepcut were too numerous to document. States that there was no point trying to report the incidents due the chain of command. This meant that if you were being bullied by an NCO you could only report it to another NCO who more often than not was a close colleague of the perpetrator. • Was signed off sick and in bed when assaulted by a named NCO who made him get out of bed and completely clean a 4 berth room.
61	S197	505	17	F	N	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Made to iron kit belonging to named NCO • Made to parade whilst heavily pregnant. Named NCO dismissed sick note. • After giving birth named NCO forced trainee to attend field exercise resulting in severe injury. • Indecently assaulted twice by the same named NCO. • Punched by the same NCO as punishment for being involved in a fight.
62	S246, S246A, S246B	510	21	F	N	1995	Phase 2 Deepcut Trainee – Witnessed the continuous bullying of a named recruit.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
63	S218	512	18	M	N	1995	Phase 2 Deepcut Trainee – Witnessed a named recruit being subjected to continuous abuse by named NCO.
64	D771	531	N/K	F	N	1994	Phase 2 Deepcut Trainee – States that she was raped by a named NCO but declined to make formal allegation.
65	S286	541	22	M	N	1995	Phase 2 Deepcut Trainee – Witnessed assaults by unnamed NCO on named trainee on the parade ground.
66	S252	544	19	M	Y	1995	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Mentions seeing named Private being beasted. • Was assaulted by named NCO.
67	S283	550	20	F	N	1995	Phase 2 Deepcut Trainee – Describes the sexual harassment that female recruits were subjected to by a named Officer.
68	S318	573	23	F	Y	1995	Phase 1 Pirbright Trainee – Was subjected to racial abuse by named Officer. Phase 2 Deepcut Trainee – Named NCO was seeking information about another NCO. Witness refused to tell him anything and NCO then threatened to kill her if she told anyone that he had been asking questions.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
69	S328	601	17	M	N	1994	Phase 2 Deepcut Trainee – Describes how if a particular recruit was not performing the whole troop would be punished. As a result poor performing recruits were subjected to beatings by other recruits to encourage them to 'raise their game'. The offenders would wear respirator masks to hide their identities.
70	R28G	604	23	M	N	1990's	The following incidents were reported by a relative of the victim: <ul style="list-style-type: none"> • While at Pirbright kicked by NCO causing a dislocated shoulder. • Struck with a locker door by an NCO causing cuts to his head. • Whilst in Germany hung by the ankles on ropes out of window 40' from the ground. • Was pegged out naked in a field and Landrover driven between his legs.
71	R12BH/R12BP	618	N/K	F	N	1996	Phase 2 Deepcut Trainee – Made an allegation that a male NCO went into her room while she was asleep and indecently assaulted her. Claims that her allegation was not taken seriously and that staff at Deepcut delayed calling the SIB. It was only after the victim's parents voiced concerns about the inaction that anything was done.
72	R12AX	635	N/K	M	Y	1986	NCO at Deepcut pre RLC – Mentions various incidents of bullying and assaults by named staff against named trainees.
73	S310	693	33	M	N	1995	Training NCO at Deepcut – <ul style="list-style-type: none"> • Describes overall environment at Deepcut and particularly how poor morale was.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> Identifies specific training staff and voices concerns about how some of them carried out their duties with issues ranging from sexual harassment to assaults being mentioned.
74	S304	701	17	F	N	1995	Phase 2 Deepcut Trainee – While at a function in the mess was ordered by a senior NCO to take a bottle of wine to his room. Once there was persuaded to have sex with him but only did so because she was too scared to refuse.
75	R28H	729	21	F	Y	1995	Phase 2 Trainee – Following a suggestion that she had been raped by an NCO at Leconsfield, threatened to self harm (tablets) if made to stay in her room on her own. She was escorted back to her room and left in the company of other recruits. Her medication was removed.
76	R25A	730	N/K	M	N/K	1996	Phase 2 Trainee – Whilst at Leconfield made allegation of assault where another private pushed victims head through a window. Allegation was made to SIB but victim has concerns about the investigation as he was never told any result.
77	D1146	764	24	F	N/K	1994	Phase 2 Deepcut Trainee – Allegation of Indecent Assault where a male soldier tried to climb into her bed and kiss her while she was asleep in the female accommodation block. This was investigated by the SIB.
78	S350	793	19	F	N	1995	Phase 2 Deepcut Trainee –

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> While on parade felt ill and dismissed herself. Went to the side of the parade square where she vomited. Was approached by an NCO who grabbed her by the hair, pulled her head up and forced her to march up and down. Witnesses assault on Pte on the parade ground by unnamed staff. Makes general observations about the presence of bullying.
79	R19A1	796	N/K	F	N	1995	Phase 2 Deepcut Trainee – Witness stated that she felt vulnerable while at Deepcut due to the daily bullying taking place although she could not give specific examples. States that the bullying involved senior privates as well as NCO's.
80	R19AW		818	N/K	M	1984	Trainee at Guards Depot Deepcut <ul style="list-style-type: none"> Recalls a named officer coming into the accommodation block at 0200 drunk and ordering the troop to parade outside in pouring rain in their underwear. They were then 'beasted' for over an hour. Following a training run fell to his knees exhausted and was kicked to the ground by the same officer.

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Appendix 6

Duty of care and bullying issues identified during investigation into 2001-2002 deaths at Deepcut

Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
1	S30	33	21	M	N	2001/2	Phase 2 Deepcut Trainee – Claims that there is racial discrimination and that he was picked on due to the colour of his skin.
2	S82	78	19	M	Y	2001/2	Phase 2 Deepcut Trainee – Speaks of verbal bullying of the recruits particularly by the Corporals.
3	R4BR	85	23	M	Y	2001	Phase 2 Deepcut Trainee – Makes various claims: <ul style="list-style-type: none"> • Is aware, at Deepcut of a racist group called the Black Card Club who would place a card with a cross on it on the bed or locker of a recruit who was due a beating. • Advised by a named NCO that if he had a problem with anyone put a bar of soap in a sock and use it to hit them. • Was aware that a named NCO picked on a named recruit. • Witnessed a named NCO assault an unknown recruit. • Spoke about the male rape of a fellow recruit. A soldier was convicted.
4	S168	116	18	M	Y	2002	Phase 2 Deepcut Trainee – Has been told that a named NCO has been demoted and posted out of the unit for having sex with two Phase 2 soldiers.
5	S164	145	19	M	N	2001	Phase 2 Deepcut Trainee – Makes comment of how much he hated Deepcut particularly because of the way a named NCO treated him.
6	S422	163	22	M	N	2001	Phase 2 Deepcut Trainee – Makes comment that some of the N.C.O's abused their authority and that there was racism. Remembers a big Provost Sergeant who was particularly hard. The NCO's seemed to go for the weak ones.
7	R7U	180	27	M	Y	2002	Phase 2 Deepcut Trainee – Claims that there is bullying at Deepcut and that a named NCO is involved.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
8	S156	181	22	F	Y	2002	Phase 2 Deepcut Trainee. <ul style="list-style-type: none"> • Corporal made them do unnecessary exercise as a punishment for someone talking out of turn. • Had a friend who claimed to have been picked on by a NCO.
9	S413	189	17	F	Y	2001	Phase 2 Deepcut Trainee – <ul style="list-style-type: none"> • Named NCOs would push and shove anybody at will. • A Named Corporal was very intimidating and hated females. • A named Female Staff PTI was racist picking on the Fijian/St Vincent's • Beatings took place on a Monday morning.
10	S310	193	17	M	N	2001	Phase 2 Trainee – Whilst at Leconfield suicide attempt to try to prevent being sent back to Deepcut. Found Deepcut depressing and boring.
11	S155	207	18	M	N	2001	Phase 2 Deepcut Trainee – Felt discipline was 'over-the-top' strict. NCOs were "power happy", and were over-the-top with discipline and punishments. If you didn't 'tow-the-line' then you would get picked for weekend guard duty.
12	S266/S266A	351	24	M	N	2001	Phase 2 Deepcut Trainee describes various incidents <ul style="list-style-type: none"> • Witnessed named Corporal grab's hold of a Private and lifts her off the ground, holding her by her lapels. The private was verbally abused and threatened. • Another occasion witnesses a named Corporal swing a punch at unknown person in the block. • A named female Corporal verbally abused him after failing a course commenting on his dyslexia.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
							<ul style="list-style-type: none"> • New Year witnessed a named off duty Corporal assault a named Pte in the guard room. • Describes various assaults on drill and parade by Provost Sgt and named Corporal
13	S428	387	17	M	Y	2001	Phase 2 Trainee Deepcut – Allegation of Indecent Assault made against another Pte.
14	R9J	461	18	F	Y	2002	Phase 2 Trainee Deepcut – <ul style="list-style-type: none"> • Physically/sexually assaulted by a Fijian soldier, • Physically assaulted by a female soldier at Deepcut.
15	T63	499	29	M	Y	2002	Whilst serving at Deepcut went AWOL made a suicide attempt due to conditions at Deepcut and domestic problems.
16	S243	522	22	M	N	2002	Made a suicide attempt at Deepcut following excessive punishment in the form of a fine
17	S249	523	18	M	N	2002	Phase 2 Trainee – <ul style="list-style-type: none"> • Physically assaulted by Fijian soldiers. • Suicide attempt following continuous bullying by other recruits.
18	M43	745	52	M	N	1999	Father of soldier reports historic incident of bullying @ Deepcut where his son was badly burned with an iron. Father believes that it was an act of bullying but when interviewed his son put it down to horseplay.
19	S324	792	27	M	Y	2001	Phase 2 Deepcut Trainee – Makes comment about unnamed NCOs pushing the boundaries and being overly petty.

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Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
20	R8X	798	17	F	Y	2001	Phase 2 Deepcut Trainee – made rape allegation. Went to bed very drunk and when checked on by the duty NCO two male recruits were found under her bed. An advice file was sent to the CPS but no action was taken due to insufficient evidence.
21	S436/266	874		M	N	1998	Phase 2 Deepcut Trainee. <ul style="list-style-type: none"> • Makes mention of humiliation on the parade ground by named NCO. • Named NCO rides over trainees on pedal cycle on the parade ground. • Named NCO Insulting words to female trainee. • Witness to assault on named private.
22	S312/S312A	886	20	M	N	2002	Phase 2 Deepcut Trainee <ul style="list-style-type: none"> • Gave information about fellow trainee (Drink driving) as a result received threats. • Mentions respirator attack on unnamed private by Fijian trainees.
23	S415	914	22	M	N	1999	Phase 2 Deepcut Trainee <ul style="list-style-type: none"> • Witnessed respirator raid on arrival @ Deepcut. • Insulted by named NCO about physical appearance • Assaulted regularly by NCOs. • Assaulted by NCOs, one named after going AWOL. • Assaulted in cells by named RP after going AWOL 2nd time • While on guard duty put gun in mouth and considered shooting himself due to the constant abuse.

SURREY POLICE

Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
24	S398	924	21	M	N	2001	Phase 2 Deepcut Trainee – Accused of being late for guard duty. Named NCO threatened him with a pair of scissors and pushed him around. Was subsequently fined £200 for being late even though he denied it.
25	S407	935	19	M	Y	1998	Phase 2 Deepcut Trainee. Mentions verbal abuse by other Pte's including minor pushing.
26	S459	939	29	M	Y	2001	Phase 2 Deepcut Trainee. Mentions racist remarks by named S/M towards all foreigners.
27	R6AY	952	28	F	Y	2001	Phase 2 Deepcut Trainee. Mentions racist remarks by named NCO towards all foreigners.
28	S463	956	18	M	Y	2001	Phase 2 Deepcut Trainee Following drinking session taken to the guardroom and named Lance Corp assaulted him using excessive force to restrain him.
29	S393	972	18	F	Y	2001	Phase 2 Deepcut Trainee – A friend was pushed down some stairs by a corporal. Despite there being 11 witnesses the SSM refused to take any action.
30	S365	980	21	M	N	2002	Phase 1 Pirbright Trainee Witnessed various assaults on fellow recruits by a named NCO. Was assaulted by same NCO and threatened with a hot iron. Having reported the incident he was victimised by NCO's and was eventually discharged having been told that his allegation was 'not proven' following an SIB investigation.
31	D840	991	N/K	M	N	N/K	Alleges that while posted to Aldershot was attacked by three other soldiers who put a plastic bag over his head and left him to suffocate. Appeared in a newspaper article, not interviewed by Surrey Police.

SURREY POLICE

Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
32	M67	1023	N/K	F	N/K	2002	Member of public witnessed incident involving group of male soldiers surrounding two female soldiers on a canal towpath and removing parts of the females clothing. Witness believes that this may have been horseplay but got the impression that the females had no alternative but to go along with it. The individuals involved have never been identified.
33	S406	1110	21	F	Y	2002	Phase 2 Deepcut Trainee gives general view of regime at Deepcut. Was aware that some of the female trainees were sleeping with male NCO's. Felt that all the recruits were subjected to 'blanket punishments' and therefore people were reluctant to report incidents as they knew everyone would be punished regardless of fault.
34	S474	1115	28	F	Y	2002	Phase 2 Deepcut Trainee makes general observations about having witnessed racial abuse by NCO's. Was aware that female trainees were exchanging sexual favours with NCO's for an easier life.
35	D2577	1126	N/K	F	N	N/K	Phase 2 Deepcut Trainee has alleged that she was subject of an attempted rape in the guardroom during which she was struck on the head with a rifle rendering her unconscious. She was too scared to report the incident so told the duty NCO she had been messing around. She was off sick for 5 months and on the day after her return to work she was attacked and raped by the same person. The allegation was investigated by the MOD Police but no action was taken due to insufficient evidence.

SURREY POLICE

Ref.No.	Statement/ Doc. Number	Nominal No.	Age at time	Gender	Still Serving?	Year of Incident	Incident Details
36	S469	1209	19	F	N	2001	Phase 2 Deepcut Trainee alleges that she was approached at night by a named NCO who was drunk who indecently assaulted her. She reported the matter to the SIB but later withdrew the allegation.
37	S500	1244	20	M	N	2002	Phase 2 Deepcut Trainee talks about regime in general and claims that the recruits were poorly treated by the NCO's. Is being treated for depression and puts this down to the effect Deepcut had on him.
38	S420	N1076	N/K	F	N	2001	Phase 2 Deepcut Trainee went to guardroom to report that she had been raped. As a result she was told that she would be disciplined for being in the male accommodation. She decided not to take the matter any further. The allegation was later investigated.

SURREY POLICE

Appendix 7



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**DIRECTOR GENERAL OF
 PERSONAL SERVICES**
19 MAY 1988
MINISTRY OF DEFENCE

Your reference

Our reference D/A Org & Sec/4/5/3

Date 18 May 1988

BULLYING AND INITIATION CEREMONIES IN THE ARMY

INTRODUCTION

1. Following the Adjutant General's investigation of bullying and initiation ceremonies in the Army it has been found that although the number of substantiated cases remains comparatively few, with the problem in general being exaggerated by the media, many of the cases which have come to light have been of a vicious and depraved nature. All are most damaging and abhorrent to the Army and tend to indicate a failure in some fundamental areas of man-management. The statistical evidence shows that most of the cases of bullying have taken place in training establishments, whereas initiation ceremonies have been entirely in the Field Army.

2. It is considered that the causes of such behaviour not only stem from the behaviour of society at large but are aggravated by the fact that the Army selects from a society that is less physically and mentally prepared, on entry, for service life than would have been the case a few years ago. Some have also been encouraged by the misguided notion that there is a need to 'initiate' those joining an 'elite'. It is also apparent that the problem has been exacerbated, to a large extent, by the constant reduction and erosion of resources, particularly in the training organisation, whilst at the same time commitments and pressures have increased. The fact that such behaviour appears in some cases to have gone unnoticed is due in part to a fall off in 'off duty' supervision and reduced communication and contact between officers, WO's, NCO's and their soldiers.

3. To overcome these problems and to create an environment in which such unacceptable practices will be less likely to occur in the future, a number of measures costing some £2.1M a year were agreed by the Army Board on 21 April 1988. These measures, together with the implementation action required, are shown below.

ITO MANPOWER LEVELS

4. In order to allow officers and NCOs in the ITO to concentrate on their primary role of training and supervision, the Army's MPT is to be increased by 102 posts. This will not only permit posts to be re-established specifically for administrative purposes but will also release officers and NCOs to carry out their supervisory duties. Additionally it will help to alleviate the unacceptably high pressure in certain areas of the ITO. The re-established posts are to provide for 22 extra company second in commands, a further 14 CQMSs and 66 more corporals in training units.

5. DASD is to arrange with CTAD for MPTs and establishments to be adjusted to reflect these increases. MS and DM(A) are to take the necessary action to implement these posts by 31 March 1989.

6. In addition to these extra posts, there is also a need to determine the optimum ratio of corporals to recruits as well as the overall manpower levels required in training units. The General Staff Study of the ITO, with the assistance of CTAD's Inspectorate and ASTS, is to be invited to examine these requirements, although it is hoped that any further additional bids for manpower that emerge will be subsumed in any reorganisation of the ITO. DGT&D(A) is to arrange for the Study to take account of this requirement.

WOMEN'S ROYAL VOLUNTARY SERVICE (WRVS)

7. It may be that in our efforts in recent years to expand welfare services for the family we have neglected the needs of the single officer and soldier. As a means of helping to redress this and particularly to provide a more humanising influence, it is intended to expand the number of WRVS ladies in accordance with the following phased programme:

- a. Phase 1. From 1 September 1988 to provide 27 additional ladies for the adult and junior training organisation.
- b. Phase 2. From 1 January 1989 to provide a further 4 ladies to look after the major units in Cyprus and for Mount Pleasant Airfield in the Falkland Islands.
- c. Phase 3. From 1 November 1989 to provide an extra 61 ladies to allow for one per major barrack complex in BAOR, NORTHAG and Berlin.

An additional personnel manager post at HQ WRVS to coordinate recruitment, training and administration has also been authorised with effect from 1 July 1988.

8. DGPS(A) is to make the necessary arrangements with the WRVS for the additional 92 ladies and the HQ WRVS management post to be recruited and deployed in accordance with the programme. It should be noted that agreement has also been given to increase the remuneration of each WRVS lady to £400 a month.

TRAINING

9. General. There are insufficient time and resources available to complete full individual and low level training in field force units. This is already affecting morale and has reduced the

opportunities for young officers and NCOs to establish informal contact with their soldiers. This is a complex matter which has already been the subject of much study, but it is to be further considered by DGT&D(A) and the chain of command.

10. Man-Management Training.

a. Officers. More emphasis on man-management training of young officers is clearly required. In particular, officers must be made to realise the totality of their responsibility in respect of their soldiers, to see the importance of high moral standards and the need for better communication and greater involvement in after hours activities. To achieve this DGT&D(A) is to review the content and extent of man-management training on all officers' courses (including special to Arm) up to and including the Staff College course. Particular emphasis is to be given to man-management training on young officer special to Arm courses and guidance given to commanding officers to assist them in teaching young officers their responsibilities in this vital area.

b. WOs and NCOs. DGT&D(A) is also to review the content and amount of man-management training on WO and NCO courses.

11. Instructors. The selection and induction training of instructors for training establishments has also been reviewed and it has been agreed that:

a. DGT&D(A) is to incorporate into ASTS Training and Management courses, specific instruction relevant to man-management in units of the ITO. This course is to be mandatory for either the second in command or the training officer of every training unit.

b. A man-management training pack is to be prepared by DGT&D(A) which is to be included in the training of all instructors posted to recruit training establishments. This pack will provide guidance for officers required to teach man-management to NCOs - especially junior NCOs - and will pay particular attention to the man-management of recruits.

12. Training Aids. To assist with this training the Army Man-Management Pamphlet is being reviewed and is to be used in conjunction with the training pack prepared by DGT&D(A).

13. Tempo of Recruit Training. The recommendations of the study into the content of the CMS(R) have been examined by CTAD with a view to ensuring that recruit training programmes are confined to meeting only the training objectives laid down for CMS(R). Pressures on training staff can lead to recruits being pushed too hard; thus reducing these pressures should diminish the opportunities for bullying.

RECRUIT SELECTION

14. It is intended to achieve better screening of recruits at an earlier stage in order to sift out those who are insufficiently robust to withstand the rigours of training. As part of this, APRE are examining the feasibility of identifying the motivation of recruits; if such motivation can be determined during selection it

may go some way to improve the selection standard and therefore decrease the number of poorly motivated entrants. DAR is to submit his findings on this to the Adjutant General later this year.

MEDICAL

15. To reduce the number of physical failures, and thus potential complainants, recruit medical screening is to be improved by:

a. Enhancing the briefing of civilian medical practitioners (CMP) on service medical requirements and the rigours of military training in order to reduce the number of borderline physical cases being accepted. CMPs will attend a training day once a year and DAR, in conjunction with DGAMS, is to implement the scheme by 31 March 1989.

b. Providing training units with more experienced CMPs who are better able to identify particular problems and advise commanding officers accordingly. In addition, 5 particular Depots whose medical support is currently provided on a part-time basis are to be given increased medical cover. DGAMS is currently studying these proposals and is to advise the Adjutant General by 30 June 1988 of their implementation date.

16. As a further medical enhancement, the already agreed provision of 10 additional UK based civilian doctors for continuity of family care in BAOR, will release uniformed medical officers for closer involvement with the soldier. DGAMS is considering the most effective future employment and deployment of these officers and is to advise the Adjutant General in due course.

DETERRENCE

17. To deter bullying and other unacceptable behaviour DGPS(A) has issued instructions on the following measures which are to be implemented forthwith:

- a. The banning of improper initiation ceremonies.
- b. The handling of alcohol abuse.
- c. The need for closer after hours supervision, and for formal inspection of accommodation.

18. In addition, the chain of command is to continue to ensure that when allegations of bullying or initiation ceremonies are made the following action is taken:

- a. They are reported without delay.
- b. The necessary advice is sought from SIB/RMP.
- c. All claims or complaints are fully investigated and those substantiated are dealt with firmly.

The necessary instructions covering these matters have also been issued by DGPS(A).

Traditionally, significant numbers of young officers and SNCOs have lived in barracks and provided the necessary supervision and contact during off-duty hours. Although single personnel over the age of 30 will be entitled to similar allowances to married personnel, as a means of further deterring bullying and initiation ceremonies there is a requirement to ensure that single officers and SNCOs are not needlessly driven to live out of barracks by deteriorating standards in mess accommodation and life.

SUMMARY

20. The Adjutant General is extremely grateful for the way that the chain of command grasped the problem of bullying and initiation ceremonies and the actions that everyone has taken in reducing the likelihood of such acts occurring again. He considers that the additional manpower for the ITO, the proposed improvements to management training and recruit screening, together with the WRVS and medical enhancements will do much to assist the Army in this respect.

21. Finally the Adjutant General believes that without wishing to over-emphasise the problem, commanders at all levels will need to maintain the necessary degree of vigilance to prevent a re-occurrence of such acts in the future.


Major General
for Adjutant General

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D Mil Svy
DSF
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DMS(C)
DM(A)
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DASCB
LOBG
Col A Org & Sec
Col AGIS
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D Sy(A)
CG
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PM(Army)
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DAEd
DALS
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 DASD
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Appendix 8

Text of letter written by Sean Benton to his parents (original handwritten)

Dear Mum, Dad,

I don't know what to say really, except I'm sorry I'll always love you all. I'm not doing so well here, I'm getting into so much shit lately most of it through drink. As you know I was jailed for 10 ten days for braking two windows by the C.O, but you didn't know that he put me on a 3 month bender, which means if I get charged again I'll be discharged, but I got drink on the 2nd of this month (THURSDAY) down a pub called the Staff and I said fuck off, quite a few time to [Lieutenant C] and then I said to [Lance Corporal(f) E] If you put me on guard again on a weekend I'll shoot ya, I was then warned for orders and put in front of the O.C. (officer, commanding) and he charged me 9 days R.O.Ps & a weeks fine I got marched outside of his office by the S.S.M. (squadron sargent major) & then I was marched back into the OC,s office & he said he was going to apply for me to be discharged from the Army. I really wanted to stay in and fight for the Country & I was ready to even die for this Country, I really wanted to make you proud of me, I don't think I could really come home again knowing that I've let you down after being discharge, I'm to embarresed by it, I'm sorry!, My clothes can one of you sort it out between yourselves, I'm leaving my white Spurs shirt to a good mate [Private K], that his last two No.s of his regimental No. I've been billed for clothing so can you get the Army to sort out the insurance, also the insurance man said I could claim for the windows that I broke. For ages I been trying to apply for a weeks leave but they wouldn't let me have it (B, Sqn N.C.O.s & the SSM that is) & they all knew that I needed a brake from blackdown & that I was cracking up but they just said I wasn't entitled to it, so can see [...] & ask her if she could see a lawer to see if you can get anything out of this, ask her to get the lawer to have a look at my Army Medical reports, thanks

Love Sean xxx

Text of letter from Sean Benton to [Sergeant B]

To [Sergeant B],

I'm sorry for what I'm doing but I just can't except being discharged I'm to embarressed to go home and I don't want to have a factory job I just wanted a career in the Army, I know it's my fault for the things that I done wrong but only if I got a weeks leave when I applied for it (many times that is) thing's could have been different, I could of calmed down, instead of building all my problems up & then getting drunk & bursting into flames.

Sgt, I'm leaving my Spurs shirt to a [Private K] I think (Male) 11DW I think. It needs washing it's got splash marks of polish.

Oh by the way can you thank [Sergeant L] [Sergeant D] & yourself & Sgt [...] for helping me out when I were in trouble, & I didn't mean to say that you were an arsol, it just came out without myself thinking about it

Benton

Text of letter from Sean Benton to his friend [Private K]

To [Private K],

You've been a good mate keep on smiling & you'll go a long way & don't let anything or anyone crack you up. Just learn by my mistakes, by the way I'm giving you my (white) Spurs shirt it needs washing, it's got a little but of polish marks on it, I'll see you whenever

Benton

Keep this letter
for prove of the white
Spurs shirt
SHBenton

Appendix 9

Army form A 2.

The lowest classification of this form is 'RESTRICTED' when it includes the proceedings of a Board of Inquiry or Regimental Inquiry.

RECORD OF PROCEEDINGS

of a¹ Board of Inquiry

assembled at The old All Arms Quartermasters' Wing, The School of Logistics
Princess Royal Barracks, Blackdown, Deepcut.
on the 10th July 1995

by order of² Commander 2 (South East) Brigade

for the purpose of³ Investigating the circumstances surrounding the death of
25034585 Pte Benton S H, B Sqn, Trg Regt and Depot RLC at The Princess Royal
Barracks on 9th June 1995.

PRESIDENT Major RLC

MEMBERS { Captain RLC
Warrant Officer (Class One) LI

The following person[s] ~~was~~ [were] in attendance throughout ~~the~~ [part] of the proceedings
in accordance with [Rule] ~~11~~ [11] of the [Board of Inquiry (Army) Rules, 1956] ~~Regulation~~
~~11 of the Regulations 1956~~ :-

522842	Maj Gascoigne R J	Cpl
	SSgt	Cpl
	Sgt	A/LCpl
	Sgt	Pte
		Pte
		Pte

*~~None~~ [They were] [unrepresented.] ~~None~~

The Board of Inquiry, having assembled pursuant to the convening order
attached at page 2 proceed to [record evidence [on oath]⁴ beginning at page 3.] [hear evidence [on
oath]⁴ in accordance with the transcript attached hereto.] (or as the case may be)

The findings *{and opinion} of the Board of Inquiry are attached at page

** Strike out where not applicable*

- 1 Although primarily intended for boards of inquiry and regimental inquiries convened under A.A., 1955 ss, 135 and 137 respectively, this form may be used for committees, etc., and this space may be filled in accordingly.
 - 2 Insert here the authority, or the rank, name and appointment of the officer convening the board of inquiry or as the case may be.
 - 3 Here set out the terms of reference as set out in the order convening the board of enquiry or regimental inquiry.
 - 4 This may only be struck out where a regimental inquiry has not been instructed to examine witnesses on oath.
- NOTE: In the case of a board of inquiry or a regimental inquiry the proceedings must be signed by the president and by each of the members. Attention is drawn to the Board of Inquiry (Army) Rules, 1956 or to the Regimental Inquiry Regulations 1956, whichever is applicable



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Our Reference G1/1269

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Date 28th Jun 95

CONVENING ORDER
BOARD OF INQUIRY

1. A Board of Inquiry, composed as under, is to assemble at a time and place to be nominated by the President, to investigate the circumstances surrounding the death of 25034585 Pte BENTON SH, B Sqn, Trg Regt & Depot RLC at Princess Marina Bks on 9 Jun 95.

President: Maj RLC

Member:)
) to be nominated by HQ Deepcut Garrison
Member:)

2. The Board is to investigate all the circumstances and record all evidence relevant to the Inquiry. The Convening Officer directs that witnesses appearing before the Board shall give evidence under oath.

3. The undermentioned are to be given the opportunity of being present and represented in accordance with the provisions of the Army Act 1955 s 135 (4):

- Sgt
- Cpl
- Pte
- Pte
- Pte

4. The President is to call any person who he feels will assist with the Inquiry. The SIB Report may be accepted in its entirety as evidence in accordance with Rule 12 Board of Inquiry (Army) Rules.

5. The Board is to report on:
- a. The circumstances leading to the death.

/SE

b. Without prejudice to the generality of the foregoing, the Board is to specifically report on:

(1) The adequacy of orders and procedures for guards and ammunition within Trg Regt and Depot RLC.

(2) Whether there should be a review of orders and procedures in light of the occurrence.

6. The military witnesses as listed in para 3 above are ordered to attend.

7. The attention of the President is directed to:

a. The Board of Inquiry (Army) Rules 1956 (MML Part 1, Page 812).

b. QRs 1975, Chapter 5, Annex A.

8. Once the Board has been furnished with the findings of the Commander's Court in this case (due to commence 6 Jul 95), it is to record its findings, express opinions and make recommendations as necessary, although no recommendations in respect of disciplinary measures are to be entered into.

9. The President, on finalising the Inquiry is to forward the original and 3 copies of the Record of Proceedings. (AFA2) to this Headquarters.

RO2
for Comd

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Action:

HQ Deepcut Garrison
Board President
Board Member (2)
Trg Regt & Depot RLC

Information:

HQ 4 Div (G1)

/SE

EXHIBITS

1. A list of the exhibits gathered by the Board of Inquiry is attached at Annex A to this Record of Proceedings. Certified true copies of witness statements have been signed by the President.
2. Documentary evidence (Exhibits A to F inclusive) was accepted by the Board of Inquiry in accordance with Board of Inquiry (Rules) Army 1955 and the Army Act 1955.

WITNESSES

3. In addition to those witnesses detailed to attend the Board called the following:

Maj	R J	Gasgoigne	RLC	-	OC B Sqn
SSgt				-	ROS for (8-9 Jun 95)
Sgt				-	RP Sgt
Cpl				-	RP Duty NCO (8 Jun 95)
ALCpl				-	RP Security duty NCO (8 Jun 95)

4. All the witnesses gave evidence under oath. Having been given the opportunity to be present throughout and/or represented, none sought to do so.
5. Subsequent paragraphs are, therefore, solely based upon both documentary and verbal evidence provided to the Board of Inquiry. The statements by the witnesses given to the SIB RMP are at Annex B.

BACKGROUND

6. Pte Benton joined the Army on 24 June 1994 and on completion of basic training at ATR Pirbright was posted to the Trg Regt & Depot RLC for Phase 2 trade training as a driver. Between November 1994 and January 1995 Pte Benton attended 2 driver training courses at ASMT Leconfield. On both occasions he was Returned To Unit (RTU) on the grounds of unsuitability. As a result of his second RTU, Pte Benton agreed to retrain as a Pioneer. As a result of 3 disciplinary actions and his general behaviour, his Commanding Officer placed Pte Benton on a 3 month warning.
7. As a result of this 3 month warning Pte Benton's change of trade training was delayed. Whilst on his warning Pte Benton was employed on Military Skills training and general duties.
8. Pte Benton had been referred to the consultant psychiatrist at CMH Aldershot on 2 occasions since Feb 95. The first referral thus resulted from self inflicted injuries caused by banging his head against a glass panelled door and the second was due to a 'potential' overdose of up to 20 or so aspirin type pain killers. The statement given by the unit MO states (see Tab 2 at Annex B) that Pte Benton was not suffering from any psychiatric illnesses.
9. Pte Benton was counselled about his attitude towards authority, behaviour and disciplinary record. This counselling was given in light of Pte Benton's keenness to become a soldier and stay in the Army.

10. Pte Benton was seen by his OC on 8 June 1995 in respect of 2 disciplinary charges for which he was awarded a f150 fine and Restriction of Privileges. After being formally disciplined Pte Benton was interviewed by his OC who informed him that his discharge was being applied for. Pte Benton was still subject to a 3 month warning at this time. The 3 month warning certificate is at Annex E.

CIRCUMSTANCES - OUTLINE OF EVENTS 8 JUNE 1995

11. Pte Benton paraded with those personnel on 24 hour guard duty at hours on 8 June 1995. Pte Benton had been warned off for duty on B Sqn Daily detail as shown at Serial 7545 (Exhibit C). On parade Pte Benton caused a fracas and as a result was marched off to the guardroom. The remainder of the guard were then briefed by the duty Regimental Police Security NCO.

12. As Pte Benton was part of the guard reserve and due to the fact that he was not required for actual guarding, he was stood down. Later that morning he appeared in front of his OC on disciplinary charges. These charges were unconnected with his behaviour during guard mount.

13. Pte Benton again reported for guard parade at hours that evening. Pte Benton again was detailed for Guard Reserve, and would have in normal circumstances been available to the Guard Commander for armed duty that evening if required. However, the Guard Commander had been warned by B Sqn staff that Pte Benton had been awarded a punishment and that his discharge had been applied for. The Guard Commander being aware that Pte Benton's pride was hurt at having his discharge applied for, and in light of his behavioural problems, decided that under no circumstances would Benton be placed on any armed duties. This was made known to the Guard 2IC, Cpl . Pte Benton was employed by the Guard Commander to accompany him on his security rounds.

14. The Guard Commander kept Pte Benton under his wing during the evening so that Benton could not get himself into any more trouble. At approximately 2330 hours on 8 June 1995 Pte Benton was stood down and directed to go to bed.

15. Pte Benton was next seen by Pte shortly after 0100 hours on 9 June in the Series 11 accommodation block (which was being used as temporary accommodation whilst the main guardroom accommodation facilities were being redecorated). Pte had just completed a period of sentry duty. On seeing Pte Pte Benton indicated that he would wake her in time for her 0500 to 0700 hours period of duty.

16. The Board have no knowledge of Pte Benton's whereabouts until approximately 0530 hours when he approached sentry point A8 (see map at Annex C) and asked for Pte . On finding Pte he informed her that the Guard Commander wished to see her and that he was her relief. Pte then handed over her weapon, JSP 380 (ROE) and a magazine of rounds. Pte then ran to the Guardroom.

17. Moments after Pte had left, Pte Benton told the other sentry on duty at A8, Pte , that he was going to 'prowl' the

fence line adjacent to the Commanders' Officers' Mess. Shortly after and before the return of Pte [redacted], Pte [redacted] heard a single shot. When Pte [redacted] returned, the firing of a shot was mentioned. Pte [redacted] directed Pte [redacted] to inform the Guardroom.

18. Shortly afterwards (this (within 5 minutes) the Guard 2IC arrived by vehicle. Pte Benton, having being spotted, was approached by the duty driver and guard 2IC. However before they had got reasonably close, a short burst of fire was heard. On reaching Pte Benton's position it became clear that he had gunshot wounds to his upper body. The emergency services were summoned by radio and the first aid box was sent for.

PROCEDURES FOR GUARDS AND WEAPONS

19. Procedures for the mounting of guards, including their orders and duties are contained in Trg Regt & Depot RLC Security Standing Orders Part 3 Chapter 2 (Exhibit A). The details are lengthy and include specific instructions for some sentry posts/access points and duties.

20. No specific instructions exist for the Brunswick Road gate (A8) or the Royal Way gate (A2A).

21. Routine. In the absence of any specific detail as to the manner in which guard personnel are briefed, the Board took evidence from the RP SNCO (Exhibit F). In essence the Board have established that:

- a. The guard is warned for 24 hour duty parade, at [redacted] hours on the day of duty. The guard is inspected by the RP duty NCO and briefed by the RP duty security NCO.
- b. On completion of the briefing, it is alleged that the guard are required to sign a certificate stating that they have had their orders read to them. The existence of this certificate has not been proved.
- c. The Reserve Guards, unless required to stand in for another member of the guard is stood down until the second half of the guard (the evening mount) is paraded.
- d. Each member of the guard is allocated a weapon at the start of their period of sentry/prowler duty. Each individual is required to sign out and in their weapon, ammunition and JSP 380 (Exhibit F).
- e. The Guard Commander of the day mounts and briefs the combined guard at [redacted] hours. This is done in the presence of the Regimental Orderly Sergeant. Reserve guards, unless required, are stood down.
- f. The Reserve Guards are not issued or allocated a weapon.
- g. The guard unless on duty are restricted to the guardroom (or designated accommodation) at all times.

h. During the day the guard is posted by a member of the RP staff.

i.

j.

22. Weapon Security. The Standing Security Orders for duty personnel includes (where applicable) the following statement

"You are to sign out/in your allocated weapon and ammunition at each change of duty on the Allocation Sheet (Exhibit E) held by the Guard Commander. You are personally responsible for the safe custody and handling of the weapon and ammunition in your charge during your tour of duty".

Example is at Tab 1 to Exhibit A

23. Authority For Arming. Guards were armed in accordance with current MODUK policy authorizes to be maintained. The reference document is the Monthly Threat Assessment. The Trg Regt & Depot RLC Instruction relating to the arming of soldiers is at Exhibit B.

FINDINGS

24. The Board finds that Pte Benton, knowing of the routine and procedures in force deliberately made his way to a secluded sentry post and relieved a sentry of her post. There is little doubt that Pte Benton knew who would be on duty. The Board can only conclude in this finding that Pte Benton put into action a carefully constructed plan of deception and intended to take his own life. This finding is based upon the fact that Pte Benton conversed with Pte at 0130 hours on 9 Jun and indicated that he would wake her for her 0500 to 0700 hours period of duty. Additionally as he had not gone via the guardroom he must have known which post Pte was on duty at.

25. The Board on investigating this matter, and in their review of the relevant Security Instructions in force note a number of procedural anomalies, which should be addressed. These are as follows:

a. No specific instructions exist for the Brunswick Road (A8) or Royal Way Gate (A2A).

b. The Instructions do not include an order stating that weapons are not to be handed over between individuals unless directed to, and in the presence, of a member of the RP Staff, Guard Commander or 2IC Guard.

c. No set procedure for the delivery of orders to guards exist. (It is left to the RP Staff and Guard Commander to determine what should be briefed).

d. The procedures for posting reliefs is not always followed.

26. The Board conclude that the above observations would in all probability not have affected Pte Benton's intention to take his own life.

27. The Board also determined that Pte [redacted] having seen Pte Benton in uniform on parade, in the Guardroom, the vicinity of the Guardroom and in the Guard Accommodation would have had no reason to suspect that Pte Benton was not a legitimate member of the guard. The Board conclude in their finding that Pte [redacted] would have had no reason to suspect that when relieved at 0530 hours 9 June 1995, she was not legitimately relieved by a member of the guard. We conclude, that she was tricked and naive.

RECOMMENDATIONS

28. The Board of Inquiry recommend that the Security Instructions are reviewed to ensure that:

- a. Adequate instructions exist for all sentry posts.
- b. Reliefs are posted by the Guard Commander, Guard 2IC or RP Duty staff.
- c. A standardized Guard Commanders Order to the guard format is adopted. (The recognized format is at Annex D).
- d. Guards are clearly told that they are not to handover their weapons or ammunition unless specifically ordered to do so by a member of the RP Staff, Guard Commander or Guard 2IC.
- e. Orders are clearly displayed in the Guardroom.
- f. The Guard and Guard Reserve are paraded as 2 separate contingents.
- g. Guards are rotated between posts during their period of duty thereby safeguarding against complacency.

Major
President

Captain
Member

Warrant Officer Class One
Member

Dated 20 July 1995

Appendix 10

Army Form A 2.

The lowest classification of this form is 'RESTRICTED' when it includes the proceedings of a Board of Inquiry or Regimental Inquiry.

RECORD OF PROCEEDINGS

of a¹ BOARD OF INQUIRY
 assembled at HQ RLC TRG GP, THE PRINCESS ROYAL BARRACKS BLACKDOWN, DEEPCUT, CAMBERLE
 SURREY GU16 6RW
 on the 11 JANUARY 1996 19
 by order of² COMMANDER HQ 2 (SE) BDE

for the purpose of³ Investigating the circumstances surrounding the death of
 W1031325 WPTE C M JAMES RLC, B Sqn, Trg Regt and Depot RLC
 at The Princess Royal Barracks on 27 November 1995.

PRESIDENT	MAJOR	
MEMBERS {	CAPTAIN W02	RLC AGC (SPS)

The following person[s] [was] [were] in attendance throughout [the whole] [part] of the proceedings in accordance with [Rule] [Regulation] 11 of the [Board of Inquiry (Army) Rules, 1956] [Regimental Inquiry Regulations, 1956]:—

*[He was] [They were] [unrepresented.] [represented by—]

The Board of Inquiry , having assembled pursuant to the convening order attached at page 2 proceed to ~~record evidence [on oath] beginning at page 3.~~ [hear evidence [on oath] in accordance with the transcript attached hereto.] (or as the case may be)

The findings *[and opinion] of the Board of Inquiry are attached at page 6 .

**Strike out where not applicable.*

- 1 Although primarily intended for boards of inquiry and regimental inquiries convened under A.A., 1955 ss. 135 and 137 respectively, this form may be used for committees, etc., and this space may be filled in accordingly.
 - 2 Insert here the authority, or the rank, name and appointment of the officer convening the board of inquiry or as the case may be.
 - 3 Here set out the terms of reference as set out in the order convening the board of inquiry or regimental inquiry.
 - 4 This may only be struck out where a regimental inquiry has not been instructed to examine witnesses on oath.
- NOTE: In the case of a board of inquiry or a regimental inquiry the proceedings must be signed by the president and by each of the members. Attention is drawn to the Board of Inquiry (Army) Rules, 1956 or to the Regimental Inquiry Regulations 1956, whichever is applicable.



HEADQUARTERS 2 (SOUTH EAST) BRIGADE
SOMERSET HOUSE, SIR JOHN MOORE BARRACKS
SHORNCLIFFE, FOLKESTONE, KENT CT20 3HJ

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Our Reference G1/1269

See Distribution

Date 3rd Jan 96

CONVENING ORDER
BOARD OF INQUIRY

1. A Board of Inquiry, composed as under, is to assemble at a time and place to be nominated by the President, to investigate the circumstances surrounding the death of W1031325 Pte JAMES CM, Trg Regt & Depot RLC at Princess Royal Bks on 27 Nov 95.

President: - School of Logistics

Member:)
) to be nominated by HQ Deepcut Garrison
Member:)

2. The Board is to investigate all the circumstances and record all evidence relevant to the Inquiry. The Convening Officer directs that witnesses appearing before the Board shall give evidence under oath.

3. The undermentioned are to be given the opportunity of being present and represented in accordance with the provisions of the Army Act 1955 s 135 (4):

RLC - Depot & Trg Regt RLC
- 3 RSME
RLC - Depot & Trg Regt RLC

4. The President is to call any person who he feels will assist with the Inquiry. The SIB Report may be accepted in its entirety as evidence in accordance with Rule 12 Board of Inquiry (Army) Rules.

5. The Board is to report on:

a. The circumstances leading to the death.

/SE

b. Without prejudice to the generality of the foregoing, the Board is to specifically report on:

(1) The adequacy of orders and procedures for guards and ammunition within Trg Regt and Depot RLC.

(2) Whether there should be a review of orders and procedures in light of the occurrence.

6. The military witnesses as listed in para 3 above are ordered to attend.

7. The attention of the President is directed to:

a. The Board of Inquiry (Army) Rules 1956 (MML Part 1, Page 812).

b. QRs 1975, Chapter 5, Annex A.

8. The Board is to record its findings, express opinions and make recommendations as necessary, although no recommendations in respect of disciplinary measures are to be entered into.

9. The President, on finalising the Inquiry is to forward the original and 3 copies of the Record of Proceedings. (AFA2) to this Headquarters.

RO2
for Comd

Distribution:

External:

Action:

HQ Deepcut Garrison
Board President
Board Member (2)
Trg Regt & Depot RLC

Information:

HQ 4 Div (G1)

HQTC 1211 G1

18 Jan 96

Comd 2 (SE) Bde (through S03 G1 HQ RLC Trg Gp).

BOARD OF INQUIRY - W1031325 PTE JAMES C M RLC (DECEASED)

1. The findings of the Board of Inquiry into the death of W/Pte James are attached.

2. This Record of Proceedings is compiled as follows:

a.	<u>Army Form A2</u>	Page 1
b.	<u>Convening Order</u>	Pages 2-3
c.	<u>Contents</u>	Pages 4-5
d.	<u>General</u>	Pages 6-9
	(1) Terms of Reference.....	Pages 6-7
	(2) Procedure and Evidence	Pages 7-8
	(3) Time of Incident	Pages 8-9
e.	<u>Orders and Procedures for Guards and Ammunition</u>	Page 9
	(1) Servicewomen on Guard Duty	Page 9
	(2) Arming State	Page 9
f.	<u>Reason or Motive</u>	Pages 10-11
	(1) Relationships	Page 10
	(2) Alcohol	Page 10
	(3) Dissatisfaction with the Army	Page 10
	(4) Guard Duties	Page 10
	(5) Family Background	Pages 10-11
	(6) Anecdotal Evidence	Page 11
	(7) Pte Wilkinson	Page 11
	(8) Conclusions about Reason and Motive	Page 11
g.	<u>Training and Supervision</u>	Pages 11-13
	(1) Training Ethos	Pages 11-12
	(2) Phase 2 Training	Page 12
	(3) Character Development	Page 12

	(4)	Structure and Culture	Page 12
	(5)	Alternative Solutions	Pages 12-13
h.		<u>Pastoral Care</u>	Pages 13-14
	(1)	Alcohol	Page 13
	(2)	Sexual Behaviour	Page 13
	(3)	Off Duty Supervision	Pages 13-14
	(4)	Undesirable Influence	Page 14
i.		<u>Findings and Opinion of the Board</u>	Page 14
j.		<u>Recommendations</u>	Pages 14-15
k.		<u>List of Flags</u>	Page 15

BOARD OF INQUIRY - W1031325 PTE JAMES C M RLC (DECEASED)

References:

- A. HQ 2 (SE) Bde G1/1269 dated 3 Jan 96 - Convening Order.
- B. 31 Sect SIB RMP CCRIO No 02696/95 dated 29 Nov 95 - Initial Case Report.
- C. Trg Regt and Depot RLC P/James dated 5 Jan 96 - Report on Coroners Inquest.
- D. MML Schedule 9, Rules of Procedure (Army) 1972.
- E. QRs 1976 Annex A, Boards of Inquiry.
- F. HQDT/28/3 dated 5 Jun 93 - Single Entry Implementation Plan
- G. UKLF ATSM Ops 2 (UK) 4303 dated Jul 94.
- H. HQ RLC Trg Gp HQTG 1550 G1 dated 14 Dec 96.
- I. Trg Regt and Depot RLC Security Standing Orders.
- J. HQ RLC Trg Centre and Deepcut Garrison HQTC 2000 G2 dated 5 Oct 94.
- K. Board of Inquiry, Pte SH Benton RLC (Deceased) Jul 95.

GENERAL

1. The Board of Inquiry assembled at The Princess Royal Barracks, Deepcut, Surrey on Thu 11 Jan 96 to investigate the circumstances surrounding the death of W/Pte James, as directed at Reference A. At the time of her death, W/Pte James was serving in B Sqn the Trg Regt and Depot RLC at Deepcut. She had completed Phase 2 training at ASMT Leconfield on Thu 16 Nov 95 and was awaiting posting; the unit received her posting order by signal on the day she died, Mon 27 Nov 95.

TERMS OF REFERENCE

- 2. The Board was ordered to report on 2 issues;
 - a. The circumstances leading to the death of W/Pte James.
 - b. The adequacy of orders and procedures for guards and ammunition within the Trg Regt and Depot RLC, and whether they should be reviewed.
- 3. It will be seen from what follows that the second task was straightforward. No general review or revision was found to be necessary, although recommendations concerning 2 matters of detail are made below.
- 4. The Board's first task was more complex, requiring it to consider and take a view about a number of inter-related issues. These include the nature and effectiveness of the training process; the structure and culture of the unit responsible for that training; management and leadership within the unit; the attitudes and behaviour of Phase 2 RLC recruits in general; and the personal circumstances of Pte James herself. The Board found itself focusing, in particular, upon the issue of 'out of hours' supervision of Phase 2 recruits. Comd RLC Trg Gp has recently written a review of Phase 2 RLC training which is a comprehensive aid to understanding all these issues. It has been incorporated into the documentary evidence examined by the Board and should be read in its entirety.
- 5. Reference E directs Boards of Inquiry investigating unnatural deaths, to consider the following:
 - a. If the death has apparently been caused by the act or omission of the deceased - the reason or motive.

Flag A

- b. Whether relevant orders were deliberately or negligently breached.
- c. Whether any lack of training or supervision, which should be rectified, was a contributory factor.
- d. Whether the deceased was on authorised leave of absence at the time death occurred; (in this case the deceased was on duty so this question will not be examined further).
- e. The medical cause of death as shown in the death certificate or as given in evidence.
- f. The circumstance which was instrumental in bringing about the death, e.g. a traffic accident, drowning or a fire; (this question is not relevant in this case and will not be examined further).

PROCEDURE AND EVIDENCE

6 The following documentary evidence was admitted by the Board.

- a. The RMP Initial Case Report. This report at contains a précis of events, which is indicated at and which should be read. The Board noted that the Initial Case Report stated that foul play is not suspected and that no further report would be submitted. Consequently the Board has not considered the possibility of foul play.
- b. Report on the Coroners Inquest. The Report on the Coroners Inquest is at The Coroner recorded an Open Verdict. This was to be expected given the lack of direct evidence of suicide, such as a note, or of accidental death, such as a witness.
- c. Statements of Witnesses. Statements to the SIB RMP, provided to the Coroners Office, are at These will be referred to separately as required. Included are the statements of the unit doctor who pronounced W/Pte James dead and of the forensic scientist who testifies that a post mortem examination confirmed that W/Pte James died of a gunshot wound to the head
- d. Trg Regt and Depot RLC Security Standing Orders. Relevant extracts from these orders are enclosed as follows:
 - (1) The Regimental Orderly Officer (ROO), also referred to as the Barracks Duty Officer (BDO).....
 - (2) The Regimental Orderly Sergeant (ROS)
 - (3) The Guard Commander
 - (4) The Guard 2ic / Canteen NCO.....
 - (5) The Static Guard
 - (6) The Royal Way Gate Guard
 - (7) Authority for Arming Soldiers with Weapons or Ammunition
- e. Incident Log Sheets and Guard Reports

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f. UKLF Anti-Terrorist Security Measures (UKLF ATSM). Section 5 of UKLF ATSM which deals with the arming of guards and sentries is at

Flag M

g. HQ RLC Trg Centre and Deepcut Garrison letter. Clarification of UKLF instructions in relation to arming states is included at

Flag N

h. Comd RLC Trg Gp Review of Phase 2 Training

Flag A

i. The Single Entry Implementation Plan. This document written in 1993 details Army policy for the training of Phase 1 and Phase 2 recruits.

Flag O

7. Verbal evidence was taken from a number of witnesses who were able to testify to fact and/or assist the Board in its inquiry into the various issues detailed in paragraphs 2 - 4 above. This allowed the Board to obtain confirmation and amplification of evidence previously presented in statements made to the SIB. Additional evidence was provided by;

a. RLC, the Adjt of the Trg Regt and Depot RLC. He formally presented documentary evidence relating to unit Security Standing Orders and answered the Board's queries as to the implementation of those orders.

b. RLC, the Unit Provost Sgt. He gave evidence about the implementation of unit Security Standing Orders.

c. RLC, the Regimental Sergeant Major of the Trg Regt and Depot RLC. His evidence relates to the time of the incident and to W/Pte James' manner shortly before her death.

8. The purpose of the Board of Inquiry, and the rights of witnesses to be represented and to decline to answer questions which they felt might incriminate them, were explained to all witnesses. Notwithstanding that all verbal evidence was heard on oath, the Board was gratified by the full and frank manner in which all witnesses were prepared to answer the Boards questions.

TIME OF INCIDENT

9. Further to the SIB RMP Initial Case Report at the Board believes it has been able more accurately to deduce the time of the incident but that this does not materially alter the facts of the matter. told the Board that he left his Married Quarter at 0815 hours on the morning in question. He is sure about his time of departure and has subsequently timed his journey to the Royal Way Gate, where this incident occurred, as 4 - 5 minutes. His evidence indicates that the time of W/Pte James' death was nearer to 0820 hours than 0830 hours, the time mentioned in the SIB Initial Case Report, which coincides with the evidence given to the SIB by AGC (ETS) who found the Royal Way Gate unmanned. agreed that he arrived at the Royal Way Gate between 0819 - 0821 hours, where he spoke to W/Pte James. stated to the SIB that he left his house at about 0820 hours and that it took him 3 - 4 minutes to drive to the camp. Thus he found the gate unmanned at about 0823 - 0824 hours.

Flag B

10. This evidence conflicts with statement to the SIB, that he spoke to W/Pte James at about 0830 hours as he drove through the Royal Way Gate. The Board considers recollection of the time at which he spoke to W/Pte James to be imprecise because;

a. is clear about the time he left his home.

b. had to open the Education Centre before the start of the first lesson at 0830 hours.

d. The Guardroom log sheet records the time the Royal Way Gate was reported unmanned as 0825 hours.

Side Flag 4

ORDERS AND PROCEDURES FOR GUARDS AND AMMUNITION

11. The Board found that the Trg Regt and Depot RLC Security Standing Orders contained clear orders and procedures for Guards and Ammunition within The Princess Royal Barracks, and that the relevant orders were well understood in practise by all ranks. Furthermore these orders reflect the requirements of UKLF ATSM (Reference H), with the exceptions detailed below. The Board confirms that the recommendations of a previous Board of Inquiry, Reference K, have been implemented.

SERVICEWOMEN ON GUARD DUTY

12. Paragraph 8.a.(3) to Annex D to Section 5 of UKLF ATSM states that;

"Servicewomen may be armed and employed on the same basis as adult male soldiers. The only proviso is that, where possible, armed Servicewomen should be accompanied by male personnel. If this is not possible, Servicewomen are to be employed in 'pairs'."

13. Thus the unit was mistaken in believing it could employ Servicewomen, armed and alone, on guard duties. This has now been rectified in accordance with UKLF ATSM and the Board recognises the additional strain these caveats now impose on the unit's guard roster. The Board notes the impracticability of ensuring Servicewomen are always employed in pairs and, in the light of evidence presented to the Board concerning sexual misconduct by Phase 2 recruits, questions whether employing male and female recruits in pairs on isolated guard duty is a sensible option.

14. Although it is possible that the presence of another recruit on guard in the same location may have discouraged W/Pte James from shooting herself, it is the Board's clear opinion that the unit cannot, by inference, be held responsible for W/Pte James' death! In this context it should be noted that W/Pte James was indeed in the company of others until moments before she shot herself. It is the opinion of the Board that, in such a circumstance, W/Pte James would still have been subject to the same pressures and motives and would possibly have found or taken another opportunity to shoot herself.

ARMING STATE

15. The Board found that the unit does not include the current 'arming state' in its orders for the various guards. The Specimen Guard Commanders Orders for Guards, contained at Appendix 1 to Annex E to Section 5 to UKLF ATSM, suggests that units do so. Neither did LCpl Vousden, the duty RP NCO on the morning of the incident, brief the guard about the 'arming state'. He does state though that this is done periodically and the Board, having spoken to various members of the guard, is entirely satisfied that all those on guard duty understood their orders concerning the 'arming state'. Consequently the Board recommends that the written orders for the ROO, the ROS, the Guard Commander and all guard duties, contain a space for the manuscript insertion of the current 'arming state'. The Board emphasizes that this omission in no way influenced the incident under investigation and accepts that the 'arming state' is well understood by all duty personnel. The Board notes that the various 'arming states' are not taught during Phase 1 training or during the Phase 2 Induction Week; it recommends that this is done in future.

Side Flag 5

REASON OR MOTIVE

16. The Board noted various factors which may have been significant. A précis of each is detailed in the paragraphs which follow.

RELATIONSHIPS

17. There is evidence of W/Pte James' tangled emotional and sexual relationships. This is clearly conveyed in the statements made to the SIB by both her boyfriends, [redacted] and Pte [redacted], and by her close female friend, W/Pte [redacted].
Despite the fact that, on the surface, W/Pte James was a robust character, the Board formed the impression that she possessed a somewhat more complex personality. She was not as tough as some of her actions would imply. She remained close to her family and was clearly finding it difficult to choose between her boyfriends. Although by no means an objective witness, [redacted] remarked about her mood swings and said that he felt she was someone who "appeared to be chirpy" rather than someone who "was chirpy". He also said that she did not like herself very much and felt guilty. Of course, these comments were made with the benefit of hindsight after some 7 weeks reflection!

Flag D

ALCOHOL

18. Despite attending a 'block party' the night before, LCpl [redacted] found W/Pte James to be fit for duty [redacted] and the forensic scientist testified that she was not under the influence of drugs or alcohol [redacted]. Thus the Board considers her comments to Pte [redacted] at approximately 0730 hours, that she was 'hung over', to be in the nature of bravado [redacted] although, having only had some 4 hours rest, she was probably tired.

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DISSATISFACTION WITH THE ARMY

19. The evidence concerning her desire to leave the Army is contradictory. Her close friend, W/Pte [redacted], stated to the SIB that "she hated the Army and would try to get out by pretending that she was suffering with migraines" [redacted]. This evidence is supported by that of [redacted]; [redacted] But Pte [redacted] says she did not discuss getting out of the Army with him and indeed wanted to get her posting [redacted].
When W/Pte James saw the unit doctor on 21 Nov 96, 7 days after her final opportunity to apply for Discharge as of Right, an appointment which was required for posting purposes and not requested by her, she was concerned that her slight migraine history should not affect her posting! [redacted]. Her father gave evidence to the Coroners inquest that "his daughter showed no displeasure with the Army and she appeared happy and contented" [redacted].

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GUARD DUTIES

20. Despite the fact that B Sqn was under some pressure to provide guards at this time and the evidence of others that W/Pte James was "sick of doing continual guard duties" [redacted] W/Pte James had only done 2 previous duties since arriving back with B Sqn 10 days before. This appears to be a well used, but in this case unjustified, complaint.

Side Flag 14

FAMILY BACKGROUND

21. Maj Gascoigne and [redacted] both gave evidence about past difficulties in her home and family life. Her Personal File indicates that she was told to leave her home at 15 years of age. [redacted] also described her as a 'tearaway'. Nevertheless she clearly remained in close touch with her parents and spent the weekend prior to her death buying Christmas presents for them. W/Pte [redacted] stated to [redacted]

the SIB that she had "made friends with her [mum] again"
 On balance it would appear that her relations with her parents were encouraging rather than the converse.

ANECDOTAL EVIDENCE

22. told the Board that Mr and Mrs James had told him, when he met them at W/Pte James' funeral, that he was very similar in appearance to her cousin who had died of a drugs overdose, at the same age, on the same date 3 years previously. Apparently some of W/Pte James' relatives held her responsible for this cousin's death as she had known he was taking drugs. The Board has chosen not to pursue this line of enquiry; was not convincing when recounting these details and Mr James did not. Consequently the Board considers that it would be difficult and nugatory to verify these matters, and that to attempt to do so might unnecessarily upset her parents.

PTE WILKINSON

23. The Board feels it may well be significant that Pte spent 45 minutes in more or less intimate conversation with W/Pte James immediately prior to W/Pte James' death (despite her being on duty). There is no evidence that he knowingly said anything to upset her state of mind and they apparently parted company amicably when Pte was told by Major RLC to leave her to her duties, making arrangements to meet that afternoon. Thus whatever the significance of this meeting to W/Pte James, no blame for her death can reasonably be attached to this soldier.

CONCLUSIONS ABOUT REASON AND MOTIVE

24. The Board has not been able to make any qualitative or quantitative judgement about these factors. It is impossible to establish any clear reasons or motive for W/Pte James to shoot herself. Notwithstanding the Coroners verdict, it is the opinion of the Board that W/Pte James shot herself and that the possibility of her action being accidental is negligible. W/Pte James apparently took 6 distinct and positive actions in relation to her weapon and ammunition which were clearly beyond her duty at the time, the omission of any one of which would have meant she would not have been killed;

- a. She removed a charged magazine of 10 rounds from her pocket.
- b. She placed the charged magazine on her weapon.
- c. She cocked her weapon.
- d. She released the safety catch.
- e. She reversed the weapon so that it was aiming at herself.
- f. She pulled the trigger.

25. Equally no other individual or group, military or civilian can be held responsible for her actions! The Board found no evidence that W/Pte James was pregnant nor that she had significant debts.

TRAINING AND SUPERVISION

TRAINING ETHOS

26. The Single Entry Implementation Plan emphasizes the need for a progressive transition from Phase 1 to Phase 2 training, which takes account of the need for soldiers to be encouraged to develop and mature as well as to acquire knowledge and skills. It envisages:

"an ethos linking all Phase 1 and Phase 2 training, with a progressive lifting of supervision and control throughout the period, so as to prepare the soldier for the self-reliance and self-discipline required in the Field Army".

Because of the dislocated nature of RLC Phase 2 training, this progression is particularly difficult for the RLC to achieve.

PHASE 2 TRAINING

27. B Sqn Permanent Staff do not undertake Phase 2 training itself, this being the task of specialist instructors. Having examined the routine of B Sqn in depth and having interviewed at length the squadron commander, Maj R J Gascoigne RLC, the Board concludes that the Trg Regt and Depot RLC already makes strenuous efforts to provide imaginative and progressive training, as reiterated in the Review of Phase 2 Training by Comd RLC Trg Gp, for those recruits who are awaiting Phase 2 courses or posting. The unit is inevitably hampered in this effort by a training process which imposes upon B Sqn a continually shifting population, for whom the squadron has complete command and administrative responsibility but at best marginal and disrupted daily contact. Bluntly, B Sqn Permanent Staff are bound to shoulder the responsibility for the behaviour of recruits over whom they have little opportunity to establish moral authority.

CHARACTER DEVELOPMENT

28. Sadly it is apparent from the evidence of widespread off-duty misbehaviour in barracks involving drink and sex, which this Board has reviewed, that a significant proportion of recruits who enter Phase 2 training are not maturing at the rate which the Army requires. This should come as no surprise at a time when the national media has focused upon a perceived 'moral malaise' amongst young people. This situation is exacerbated by the pressure on ATR Pirbright to 'pass out' as many Phase 1 recruits as possible and the lack of a moral component in Phase 2 training. This Board considers that it is vital to re-introduce into Phase 2 recruit training, the capacity for character development which only high grade leadership, in the context of a stable, cohesive sub unit, can provide.

STRUCTURE AND CULTURE

29. Phase 2 training in the RLC is not ideally structured for the exercise of effective leadership. The system relies instead on the general culture of disciplined behaviour which prevails in the Army at large and on the values inculcated during 10 weeks Phase 1 training. For some recruits this provision is clearly inadequate! No amount of excellent management processes and formal welfare provision can hope to compensate for the lack of sustained exposure to excellent junior leadership which the present training regime imposes upon recruits at the Trg Regt and Depot RLC. The Board recommends that a radical review of Phase 2 RLC training is conducted to achieve synergy between the functions of Command, Administration and Training.

ALTERNATIVE SOLUTIONS

30. The alternatives to radically re-structuring Phase 2 RLC training, if good order and military discipline are to be maintained, can be summarized as;
- a. Impose a level of administrative supervision which will be costly to man and which defeat the laudable aim of progressively developing self-discipline.
 - b. Develop a significantly more effective screening process during Phase 1. In this context it should be noted that W/Pte James was not identified as a 'risk' category Phase 2 recruit. Unfortunately it must be doubted whether present SCAMF figures, let alone the present recruiting climate, will sustain a significant increase in Phase 1 failures.

c. Establish a Remedial Tp for those Phase 2 recruits whom B Sqn identify as problem soldiers who are nevertheless worth retaining. Considerable care would need to be taken though to ensure that these recruits are prevented from adversely influencing others.

d. Retain the existing Phase 2 training structure and accept the risks associated with an essentially functional training process.

PASTORAL CARE

31. It is the opinion of the Board that existing arrangements to occupy the working hours of Phase 2 recruits, are generally good. It was noted, however, that recruits were apparently free during rest periods while on guard duty, to return to their accommodation. In future this should be more rigorously controlled. More significant is the problem of off-duty supervision and the Board makes the following observations;

32. Alcohol. Alcohol is presently routinely taken into barrack accommodation. This is a particular problem when large quantities of drink are purchased outside camp by recruits. The physical layout of the camp means that recruits have no difficulty whatsoever in avoiding the Guardroom when bringing drink into camp; thus the requirement to book in has no deterrent effect at all. The Board recommends that HQ RLC Trg Gp investigate the possibility of using MGS personnel at the main gate to check whether recruits are bringing alcohol into barracks.

33. Sexual Behaviour. Anecdotal, but nonetheless convincing, evidence was given to the Board to the effect that virtually all female recruits had boyfriends, and that virtually without exception they were having regular sexual intercourse in barracks. Despite clearly knowing they are in breach of military regulations, no attempt is made to hide these activities and punishment is no more feared than discovery! There was no evidence of civilian involvement. Clearly this has wider implications for the public image of the Army and its duty of care towards recruits, as well as an impact on operational effectiveness. Such behaviour demonstrably undermines good order and military discipline within The Princess Royal Barracks. To what extent the prevailing conditions of sexual freedom contributed to W/Pte James state of mind is impossible to judge. Clearly though they did nothing to limit the consequences of her tangled relationships!

34. Off-Duty Supervision. While the Board welcomes the proposal to increase the female Permanent Staff to 25%, it notes that most misbehaviour involving drink and sex, occurs in male accommodation and/or in unoccupied accommodation blocks. OC B Sqn is fully aware of the need for off-duty supervision and, in the opinion of the Board, rightly believes that this must, in appearance at least, be relatively informal. Only in this way can the requirement of the Single Entry Implementation Plan to give recruits progressively more freedom, be matched to a continuing need for supervision. A traditional, holistic training structure would mean the presence of Permanent Staff during off-duty hours would not be resented. In the meantime the Board recommends that the following formal measures would increase the Permanent Staff presence during off-duty hours without being unduly intrusive;

a. Unit Duty Personnel. It is recommended that the orders for the ROO and the ROS be re-written to include a tour of male accommodation as well as the barracks. The ROO and ROS should report to OC B Sqn at the beginning of the day in order to be given precise instructions as to where to visit. The orders for the Guard 2ic/Canteen NCO should be revised to ensure his more frequent presence in the NAAFI.

b. Sub-Unit Duty Personnel. When manning levels permit a female NCO should always be present in the female block. In order to cover those times that a female NCO is not available, a security camera linked to the Guardroom should be placed at the entrance to the female accommodation. Alternatively, the Trg Regt and Depot RLC should consider using non-instructor female Permanent Staff for this duty. Despite the impact on already hard working male Permanent Staff, it is recommended that B Sqn institute with immediate effect a duty roster

for a Sqn Orderly Sgt (SOS), a JNCO sleeping duty within the male accommodation which would include the requirement to tour the male accommodation during silent hours. These measures will provide a similar level of supervision to that which is found in the Field Army!

35. Undesirable Influence. B Sqn Permanent Staff are rightly concerned at the influence which soldiers placed in C Sqn for disciplinary reasons, have on impressionable recruits; these include recruits who are due to be discharged and adult soldiers from the Field Army awaiting administrative or disciplinary action. W/Pte James associated closely with some of these soldiers. In this respect there is a conflict between the roles implicit in the title Trg Regt and Depot RLC. Permanent Staff are convinced that these 'rotten apples' have a pernicious influence upon the weakest recruits. The Board recommends that Comd RLC Trg Tp takes steps to resolve this conflict, either by meeting the standards indicated in the Single Entry Implementation Plan with regard to accommodation or by removing from the Trg Regt and Depot RLC the function of being a repository for some of the worst elements of the Corps.

Side Flags
16 and 17

FINDINGS AND OPINION OF THE BOARD

36. The Board finds that W/Pte James shot herself between 0819 - 0824 hours on Mon 27 Nov 95. The Board cannot deduce from the evidence, any clear motive or reason for her action, but wishes to emphasize that no other individual or group, military or civilian, can be held directly responsible. It is the opinion of the Board that her action was not accidental.
37. The Board finds that the existing structure of Phase 2 RLC training fails to provide, for immature recruits, sufficient opportunity for character development.

RECOMMENDATIONS

38. Notwithstanding the findings above, the Board considers that the recommendations below will make more clear, the rules and procedures for guards and ammunition, and enhance good order and military discipline within The Princess Royal Barracks.
39. Arming State. The Board recommends that the written orders for the ROO, the ROS, the Guard Commander and all guard duties, contain a space for the manuscript insertion of the current 'arming state'; (paragraph 15).
40. Training. The Board recommends that a radical review of Phase 2 RLC training is conducted to identify how the training structure can achieve synergy between the functions of Command, Training and the Administration of recruits; (paragraphs 28 and 29).
41. Supervision. The Board makes the following recommendations with regard to the supervision of Phase 2 RLC recruits;
- a. Guard Duty. Existing rules which require duty personnel not on guard to remain in the Guardroom to form the Fire Picquet, should be rigorously enforced; (paragraph 31).
 - b. Alcohol. HQ RLC Trg Gp should investigate the possibility of using MGS personnel at the Barracks Main Gate to check whether recruits are bringing alcohol into barracks; (paragraph 32).
 - c. Unit Duty Personnel. Orders for the ROO and ROS should be revised to include a tour, during silent hours, of male accommodation, as well as the barracks. The ROO and ROS should further report to OC B Sqn at the beginning of the day in order to be given precise instructions about where to visit. The orders for the Guard 2ic / Canteen NCO should be revised to ensure his more frequent presence in the NAAFI; (paragraph 34.a.).

d. Sub-Unit Duty Personnel. A female NCO should always be present in the female accommodation block during off-duty hours. If insufficient instructors are available, the Trg Regt and Depot RLC should employ non-instructor female Permanent Staff for this duty. A male Sqn Orderley Sgt duty should be instituted with immediate effect; (paragraph 34.b.).

e. Security Camera. A Security Camera, monitored in the Guardroom, should be placed to cover the entrance to the female accommodation block.

42. Undesirable Influence. The Board recommends that Comd RLC Trg Gp takes steps to prevent soldiers held at the Trg Regt and Depot RLC for disciplinary and/or administrative reasons, from adversely influencing recruits. The attention of Comd RLC Trg Gp is drawn to the accommodation standards indicated in the Single Entry Implementation Plan; (paragraph 35).

Maj
President

Capt
Member

WO2
Member

List of Flags:

- A. Comd RLC Trg Gp Review of Phase 2 training.
- B. RMP Initial Case Report.
- C. Report on the Coroners Inquest.
- D. Statement of Witnesses - SIB RMP Assistance to Coroners Office.
- E. Orders for the Regimental Orderly Officer (ROO).
- F. Orders for the Regimental Orderly Sergeant (ROS).
- G. Orders for the Guard Commander.
- H. Orders for the Guard 2ic / Canteen NCO.
- I. Orders for the Static Guards.
- J. Orders for the Royal Way Gate Guard.
- K. Authority for Arming Soldiers with Weapons or Ammunition.
- L. Incident Log Sheets and Guard Report.
- M. Section 5 to UKLF Anti-Terrorist Security Measures (ULKF ATSM).
- N. Arming States - HQ RLC Trg Centre and Deepcut Garrison letter.
- O. Single Entry Implementation Plan.



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Date: 19 Jan 96

BOARD OF INQUIRY - W1031325 PTE JAMES C M RLC (DECEASED)
STATEMENT OF DISAGREEMENT ON FINDINGS OF BOARD
BY 24303454 WO2 (SOMS) I MILNE AGC (SPS) - MEMBER

Sir,

A Board of Inquiry was assembled at The Princess Royal Barracks on Thursday 11 January 1996 to investigate the circumstances surrounding the death of W1031325 Pte James C M RLC. This Board comprised of:

President: MAJOR [REDACTED]
Members: CAPTAIN [REDACTED]
WO2 (SQMS) I MILNE AGC (SPS)

The Board was ordered to report on two issues:

1. The circumstances leading to the death of WPte James.
2. The adequacy of orders and procedures for guards and ammunition within the Training Regiment & Depot RLC and whether they should be reviewed.

The findings of the Board were completed on Friday 19 January 1996 and are disagreed as follows:

1. Paragraph 37 (page 14) which states "the Board find that the existing structure of Phase 2 RLC fails to provide, for immature recruits, sufficient opportunity for character development". This finding was based on extracts from the Single Entry Implementation Plan and a letter written by the Comd HQ RLC Trg Gp. None of this information relates directly to either the circumstances leading to the death of WPte JAMES nor the adequacy of orders. There has been nothing to suggest WPte JAMES was immature.
2. Paragraph 40 (page 14) Training. This recommendation is considered to be outside the Terms of Reference for this Board of Inquiry as no connection is made between this recommendation and the Terms of Reference given on the

Convening Order. It is accepted that the Terms of Reference could be construed to be without parameter however, common sense applied to its interpretation gives a much shallower meaning. A review of Training is considered to be outside the Board's scope. It is felt that much of the documentation researched by the Board and subsequently included in the Board's Report has been plagiarised to the point where the original intention has now been lost and somewhat tailored, to fit the circumstances.

It is appreciated that the 'wider-picture' was looked at however there was nothing given in any form of evidence to suggest that the training of WPte JAMES was an inherent factor in her death. Therefore any suggestion of a recommendation for a radical review of training cannot be supported.

I feel that the line of questioning from the outset was incorrect and improper, definitive statements were made of a misogynistic nature which I felt were not conducive to the nature of the Board of Inquiry. Orders and procedures were found to be, in the main, correct and recommendations by a previous Board of Inquiry were implemented.



I MILNE
WO2
Member

Appendix 11



[REDACTED] *unclassified*
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14 Dec 95

A REVIEW OF THE PHASE 2 TRAINING SYSTEM WITHIN DEEPCUT

INTRODUCTION

1. This review has been prompted by the tragic suicide of WPte James and the recurrence of attempted suicides and self harm incidents in the Training Regiment and Depot RLC.
2. The Training Regiment and Depot RLC is an established Regiment with 3 squadrons:
 - a. A (Training) Squadron conducts, centrally, all RLC Phase 3 training courses.
 - b. B (Holding) Squadron provides Induction and administration for trainees during Phase 2 training and up to first posting as fully-trained soldiers.
 - c. C (Support) Squadron operates the barrack infrastructure and administers all military personnel based in Deepcut; including those who for medical, disciplinary and other reasons find themselves on Held Strength.
3. Both soldiers who committed suicide were members of B Squadron, engaged in Phase 2 training. Consequently, I have focused my review on B Squadron although, where necessary, reference will be made to the functional responsibilities of the other squadrons.

AIM

4. The aim of this review is to identify any underlying reasons for the suicides and attempted suicides within Training Regiment and Depot RLC. The review will also highlight procedures and working practices which may have a bearing on the attitude and motivation of both soldiers and instructors serving within B Squadron.

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SUICIDE AND SUICIDE ATTEMPTS5. Suicides.

Although in neither case there is any suggestion of mistreatment, it is possible that the unit regime had, in some way, contributed to the unhappiness of these young soldiers. I have therefore looked at a number of other suicide attempts or self-harm incidents in order to identify possible trends.

6. Suicide or Self-harm Attempts. All instances of suicide, attempted suicide or self-harm since the death of Pte Benton are summarized at Annex B. No less than 7 of these attempts are attributable to 2 soldiers who clearly struggled to achieve the necessary standards at ATR Pirbright; none represented a serious threat to life and the hospital tests in 3 cases revealed no increase in liver enzyme levels which would suggest that fewer tablets had actually been taken. All but the two deaths appear to be attention or sympathy-seeking, copycat behaviour or, conceivably, calculated malingering. RMP(SIB) reports confirm that none of the incidents were the result of intimidation or bullying. I am also satisfied that there is no obvious link between these suicide attempts and the other major disciplinary problems with which the Training Group has been forced to deal of late. It may be instructive to examine records from other Phase 2 training organizations, to discern whether these occurrences are indicative of a wider problem. Statistics need, however, to be viewed with some care as not all units appear to report such events, especially where they consider there is no serious threat to life. The Land Command instruction should be clarified to ensure uniform reporting across the Army; if only to highlight incidents of bullying.

MANAGEMENT OF SOLDIERS UNDER TRAINING

7. Management of Long-term Trainees. Generally speaking, Phase 2 trainees pass through the unit for relatively short transitory periods, between courses or before posting, in line with IGT's policy. However, soldiers with problems often remain in the barracks for extended periods. In such cases, a soldier who has to be removed from Phase 2 training is moved from B to C Squadron; usually for disciplinary or

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medical reasons, liable to result in discharge. This procedure not only removes undesirable soldiers from B Squadron but also allows C Squadron to devote closer management attention to the problems. Unfortunately, disaffected soldiers still have the opportunity to poison the minds of others, through contact in the Junior Ranks Club and outside the barracks. Segregation would be more effective if individual soldiers were detached altogether but this is not always possible, given the nature of their problems. Indeed, the Regiment itself provides a Depot "last resort" function for the RLC as a whole. What is clear is that we must develop systems within the Squadron designed to ensure that the majority of soldiers spend no more than a few days within the Training Group after completing their training. However, when soldiers are required to spend time before training or posting then they must join a progressive and imaginative training programme. Greater use should also be made of leave and, in rare cases where soldiers are required to spend a longer period in the barracks, greater use should be made of unit attachments.

8. Management of Phase 2 Trainees. The Regiment has in force a management plan based upon the Single Entry Implementation Plan. This plan has been updated recently and provides a frame-work for the management of Phase 2 trainees which includes:

- a. Regular review by a personnel management committee of serious problems.
- b. Procedures governing accommodation, alcohol and the provision of pastoral care.
- c. Standing instructions on the handling of welfare and other matters.
- d. Induction of newly arrived staff.

Despite this framework document, discussions revealed a lack of awareness amongst some staff, particularly JNCOs and SNCOs, of the role of the welfare agencies and concerns amongst others, the welfare professionals, that they are not sufficiently involved in the management of soldiers under training. There is clearly potential for much closer liaison between instructors and the welfare staff.

WELFARE SUPPORT

9. Welfare and Counselling. Within the Training Regiment and Depot RLC, trainees have access to the Padre, a WRVS representative and the Medical Officer, who is able to refer patients to both a Community Psychiatric Nurse and Consultant Psychiatrist. There is currently no officer in the Regiment dedicated to the welfare of soldiers under training; responsibilities currently follow normal sub-unit chains of command. The creation of such a post would provide a focus for the coordination of welfare support within the Regiment.

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10. Coordination. The Padre, Medical Officer and WRVS representative highlighted the need to meet on a regular basis with others involved with the welfare of soldiers in order to discuss individual cases. There is a perception that they were working in isolation of each other and that a more common approach would benefit all, particularly with the identification of soldiers experiencing some difficulty. A welfare group must be established immediately and must meet on a regular basis.

11. Education. Instructors were often perceived to treat welfare support as an unnecessary irritation. An Induction Course for instructors must overcome this difficulty and must stress the importance of making the maximum use of welfare support available within the barracks.

12. Access. The Soldiers' Induction Course programme must include lectures by the welfare professionals. Soldiers must be left in no doubt as to the support available to them. Soldiers should also be given information about the range of confidential support organizations.

ADDITIONAL FACTORS

13. Morale. From the outset of my review, I was struck by the very low morale of the current B Squadron soldiers with whom I spoke. The most constant frustration concerned the frequency of guard duties. There is also disappointment with the lack of time allocated for structured training within the Squadron. I was also struck by the rather more forthright manner of the female soldiers and their animosity towards the regime. When I spoke to the Squadron staff, I quickly sensed their frustration at the lack of opportunity to provide quality training and their dismay at the general attitude of some of the trainees. The Squadron publishes weekly training programmes and makes use of adventurous and other pursuits but, recently, the numbers of soldiers under training have been barely sufficient to meet the guard commitment. This has had implications for the Squadron's ability to arrange leave; another concern to which my attention was drawn. Every effort must be made by the Regiment to ensure that soldiers receive their full entitlement of leave.

14. Guard Duties. We have a complicated security regime in Deepcut with four separate perimeters, as well as control of access via the Brunswick Road for local residents and Pirbright traffic. This represents a military manpower load of up to 22 soldiers at State Black. The low output from Phase One training in recent months has meant that trainees often find themselves working day-on, day-off duties, albeit for short periods of up to 2 weeks. Whilst I have authorized a number of measures to alleviate this problem, further improvement can only be achieved by the relaxation of certain of the current Land Command guide-lines, capital investment or the substitution of soldiers by other resources, for example MGS. The guard problem is not new but it has been accentuated by the recent decline in trainee numbers. A review of the guard commitment must be completed without

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delay and where possible reduced. A guard roster listing duties at least 4 days in advance is to be made available to soldiers thereby providing them the opportunity to plan their free time.

15. Perceptions. The title of B (Holding) Squadron is unpopular with both staff and trainees. Soldiers in B Squadron give the impression of being poorly informed and frustrated by the lack of programmed training and the over use of fitness training. From my analysis, this would appear to be primarily a consequence of the pressure of guard and other duties on Squadron personnel; it clearly frustrates the staff as well. By way of balance, currently some 10% of soldiers arriving from ATR Pirbright fail a BFT on arrival at Deepcut. ATR Pirbright believe that failures are more likely to be caused by a trainee's frame of mind rather than their inability to complete the test. Of necessity, therefore, B Squadron have to concentrate on priorities when training time is limited. Some trainees also complain of skill fade during trade training, especially in weapon-handling, and during such courses as driver training (7 to 9 weeks on average) there appears to be minimal military training. Soldiers in Deepcut therefore perceive that B Squadron is letting them down. More accurately, it is the rationale of progressing soldiers through Phase 2 without proper continuation training which is at fault. Whilst such activity may be deemed to be a duplication of effort and, consequently not satisfactorily resourced, we must do better in providing trainees with meaningful and progressive training.

16. Communications. Soldiers of B Squadron gave me the impression that they rarely knew what was happening to them or why they were required to perform particular duties. None admitted to seeing a formal training programme and few had any confidence that they would receive meaningful training as opposed to completing menial tasks. Whilst recognizing the difficulty in establishing relationships with soldiers who are under command for such brief periods, instructors must be made aware of the need to maintain good communications with the soldiers on all aspects of life within the Squadron.

17. Status. Trainees leaving ATR Pirbright have an understanding that they have joined their Corps and should therefore be treated as adult soldiers. Consequently, there is general frustration with a perceived over-use of minor punishments. In practice, however, these soldiers are often immature, lacking in self-discipline and personal administration; habits which tend to come only with more experience. Consequently, the staff find that the most simple of adult privileges are sometimes abused and they naturally seek to correct the fault at their own level. Whilst minor punishments may be both necessary and appropriate, they should be used by the instructors with discretion. In all cases, instructors should record the award of a minor punishment within a register kept by the Squadron.

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18. Team Spirit. Another disadvantage of the Phase 2 concept is the lack of opportunity to develop unit identity. Dispersion to seven different trade training locations prevents all but the most fleeting opportunities to build team spirit and engender pride. It is in stark contrast to the tightly knit fraternity of basic training. The trainee arriving at Deepcut has greater personal freedom than at ATR and less group identity but, all too often, insufficient self-discipline to stay out of trouble.

INSTRUCTORS COMMENTS

19. Selection. The selection of both officers and soldiers to fill instructor posts within the Squadron is absolutely critical. PB10 and the RLC MRO must be closely involved with the Commanding Officer in the selection process and the Commanding Officer must retain the right to reject those he considers unsuitable. As a matter of urgency the Regiment should review the instructor to soldier ratio and make recommendations for any increase to the establishment.

20. Gender Balance. Supervision and training of a mixed population of male and female soldiers requires the right balance of staff. Under current manning guidance, only one troop commander post in B Squadron is annotated as Female. The Commanding Officer's efforts to arrange sufficient female NCOs have relied upon liaison with MRO and the temporary attachment of potential ATR and other instructors. To guarantee continuity, additional posts must be annotated as Female on the unit establishment. As 25% of RLC trainees are currently female, a corresponding proportion of the staff must be female. An appropriate amendment has been included within the draft Training Group establishment proposal.

21. Welfare Training. In addition to the supervision of training, military staff are often required to act in loco parentis and as welfare counsellors. They receive no formal training in these areas and, consequently, lack the confidence to provide guidance on the more sensitive issues; particularly concerning female matters and psychological problems. Arguably, instructors might attend appropriate welfare courses prior to taking up their appointments although these may be areas where more expert assistance is required. The roles and responsibilities of the Medical Officer, WRVS, Padre, Community Psychiatric Nurse should be studied by instructors who must also look upon themselves as the first line in the welfare chain.

22. Induction Training. Instructors arrive within the Training Regiment and Depot RLC and are expected to undertake their responsibilities without any formal introduction to the unit or to the facilities available within the barracks. An Induction Course for instructors must be introduced immediately which should include methods to control female soldiers.

23. Training Resources. Squadron instructors believed they were given insufficient training resources to complete their

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tasks. They attribute this to the fact that they are not a properly established training sub-unit and that they therefore have the lowest priority for training resources. 'A' Squadron (Phase 3 training squadron) should be tasked immediately to provide training support for B Squadron. In the event of difficulty the School of Logistics should be tasked to provide assistance. Additional IT and other training aids must be purchased immediately.

PHASE ONE TRAINING ISSUES

24. SCAMF. Ideally, the output of soldiers from ATR Pirbright should be evenly distributed throughout the training year. This would enable Phase 2 courses to be scheduled to meet a steady demand, particularly at ASMT which has a finite driver training capacity. The lack of a steady state undermines not only our ability to plan Phase 2 trade training efficiently but also frustrates attempts to programme worthwhile activities for soldiers during their training gaps.

25. Quality of Recruits. Instructors recognize that the only standard applied to recruits at ATR Pirbright is that of CMS(R). However, there is a belief that more marginal soldiers are completing Phase One training than before. Some soldiers appear to be poorly motivated, unwilling to respond to discipline and determined to be disruptive. There is therefore a perception that some soldiers are leaving ATR Pirbright with physical, psychological or emotional problems. The records of most of the self-harm cases appear to support this perception. Since January 1995, 27 soldiers arriving from ATR Pirbright have by right elected to PVR. Twenty one (2.7%) chose PVR before commencing any Phase 2 training. In addition, and within the same period, 8 soldiers have been discharged after failing their trade training. A further 10 soldiers have been transferred to C Squadron, pending likely discharge for disciplinary or medical reasons. Taken together, these figures represent a failure rate in Phase 2 training of 4.4%. It could be argued that they are simply deferred PVRs or discharges from ATR Pirbright although, given that the majority can elect to PVR between the eighth and twelfth week of service, many clearly arrive knowing that they have only a few days to make a decision. Annex C contains a list of those soldiers who are currently experiencing difficulty with their Phase 2 training. It summarizes pertinent comments from respective ATR reports. Clearly, 10 of the 14 soldiers struggled to complete their Phase One training. Whilst the ATRs have a difficult task, they must attempt to weed out those soldiers who will add little to the Regular Army. Equally the Regiment must examine each PVR request in order to identify trends. Discussion between the 2 Commanding Officers should then focus on measures to reduce these wastage figures. On the positive side some 95% of recruits arriving at the Training Group complete Phase 2 training and join the Field Army.

26. Female Recruits. There are indications that some of the female soldiers are extremely promiscuous; a trait which only

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serves to undermine the cohesion of this or any other unit. Whilst all reasonable efforts are made to control access to the female accommodation, additional female instructors would help to reduce such undesirable behaviour. We must also recognize that many of the female soldiers are much more mature than their male counterparts and, as a result, can exercise tremendous power and influence over others.

27. Screening prior to Training. Medical and psychiatric difficulties must be identified during the enlistment process. Screening must be effective and it would be logical to include contact with an individual's GP, evidently this is not presently the case. Screening would help to ensure that soldiers _____ with a prior record of attempted suicide, never enter training. The process must not end at enlistment and soldiers who have difficulty coping mentally or physically with Phase One or 2 training must also be assessed. Where no psychiatric condition is diagnosed, there is still a requirement for military judgement to be exercised to determine a recruit's suitability to continue training.

SUMMARY

28. Suicides. With the help of RMP(SIB) investigations, we can be confident that there is no obvious link between the 2 suicides. Indeed, there is no indication of mistreatment within Training Regiment and Depot RLC. From our knowledge of the individuals at the time, neither tragedy appeared predictable.

29. Attempted Suicides. The remaining incidents of attempted suicide represent no serious threat to life and were the action of individuals barely at the minimum training standard required. Seven incidents were attributable to 2 female soldiers; one seriously distressed by personal problems she could not share and the other, a soldier whose performance in training was below the required standard. It is questionable whether these 2, and the others concerned, should have been allowed to graduate to Phase 2 training. That they did so, casts doubt on the effectiveness of current screening methods and the extent to which military judgement is being exercised over a recruit's suitability to continue training. Alternatively, the soldiers in question were able to mask their difficulties during the very busy schedule of Phase One training. Research also suggests that there is an inconsistency within Land Command in the reporting of attempted suicides or self-harm incidents.

30. Management of Phase 2 Soldiers. My review has highlighted just how difficult is the task of managing Phase 2 trainees; not least, balancing the maintenance of morale with the need to maintain disciplinary standards. Training Regiment and Depot RLC, and other Phase 2 holding units like it, are responsible for administering a process governed by factors such as SCAMP, Phase One output and resource

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constraints over which they can exercise little control. Lack of a predictable or steady state in the flow of soldiers constantly frustrates attempts to plan and implement worthwhile continuation training. Within Deepcut another factor, the relative load of local guard duties, also undermines the unit's ability to run the progressive and imaginative training programmes to which the staff and their soldiers clearly aspire. These problems have become much more acute in the current context of low recruiting. Whilst I am generally satisfied that the Regiment has a structured frame-work within which soldiers are managed, more emphasis must be placed on liaison between the military and welfare staff, especially at the lower levels. Efforts are made to segregate disaffected soldiers, to reduce any undesirable influence, but the control of male and female soldiers side-by-side, and with limited female staff, creates considerable difficulties. Trainees arriving at Deepcut have greater freedom than at ATR and less group identity but, all too often, insufficient self-discipline to stay out of trouble.

31. Training Staff. The demands placed on the military staff in B Squadron require not only instructional ability but a keen awareness of welfare and counselling. Steps must be taken to establish the correct gender balance amongst the staff, to reflect more closely the 3 to 1 ratio of male to female trainees. Welfare training for the Squadron staff must be introduced. Of equal importance is the need for all instructors within the Regiment and the Training Group to attend an Induction Course which must include instruction on the welfare support available to them within Deepcut.

32. Training Issues. Whilst it may be unrealistic to expect a steady state for recruiting, more account should be taken of the downstream effects of SCAMF and the peaks and troughs of the training flow. Greater attention must be paid to a recruit's mental resilience and suitability for military service, particularly those who are considered to be a risk during enlistment or Phase One training. Failures in Phase 2 training are inextricably linked to the quality of recruits graduating from Phase One.

RECOMMENDATIONS

33. External Recommendations. The following recommendations should be staffed through the chain of command:

- a. A review of suicide and attempted suicide incidents in Phase One and Phase 2 units in order to identify possible trends.
- b. A revision of the Land Command instruction on the reporting of suicide attempts in order to ensure uniform reporting standards.
- c. A reconsideration of recruiting procedures in order to even out the distribution of recruits as far possible.

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- d. A review of screening procedures prior to enlistment to minimize the number of unsuitable recruits entering training.
 - e. A review of assessment procedures within ATRs to ensure that soldiers are not only physically fit but also mentally and psychologically capable of coping with the rigours of Army life.
 - f. Introduction of a performance measure which views Phase One and 2 wastage statistics together in order to establish a true wastage rate.
 - g. The funding of an increase in MGS at Deepcut and other recommended security enhancements.
34. Internal Recommendations. The following recommendations are to be actioned by HQ RLC Training Group:
- a. The Training Executive must review the programme of Phase 2 courses against the output of ATR Pirbright and make recommendations to reduce the time between the completion of the Induction Course and the commencement of Phase 2 training.
 - b. The SO2 G2/G3 is to obtain from LSP 1 approval to number and rename the Squadrons within Training Regiment and Depot RLC to help encourage corporate identity.
 - c. The DCOS is to examine the feasibility of making use of local civilian welfare services.
 - d. The Training Executive is to introduce systems and procedures which ensure that soldiers spend the minimum time within the RLC Training Group prior to posting.
 - e. The Training Executive is to develop and introduce an Induction Course for newly arrived instructors within Deepcut.
35. Internal Recommendations. The following recommendations are to be actioned by Training Regiment and Depot RLC:
- a. Revisit the recent review of guard commitments and make recommendations to the SO2 G2/G3, HQ RLC Training Group. The review should concentrate on a further reduction of the military manpower requirement.
 - b. Develop existing Phase 2 management procedures to involve the military welfare agencies more often and increase the awareness of their role amongst the military staff.
 - c. Make available to soldiers information on local welfare services.

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[REDACTED]

- d. Review the welfare training required by instructors and make recommendations to the Training Executive, HQ RLC Training Group.
- e. Establish a welfare group comprising all interested agencies which is to meet on a regular basis to review welfare cases and to coordinate support.
- f. Identify and establish a single focus for welfare of all soldiers under training.
- g. Review existing induction procedures for newly arrived instructors and make recommendations as to the content of the Induction Course to the Training Executive.
- h. Task A Squadron to provide the training support to B Squadron. In the event of difficulties the School of Logistics should be tasked to assist.
- i. Introduce an imaginative and progressive training programme for soldiers who are forced to remain within the Regiment prior to Phase 2 training or posting. The training programme must be published on a regular basis and made available to all trainees.
- j. Ensure that, where appropriate, greater use is made of leave and unit attachments.
- k. Ensure that soldiers who are forced to remain within the Training Group for an extended period are given worthwhile employment.
- l. Publish guard rosters at least 4 days in advance.
- m. Introduce and monitor systems which improve communication between instructors and soldiers.
- n. Review with PB10 and the RLC MRO procedures for the selection of instructors.
- o. Review the instructor to soldier ratio and make recommendations to the SO2 G2/G3, HQ RLC Training Group.
- p. Ensure that at least 20%-25% of instructors are female. One of the Troop Commanders should also be female.
- q. Increase the liaison with ATR Pirbright in order to identify trends and to reduce the number of PVRs on arrival at Deepcut.

unclassified 31/3/04

r. Maintain within the Squadron a register of minor punishments awarded by instructors.



P A D EVANS
Brig
Comd

Distribution:

External:

Action:

HQ 4th Div

Information:

DG Log Sp(A)

Internal:

Action:

CO Trg Regt and Depot RLC
Trg Exec

ANNEX A TO
 HQTG 1550 G1
 DATED 14 DEC 95

CASE HISTORY

Serial	Event	Date	Remarks	Date	Remarks
(a)	(b)	(c)	(d)	(e)	(f)
1.	Arrived ATR Pirbright	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2.	Completed Phase 1 Training	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3.	Arrived 'B' Squadron, started Induction Course	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4.	Completed Phase 2 Training (Supply Specialist)	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5.	Commenced Phase 2 Driver Training	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
6.	Completed Phase 2 Driver Training	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

(a)	(b)	(c)	(d)	(e)	(f)
7.	Returned to [REDACTED]	[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED]	[REDACTED] [REDACTED]
8.	Suicide	[REDACTED]	[REDACTED] [REDACTED] [REDACTED]	[REDACTED]	
9.	Posting order issued	[REDACTED]		[REDACTED]	[REDACTED] [REDACTED]

[REDACTED]

ANNEX B TO
 HQTG 1550 G1
 DATED 14 DEC 95

SUICIDE AND SUICIDE ATTEMPTS/SELF HARM
 SINCE JUNE 1995

SER	HAIR	DATE	METHOD	SIB COMMENTS	REMARKS
(a)	(b)	(c)	(d)	(e)	(f)
1			Shooting. (Suicide)	Saw himself as a failure and could not face being discharged from the Army.	Seen by Psychiatrist on [redacted] after taking an overdose of Anadin. Diagnosed as having no psychiatric illness but an immature personality. Failed Phase 2 Driver Training twice. Experienced disciplinary problems and was on 3 month warning.
2			Cut wrist.	Claimed it was not a genuine attempt to take his life. Stated he was discontent with service life and with the fact that his girlfriend had ended her relationship with him.	7 Med BA did not recommend discharge of soldier. Has completed training and is awaiting posting, at Deepcut.
3			20 x Paracetamol Tablets. Cut wrist x 3.	Experiencing problems in her personal life. Continuing to have personal problems.	Received extensive counselling whilst at the [redacted]. Referred to Psychiatrist several times, admitted CHD, then BHM Catterick. She originally told the Sister she had taken Anadin not Paracetamol. Hospital tests revealed no raised liver enzymes, which suggests she did not take numbers of tablets claimed. She has now been discharged.
4			Cut wrist x 3.	Unable to settle into service life.	On a 3 month warning. Discharge applied for.
5			5-10 Paracetamol Tablets.	Involved in a relationship with a soldier [redacted]. The couple had been trying to have a baby. She claimed that the soldier was a SMC. Enquiries, however, discredited her claim of a relationship [redacted].	Still undergoing training. Joined [redacted] expected to complete by Trg mid [redacted]. Hospital tests revealed no raised liver enzymes.
6			48 Paracetamol Tablets.	Stated he attempted to take his life because of depression caused by his own failings.	Awaiting DCM on a charge under Sec 69 at [redacted]. Hospital tests revealed no raised liver enzymes, which suggests did not take numbers of tablets claimed.
7			Shooting. (Suicide)	Apparent dislike of military life and personal problems.	Showed no dislike of the Army whilst completing Phase 1 or Phase 2 training.

ANNEX C TO
HOTG 1550 GI
DATED 14 DEC 95

B SON PROBLEM CASES - ATR REPORTS

SERIAL (a)	NAME (b)	ATR REPORT (c)	B SQUADRON REPORT (d)
1.	[REDACTED]	<ul style="list-style-type: none"> - Slow starter - lacking confidence - Unfit and at times lethargic - Ringleader, self opinionated and moaner at times - Showed significant improvement with time - A good pass in the end 	<ul style="list-style-type: none"> - Attempted self harm - Passed Sup Spec Cse but remained in [REDACTED] for some time due to wrist injury - Can be a moaner but no real problems - Claimed to be having an affair with a [REDACTED] but this was dismissed by SIB as fantasy - 1 x suicide attempt - no serious injury and assessed as attention seeking
2.	[REDACTED]	<ul style="list-style-type: none"> - Good ATR report - Possibly immature and easily led 	<ul style="list-style-type: none"> - Could not settle in [REDACTED] - Bad family background is clearly contributing to her poor performance - Continually sick
3.	[REDACTED]	<ul style="list-style-type: none"> - Very bad ATR report - Idle, lazy lacking enthusiasm and ability - Doubts about mental stability - Personal problems recognized and counselling received - Requested to PVR 	<ul style="list-style-type: none"> - Repeated attempts at self harm - Failed Sup Spec Cse - Not willing to divulge nature of problem - Seen by psychiatrist on many occasions and assessed as temperamentally unsuitable for military service - Very seriously disturbed - Discharge applied for
4.	[REDACTED]	<ul style="list-style-type: none"> - Very bad ATR report - Sqn Comds Warning - Remedial fitness training required - Constant medical problems - No final report from Tp Comd and NCO 	<ul style="list-style-type: none"> - Constant disciplinary, medical and personal admin problems - Easily influenced by others (particularly [REDACTED] who was also self harming at the time) - 3 attempts at self harm - none serious - Avoids all forms of physical exercise by feigning injury
5.	[REDACTED]	<ul style="list-style-type: none"> - Very weak personal admin and physical fitness - Know it all attitude - Remedial fitness and drill required - Poor all round performance 	<ul style="list-style-type: none"> - Achieving minimum standard - Non serious attempt at suicide after bout of drinking and finishing with girlfriend - Very weak character and poor attitude
6.	[REDACTED]	<ul style="list-style-type: none"> - Average ATR report with main problems relating to lack of fitness 	<ul style="list-style-type: none"> - Very poor attitude and motivation - RTU'd from Sup Con Cse with recommendation not to return

(a)	(b)	(c)	(d)
7.	[REDACTED]	<ul style="list-style-type: none"> - Very bad attitude throughout Phase 1 - Little ability in any area - Lacking enthusiasm and determination - 'Admin nightmare' - Official warnings and disciplinary charges 	<ul style="list-style-type: none"> - Very bad overall attitude problem - Constant thorn in side of NCOs
8.	[REDACTED]	<ul style="list-style-type: none"> - Official Sqn warning - Tried to play the 'hard man' and changed troops - Seemed to get steadily worse throughout his training - Very poor all round report 	<ul style="list-style-type: none"> - Very bad overall attitude problem - Constant thorn in side of NCOs - Lazy and suspicion of malingering
9.	[REDACTED]	<ul style="list-style-type: none"> - Did not apply himself - Outwardly confident but not producing the results - Contributed nothing - Accepted into RLC despite record 	<ul style="list-style-type: none"> - Awful disciplinary record - Transferred from Army Apprentice College as weak recruit with minimal signs of potential - Has spent long periods in detention in Colchester
10.	[REDACTED]	<ul style="list-style-type: none"> - Official warning order for appalling turnout - Very poor fitness - Lacks motivation and determination - 'Wasting her time as a soldier' - Passed out after 32 weeks 	<ul style="list-style-type: none"> - Very poor motivation and attitude - Has just managed to pass out but will undoubtedly cause problems to future unit
11.	[REDACTED]	<ul style="list-style-type: none"> - Detention for bullying - If she can improve her attitude she could do well - Lazy and lethargic during training - A lot of sickness 	<ul style="list-style-type: none"> - Very poor conduct and attitude - Dominates other trainees - Back into the training system following a 3 Month Warning Order where she appeared to be making an effort to improve
12.	[REDACTED]	<ul style="list-style-type: none"> - Immature and poor attitude - Failed most test first time - Thinks he is better than others, but is not - Lots of reprimands - Does not learn from mistakes - Must have final say and answers back - Numerous charges (including detention) - Very serious doubts raised about his suitability for the Army and his record of problems is huge 	<ul style="list-style-type: none"> - Has constantly been in trouble - He simply will not be told and refuses to take any form of advice - He has little chance of reaching the Field Army despite his assertion that he has potential as an officer - Currently on 3 Month Warning Order
13.	[REDACTED]	<ul style="list-style-type: none"> - Did not seem to improve from a bad start - Very bad in all aspects of training - 'The most unmotivated individual I have ever met' - 'Failing to achieve anything' - Unpopular 	<ul style="list-style-type: none"> - Very poor all round disciplinary record and attitude - Now in [REDACTED] awaiting DCM on drugs and assault charges

[REDACTED]

(a)	(b)	(c)	(d)
14.	[REDACTED]	- Report not available	- Before being transferred to [REDACTED] [REDACTED] amassed the worst disciplinary record in [REDACTED] history - He was and continues to be a very bad influence on all those around him - Despite being intelligent there is no way that he was every going to succeed in the Army - Discharge initially refused as a result of pending inquiries

[REDACTED]

Appendix 12

Over the last five years the number of soldiers committing suicide has increased

▼ **BACKGROUND**

► **SPECIFIC AND UP TO DATE RESEARCH ON THE BRITISH ARMY** NOW ALLOWS US TO IDENTIFY THOSE MOST LIKELY TO COMMIT SUICIDE AND IT IS ON THIS BASIS THAT THIS AIDE MEMOIRE SEEKS TO INDICATE WHAT **CLUES** CAN HELP COMMANDERS AT ALL LEVELS TO SPOT THOSE VULNERABLE.

► **PREVENTING SUICIDES** IS ALSO ABOUT COMMANDERS CREATING AN ENVIRONMENT FOR ALL THOSE UNDER THEIR COMMAND THAT MAKES IT LESS LIKELY THAT THOSE AT RISK WILL WANT, OR INDEED BE ABLE TO, ATTEMPT TO TAKE THEIR OWN LIFE.

▼ **AN "AT RISK" PROFILE**

A TYPICAL SUICIDE VICTIM IN THE BRITISH ARMY WILL BE A MALE PRIVATE IN HIS EARLY TWENTIES. HE WILL MOST PROBABLY CARRY OUT THE ACT IN BARRACKS. SMALL ARMS ARE THE MOST FREQUENTLY USED METHOD. IT IS LIKELY THAT HE WILL BE EXPERIENCING SOME PSYCHOLOGICAL DISTRESS OF A SEVERITY THAT HE WILL HAVE TOLD SOMEBODY ELSE. HE WILL HAVE A HISTORY OF DISCORDANT PERSONAL RELATIONSHIPS WITH OTHERS. THERE IS ONE CHANCE IN TWO THAT HIS SUICIDE WILL DIRECTLY FOLLOW ON FROM A DOMESTIC DISPUTE. IT WILL BE LIKELY THAT HE WILL HAVE A HISTORY OF CRIME WITH THE RMP AND THAT HE WILL HAVE CURRENT LEGAL OR FINANCIAL PROBLEMS. THERE IS A HIGH CHANCE THAT ALCOHOL WILL BE A FACTOR. THERE WILL BE A ONE IN FIVE CHANCE THAT HE WILL HAVE ATTEMPTED TO COMMIT SUICIDE BEFORE.

THE AIM OF THIS AIDE MEMOIRE IS TO HELP COMMANDERS AT ALL LEVELS AND IN ALL THEATRES TO IDENTIFY THOSE AT RISK AND PREVENT SUICIDE.

1997 Edition

▼ **WHO CAN HELP?**

WE CAN ALL HELP, BUT THERE ARE SPECIFIC INDIVIDUALS AND AGENCIES WHO HAVE CERTAIN SKILLS AND TRAINING.

- THE RMO, THE CHAPLAIN, DEOS AND THE WRVS.
- ARMY WELFARE.
- RELATE.
- THE SAMARITANS.
- SSFA.

DO NOT BE TEMPTED TO "HIDE" OR IGNORE THOSE THAT MIGHT BE VULNERABLE OR THOSE THAT MIGHT HAVE ATTEMPTED HARM.

Suicide Prevention

To spot the clues you have to know your soldiers. To know your soldiers you have to talk to them

▼ **PREVENTION**
IT IS LIKELY THAT SOME TYPES OF SUICIDE ARE PREDICTABLE AND PREVENTABLE. MOST PEOPLE THAT THINK ABOUT SUICIDE LEAVE SOME CLUE OF THEIR INTENTION AND ARE PREPARED TO TALK OPENLY ABOUT IT. GIVEN THE OPPORTUNITY, THE GREATER THE AWARENESS AND SENSITIVITY OF ALL THOSE IN CONTACT WITH THOSE AT RISK, THE MORE THE CHANCE OF AVERTING CRISIS.

► IT IS **UNHELPPFUL AND DANGEROUS** TO GIVE THE IMPRESSION THAT SUICIDAL BEHAVIOUR IS REGARDED AS "ATTENTION SEEKING" OR MANIPULATIVE.

► **KNOW YOUR SOLDIERS** OFFICERS AND NCOs OF ALL AGES SHOULD UNDERSTAND THE NEED TO KNOW AND SPEND TIME WITH THEIR SOLDIERS, **BOTH ON AND OFF DUTY.**

► **TEAMS ARE IMPORTANT** TEAMS REINFORCE A SENSE OF BELONGING AND WORTHINESS AMONGST INDIVIDUALS. PEOPLE IN TEAMS ARE LESS LIKELY TO FEEL LONELY OR ISOLATED. THEY GET TO KNOW EACH OTHER AND CAN THEREFORE MORE READILY SPOT CLUES AND CLUES. **THE MAINTENANCE OF TEAM COHESION IS IMPORTANT.** OVERCOMMITMENT AND UNDERMANNING ARE NOT IN THEMSELVES AN EXCUSE FOR IGNORING THIS ISSUE.

► **ENVIRONMENT** EVEN WITHIN DIFFICULT ENVIRONMENTS BE AWARE OF YOUR DUTY TO MINIMISE BOREDOM, STRESS AND FRUSTRATION. ENCOURAGE POSITIVE ACTIVITY AND ENSURE PHYSICAL CONDITIONS ARE AS GOOD AS YOU CAN MAKE THEM.

▼ **IS THE SOLDIER IN TROUBLE?**
► HAS THE SOLDIER GOT AN RMP HISTORY OF CRIME? - 40% OF THOSE COMMITTING SUICIDE HAVE.

► IS THERE CONCERN OVER THE SOLDIER'S USE OF ALCOHOL? - IT IS A FACTOR IN 40% OF SOLDIER'S SUICIDES.

► ARE THERE CURRENTLY MARRIAGE/ RELATIONSHIP CONCERNS, OR IS THERE A HISTORY OF SUCH DISTURBANCES? - TUBULENT RELATIONSHIPS ARE A FEATURE IN 4 OUT OF 5 CASES AND IN 51% OF SUICIDES THERE IS A DOMESTIC DISPUTE JUST BEFORE THE EVENT.

► ARE THERE FINANCIAL OR LEGAL CONCERNS? - THIS IS A FACTOR IN 51% OF SUICIDES.

PREVENT SUICIDE

DESIGN: ROBIN STEVIE, STAFF, LONDON. MULTIMEDIA PHOTOGRAPHY: PAUL DE MORAIS. PHOTOGRAPHY: LONDON. ACCESS: BRUNN FOR PRIMAL. 100% © GARDY CONTRACT

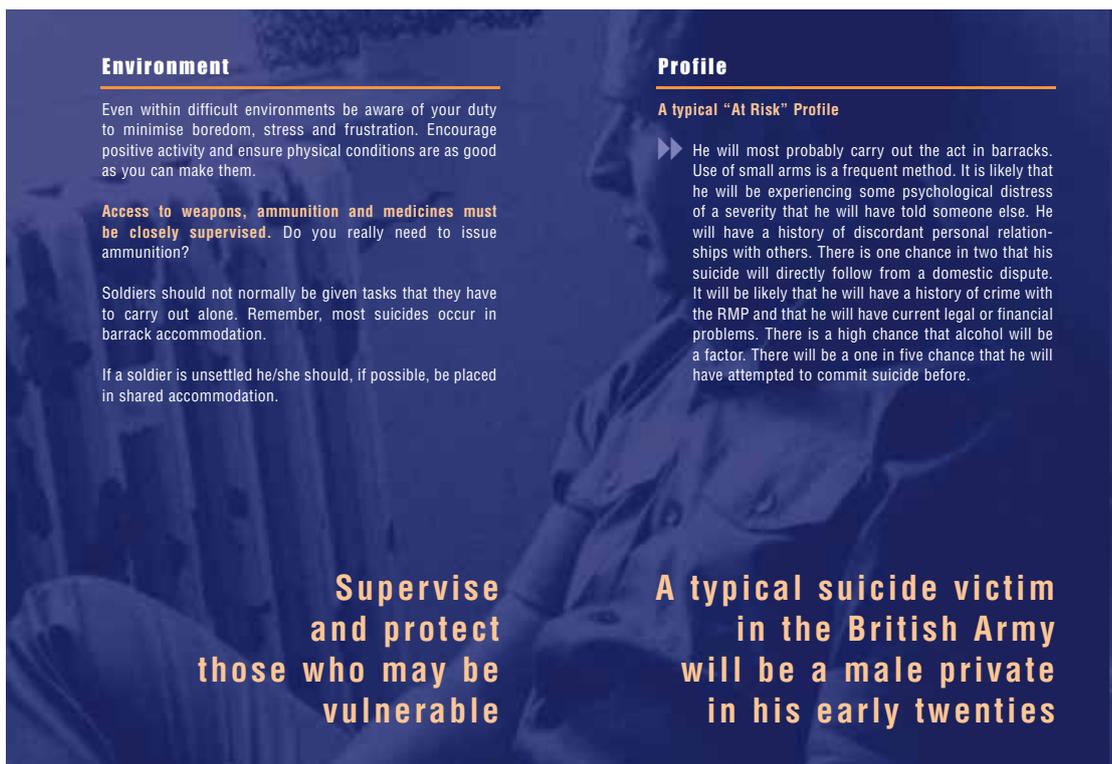
The following factors have been shown by research on the British Army to be associated with suicide

▼ **NON VERBAL**
► ARE THERE CHANGES IN MOODS UP OR DOWN?
► ARE THERE UNUSUAL CHANGES IN BEHAVIOUR?
► IS HE/SHE WITHDRAWN OR ACTING IRRATIONALLY OR SEEMING TO LACK MOTIVATION?
► IS THERE EVIDENCE THAT THE SOLDIER HAS BEEN REHEARSING THE WRITING OF A SUICIDE NOTE?
► HAS THE SOLDIER HAD HOSPITAL TREATMENT ON AT LEAST THREE OCCASIONS FOR "MENTAL OR BEHAVIOURAL" PROBLEMS?

▼ **VERBAL**
► DO THEY TALK ABOUT FEELING DEPRESSED, LONELY OR BORED OR FEELING A SENSE OF HOPELESSNESS ABOUT EVENTS?
► ARE THEY EXPERIENCING FEELINGS OF GUILT OR ANGER?
► ARE THEY ANXIOUS TO SPEAK TO PEOPLE AND CONSTANTLY DWELLING ON THEIR PROBLEMS?
► IS THE PERSON TALKING ABOUT SUICIDE?
► HAS THE SOLDIER MENTIONED GENERAL ANXIETIES AND CONCERNS, EVEN THOSE THAT APPEAR TRIVIAL?

▼ **SUPERVISION AND PROTECTION**
► ACCESS TO WEAPONS, AMMUNITION AND MEDICINES MUST BE CLOSELY SUPERVISED. DO YOU REALLY NEED YOUR AMMUNITION?
► SOLDIERS SHOULD NOT NORMALLY BE GIVEN TASKS THAT THEY HAVE TO CARRY OUT ALONE. REMEMBER, MOST SUICIDES OCCUR IN BARRACK ACCOMMODATION.
► IF A SOLDIER IS UNSETTLED HE/SHE SHOULD, IF POSSIBLE, BE PLACED IN SHARED ACCOMMODATION.

suicide Prevention



Environment

Even within difficult environments be aware of your duty to minimise boredom, stress and frustration. Encourage positive activity and ensure physical conditions are as good as you can make them.

Access to weapons, ammunition and medicines must be closely supervised. Do you really need to issue ammunition?

Soldiers should not normally be given tasks that they have to carry out alone. Remember, most suicides occur in barrack accommodation.

If a soldier is unsettled he/she should, if possible, be placed in shared accommodation.

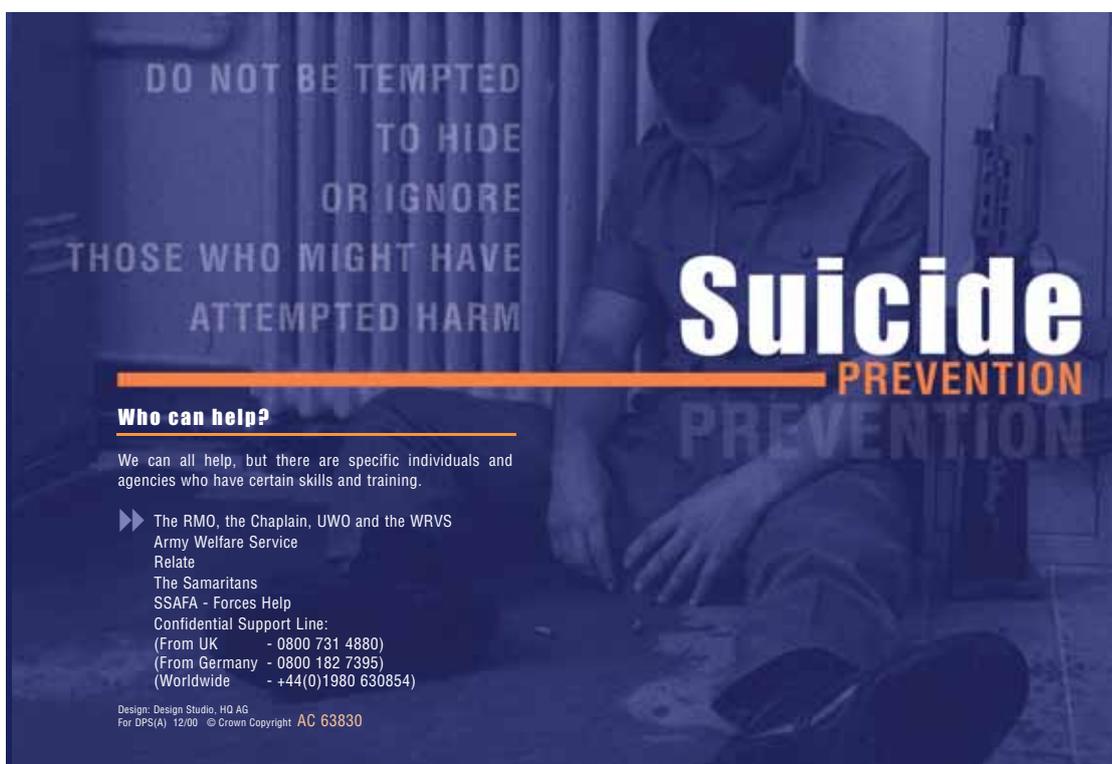
Profile

A typical "At Risk" Profile

▶▶ He will most probably carry out the act in barracks. Use of small arms is a frequent method. It is likely that he will be experiencing some psychological distress of a severity that he will have told someone else. He will have a history of discordant personal relationships with others. There is one chance in two that his suicide will directly follow from a domestic dispute. It will be likely that he will have a history of crime with the RMP and that he will have current legal or financial problems. There is a high chance that alcohol will be a factor. There will be a one in five chance that he will have attempted to commit suicide before.

Supervise and protect those who may be vulnerable

A typical suicide victim in the British Army will be a male private in his early twenties



DO NOT BE TEMPTED
TO HIDE
OR IGNORE
THOSE WHO MIGHT HAVE
ATTEMPTED HARM

Suicide
PREVENTION

Who can help?

We can all help, but there are specific individuals and agencies who have certain skills and training.

▶▶ The RMO, the Chaplain, UWO and the WRVS
Army Welfare Service
Relate
The Samaritans
SSAFA - Forces Help
Confidential Support Line:
(From UK - 0800 731 4880)
(From Germany - 0800 182 7395)
(Worldwide - +44(0)1980 630854)

Design: Design Studio, HQ AG
For DPS(A) 12/00 © Crown Copyright AC 63830

2000 Edition

Aim

The aim of this aide memoire is to help commanders at all levels and in all theatres to identify those at risk and prevent suicide.

Preventing Suicides

Everyone can be involved but commanders in particular at all levels can help to prevent suicide by creating an environment for all those under their command that makes it less likely for those at risk to want, or indeed be able, to take their own life.

Background

Specific and ongoing research work on the British Army allows us to identify those most likely to commit suicide. This aide memoire is about prevention and seeks to give commanders at all levels clues and factors to help spot the most vulnerable.

One in five Army deaths in the last five years are soldiers committing suicide

Prevention

It is likely that some types of suicide are predictable and preventable. Most people that contemplate suicide leave some clue of their intention and are prepared to talk openly about it given the opportunity.

- ▶▶ The greater the **awareness** and sensitivity of all those in contact with those at risk, the more chance there is of averting a crisis.
- ▶▶ It is **unhelpful and dangerous** to give the impression that suicidal behaviour is regarded as attention seeking or manipulative.
- ▶▶ Know your soldiers. Officers and NCO's of all ages should understand the need to know and spend time with their soldiers, **both on and off duty**.
- ▶▶ Teams are important. Teams reinforce a sense of belonging and worthiness amongst individuals. People in teams are less likely to feel lonely or isolated. They get to know each other and can therefore more readily spot clues and cues. **The maintenance of team cohesion is important.**
- ▶▶ Over commitment and under manning are not in themselves excuses for ignoring this issue.

Clues

To spot the clues you have to know your soldiers. To know your soldiers you have to talk with them.

Is the soldier in trouble?

- ▶▶ **Has the soldier got a RMP history of crime?**
40% of those committing suicide have.
- ▶▶ **Is there concern over the soldier's use of alcohol?**
It is a factor in 40% of soldiers' suicides.
- ▶▶ **Are there currently marriage/relationship concerns, or is there a history of such disturbances?**
Turbulent relationships are a feature in 4 out of 5 cases and in over half of suicides there is a domestic dispute just before the event.
- ▶▶ **Are there financial or legal concerns?**
This is a dominant factor in over half of suicides.

Factors

The following factors have been shown by research on the British Army to be associated with suicide:

▶▶ Non Verbal

Are there changes in moods up or down?
Are there unusual changes in behaviour?
Is he/she withdrawn or acting irrationally or seeming to lack motivation?
Is there evidence that the soldier has been rehearsing the writing of a suicide note?
Has the soldier had hospital treatment on at least three occasions for "mental" or behavioural problems?

▶▶ Verbal

Do they talk about feeling depressed, lonely or bored or feeling a sense of hopelessness about events?
Are they experiencing feelings of guilt or anger?
Are they anxious to speak to people and constantly dwelling on their problems?
Is the person talking about suicide?
Has the soldier mentioned general anxieties and concerns, even those that appear trivial?



Don't be a hero - be a **friend**

One in five Army deaths in the last **five years** has been soldiers committing **suicide**

A typical suicide **victim** in the British Army will be a male private in his **early twenties**

The maintenance of team **cohesion** is important

Do not be tempted to **hide** or **ignore** those who might have attempted **harm**

Ask and intervene, **do not keep** it **secret**

Supervise and **protect** those who may be **vulnerable**

Be there - **watch, listen, support**

It is **unhelpful** and **dangerous** to give the impression that suicidal behaviour is regarded as **attention** seeking or manipulative

Know your **soldiers** - both on and off duty

A **ASK** Do not be afraid to ask 'Are you thinking about hurting yourself?'
Respecting someone's privacy is pointless if they are dead.

I **INTERVENE** Taking no action is not an option
if a person's life is at stake.

D **DO NOT KEEP IT SECRET** Everyone can help but there are also plenty
of organisations that provide confidential specialist support for the individual.



2002 Edition



The aim of this aide memoire is to help commanders at all levels and in all theatres to identify those at risk and prevent suicide.

Preventing suicide is mainly about: **Commanders at all levels knowing their soldiers sufficiently well to identify when and what help is required. All soldiers fully supporting their vulnerable colleagues where necessary. All soldiers referring any concerns about their colleagues to the Chain of Command to enable the engagement of appropriate support agencies**

BACKGROUND
Research work in the British Army assists us to identify those most likely to commit suicide. This aide memoire is about prevention and seeks to give commanders at all levels clues and factors to help identify and support the most vulnerable.

PREVENTION
It is likely that some types of suicide are predictable and preventable. Most people that contemplate suicide give some clue of their intention and would appreciate talking openly about it given the opportunity.
It is unhelpful and dangerous to give the impression that suicidal behaviour is regarded as attention seeking or manipulative.

KNOW YOUR SOLDIERS. Officers and NCO's of all ages should understand the need to know and spend time with their soldiers, both on and off duty.

TEAMS ARE IMPORTANT. Teams reinforce a sense of belonging and worthiness amongst individuals. People in teams are less likely to feel lonely or isolated. They get to know each other and can therefore more readily spot clues and cues. The early integration of new team members is vital as this is when they are likely to be at their most vulnerable. The maintenance of team cohesion is important.

CLUES
To spot the clues you have to know your soldiers. To know your soldiers you have to talk with them. You must ensure that your soldiers are aware that they must bring any concerns about colleagues to you.

Is the soldier in crisis?
To identify soldiers who may be contemplating suicide you must evaluate the following: Stressful events and situations both past and present. Soldiers methods of dealing with stress at work and home. Relationships both past and present. Current behaviour (non verbal) and stated intentions (verbal).

Stressors at home and at work that may lead those who are vulnerable, to attempt self harm include: Perceived loss or fear of loss of status at work. Break up of a close relationship. Disciplinary/legal difficulties, including access to children. Drug or alcohol abuse. Isolation from the support of friends/family. Financial problems. Medical concerns. Experience of suicide of a friend or family member. Postings/detachments.

FACTORS ASSOCIATED WITH SUICIDE
The following factors have been shown by research on the British Army to be associated with suicide:



NON VERBAL
Is he/she having difficulty coping with problems?
Is there any history of self harm?
Are there changes in moods up or down?
Are there unusual changes in behaviour?
Is he/she withdrawn, acting irrationally, or lacking in motivation?
Is there evidence that the soldier has been rehearsing the writing of a suicide note?
Has the soldier had medical treatment for emotional or behavioural problems?

VERBAL
Do they talk about feeling depressed, lonely or bored or feeling a sense of hopelessness about events?
Are they experiencing feelings of guilt or anger?
Are they anxious to speak to people and constantly dwelling on their problems?
Is the person talking about suicide?
Has the soldier mentioned general anxieties and concerns, even those that appear trivial?

ENVIRONMENT
Even within difficult environments be aware of your duty to minimise boredom, stress and frustration. Encourage positive activity and ensure physical conditions are as good as you can make them.

Access to weapons, ammunition and medicines must be closely supervised. Do you really need to issue ammunition?

Soldiers should not normally be given tasks that they have to carry out alone. Remember, most suicides occur in barrack accommodation. If a soldier is unsettled he/she should, if possible, be placed in shared accommodation and supervised.

WHO CAN HELP?
We can all help, but there are specific individuals and agencies who have certain skills and training.

RMO, the Chaplain, UWO and the WRVS
Army Welfare Service

Relate

The Samaritans

SSAFA - Forces Help

Confidential Support Line
(From UK 0800 731 4880)
(From Germany 0800 182 7395)
(Worldwide +44 (0)1980 630854)

Supervise and protect those who may be vulnerable. Do not hide or ignore those who might attempt harm.

Appendix 13



**HEADQUARTERS
ARMY TRAINING & RECRUITING AGENCY**

Personnel Branch

Trenchard Lines, Upavon, Pewsey, Wiltshire SN9 6BE

Telephone: (01980) 618752

Military Network: 734 8752

Facsimile: (01980) 618745

Email: UPVDEPHDPERSMIL

Reference: ATRA/20/578

See Distribution

Date: 24 Apr 01

ATRA DUTY OF CARE AND SUPERVISION (DofC&S) REPORT 98-01

"We have coped thus far, but, goodness, it has been difficult, and we cannot keep doing more and more for less and less. No-one can expect us to keep this up." General Sir Charles Guthrie, CDS Dec 00

References:

- A. ATRA/20/578 dated 22 Jan 01.
- B. ATRA/20/578 dated 31 Jan 01.
- C. APRC/P(00)20 dated 21 Jul 00. Welfare In The Army.

INTRODUCTION

1. Background to the Study. In 1988 it was clear that Op Divs were experiencing a series common G1 and care related difficulties resulting from overstretch and lack of coordination with LAND Chain of Command. A meeting was called with Op Divs and an informal DofC&S working group was set up comprising representatives from the Op Divs. In addition SO1 Occ Med, Senior Training Chaplain and in Oct 00 HEO H&S became permanently co-opted members; the WG has met annually in Sep or Oct.
2. The ATRA Main Board was briefed on DofC&S in Jul 99 by Dep Hd Pers Mil. A change proposal for STP00/01 relating to DofC needs was submitted by five Op Divs in Apr 00. Although the principle of the case was accepted, they were rejected because of lack of objective analysis. In Oct 00, COS ATRA directed that a DofC&S report was to be produced by 30 Apr 01; its TORs (Ref A) are at Annex A.
3. Scope. The Study was to be confined to, and Op Divs were invited at Annex B (Ref B) to provide, an objective analysis of DofC&S, to assess Op Div capability to deliver legal duty of care and adequate levels of supervision for staff and trainees. Where the Study identified matters of DofC that related directly to training and/or Health and Safety, these were to be flagged up for attention of appropriate departments. Where applicable, Op Divs were to submit a change proposal (CP) for STP 02 in accordance with Ops and Plans instructions, using the Study results to support its case.
4. ATRA Standardisation. Data has been harmonised in most instances to reflect an ATRA standard. There was, however, insufficient time to visit and discuss the detailed requirement with all Op Divs. There is variation in responses,

particularly where working practice did not easily fit the question; also a percentage of duties are done concurrently, which makes them hard to quantify although they still add to the staff workload. This paper must be seen as a 'first step' to solving a complex and multi-faceted problem.

AIM

5. The aim of this Paper is to:
 - a. Identify areas of risk within ATRA resulting from inadequate DofC&S and recommend options that would maintain the legal DofC and minimum necessary level of supervision, thereby substantiating Op Div Change proposals for STP 02.
 - b. Establish a base line for measuring DofC&S from which to assess the impact and resource requirement of future initiatives placed on ATRA and its Op Divs.
 - c. Form the basis of a brief to the Army Welfare Committee on ATRA Welfare needs.
 - d. Brief for my successors to develop and improve the system of measuring and managing ATRA G1 performance.

WHAT IS 'DUTY OF CARE' & 'SUPERVISION' AND WHO IS RESPONSIBLE?

"This mutual obligation ... between the nation, the Army and each individual soldier is an unbreakable common bond of identity, loyalty and responsibility" ~ The Military Covenant para 0103.

6. Target Audiences. ATRA is an unusual employer. It has two target audiences for delivery of care – its staff and the trainees/holders; under the wider Army welfare remit, military families are also included. It supplies off-duty goods/ services (accommodation/food/social/security); it maintains staff on premises out of hours (OOH) and has substantial control over soldiers in their off-duty time. ATRA also bears some responsibility for its contractors. A diagram summarising the issues affecting the efficient production of trained soldiers and delivery of care is at Annex C.
7. MOD Duty of Care. This is defined¹ as "a legal duty to take care in a limited number of circumstances ... a breach of which would lead to successful proceedings for damages". (DCI Gen 206 at Annex D).
8. Supervision. This is the term adopted by ATRA to cover what the DCI describes as 'moral responsibility' or 'non-binding obligation' and by implication this means 'non-legal'.
9. Reasonable Expectation of Staff². "The Department does have a responsibility to treat people fairly ... so as ... to expect support and caring management from their line and personnel managers."
10. Responsibilities. Front line delivery of DofC&S in the ATRA remains the responsibility of the CO and his Regimental officer (instructor or staff). Second line welfare provision is a LAND responsibility and Policy is made by AG.

¹ DCI Gen 206/00.

² DCI Gen 206/00, Para 6.

11. Grey Area. Supervision, moral obligation and reasonable expectation are not defined. New laws and initiatives are being added to the raft of military regulations (see Annex E) ranging from QRs to ADPs, which require time/manpower to fulfil. To assess the legal risk accurately, ATRA must establish which responsibilities it deems are:

- a. A legal duty.
- b. A 'binding obligation' for which the military authorities will take a disciplinary view, or
- c. A 'moral responsibility' that need be done if time and resources are available.

12. The Acid Test. A civil court will consider 3 stages of incremental test for DofC&S, based on balance of probabilities:

- a. Reasonable foreseeability of injury (If it has happened once it may happen again).
- b. Proximity; how remote was the employer from the problem (The number of staff on duty and response time).
- c. Fair, just and reasonable to impose a duty.

13. ATRA Is Unique. ATRA is the Army's interface with Society and acts as its 'shock absorber', converting civilians into soldiers. As an Agency, it is a unique organisation for delivering DofC&S and should not be compared directly with a Field Army organisation. It has between 40% and 50% of recruits under 18 (U18) and its core activity depends heavily on civilian or contract staff. ATRA depends on LAND for 2nd line AWS support at a time when 'delivery of Army welfare is ad hoc' and AG for command. Care needs must be tailored to meet the need.

14. The COs' liability must therefore be clearly defined. For them to fulfil their DofC&S, their responsibilities should be achievable and reasonable. Where they are not, either resources are provided or obligations modified to match existing resources. The dilemma is that military staff are being reduced at a time when the DofC&S needs of the trainee appear to be increasing; a credibility gap is opening.

CONCLUSIONS

'Never give an order that cannot be obeyed' ~ Basic rule of Leadership and discipline.

SUPERVISION ASSESSMENT.

15. There are now so many orders and regulations that not all can be met, but permanent staff are doing their utmost to maintain traditional standards and values. For DofC&S analysis, ATRA divides into two main groups:

- a. Technical Op Divs.
- b. Tactical Op Divs.

16. Legal Defence. The fact that a risk assessment has been conducted should benefit ATRA in the case of any legal challenge. However, parts of ATRA are routinely working well above the legal limit and shortage of staff is not a viable legal defence. Most Op Divs are routinely under staffed and DGATR is vicariously liable. Action is required to address and either reduce or sanction the risk levels identified as policy.

15. External Support. Guidance on policy is not always readily forthcoming from HQ AG. The TLB border with LAND leaves ATRA vulnerable to changes in second line welfare delivery. Authority, responsibility and budgets do not match the Chain of Command. Where ATRA fulfils Garrison duty, there is often no clear split in staff functions.
18. Internal System. The system of delivering and evaluating ATRA DofC&S is ad hoc. This is a dynamic issue and Head of Personnel should be report annually to DGATR/COS/DCE. The DofC&S Working Group should be formalised and meet biannually. The lack of Pers MIS is a handicap.
19. Policy. ATRA lacks a coherent policy on DofC&S and there is lack of clarity over which obligations are a legal requirement or a binding responsibility or only if affordable. There is no costed statement of requirement that can be evaluated.
20. Staff Manning Levels. The expectation of military staff to deliver DofC&S is verging on being unrealistic; the burden falls on the same few people and the system is failing because of insufficient troops to task or it is achieved at the expense of staff working time/quality of training/private life. ATRA averages 10% gapping of military posts and a majority of ATRA permanent staff are working 10% or > above WTR. In reality 'invisible' gapping pushes the figure higher because for example:
- a. Postings-in. # % of staff are posted in not fully qualified or 'owed' leave of one sort or another.
 - b. Non-Core Commitments. Resettlement training, limitations because of pregnancy, TMA/STTTs.
21. Groups Most at Risk. Analysis of Annex F (work time map) highlights the following groups at most risk:
- a. Op Divs (or elements of them). RMAS, ITC Wales, ITCC, SAAvn, ITG, REME Trg Gp, RLC Trg Gp, RSS, and RSME (tbc). Some Op Divs use Phase 3 students to supervise Phase 2 trainees; there is risk attached to this particularly where U18s are involved and this impacts on care of both parties.
 - b. Individuals. Capt and Lt, SSgt, Sgt and Cpl.
22. Worst cases. Attention is drawn particularly to RMAS Tpt Sqn, ITG Trg Teams, ITCC 1st and 2nd Bn, SAAvn 671 Sqn and Adv Fixed Wing, which should be re-evaluated.
23. Career Management. A significant number of eligible staff require to attend career courses to qualify for promotion; Cpls awaiting EFP are the worst case (Annex G ser 14), but attendance on courses would exacerbate the supervision situation. ATRA is viewed by some as a career cul de sac.
24. Medical/Dental Assessment. Recruiting medical staff is limiting support available OOHs. Obtaining medical stats has hit confidentiality rules but initial reports indicate 'considerable unhappiness' (stress?) at some rank levels. Dental fitness targets set on the ATRA are currently unachievable without detriment to training standards. SO1 Occ Med needs to complete a full analysis. Remedial PT staff and private Medicare have proved their worth in human terms.



- The Guardroom and Security. The guardroom resources are being overstretched OOHs and security put at risk.
- a. Where MPGS are not employed, the guard is found from SATT, SAD and Phase 2 trainees. Security may be in the hands of dissatisfied, disinterested or unqualified soldiers with live ammunition.
 - b. The guardroom is in some units the first line of DofC&S, including self-harm cases. The lack of female staff in the guardroom is a vulnerability for supervising female accommodation.
 - c. Income generation requires an escort for strangers in camp for example to line dancing or sports activities.
 - d. RP Staff are qualified to run the custody suite whilst a soldier is in close arrest. Op Divs with undermanned RP staff are at risk of breaching custody regulations. Lack of female RP staff is noted.
26. Discipline. Without additional resources, changes to Summary Dealing have imposed a major additional burden on the discipline system. This has detracted further from time available for DofC&S to the 80% of 'good guys'.
27. G4 Admin. The state of Propman is a significant ongoing morale problem generally and not addressed here but:
- a. Barrack damages are not being satisfactorily monitored and few culprits are caught. H&S is put at risk when fire doors are damaged and not repaired. SLA appears to be in most need of investment with hygiene at risk in some areas see SMO SEAE letter at Annex H.
 - b. Contractorisation. QMs and CQMSs are having to complete time consuming H&S risk assessments, adding to the administrative workload and detracting from the core task.
 - c. Admin periods. Few programmes include periods for administration because of lack of time. Contact time is limited and admin is done during NAAFI and lunch breaks, with staff and students missing their breaks.
27. Fitness Levels. Fitness training and sport have been squeezed out of programme time; some Op Divs are not able to deliver the 3 mandatory PT periods per week, others do it at 0600hrs thus extending the working day. Many recruits are probably going to Field Army below the minimum standard of fitness.
28. Conclusions in a Nutshell. ATRA does not have a coherent DofC&S policy that can be costed/measured. ATRA is failing in certain aspects as a result of reduction in the military workforce and increased obligations. There is an unrealistic and therefore false expectation of the staff, but without a clear definition, to what degree remains subjective. the current situation is tenable only as long as there is no major incident or complaint. There is no suggestion of complaint by staff about working long hours to achieve professional standards, however, training standards are now being traded to try and maintain traditional methods of DofC&S and to meet non-core tasks. Action is needed to reduce the gap in care capability. Gapping should be reduced by all practical means or output should be reduced. Non-core commitments should be reduced and a review of traditional attitudes to DofC&S should be conducted to establish a balanced DofC&S policy for its staff and trainees that would satisfy reasonable expectations of both. This is a dynamic subject and needs annual reassessment to assess the impact of changes and stay legal.

RECOMMENDATIONS

29. **Develop a Policy.** ATRA needs a DofC&S policy governing priorities and stating clear responsibilities for staff, that is reasonable and balanced for both staff and student. It should encompass ATRA welfare requirements.
- a. **Philosophy.** Delivery of 'ethos' is already waning with lack of contact time. ATRA cannot uphold traditional, paternalistic methods of delivering DofC&S. With current military manpower/time constraints, ATRA should reduce non-core activities and OOHs activity, and either:
 - (1) Reduce through-put of students and/or levels of training or
 - (2) Adopt a more minimalist approach to DofC&S with responsibility placed on the individual.
 - b. **Evaluation.** A system of evaluating policy is required. This means developing a more accurate form of measuring DofC&S and priorities.
 - d. **Career Management.** Policy should include a statement of career management for staff. Programmed attendance on career courses should be made as part of the posting order to ATRA by APC Glasgow.
30. **Develop a System of Monitoring and Assessment.**
- a. HQ ATRA should have a DofC&S risk assessment committee headed by Hd Pers (or COS?). Representatives from HQ AG and G1 LAND should be invited to attend.
 - b. The DofC&S working group should be formalised and meet biannually to look at causes/effect and outcomes. It should produce an annual risk assessment with recommendations to Head Pers.
 - c. Better use should be made of the Padre network, with a direct line to DGATR. The Padre should be equipped with a mobile phone or pager. The padre establishment at RSA, Harrogate, Worthy Down, Chatham (retires 12/01) should be resolved.
 - d. Conflict of Welfare needs should be resolved by ATRA having closer liaison with G1 LAND and be represented at relevant committees.
 - e. Each Op Div should have a welfare forum including CO Support Regiment or equivalent, Padre, WRVS, AWO, SMO, UWO and DofC&S WG representative. It should feed the ATRA WG.
 - f. An ATRA Personnel MIS Business Objects should be set up as a matter of priority to facilitate evaluation.
31. **Reduce Gapping and Obligations.**
- a. Undermanning/gapping in ATRA should be reduced by all means possible. Agency staff should be employed to fill gapped military, including RO posts. Civilian staff should be more involved in DofC&S.
 - b. ATRA instructors should arrive fully qualified notably SAA, Range conduct, BHEs and BHLs.
 - c. Agreed non-core tasks and new obligations should be included in ATRA planning and budgeting; 'no new tasks without resources'. Traditional 'Corps' type tasks should be reviewed and resourced if agreed.

- d. MPGS should be employed on all ATRA sites as a priority measure.
32. Review Discipline Delivery System.
- a. A review of the system for delivering discipline in ATRA should be conducted.
- b. An AO to deal with legal documentation should be employed to support each commanding officer and ASA in ATRA.
- c. Each major Op Div should have an SO2 Discipline (RO2/HEO) established to include court escort officer to free up regimental officers for DofC&S. Otherwise, an officer should attend only crown court hearings to represent trainees.
- d. Policy for discharging repeat offenders should be tightened; '2 warnings and out' or a points system for offences. The system of recording trainee discipline should be changed so that only Regimental entries are carried forward to Field Army on posting.
33. Reduce Responsibilities. Admin responsibilities of Commanding Officers should be reviewed eg H&S and estate management to see where they could be taken off their shoulders to allow them to focus more on their core task.
34. Medical Report.
- a. The DofC&S medical reports were incomplete. SO1 Occ Med should make a full report including medico-stress problems, self-harm and specialist appointment waiting times for staff and trainee, and the benefits of employing remedial PT staff and private Medicare insurance.
- b. The policy for discharging long-term sick students should be reviewed to see if an earlier decision would benefit all parties. There should be graduated time scale within which a student must complete a phase of training.
- c. Dental targets for posting to Field Army should be reduced to 50% at level 1 or 2. Routine dental treatment delivered at AFC and ATFC should be considered.
35. DAOR Window. The DAOR system should be standardised across the ATRA. The system should allow for separate but shorter windows in Phase 1 and again in Phase 2. Allowance should be made for U18s.
36. Propman. Genuinely secure storage should be provided in accommodation for each student.
37. DERA Model Test. DERA should be consulted to run a model test on ATRA manning/DofC&S problem.
38. RN and RAF Consultation. The RAF and RN systems for DofC&S should be compared.
39. Future Reorganisation. Each Op Div should have DofC&S/welfare centre of excellence, and alcohol free leisure environment involving church charity groups incorporated in the ATRA long-term reorganisation plan, with the relevant expertise to relieve training staff to a greater extent.

METHODOLOGY

40. Preamble. This G1 Pers Risk Assessment a measurement of time and leadership tasks that have not before been attempted. The aim was to develop a standard formula that would provide a common basis across ATRA. The lack of Pers MIS database has been a handicap on obtaining objective analysis.
41. Introduction. Although the basis of measurement is the Working Time Regulations (WTR = 48hrs/17wks), this was only one part of the analysis. The Op Divs were directed at Annex B to:
- a. Identify any units or groups at risk. Record the time that permanent staff, by rank, were employed on core and non-core duties, including DofC&S. This was to quantify current levels of staff time available and spent on DofC&S outside programmed hours. Annex F shows the work time 'map' (based on Apx 1 to Ref B).
 - b. Identify additional staff required. Record current staff:student ratios and the number of staff required to deliver DofC&S, and therequirement for achieving minimum levels of supervision (based on Apx 2).
 - c. Measure the G1 risk areas. Provide objective G1 data (Annex B to Ref B) to measure 'hotspots in G1 performance, identify risk areas and, where possible, DofC&S tasks that were not being done. Annex G shows the summary of Op Div responses to the questionnaire.
42. Detailed Task. The DofC&S WG assessed that it was neither feasible nor wise to impose a standard staff:student ration across all Op Divs for geographical, functional and legal defence reasons; therefore the formula provided only illustrative ratios and Op Divs were to apply ratios appropriate to themselves.
43. The method used in Apx 1 was a straight record of the number of hours currently being worked (by rank) for the core and non-core tasks; it was conducted over a two-month period as accurately as time/manpower would permit but was done as honestly as possible erring if anything on the low side. (See Annex F)
44. The method used in Apx 2 was in 4 steps:
- a. Step 1. The day was divided into three 8 hour periods to correspond with the working day (0800-1600), the evening/leisure period (1600-2359) and silent hours (0001-0800), each of which, it was deemed required a different supervision ratio. For the same reason, it divided trainees into those undergoing training and SATT/ holdees. This was then extrapolated for the training week to produce a total number of staff required.
 - b. Step 2. This number was divided by 48 to produce the 'legal' number of staff required. It allowed for 10 weeks non-availability (leave courses, sickness etc) per permanent staff member but excluded maternity leave 24 hour duties and other directed but non-core tasks.
 - c. Step 3. Calculated the number of staff currently available based on a norm of two 24 duties per month.
 - d. Step 4. Subtracted the staff available from the staff required to produce the shortfall figure.

[NB This is a purely mathematical equation to produce an objective answer. It does not calculate in concurrent activity and is therefore only an indicator. It cannot be used alone to support an increase in establishment.]

45. Subjectivity. It is acknowledged that there is a degree of subjectivity in this process because each Op Div has applied its own operating ratios. Although not ideal, in the absence of any better 'template' this is considered to be the best workable solution. Consequently, it is accepted that this produces a relatively crude 'first go' at measuring DofC&S performance that requires refinement over a longer time frame. The problem should be put to DERA for test modelling.

ANALYSIS

WHY DOES ATRA HAVE A PROBLEM WITH DofC&S?

"Due to vagueness of the personal support requirement placed on AWS ... there are now palpable tensions ... over what is statutory ... not statutory but essential ... desirable but perhaps unaffordable" ~ APRC Army Welfare Paper Jul 00 (para 18). ATRA is at the end of this line

46. Cause and Effect. The ATRA evolved from the former Regimental and Corps Training Establishments and Depots, via the AITO, as part a series of reorganisations of the Armed Forces, most recently the SDR. Successive adaptations resulted in layers of changes, all valid at the time to meet the need, but which collectively may not have been adequately reconciled. These are now having a compound effect on ATRA ability to meet 'reasonable expectations' of staff and trainees in DofC&S, as well as to meet output objectives. The number of troops to task is reducing when the number of tasks is increasing; some legal and binding obligations now exceed the ability of staff to deliver.

47. Business Practice. Board level business management practice and resource accounting does not include the cost of ethos, leadership and delivery of DofC&S:

- a. The tightly costed SOTR has compacted recruit training in time and content, with resources pared to a minimum. 'Just enough just in time' is squeezing delivery of ethos, including DofC&S.
- b. The process of civilianisation/contractorisation of military posts has not factored in the task of DofC&S and supervision. The out of hours DofC&S burden falls on fewer military staff. In the technical Corps, the absence of military staff for large parts of the day in some Phase 2 Op Divs leads to an absence of ethos and discipline leadership. This is compounded by ...
- c. The SDR squeeze on the non-deployable Army, not least NDER, which continues the process of ratcheting down military manpower in the ATRA.
- d. Savings measures are taken before the measures to pay for it are in place, leaving a lack of funding to implement change properly.

e. Income Generation (IG). Pressure to achieve IG is in conflict with core activity (policy is at Annex L).
burden also

(1) Falls on G3 planning staff who can spend >30% of their time on IG.

(2) Impacts on the camp security system when strangers require to be escorted in camp eg to line dancing and sports activities, at a time when the guardroom may be the only source of OOHs supervision for our own soldiers.

48. Gapped Posts. ATRA routinely averages 10% gapped posts caused by under-manning in the Army. Further gapping has also been created by savings efficiency measures, which has added to the DofC&S gap. Invisible gapping involving absence of staff on career qualifying courses including unqualified instructors posted in who then have to qualify ITGIS training of staff is a 4weeks gap; pregnancy means females stop heavy duties; ATRA is often a last tour posting allowing 7 weeks 'gap' for resettlement. Instructors suspended after a complaint with months of delay waiting RMP/SIB investigations and legal advice equates to gapping. It is noted that REME Trg Gp have successfully employed two agency staff to fill military/RO posts for more than 2 years.

49. Attitudes in Society and Discipline. Trainees are reportedly less robust morally, physically and mentally; recruits bring more problems with them than previously and there is concern about trainee attitude towards attendance and time keeping. ATRA currently represents 40% of Army discipline cases and one Op Div (Armr Cen) recorded discipline rates more than doubled in 99-00 but offenders number about 20% of trainees and many are repeat offenders. The approach to Army discipline in training is being softened and the effort to inculcate ethos and produce trained, disciplined soldiers requires greater supervision and time. This increases the administrative and discipline burden, whilst further reducing time available for DofC for the other 80% grey faces.

50. New Legislation. Introduction of employment legislation and other initiatives requires additional time for achievement or compliance, which has impacted on delivery of discipline and DofC&S:

a. HRA. Changes to summary dealing procedure now take on average an additional 1.5 days/week from Adjutants/OCs and one day/week from COs time. At subunit level (eg SEAE), there are 250 cases per annum; a separate charge sheet has to be prepared for each offence and with each charge 16 pages of legal preamble have to be read to the accused. The process can take an extra 3.5 hrs each time adding 75hrs/wk for those involved; this means that fewer cases (2-4) can be dealt with per day. If the soldier chooses to appeal against his punishment, the whole process is repeated with the Judicial Officer. Incidents of soldiers exercising their right to 14 days to consider punishment using the opportunity to go AWOL adding to the cost. Long delays awaiting RMP/SIB reports and then legal advice, create backlogs. The requirement for a custodial officer in each unit from the chain

of command is an additional 24 hr duty for captains, who are already under pressure. LAND units have employed additional civilian staff (Band E1) to cope with the extra legal paperwork

b. WTR (ATRA policy is at Annex H) applies to instructors and staff in the ATRA who are limited to 48hrs/17 weeks. It is not clear from this analysis whether allowance is made for 'appropriate compensatory rest'.

c. Removal of Crown Immunity. Staff may now be open to charges of corporate killing or manslaughter by negligence following accidents with weapons and drowning. Pressure for risk aversion³ means greater caution, longer preparation and more safety checks at a time when SOTRs are already being cut. The vicarious liability risk to COs and military staff is not clear. DALS advice should be sought on whether Professional insurance should now be considered in ATRA to cover staff for personal liability on duty. Unqualified weapons instructors cannot teach or supervise SAA (ND incident on range; CO liable); Staff must do their own APWT to stay legally qualified to do armed guard duties. Some Op Divs can only do this at weekends, lengthening the working week.

51. Diversity in Employment. On the macro level, increased numbers of females in training suffer 8x higher levels of injury than males, either increasing time in training or wastage, which impacts on DofC&S. At individual level, pregnancy limits employment eg At SAAVn, the one qualified Cpl petroleum storeman has been taken off that task immediately pregnancy was confirmed, creating >7 month gap; without a replacement the Op Div ability to function is affected.

52. Legacy Factor. ATRA units continue to be responsible for traditional obligations, values, Corps and Depot functions historically done by the training establishment. At Annex K is a list by way of example (REME Trg Gp). These take time/staff resources that are not costed or resourced in the business plan. The categories of non-core tasks include:

a. Continued demands on for TMA, STTT and other non-core tasks. Although much reduced over the last two years, in a shrinking manpower pool the impact of every task on DofC&S is serious.

b. Army/Corps activities eg RAAT, Corps committees and SAAM, cadets/reserves, sport management.

c. Regimental, capbadge, depot and garrison functions eg mess duties, garrison church responsibilities.

d. Support to local authorities and groups eg district, town, parish councils, guides/scouts, sports, charities and schools.

f. Layers of Regulations. A list of regulations (Annex D is not exclusive) that impact on DofC&S. For example, QRs 6.174a requires 'an officer of his unit who knows him/her well to attend court'. One of four squadron officers (RLC Trg Gp) managing 1200 trainees at one time spent 50 working days in various law courts across the UK in 99/00. The 80% 'grey face' factor means that there is often nobody who knows the trainees 'well'. Increasing lack of discipline is making this an unsustainable obligation under current working practices.

³ 'Risk Aversion and the Zero Defect Culture' by Col DC Eccles; BAR 122 Nov 99 Copy at Annex J

53. Age and Experience. ATRA has between 40 – 50% U18s in training at one time for whom it has in loco parentis responsibility; the plan is not to reduce this number. Supervising staff require greater knowledge of regulations and dealing with welfare issues.

- a. Age and experience of trainees are factors that affect ATRA levels of supervision in the eyes of the law, particularly as a residential training establishment. The likelihood of alcohol, drugs and sexual abuse carry added responsibility and require vigilance OOHs.
- b. The current practice of using Phase 3 students in several Op Divs to supervise Phase 2 trainees OOHs is a risk; further DALS advice is needed about the eventuality of the former who claims to have failed a professional course because of Supervision duties, or the latter when a complaint against an unqualified supervisor, placing vicarious liability on the CO.
- c. Trainees who have been in local authority care place a legal commitment on ATRA to liaise with local authorities for up to 2 years after joining. It is not clear if this happens.

54. Medical and Health. (SO1 Occ Med). An Op Div summary of specialist appointment waiting times is at Annex M SO1 Occ Med is requested to follow on with a full subject matter report.

55. Moral and Spiritual Care (Senior Training Padre). Senior Padre is requested to follow on with a full report.

56. Agency v MOD/HQ AG/ APC/ LAND Dimension. *“Welfare Delivery in the Army is currently ill defined, fragmented in delivery ... and delivered in a decidedly ad hoc fashion”* ~ APRC Paper Jul 00 (Reference C). This reflects ATRA problem.

- a. ATRA as an Agency has an extremely tight establishment that is designed to achieve a specific and limited goal. It’s status neither confers the benefits of financial flexibility nor relief from direct tasking by the Chain of Command. Funding, authority and responsibility do not always coincide.
- b. HQ ATRA is the direct interface between the policy makers and the ‘production line’; it is the first level at which new laws and policy initiatives have to be interpreted into practical military application and resourced. At the same time it must make ongoing cuts in manpower, prescriptive savings measures and undertake major reorganisation. There is an expanding credibility gap.
- c. ATRA units have a split Chain of Command between HQ AG and LAND, which causes confusion. HQ AG does not appear to be geared for having troops under command. AG’s edicts often reach HQ ATRA via LAND Chain of Command through an Op Div that does not know to whom it should respond. The G1 matrix at Annex L was an attempt to produce a working system. It needs to be reviewed and clear G1 SOPs written.
- d. DGATR has responsibility for the behaviour of his people, but neither he nor 75% of Op Div Commanders have any disciplinary powers. This impacts on ATRA ability to manage its work force.

e. ATRA is dependent on LAND funded delivery of second line welfare support (AWS, SAAFA and WRVS); this may be shared. It has been under constant review to make savings. Communication between first and second line is too often stove-piped; DST is an example of best practice.

f. The scale of change has outreached ATRA's ability and resources to maintain it for some time. There is now deep cynicism at Op Div level.

57. Coordination Within ATRA. The debate is about an increasing burden of supervision falling on fewer military staff. HQ ATRA should give greater cognisance to the current risk levels, and the impact of new legislation and initiatives by assessing the manpower, resources and time required to deliver DofC&S through:

- a. A clear policy statement that forms the foundation of the ATRA Employment Charter ie defines DofC&S.
- b. A statement of care/supervision/welfare requirement (SOSR) that can be measured.
- c. Routine resource management of SOSR (Troops to Task) and G1 Pers issues that is integrated with G3 and G4 planning in HQ ATRA as part of the SOTR process.

58. Analysis of 'At Risk' Groups. The map at Annex F (summary of Apx 1 returns) shows current core and non-core working hours by rank for each Op Div. Those working in excess of WTR by 10%, 50% and 100% is highlighted (it is stressed that this is not a debate about WTR, but it serves to demonstrate time available for troops to task on DofC&S). All Op Divs less RSA and AGC Trg Gp would appear to have at least some elements of staff routinely working at 10% or more above WTR. Those listed below are to be considered to be falling below the minimum (legal?) level of DofC&S for two main reasons:

- a. Insufficient (Military) Staff : Student Ratio. This applies generally to the Technical Arms as a result of civilianisation/contractorisation. REME Trg Gp, RLC Trg Gp, RSS, and RSME (tbc) are not delivering satisfactory levels of DofC&S to students, and in some cases, staff. They are considered to be at risk.
- b. Excessive Working Hours by Staff. This applies to 'tactical' Op Divs RMAS, ITC Wales, ITCC, SAAvn, and ITG, some working >100% above WTR. It is considered that whilst satisfactory levels of student DofC&S may be achieved, it is done so at the expense of instructors care and/or quality of instruction. The following units and ranks are areas of most concern and a further risk evaluation should be done:

- a. ITC Wales. This Op Div must be exempt WTR or it cannot achieve its aim.

- b. ITCC.

- (1) 1st Bn. Cpts, Lts, Cpls. (*Cpts and Cpls work 106.5 and 91 hrs/wk respectively must be checked*).

- (2) 2nd Bn Majs, Cpts, Lts, WO2s, Sgts and Cpls, all in excess of 70 hrs/wk.

c. ITG.

- (1) ATRs (B) and (G). Lts, Sgts and Cpls. *(ATR(G) @ >180hrs/wk must be checked).*
- (2) ATRs (P). Sgts, Cpls and L/Cpls each doing 84.5 hrs/wk.
- (3) ATR (L). Cpls doing 80 hrs/wk.

d. RMAS.

- (1) New College. Capts and SSgts.
- (2) Old College. SSgts. 75 hrs/wk
- (3) Rowalan Staff. @ 137 hrs/wk. *This must be checked.*
- (4) Training Wings. Sgts and Cpls 80.2 and 77 hrs/wk respec.
- (5) Tpt Sqn. Sgts 72hrs, Cpls 81.5 hrs, L/Cpls 73 hrs and Ptes 87 hrs. *(This unit must be checked).*

e. SAAvn. Change Proposal (CP) for Apache is pending.

- (1) 668 Sqn. Majs 73 hrs/wk.
- (2) 670 Sqn. Majs, Capts, Lts, WO2s and SSgts.
- (3) Adv Fixed Wing. Majs, Capts, WO2s and SSgts. *(SNCOs @ > 108 hrs/wk must be checked).*

59. ATRA Policy on WTR made these Op Divs 'exempt WTR for Operational Effectiveness (OE) reasons', but on SP Pol advice, instructors are still subject to WTR and should be getting appropriate compensatory rest. These figures indicate a high risk to ATRA in the event of a challenge by an instructor and the situation requires further clarification; ATRA is technically breaking the law. However, present attitudes are that this is accepted as professionally necessary to achieve the objective but there is a widespread feeling of cynicism about being able to maintain standards and it maintains the long hours culture.

60. ATRA Divide. Op Divs system of supervision divides them into two main groups:

- a. Tactical. Those Op Divs that retain a traditional chain of command based on an infantry battalion structure to deliver DofC&S. They have a relatively high military staff: student ratio, but training is far more intense and supervision is achieved only by many staff working exceptionally long hours; there is a personal penalty on those individuals, however, including career course delays and family pressures. This is typical in ITG, ITCC, ITCW and RMAS.
- b. Technical. Those Op Divs that rely heavily on civilian/contractorised instructors as a result of PPP. They use a Support Regt system to manage the administration and supervision of trainees. The Military staff : student ratios is low and there are not enough staff, however hard they work, to meet minimum supervision standards. This is typical of the Corps Op Divs RLC and REME Training Groups.

61. DofC&S Manpower Shortfall. Few instructors claim to know their students. The shortage of contact time means that 80% of trainees pass through ATRA 'unknown'. The other 20% are more likely to be known for the wrong reasons.

'Some people are intelligent in knowing themselves but stupid in knowing their opponents, and others the other way round; neither can solve the problem of learning and applying the laws of war' ~ Sun Tsu ... The Art of War.

- a. The staff required to achieve minimum levels of supervision and legal DofC by Apx 2 calculation, indicates a shortage:

Ser	Op Div	# Shortfall	Comment
1	RMAS	18	
2	ITG		
3	ATR(G)	70	
4	AFC(H)	113	
5	RSC(P)	(8)	Coping whilst at 75% of recruiting capacity.
6	REME Trg Gp	48	SEAE 30.
7	RLC Trg Gp	62	
8	DST	5 Cpls	
9	SAAvn	12	New SOTR for APACHE
10	Armr Cen	23	For RAC Trg Cen
11	RSME	6 SSgts	CR of 6 Sgts (tbc by full report)
12	ITCC		

- b. Clearly current manning constraints would not allow for such expansion! But it does indicate the degree of risk and the necessity for a clear policy that:

- (1) Lays down priorities.
- (2) Is costed and realistic.

- c. An example list of tasks that are not being fulfilled is at Annex N.

SUMMARY OF MAIN CONCERNS LEADING TO RISK

62. Staff Manning Levels. The volume of through-flow means that instructors/supervision staff do not have sufficient contact time with the trainees, an estimated 80% of whom are 'grey faces' who pass through ATRA without being known. The other 20% are mainly known for adverse reasons and take up most of ATRA welfare capacity. There is not enough programme time for interviews or admin and personal problems go unnoticed eg U18 female with an alcoholic history; depression leading to self harm; a suicide case lay undiscovered in his accommodation for a number of days (5?). In most Phase 2 Op Divs U18s get little if any more supervision than over 18s (18+). Unless an incident occurs that exposes a problem, it is unlikely to be discovered before the individual reaches the Field Army or becomes a wastage statistic.

63. This is compounded by 'invisible' gapping eg TMA/STTTs, pregnancies, posting in from Field Army part or unqualified instructors (on promotion?), or 'owed' post op tour or annual leave, re-engagement leave, career courses.

64. Use of Phase 3 students to supervise Phase 2 trainees as a matter of policy, particularly where U18s are involved, is a risk. On one hand, they are not qualified for the task in the event of an incident and on the other, could challenge if they fail a career course because supervision duties prevented them working. Legal advice should be taken on this issue.
65. Selection of Ph2 instructors in technical arms is not necessarily on the ability to provide suitable DofC&S. Whilst ITGIS supports Phase 1 instructors, there is a need to training ATRA instructors and supervision staff to cope with the legalities and practice of delivering DofC&S. The Commanders Guide to dealing with Self-harm should be issued to all ATRA supervisors.
66. Manpower Shortages. Lack of manpower is not an argument in law for working excessive hours. All means should be utilised to fill military and RO2 posts. A contract with an Agency (eg Working Margin) should be permanently established to fill short term gapping and initiatives.
67. Expectation of Military Staff. Continued savings measures eg 3% pa and squeeze on ATRA military manpower through capping or reductions (NDER) have led to an unrealistic expectation of staff, notably at the junior end - Lt to Cpl. This is compounded by the need for more supervision following new legislation and initiatives leading to a high level of cynicism among Op Divs about the ability to maintain professional standards.
68. DofC&S Management at Op Div Level. Whereas Field Army has adapted to meet some DofC needs by appointing unit RCMOs, the ATRA has not had the capacity to do the same. Some Op Div Unit Welfare Officers (UWO) are outpaced by volume; at ITCC the UWO has a community of >1000 soldiers. Stove-piping exists in dealing with various welfare agencies and there appears to be insufficient coordination between care agencies at Op Div level. DST team, led by the padre, should be taken as best practice for all locations.
69. Padres. Insufficient use is made of the padre network in ATRA. The Senior Training Padre based at Worthy Down should be accredited to Personnel Branch for input to ATRA planning, but remain at WD for pastoral work. The establishment of padres should be reviewed, particularly where there is predominance of U18s.
70. Managing Discipline. ATRA has 40% of all Army discipline; this involves <20% of recruits, many of whom are repeat offenders. New entrants incline towards less self-discipline and attitudes towards AWOL, attendance and time keeping do not lend themselves to efficient outputs. Reduced supervision in Phase 2 leads to increased discipline problems and Army Summary Dealing Regulations (ASDR2K) has significantly increased the time and complexity of legal administration estimated at 30 – 50% longer. New initiatives compound the problem eg achieving dental fitness policy⁴ can mean staff spend 3 – 4 hours dealing with one missed 10 minute appointment. Staff are too busy fire fighting to stop and assess the underlying causes of problems and how to manage them better. The result is that key supervisors spend even less time with the good 80% of trainees, adding to the 'grey face' factor.

71. Theft. Anx G Ser 22 indicates significant levels of theft in some Op Div barrack blocks; it is suspected that many thefts go unreported; this is one reason for high incidence of lost ID cards. Few culprits are caught. There is a requirement to provide proper secure storage, modern chipboard lockers cannot be made secure and add to barrack damage bills (para ?) because they do not withstand heavy use.
72. DAOR. A factor behind Phase 2 discipline rates is the administration of DAOR. Phase 1 policy rightly is to retain recruits and persuade them to give Phase 2 a try. In many cases this takes a recruit past their DAOR window, morale drops and discipline problems start. This places a further burden on supervision staff and adds to the discipline stats. The whole system of DAOR needs to be rationalised.
73. Regimental Police (RPs). The rules on custody were amended under ASDR2K. RP staff alone are qualified and responsible for soldiers in custody. Where there is undermanning of RP staff, unqualified guard NCOs are standing in. This may be a significant risk in the event of an inquiry and legal advice should be sought. The shortage of female RP staff may add to the risk when there is a female soldier in custody.
74. Alcoholism and U18s. Alcohol is considered to be a factor behind high % of discipline problems. Alcohol in accommodation blocks is banned but a drunk U18 fell out of a first floor accommodation window during a drinking session. Supervision levels OOHs, particularly at weekends means that some Op Divs are not able to supervise accommodation. Investment in an alcohol free environment (Cyber Café) has proved its worth at RSA. The Church Organisation should be included in future rebuilds including AFC2. This needs further study and clear policy direction from HQ ATRA and funds sought from non-public sources eg Nuffield Trust.
75. Fitness and PT Supervision. Many recruits are unlikely to be at the minimum fitness standard on leaving ATRA. The three PT periods a week mandated by DITrg Pol are omitted because of insufficient programme time in some Op Divs; others do PT outside programme time (0600hrs) which impacts on staff working time. Supervision of PT is the subject of a separate study but fitness training needs further investigation.
76. Personnel MIS. ATRA corporate ability to monitor, analyse and manage its workforce is handicapped by the lack of a personnel MIS system. After more than two years, it is still under discussion. This should be given priority.
77. Medical Services. The removal of Def Med Svcs in UK has put pressure on ATRA, compounded by the inability to recruit medical staff and closure of a number of MRSs during OOHs; some locations use the guardroom for immediate care of self-harm cases. Levels of military sickness are low but regimental staff are still unable to take supervise follow-up action on morning sick parades; return to duty is often unchecked, giving rise to 'permanent sickies'. A worst case example is in REME Trg Gp where a trainee, who joined SEAE on 1 Feb 99, has to date completed only 13 weeks of his 46 week course because of medical and welfare problems; it is possible that he will time expire before completing ATRA training!

⁴ ACDS Letter ...

SO1 Occ Med should be invited to report on medical and dental DofC&S, several Op Divs were denied data by their SMO. This should report on the level of welfare support required by each Op Div, stress levels, morale, time out for injury and appointment waiting time. The benefits of employing remedial PT staff and private Medicare in terms of return to duty time appear to be indisputable.

78. Career Management. Anx G Ser 14 demonstrates clear evidence that in some Op Divs, staff cannot be released or there are insufficient vacancies, for them to attend EFP, JCSC, and special to arm career courses; Cpls are the worst case group for EFP. The perception of many is that a posting to ATRA is a promotion blocker. Attendance on these courses would impact on staff manning levels (para 8) and exacerbate the supervision problem further.

79. Responsibility for Contractors. Even where contracts are in place, the CO cannot abrogate overall responsibility for H&S⁵; this would appear to apply to NAAFI and mess contracts. The effect is that QMs and CQMSs are spending long hours doing risk assessments. This needs to be further investigated as a task for civilian staff.

80. Propman. Barrack damages are costing many thousands of pounds. Supervision of accommodation blocks is not being achieved, and few are brought to account for the damage. The standard of SLA in some locations is deteriorating and attempts to improve the standard are rapidly defeated. SMO at SEAE reflects one bad situation at Annex M. RSS records that barrack damages have dropped to virtually zero after NCOs were accommodated in the trainees block.

81. Camp Security. The practice of using Ph 2 SATT and SAD (soldiers awaiting discharge) for guard duties, means that soldiers who may not have qualified on their rifle are issued with live ammunition. In the case of SAD, the security of the camp may be in the hands of the disaffected and disenchanted. Moves to get MPGS in all ATRA sites should be given greater priority in view of the Real IRA activities.

R E HAES

Lt Col

Dep Hd Pers Mil

Upv Ext 8752

- ANNEX A: TORs
- ANNEX B: DofC&S Instruction to Op Divs.
- ANNEX C: DofC&S Map
- ANNEX D: DCI GEN 206/00
- ANNEX E: List of Regulations Impacting on DofC&S
- ANNEX F: Map of work time peaks.
- ANNEX G: Summary of Op Div Answers to Questionnaire.
- ANNEX H: SMO SEAE Report on SLA.
- ANNEX I: ATRA WTR Policy.
- ANNEX J: Risk Aversion and Zero Defect Culture (BAR 122 Nov 99)
- ANNEX K: Non-Core Task List (REME Trg Gp example).
- ANNEX L: Income Generation Policy.
- ANNEX M: Sample Med Appt Waiting Times (Armr Cen)
- ANNEX N: Example of DofC&S tasks not being fulfilled ((Armr Cen)

Distribution:

Hd of Pers

Op Div COSs for desk level comment

[REDACTED]

Senior Trg Padre for input pse (para 55)

SO1 Occ Med for input pse (paras 24, 34 and 54).

SO2 G1 MS

HEO H&S

DERA for attention [REDACTED] Bldg A2, Rm 1016A, DERA, Farnborough, Hants GU14 0XL

PS4

⁵ JSP 375.



**HEADQUARTERS
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Reference: ATRA/20/578

See Distribution

Date: 31 Jan 01

ATRA DUTY OF CARE AND SUPERVISION (DofC&S) STUDY
INSTRUCTIONS TO OP DIVS

Reference:

A. ATRA/20/578 dated 12 Dec 00 (Mins of DofC Mtg 18 Oct 00).

AIM

1. The aim is to complete a DofC&S risk assessment for DGATR in order to produce an ATRA policy on which Op Divs can base their assessment for delivery of Supervision. The Study is being conducted by Dep Hd Pers (Mil) on behalf of Head of Personnel and to report to COS ATRA by 31 Apr 01. This assessment will provide the baseline for future reviews.

TERMS OF REFERENCE

2. Attached at Annex A are the TORs for the Study. It should be noted that the scope of the Study is limited to non-training matters and that a separate study may be required to carry out a training risk assessment.

MEASURING SUPERVISION

3. The collective impact of changing employment legislation has yet to be fully calculated and it is acknowledged that case law may be required to clarify.

4. There are a number of possible areas where ATRA could be vulnerable to litigation. The Study has to identify the minimum levels of the employer's DofC&S obligation/responsibility that must be met by ATRA and the Op Divs. This means:

- a. Identifying those aspects of care that have traditionally been taken for granted as part of military leadership, though not part of core duties.
- b. Quantify the time and people factors required for delivery of the employer's obligation in each Op Div.

5. This means that a method of measuring DofC&S needs to be established, but it was clear from the DofC&S meeting that for good business reasons each Op Div had its own system for delivering Supervision. It is not therefore desirable to set a rigid measure that would require change purely for conformity's sake and Op Divs should rationalise and record their own staff:student ratios required to meet minimum levels of Supervision based on their task, student population, age/sex groups, geography, etc.



ACTION REQUIRED BY OP DIVS

6. Each Op Div is requested to:

a. Carry out a risk assessment based on these instructions to identify degrees of risk in areas of legal vulnerability. The instructions and format for this are at Annex B and should be submitted to HQ ATRA by 28 Feb 01.

b. Where it is considered necessary, prepare a case for CP02 manpower if identified in risk assessment, to be submitted to HQ ATRA by 16 Mar 01

7. A copy of Reference A¹ is attached at Annex C and should be read in conjunction with this instruction. The revised formula for calculating Supervision requirements to assist in measuring DofC&S manpower is at Appendix 2 to Annex B.

8. This is a complex, subjective and unfamiliar area. It is not an exact science and Op Divs should not hesitate to liaise with Dep Hd Per Mil to try and work out a sensible plan.

9. Apologies for the delay in issuing this letter. A further note is to follow concerning the visits programme. It is not possible to visit every Op Div in the time frame and priority has been given to Op Divs who consider they have a CP/STP02. This note will also give some direction arising from the first four visits.

R E HAES
Lieutenant Colonel
For DGATR

Op Divs (2: 1 for COS and DofC Reps)
COS ATRA
Hd Pers

¹ Sent to ODs electronically on 12 Dec 00.



INVESTOR IN PEOPLE

ANNEX A TO
ATRA 20/578
DATED 25 APR 01

ATRA DUTY OF CARE AND SUPERVISION STUDY

TERMS OF REFERENCE

OBJECTIVE

A Study is to be undertaken to establish policy and provide a basis for Op Divs to identify the minimum resources needed to deliver ATRA's legal Duty of Care and adequate levels of supervision and support to trainees. This Study should also inform STP 02 and guide development of ATRA risk assessment.

SCOPE

The Study is to concern itself with the support facilities and resources needed to ensure the safety and welfare of trainees over and above the requirements for the efficient delivery of training *per se*, but is also to take account of ATRA's duty to its staff. {PTIs are to be covered in a parallel study to be undertaken by DITrg Pol SO1 PSS(R)}.

TIMING

The preliminary report seeking endorsement of policy will be presented by 31 Jan 01. A report is to be presented to COS ATRA, through Hd Pers, ATRA by 30 Apr 01.

RESPONSIBILITIES

The study is to be undertaken by Dep Hd Pers (Mil), calling on the expertise of SO1 Occ Med, Senior Trg Padre, SPTO Agency H&S Adviser and Op Div personnel as necessary.

CONDUCT OF THE STUDY

- a. Each Op Div will be visited to assess needs and problems.
- b. Account will be taken of all legal requirements as well as of Departmental and Army policy, regulations and guidance.
- c. The RN, RAF and OGDs that sponsor residential training will be consulted to help establish best practice.
- d. Duty of care, welfare and supervision requirements will be identified and categorised.
- e. The potential risks associated with failure to provide each element of support identified will be assessed.
- f. Based on that assessment, a statement of minimum requirements will be produced.

- g. A flexible target range of military staff/trainee ratios, based on full manning and maximum trainee numbers, will be produced to calculate the resultant manpower requirements.
- h. Recommendations will be made as to staff supervisor training requirements.
- i. Recommendations will be made concerning any organisational issues that may need to be addressed.
- j. A draft ATRA SOP will be produced that will provide policy guidance to Op Divs.

ANNEX B TO
ATRA/20/578
DATED 31 JAN 01

RISK ASSESSMENT EXERCISE 01/02

[Where info cannot be collected by 28 Feb, please make a note but do not delay the report without first checking with D/Hd Pers Mil.]

1. The ATRA establishment is based on the SOTR. The function of DofC&S, which is maintained traditionally by the military staff 24 hrs/day as part of the normal command and leadership function, is not necessarily reflected in this.
2. Subsequent civilianisation and reduction of military posts has also not taken account of the unwritten DofC&S and have placed further strain the ability of staff (principally military) who to carry out those duties. To address this, it is necessary to formalise these duties and the resources required to deliver them properly, or failing that, inform the Commanders of the risk that they are taking.

THE AIM

3. The aim of this exercise is to:
 - a. Establish which Op Divs have what degree of DofC&S risk in which areas.
 - b. From this assessment, produce an ATRA SOP to guide Op Divs on the minimum acceptable levels of risk to be maintained.
 - c. Where required, quantify what additional manpower is required to maintain legal levels of DofC&S and produce CP02 proposal as necessary.
 - d. Enable HQ ATRA to assess what additional resources Op Divs would need for any new initiative or task.
4. The conduct of this exercise is in itself part of any defence against legal challenges.

STAFF

5. Working Time. Op Divs are to assess their staff work levels against WTR in order to identify time remaining for DofC&S after core duties have been accounted for. This is not however solely about WTR.
 - a. The chart at Appendix 1 should be completed. This should establish current manning levels and expose areas of gapping/overstretch.
 - b. Leave in all its forms, including the impact of parental/maternity leave, re-engagement leave affecting DofC&S must be counted against 52 weeks available for work. But time off for compensatory rest must not be confused with leave and should be accounted for in the WTR 48hr/17wks. Please take account of staff posted in from Land still 'owed' post-op tour leave, full ALA and re-en leave still to take with proportionally less of the year left to take it.

- c. Average levels of gapping caused by sickness¹, injury, absenteeism, suspension of staff should be noted.
- d. Income Generation (IG). The full implications of IG have yet to be calculated. Please make a note of how this affects your ability to delivery DofC&S. If possible, give data/estimate for number of man/days per annum that staff have been involved in income generation.
- e. Identify any area of DofC&S that is not being delivered to the minimum acceptable level or is at risk because of lack of time or staff (Apx 1 col (i)) and identify the areas concerned.
- f. Turnover/turbulence of staff and through put of students should be included in considerations as factors that magnifies the problem.
6. Levels of Staffing. The formula at Appendix 2 should be used to calculate Op Div overall levels of staff for DofC&S purposes and indicate possible level of undermanning. This is would help to correlate with CP/STP02 on a mathematical basis but would still need to be supported by a break down of jobs/tasks to be done. *It is stressed that this is not a rigid formula and Op Divs should apply it according to their business situation. By itself, this formula is not sufficient to justify the case for CP02.*
7. Supervision System. The system of delivering DofC&S should be reviewed including:
- a. Duty/Block NCO System. What is the level of staff:student ratio OOH for administration, maintenance of discipline (including EO monitoring, theft and barrack damage), fire emergency, alcohol and drugs control. Is the system dependent on Ph3 students supervising Ph2 trainees? Indicate whether the system is based on a member of staff living in a trainee accommodation block and how does this impact on barrack damages.
- b. Measure. Give number only data for all staff/trainees/holders for positive CDT, all EO cases, sexual harassment cases, alcohol cases and other discipline cases dealt with formally in 00/01. Specify at what level of command.
1. Make note of any specific areas of concern eg geographical problems; internet supervision.
 2. Do staff need specialist training in areas of supervision? If so in what areas. Are you using unqualified staff/students, if so for what for tasks.
 3. Give number of cases where ODs have faced legal challenge from individuals. State whether OD has indemnity insurance for commanders/instructors.
 4. Give number of additional hours or days per year required to administer summary dealing under new rules. (This may not be possible for 00/01, in

¹ Include where known, data on stress related illness, including heart attacks, antidepressants.

which case please give an impact statement including effect on CO/Adj/RSM etc ability to carry out other DofCS.

c. Medical/Dental Care. Is the medical system adequate to cope appropriately with emergency OOH medical/suicide/self harm cases? Are there qualified medics on call. Give number only data for 00/01 for suicide and self-harm; where are self-harm cases occurring OOH first placed (MRS, hospital, guard room)... Give % level of STD reported for 00/01 (as far as is known)

8. Career Management. Give number and % of staff by ranks who are eligible but have not attended promotion qualifying courses. How many of these have been waiting more than 12 months. Which is the worst case rank group where this applies?

9. All Inclusive. Op Divs must include all people for whom they are responsible, including 'depot' functions on behalf of Field Army. Also account for all miscellaneous non-core tasks eg. TMAs, STTTs, exercise support, courts martial president/members, staff on their last tour eg. resettlement, etc Please add to the list of tasks including Land/Division, Corps/ capbadge generated ones.

STUDENTS

9. Working Time. Op Divs are to verify that student training programmes continue to meet ATRA WTR policy (unless exempt by ATRA WTR Policy).

10. Medical. Give % of injured trainees who have waited more than 2 months for specialist appointment including physiotherapy; what % of injured are off for longer than 4 months.

11. Discipline.

a. Absenteeism. Give % of trainees absent for more than 24 hours 00/01.

b. Theft. Give number of theft cases reported from living accommodation.

c. Court. Give number of trainees who attended civil law court 00/01.

12. Dental fitness. Give % of trainees that achieved dental fitness level 2 or better in 00/01. Give an average figure for number of appointments/trainees required to achieve.

13. In Loco Parentis. Give % of trainees (average) for whom your Op Div has in loco parentis responsibility. Give a statement how this affects ability to deliver DofC&S including numbers of staff, separate accommodation, alcohol control and any concerns.

14. Please note any other considerations not identified above.

APPENDIX 1 TO
ANNEX B TO ATRA/20/578
DATED 31 JAN 01

ATRA WTR RISK ASSESSMENT – DUTY OF CARE AND SUPERVISION (STAFF)

Ser	Rank/Gd	Av (WTR) 48hrs/17wks ¹ (Normal IHW duties) Staff/Admin	Instr ⁵	Av # 24 hr ² duties/month	Av hrs/month (OOH) ³ Other Duties	Av hrs/month ⁴ Directed tasks	Estab/ Str	Risk Area ⁵	Comments ^{6,7}
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
1	Lt Col						/		
2	Maj						/		
3	Capt						/		
4	Lt						/		
5	WO1						/		
6	WO2						/		
7	SSgt						/		
8	Sgt						/		
9	Cpl						/		
10	L/Cpl						/		
11	WRVS						/		
12	Others						/		1. col (f) only. 1. Specify eg civ staff, contractor.

¹ Give # hrs even if less than 48Hrs/17wks.

² This is for Supervision duties published on Routine Orders incl Orderly Offtr/Sgt/Cpl/duty clerk/dvr etc. (ATRA norm is 2 per month).

³ Official duties for OOH/non-training tasks/supervision incl mess sec, audit boards, trainee supervision eg sports clubs, hobbies. See list types of task

⁴ Individual tasks incl ITDs, EO, H&S, personal fitness, NVQs, PDRs, maint of pers eqpt, maint professional knowledge/skills

⁵ Psc give a best estimate of the DofC&S tasks that you are not able to do because of lack of manpower/time/resources ie the 'Care Gap' in man/hrs per wk (See Apx 2).

⁶ Identify 'worst case' groups under cols (c) and (d); the aim is to identify specific 'hotspots' by rank of group, and why this should be so.

⁷ A comment should be made where 'instructor qualification gaps' exacerbates the situation (av%).

⁸ Categorise an appt by its main role in either col (c) or (d), do not try to break down one appt as part staff and part instr.

APPENDIX 2
TO ANNEX B
TO ATRA/20/578
DATED 12 DEC 00

ATRA SUPERVISION FORMULA

1. The following formula is to provide Op Divs with a common framework to produce a purely mathematical objective analysis of the supervision requirement. It is acknowledged that each Op Div has its own method of delivering Supervision; the intention is not to impose a rigid formula and Op Divs/Schools must use their professional judgement to reflect their own business needs. Please give notes to help explain the basis of their ratios eg % of U18s. In the final analysis, the calculation must support any inquiry or defence against legal challenge.

2. This equation should calculate only Supervision needs. Whilst instruction is a factor of working hours and will affect time available for Supervision duties, there can be a legitimate degree of overlap. Appx 1 to Anx B takes note of core working time.

3. The day is broken down to 3x8 hr blocks. All personnel on strength at one time must be included in the numbers ie Ph1, 2, 3, SATT, holdees, with appropriate ratios. (Other factors, see main document)

Time	No Ph2	SATT	Staff/	Staff/SATT	Staff Required		Staff '8hrs'		
	Students	No	Ph2 Ratio	Ratio	Ph2	SATT	Ph2	SATT	
0800 - 1600	700	350	1:56 ¹	1:14	12.5	25 =	100	200	
1600 - 2400	700	350	1:28	1:28	25	12.5 =	200	100	
0000 - 0800	700	350	1:112	1:112	6.25	3.2 =	50	25	
Sub total of '8hrs'							350	325	
Sub total per day								675	
Total per working week								3375	
(Do same exercise for 2 day weekends where staff/Student ratio may be less)									
Weekend Total (depends upon level of organised activity)									350
Total staff hours per week									3725

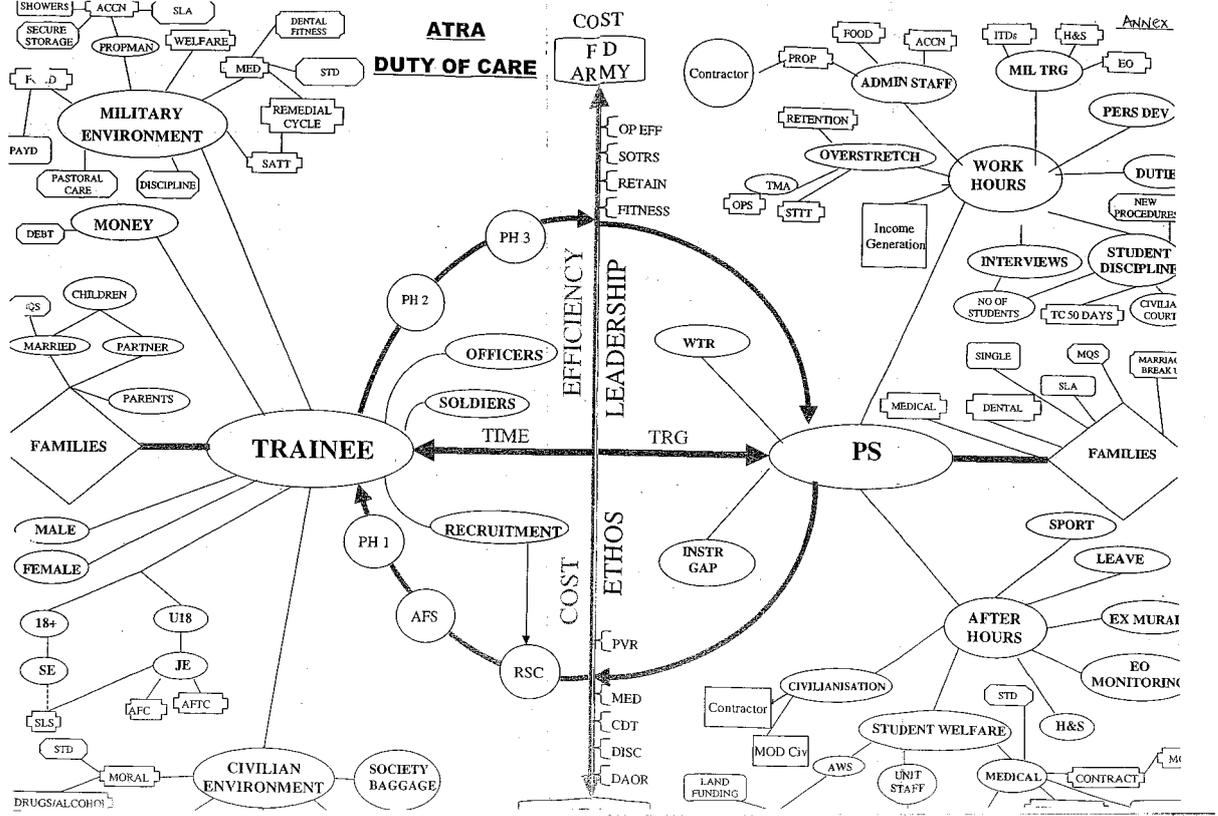
Step 2: Calculate number of staff required to meet this based on WTR (no exemption for duties).
@ 48 hrs week (WTR): 3725 / 48 gives = 78 +/- no of staff to provide 'Supervision'
Adjust for 10 weeks non-aval: leave, cses, sick etc = 98 (based on 2 duties/month) required.

Step 3: Calculate number of staff available and total number of duties they can do.
No of Staff available from all subunits (example) = 324 to provide this cover
Each can do 24 duties per yr (based on 2 per month) = 7776 per year
(divide by 365) = 21.3 per day converts back to 8hrs
(multiply by 3) = 64 staff aval to cover '8hrs' slots

Step 4: Subtract 64 (aval) from 98 (required) = 34 additional staff required to stay legal!

¹ Note: The ratios given here are purely illustrative, not as a standard to be applied! Op Divs must use the ratios that apply to their own situation. This is a mathematical calculation only to give a common basis pan-ATRA.

- g. A flexible target range of military staff/trainee ratios, based on full manning and maximum trainee numbers, will be produced to calculate the resultant manpower requirements.
- h. Recommendations will be made as to staff supervisor training requirements.
- i. Recommendations will be made concerning any organisational issues that may need to be addressed.
- j. A draft ATRA SOP will be produced that will provide policy guidance to Op Divs.



ANNEX D**206/00 Duty of Care (U)**

[D/CM(IR&C)/37/120/1: (9)621x 81960]

1. The term 'duty of care' is used correctly and accurately to describe a situation where the MoD has a legal duty to take care (whether by taking action or refraining from acting), in circumstances where a breach of that duty will form the basis for successful proceedings for damages. It is important to note in particular that the employer/employee relationship only owe a legal duty to take care in a limited number of circumstances. The most obvious example is health and safety at work, where an employer is under a legal duty to take reasonable care for the safety of his employees. In considering the question of duty of care the Courts apply a three stage incremental test:-

- a. Reasonable foreseeability of injury.
- b. Proximity
- c. Fair, just and reasonable to impose a duty.

The burden of proof rests with the claimant on the balance of probabilities.

2. At the other end of the scale, it is increasingly common to see the term used in relation to situations where the MoD has, at the very highest, no more than a moral obligation or responsibility, where no possible legal liability could flow from a failure to discharge the asserted duty of care. MoD accepts, for example, that it has a moral responsibility, as the former employer of soldiers involved in Bloody Sunday, to fund their legal support in the current Inquiry, though there is no duty of care obliging MoD to do so. The problem (and danger) flows from the fact that it is often impossible to know whether the term is being used by the author to describe merely a non-binding moral responsibility, or an actionable legal duty.

3. It is therefore preferable to avoid any confusion at all, and to reserve application of the term 'duty of care' exclusively to those situations where a legal duty of care is believed to exist. If in doubt, the Legal Adviser's team can advise. If what is being described is some non-binding obligation, reference to 'responsibility' or 'moral responsibility' will invariably fit the bill better.

4. The duty of care of an employer to its employees include a duty:-

- a. To secure as far as reasonably practicable a safe place of work, and that employees are provided with appropriate plant and equipment which is properly maintained,
- b. To secure a safe place of work - for example, to ensure that adequate warnings are given of risks to health and safety at work.

An employer might also be held to owe a duty of care to its employee in respect of any advice it provides - for example, advice on estimated terminal benefits on early retirement - where the employer might reasonably expect to rely on the advice given.

5. Here are a few recent examples of misleading uses of the 'duty of care' tag:-

- a. A discussion about which of two interested departments should lead on a particular issue, which concludes that it should be the department with the 'greater duty of care'. This could only have been a reference to the department with the greater policy interest;
- b. An argument that the MoD has a duty of care to provide advice to personnel abroad about their ability to claim an entitlement to free shares on a building society conversion, because their MoD employment happens to have taken them out of the UK.

6. As an employer, the Department does have a responsibility to treat people fairly. Individuals should be able to expect support and caring management from their line and personnel managers. Although this is not a 'duty of care' in the legal sense, it is a reasonable expectation of staff. This means striking the right balance between the business needs of the Department and needs of individuals and their families. In practice, this involves, where appropriate, personnel policies being applied in a flexible way, while maintaining the underlying principles. It may also mean managers taking responsibility for ensuring that people are not working unnecessarily long hours in the office or taking work home. Another example of a manager's responsibility in this regard is to discourage excessive travelling, on duty particularly by car.

ANNEX E**LIST OF REGULATIONS AND REFERENCE DOCUMENTS FOR SUPERVISION**
(Not Exclusive).

Duty of Care definition.	DCI Gen 206/00 and MOD PI 97/00 dated 18 Aug 00
ADP Vol 5 The Military Covenant	DGD&D/18/34/61
Leave. (Parental/maternity/paternity)	DCI J 114/96; ALM; AGAI Vol 2 Ch 54
Working Time Regulations (WTR) Under 18s	DCI JS 16/99 The Children Act 1989 AGAI Vol 5 Instr No 11
ATRA Policy (Incl YWD). Data Protection Act.	ATRA/20/551 dated 25 May 99. QR Ch 5 and JSP 406.
Alcohol Abuse and Awareness Trg. Drug Abuse	AGAI Vol 5 Instr No 1. AGAI Vol 5 Instr No 4 ITD(A) 12
Represent soldiers in court of law.	QRs 6.174. AGAI Vol 2 Ch 65.
Soldiers Debt.	AGAI Vol 3 Ch 89.
Army EO Policy, Guidance and Instructions dated Mar 98.	AGAI Vol 2 Ch 70 & 75
ATRA EO Policy	ATRA/20/574 dated Apr 01
Sexual and Social Misconduct	AGAI Vol 2 Ch 62
Spiritual Support	QR Ch 5 Pt 7.
Redress of Grievance.	QR Ch 5 and AA S180.
Redress of Complaint.	AGAI Ch 70.
Income Generation (Liability)	D/AG/1500/00 dated 19 Oct 00)
Insurance covering civilian employment	QRs 5.079.
Employment during leave or off duty hours.	QRs 5.078
Health and Safety at Work Act 1974. (subordinate regulations require mil offr; contractor cannot do).	JSP 375 H&S
Fire Safety	QRs 5.652 AD Fire Prevention and Fire Fighting Regs.
Occupational Injury Compensation.	AGAI Vol 3 Ch 89
Sports Injuries.	AGAI Vol 3 Ch 90
Welfare in the Army.	ECAB/P(00)20 dated 13 Sep 00
Welfare in the Army	AGAI Vol 3 Ch 81
“ “ – Guide for Officers	D/DPS(A)/33 PS4(A) dated 25 Apr 00 (Draft)
Welfare Funds.	AGAI Vol 3 Ch 82
Health in the Army	ADP Vol 3 (Log Pt 2) Ch 1
Medical Care	ADP
Dental Care.	AGAI Vol 2 Ch 66.
Dental Pol for ATRA (Trainees)	ATRTA/20/7/15 dated 3 Aug 00
Single Living Accommodation – Future Standards Paper (Secure storage facility)	

Practical Guide for Families Arriving from Overseas	D/DPS(A)/28/9 PS4(A) dated 07 Feb 01
Honours and Awards ATRA Awards	QR Ch5 Pt 10 and A&A Pamphlet (under revision)
Transfers between capbadge Wills	QR Ch 9 Pt 4; AGAI Vol 2 Chs 34 and 48 QR Ch 7 Pt 7
Resettlement. Army Resettlement – Ph 1 Trainee Medical Discharges	AGAI Vol 3 Ch 85. D/AG/2719/DETS(A) dated 7 Feb 01
Discharge of Trainees Admin Discharges – Welfare Pam Offr and Soldiers Widows and Dependants Fund.	D/AG/2010 dated 10 May 00.(AGMB Item 4b) D/DPS(A)33/64/17/1/PS4(A) dated 7 Dec 00 AGIA Vol 3 Ch 88.
Training Safety Training Risks Assessment Adv Trg. DITrg Pol(A) Fitness Policy Directive on Conduct of Trg and Testing Sep 99. (PTI ratio) Sports Insurance.	AFM 6 Trg For Ops Ch 3 Annex D LAND Comd SO No 1405 dated Jan 00. AGAI Vol 1 Ch 11; JSP 419 AGAI Vol 3 Ch 112. AGAI Vol 3 Ch 90.

ANNEX FTO
 ATRA/20/578
 DATED APR 01

25

**MAP OF ATRA CORE AND NON-CORE AVERAGE WORK HOURS/WEEK @ 31 MAR 01
 HIGHLIGHTER SHOWING GROUPS WORKING % ABOVE WTR LIMIT.**

[Based on Apx 1 to Anx B of Ref B – Instr to Op Divs]

Key:

> 10% = 53hrs.

> 50% = 72hrs.

> 100% = 96hrs

Notes:

1. **Duties:** (col (c))

- 'Core hrs' is the time staff currently work to deliver the SOTR/output (hrs/wk av over 17 wks).
- 'Non-C' hrs is the time per week taken up with non-core 'obligations' or directed tasks.
- Core hrs + Non-C hrs gives the weekly working time averaged over 17 weeks.
- (4) represents the number of 24 hr duties averaged per month. (ATRA norm is (2) per month). Whilst many duties are done concurrently¹ with other work, it represents unmeasured supervision and is a crucial part of ATRA Care for trainees. Where duties are >(4), this indicates additional pressure and time not included.
- Total = breakdown of Core/Non-C either not applicable or not available.

Op Div (b)	Duties (c)	Lt Col (d)	Maj (e)	Capt (f)	Lt (g)	WO1 (h)	WO2 (i)	SSgt (j)	Sgt (k)	Cpl (l)	L/Cpl (m)	WRVS (n)	Other (p)
RMAS													
Ac HQ	Total	58	50	51		70		52.5					
New Col	Core hrs		51.6	63			50.8	66.5					
	Non-C		5 (2)	5 (4)			4 (8)	4.5 (8)					
Old Col	Core hrs		39.4			53	47.3	70	50				
	Non-C		7 (1)	6.5 (1)		7.5 -	5 (1)	5 (1)	5.5 (1)				
Rowalan	Total												137
Trg Wgs	Core hrs		52.5	42		55.9	52.5	61.2	59				39
	Non-C			14 (1)			15 (7)	19 (5)	18 (4)				
G Demo	Core hrs		45	45	45		48	45	45	45	45		
	Non-C		7.5 -	18 -	- (3)		8 (3)	8 (3)	5.2 (3)	5 (2)	4 (2)		
Tpt Sqn	Core hrs		54			50		46.5	62	77	65		83
	Non-C		5 (1)			7 (2)		4.5 (2)	10 (4)	4.5 (3)	8 (3)		4 (2)
HQ RGp	Core hrs	60	60	54		50	50	48	48		48		48
	Non-C	1 -	3 (1)	3 (1)		1 (1)	1 -	1 -	1 -		1 -		
HQ CRR	Core hrs	50		48		47							38
	Non-C	1 -		1 -		1 -							
AFCO	Core hrs	56						52	50				
	Non-C	1.5 -						1.5 -	2 -				
AYT	Core hrs						62	62	62	62	62		
	Non-C						4 -	4 -	4 -	4 -	4 -		
Mob Displ	Core hrs			65				65	65	65	65		65
	Non-C			- (2)				1 (2)	1 (2)	1 (2)	1 (2)		-(2)
ITG													
ATR(B)	Core hrs	50	50	50	60	55	45	45	60	60	40		37
	Non-C	8.5 (8)	11 (1)	12.5 (2)	12 (2)	12.5 -	12.5 -	10 (1)	12.5 (1)	12.5 (3)	9 (3)		
ATR(L)	Core hrs	48	44	47	48	40	45	48	48	55.5	47	55	
	Non-C	6.5 -	3 (2)	15 (2)	14 (2)	9 -	7 (2)	11 (2)	18 (2)	24.5 (2)	5 (3)	6	
ATR(G)	Core hrs		48	47	48		48	40	48	48			
	Non-C		4 (2)	4 (2)	142 (3)		2.5 -	-	136 (6)	136 (6)			
ATR(P)	Core hrs	50	45	55	55	55	50	60	70	70	70	280	
	Non-C	8 -	6 (2)	4 (2)	4 (1)	4.5 -	2 -	4 (3)	14.5 (2)	14.5 (4)	14.5 (2)		
ATR(W)	Core hrs		47	48	48	48	48	45	48	48			
	Non-C		7 (2)	8.5 (2)	9 (2)	7 -	6 -	9 (1)	15.2 (3)				

¹ Many duties are done concurrently with normal tasks. It is not possible to calculate the degree of overlap but RMAS estimates a figure of 30% concurrency. However, time spent doing the duty, reduces time spent on training/ supervising.

Op Div	Duties	Lt Col	Maj	Capt	Lt	WO1	WO2	SSgt	Sgt	Cpl	L/Cpl	WRVS	Other
(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(p)
(H)	Core hrs	57	57	55	48	48	48	48	48	48	48	50	48
	Non-C		1 (1)	1 (2)	1 (2)	-	1 -	1 (2)	1 (2)	- (3.5)	-	-	
RSC(P)	Total		44	44	44		44	44	44	44	44		
AGC TG	Total	48	48	48	48		48	48	48	48	48		
Armr Cen													
RAC Trg	Total		55	50	51		55	52	53	51	51	36	
ITCC													
1 Bn	Core hrs	48	58	58	65	40	37	45	54	83	32		
	Non-C	4 -	5 (2)	5 (3)	5 (3)	6 -	2 -	1 (1)	4 (2)	8 (2)	3.5 (1)		
2 Bn	Core hrs	49	59.5	57	67.5	45	46	69.5	65.5	78	55		
	Non-C	6 -	10 (2)	16.5 (5)	11 (1)	20 -	3.5 -	8.5 -	13 (2)	4.5 (2)	3.5 (3)		
3 Bn	Core hrs	40	42	39	45	43	40	38	37	42	48		46
	Non-C	2 -	2 -	3 (2)	5 (2)	2 -	4 (2)	3 (2)	8.5 (2)	3 (2)	3 (2)		1 (3)
REME TG													
SEME	Core hrs	55	47	48	40.3	45.5	48.5	45.3	46.6	50.5	52.4	32	45
	Non-C	4 -	3 (1)	2.5 (1)	4.5 (1)	3 (1)	2.5 (1)	3 (1)	3 (1)	3 (1)	2 (1)		1 (1)
Ph3 Sldr	Core hrs								50		40		
	Non-C								3.5 (3)		4.5 (3)		
SEAE	Core hrs	42	40	42	38	56	35	45	46	27	42		43
	Non-C	8.5 -	12.5 (3)	3.5 (1)	9 (1)	10 -	17 (1)	12 (1)	7 (2)	10 (3)	6 (3)		10 -
RLC TG	Core hrs	45	52	58	52		52	60	54	58	59		
	Non-C	3 -	7 (4)	5 (4)	5.5 (2)		5.5 (1)	5.5 (3)	5.5 (4)	7 (4)	4.5 (6)		
DST													
RSA	Total	48	48	48	48	48	48	48	48	48	48		48
SAAvn													
668 Sqn	Core hrs		56	48			50	50	53	55	53		42
	Non-C		17 (1)	17.5 (1)			10 (2)	7.5 (2)	9 (2)	8.5 (2)	6 (6)		
C&Tac Wg	Core hrs	42	45	45		44							40
	Non-C	-	5 -	- (1)		- (1)							
Apache	Core hrs		55	53.5		55	55						
	Non-C		8 -	8 -		7 (1)							
670 Sqn	Core hrs		65	60	60	55	55	55					
	Non-C		13 (2)	12.5 (2)	11 (2)	8 (1)	16 (1)	16 (2)					
671 Sqn	Core hrs		65	60		55	55	55					40
	Non-C		9 (2)	8 (2)		8 (1)	5.5 (1)	5.5 (1)					
Adv Fx Wg	Core hrs		50										40
	Non-C		5.5 (3)										5 -
RSME ²													
RSS	Core	36	36.5	38.9		37.8	39	45	35.2	40.3	38		
	Non-C	16 -	19 (1)	14 (1)		14.9 (1)	22.3 (1)	16 (1)	16.7 (2)	14.4 (1)	17 (2)		
ITC(W) ³													

² RSME data delayed because of PPP process. The Op Div is likely to require a CP for 02.

³ ITC Wales have not had time or staff to compile data. Because of the level of exercises, the figures for instructors are probably near or > 100%. The clear message is either accept this or do not do the training ~ there is no halfway house.

SUMMARY OF RISK ASSESSMENT OBJECTIVE QUESTIONNAIRE

1. The aim of this exercise was to:
 - a. Establish which Op Divs had what degree of risk in which areas.
 - b. Form the basis for an ATRA SOP for minimum DofC&S levels.
 - c. Support any CP for STP02.
 - d. Enable ATRA to understand and assess the impact of the impact of future changes in legislation or new initiatives.
 - e. To support ATRA defence against any legal challenge by having conducted a risk assessment.
2. Civil court will consider 3 stage incremental test for DofC&S, based on balance of probabilities:
 - a. Reasonable foreseeability of injury (If it has happened once it could happen again).
 - b. Proximity; how remote was the employer from the problem (Geography; distance Gd Rm away from Accn?).
 - c. Fair, just and reasonable to impose a duty.
3. Risk hazards include personal injury, security of personnel and possessions, alcohol and drug abuse, fire, hygiene, racism and sexual discrimination, harassment.
4. Caveat:
 - a. This data is rudimentary and incomplete because Op Divs do not keep all data, even then not all incidents may get reported eg STD, but it forms the basis for developing G1 Pers performance measurement in future.
 - b. At time of report, ATRA is currently under recruited; some Op Divs cope at this level but would probably not manage if at full capacity.
 - c. (#) refers to questionnaire paragraphs in Anx B to Ref B.

Ser	ASSESSMENT REQUIREMENT	TACTICAL ODs	TECHNICAL ODs
(a)	(b)	(c)	(d)
1	STAFF		
2	(5a) Assess Core and non-core work time	See Anx ? (Apx 1 Formula)	
3	(5b) Assess impact of all forms of leave		
4	(5c) What are average levels of gapping average at one time (aot) incl sickness, absence, suspension.	*AFC(H) 4 offr; 5 cpls. *ATR(P) 1 offr/SINCO; 2 cpls *ATR(W) 1000 mdy (man days per year) *ITCC 25 (APC problem)	*SEAE 8/24 IO1 posts only. Padre not on estb, away 20% time. 3 RP staff since 98 manned by Ph2 Note 3. SATT(umtr). 3.8% sick (mil av 2.5 days/yr; civ 20.6 days/yr
5	(5d) What are implications of income generation (IG) ?	*ATR(P) 120 mdy *ATR(W) 9 mdy. *ITCC conflict between IG and primary function. *SAAvn 30% HEO Plans time.	*SEAE 50 mdy. *RLC 20 mdy.
6	(5e) Identify areas of DofC&S not being	*Armr - Army mandated 3 PT periods cannot be fitted	*REMB Bk ding control, elec and hygiene in SLA; Aichi, drugs, sex. Sum

ANNEX G

	delivered to minimum level	into prog. *ITCC Fijian welfare over stretched resources to deliver. Bk rm theft – inadequate secure storage. Minimum PTI supervision not being achieved (14 PTIs reqd). Camp sy.	Deal not to PS 2 in 10 days. *RLC Bk rm theft – inadequate secure storage *DST Female accn staff.
7	(5f) Impact of staff turnover/turbulence.	*AFC(H) 30% pa	*RSME Unqual SNCO posted on promotion 4 mths cse. (cf ser 4) RSME. *SEAE pl cmd = max 12 mths.
8	(6) Assess level of DofC and any staff short-fall (Apx 2 Formula) See Paragraph ? in main doc.	*AFC(H) 113. *ATR(W) 40 JNCO if at full capacity. *Armr 23. (Closer estimate is 12 Lts/Sgts/Cpls).	*DST 5 Cpls
9	SUPERVISION SYSTEM (7)		
10	(7a) Give level of staff:student ratio for supervision out of hours (OOH). Use of Ph 3. (IWHs = in work hrs)	*AFC(H) OOHs wks 1-6=1:48. wks 7-42=1:288 *ATR(P) OOHs 18+ =1 SNCO+4 JNCO:600. U18 =1:48 *ATR(W) OOHs 1:135. *SAAvn IWHs 1:16 to 1:1. OOHs 1:140 (Gd Rn only).	*REME. Big variation depending on SATT and SAD levels (SEAE 280 – 80. Demotivation without constructive activity = ltd by staff aval.. *RLC Day Ph2=1:56, SATT=1:14. OOH=1:28. Ni=1:112. *DST OOHs= 1:266
11	(7b) Quantify annual level of EO cases, CDT hits, alcohol abuse etc. incl students Impact of geography, Inet supvisn, staff trg.	*AFC(H)= 7 hits (2 disch). ITGIS does not specifically cover welfare of U18s. *ATR(P)= 7 hits. EO 1 formal, 25 informal. Alcohol 20. *RSA= 2 hits (2 disch). EO 1. U18 Alcohol= 33/46 cases *Armr = 1 hit (1 disch). EO 1 sex har DCM. Alcohol 25. *ITCC= 10 hits = 0.43%. EO 4. *SAAvn= 1 hit. EO 1. Alcohol 1.	*SEAE CDT = 1 hit/904 but 6 others caught. Eo (informal) 3, sex harass (informal) 1, drink 15 (alcohol involved in 80% cases; U18s not policed) *RLC CDT= 8 hits *DST CDT= 4 hits. Alcohol 43. Sex Harass 1
12	(7b) Quantify discipline incl additional time required for ASDRZK since Oct 00. Impact on CO/OC, Adj etc include legal challenges and PQs.	*AFC(H) CO 27. OC 130. +3.25hrs ea case *ATR(W) RHQ 12mdy; Coy HQ 80mdy. +2.5hrs ea case. Legal Challenges 36 pa; 3 PQs *RSA CO 33; 4hrs ea, Adj/clk +6hrs ea case. OC 161; +2hrs ea = 24 rindy. *Armr CO 23. OC 142, 12 mdy. Sqn WO2 104 mdy. 2 PQs *ITCC CO 86; addl 26 mdy. 30 to 300% longer for complex cases). Legal challenges 3 ongoing. *SAAvn 26. +5 hrs ea case; CO/Adj/RSM + 9 hrs.	*SEME CO 33 cases OC 51 cases +1.5 to 5 hrs ea. Judicial cases 3 @ 6hrs ea. For *SEAE CO 32; +0.75hrs/ea case. OC 159. CM 6. Legal challenges/yr= 6. Staff/Clk +3.5hrs ea case *RLC CO 308 (173 people); OC 415 cases. +60 mdy. 10.5hrs total staff time for simple casel. CM = +16 hrs. Custody 4 -5hrs. *DST total of 389 cases. +>2.5hrs ea case; can deal with max 4 per day.
13	(7c) Medical/dental problems, self harm (s-h), STD annual levels.	*ATR(P) s-h=9. STD data with held. *ATR(W) A/suicide=4; s-h=6. STD 0.15%. MRS closed OOHs incl bedding-down. S-h cases dealt with by Gd Rm *Armr s-h=4. STD 26. Cannot achieve mandatory 2 medics on duty in MRS. No dentist for 6 months. *ITCC suicide=3. s-h=14. STD 11% 200 (est) *SAAvn EO 1.	*SEAE s-h 2att suicide; 4 pregnancies all terminated. *RLC s-h 10; STD=86 cases *DST A/suicide 1; s-h 4. STD med-in-conf.
14	(7c) Career management, eligible but promotion cses outstanding.	AFC(H) 33 (Cpls worst case). Waiting >12mths 52.4% *ATR(P) Capt 20%. Lt 30%. SSgt 50%. Cpl 63% (111/176) *ATR(W) SSgt 1=16%. Cpl 43=45%. *Armr Capt 2=50%. SSgt 1=50%. Sgt 1=25%. Cpl 10= 77%	*DST SSgt 5/7 = 63%, 3/5 = 60% >12mths wait. Cpls 19/34 = 55%, 8/19 = 45% >12mths wait.

		*ITCC Cpls 80 (est) Waiting >24 mths. *SAAvn Capt 18.5%; Lt 3%; SSgts 12.5% (3.1%>12mths) Cpls 14% (2%> 12mths)	
5	(8) Identify non-core functions.	*ATR(W) 28 Lt Div Ctmts; 24 misc requests/yr. *RSA 90 resettlement cases. *Armr Cen resettlement training creates gapping; Ph1 TA.	REME List covers most Op Divs. See Appendix Anx
6	STUDENTS		
17	(9) Verify that course trg progs meet WTR.	See ATRA WTR pol for ODs exempt.	Most do, no Op Div has indicated they are not! OOHs student work not calculable.
18	(10) Medical care; give data on students waiting >2mths and >4 mths.	*AFC(H) >2mths 0.4%. *ATR(P) >2mths 7%. >4mths 4%. *ATR(W) >2mths 9.2%. >4mths nil. *RSA 4 aot; reduced by 80% with PTI Remed Instr *Armr - See Bov Gar 60/10 of 13 Mar 00 at Apx ? . *ITCC >2mths 52. (Medicare plan in place). *SAAvn tbc	*SEAE 2mths= 2%; 4mths=0.5%. 14% sick level. Note1.
19	(12) Quantify Dental Fitness level 2 or 1. Remedial treatment measured in 30 min appts. Figure shows average number of appts per trainee to reach level 2.	*AFC(H) 10%; av 4 appts. *Armr 27.5%; av 5 appts. *ITCC ... 35% av 5 appts.	*ATR(P) 22%; av 2 appts. *ATR(W) 46%;av 3 appts. *SEAE 187 missed appts=9% of all appts; equates to 58 staff working days/yr to administer Note 2.
20	(11) Discipline for year:		*SEAE violence 17, OOB in other sex accon 15.
21	(11a) Absenteeism pa	*ATR(P) 16=0.36%. *ATR(W) 5 *Armr 80=10%	*RSA 30. *ITCC 540. *SAAvn 0.5% *SEAE 9=5% *RLC 175; 23 @ 31 Mar, 7 longer than Apr 00. *DST 156 = 1%.
22	(11b) Theft pa. (from Bk Rm)	*AFC(H) 1 proven, ? reported *ATR(P) 24 reported *Armr 4 reported	*RSA 13 reported. *ITCC 81 reported. *SAAvn 15 reported *SEAE 4/20 reported/charged. *RLC 62 reported (decrease on 99/00). *DST 17 reported
23	(11c) Civil Law Court (recorded as individuals but may entail several separate appearances, countrywide, involving T&S cost).	*AFC(H) 10 individuals *ATR(P) 20 (2 post joining) *Armr tbc	*RSA 17 individuals. *ITCC 64 individuals *SAAvn 18 individuals *SEAE=26 *SEAE =20 *RLC 42 (In 99/00 - one offr spent 50 mdy in court; unsustainable).
24	(13) Quantify in loco parentis levels. Ph 2 locs vary significantly between 10 - 70% depending on AFC output timings	*ATR(P) 10% *ATR(W) 40% *Armr 50-70%.	*RSA 10 - 46%. *ITCC *SAAvn 10-12% *SEAE no mor attention than adults. *RLC 20%

REME

Main concerns = WTR for staff; Gapped/deficient posts; DofC&S 30 posts; use of Ph 3 to supervise (Sgt 10/12 resit artificer HND, L/cpl 2-1 upgrade cse = pay/promotion).
Main Risk = Contact time; OOHs Supervision; U18s supervision; level/selection of staff trg (RSa); alcohol major concern.

ANNEX #

ENCLOSURE 1 TO
SEAE/23011
DATED 28 FEB 2001

Arborfield Group Practice

Hazebrouck Barracks, Arborfield Garrison, Reading, RG2 9NJ

Tel: Arborfield Military (94251) 2225; Civil 0118 9763225

Fax: Arborfield Military (94251) 2492; Civil 0118 9763492

CO
SEME Regt
Arborfield

AGP/SMO/

8 May 00

SINGLE SOLDIERS' LIVING ACCOMMODATION A COY SEAE REGT

Reference

A. SEAE/23512/A13o2 dated 2 May 00.

1. Thankyou for inviting me to view the state of the A Coy Single Soldiers' Living Accommodation and for sight of Reference A. That provides a precise description of the conditions concerned. In my own 20 years in uniform, the only time I have seen worse accommodation was in Bosnia in recently occupied factories and in Bessbrook Mill in the mid 1980s.
2. Previous reports have looked at Hygiene Aspects. These are obvious to even an untrained eye. The cleanliness of the extremely deteriorated ablutions is a tribute to CQMS A Coy, the efforts of those who live there and the overall effort being put in managerially to minimise the potentially active hazards in this area
3. With hygiene problems being contained in the face of intrinsic difficulties in this way, the main medical impact of the state of the accommodation is in terms of morale and psychological impact of living in such conditions.
 - a. The main medical cause of wastage from the Regiment is from psychological disorder, with depression presenting in the context of an inability to further tolerate living in a military society
 - b. This particularly afflicts those who are in Holding Platoon (A Coy) pending trade reallocation for various reasons, which takes time as appropriate processes are gone through
 - c. Having seen the accommodation conditions in which they are living, a major piece of the jigsaw that explains this prevalent phenomenon is more clearly understood than ever.
 - d. It must be accepted, as a matter of simple logic, that this situational depressive wastage rate is being significantly exacerbated by the mood lowering effects of living in

such poor conditions. There is also a huge body of medical research that strongly correlates development of depression with living in poor housing conditions and this clearly has application here

4. It is understood that in the present budgetary climate, the financial loss implicit in this wastage rate will have to be tolerated until PPP money becomes available. The case for accelerating the move to PPP for Arborfield, which I understand to be supported by all concerned parties, ought to be strengthened further by the realities of A Coy's accommodation if the urgency of addressing these aspects has not yet been factored into judgements in this area, I believe it should be so.

5. In the meantime, with the only way to ameliorate the situation for those who live in his accommodation in any way at all being to cease charging them at all to stay there, I would strongly support such a move on the grounds of the following:

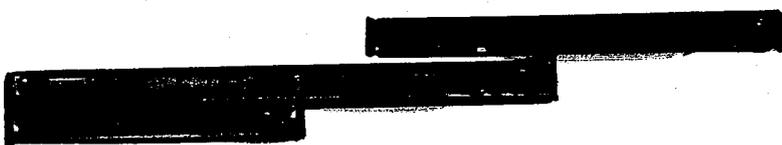
a. Fairness, in terms of equivalence of Field Conditions, as per the principle applied to accommodation available in operational settings, which as above, is often better quality than that a A Coy in barracks in Arborfield.

b. Retention, in terms of avoiding wastage from lowered mood in those we are presently losing this way, in whom the parlous state of their accommodation must be a significant contributing factor. The savings implicit in even a small reduction in the present loss rate to this problem are arguably sufficient to justify cessation of accommodation charges for those in this accommodation.

c. Avoidance of the costs of an attempt to defend, probably fruitlessly, future redress action by soldiers of A Coy in search of cessation of the present charges they are being made to pay. The soldiers concerned are intelligent or would not be here. It cannot be long before a dissatisfied soldier 'barrack-room lawyer' locks onto this obvious target.

d. Should the latter arise, major negative media attention is likely to accompany it. There are a plethora of costs, visible and invisible, in dealing with that. These too could be avoided by being seen now to do all that can be and should be done within the constraints of present budgetary limits.

Original Signed



ANNEX I



**HEADQUARTERS
ARMY TRAINING & RECRUITING AGENCY**
Personnel Branch
Trenchard Lines, Upavon, Pewsey, Wiltshire SN9 6BE
Telephone: (01980) 615024/5001 Military Network: 9344 5024/5001
Facsimile: (01980) 615300

Reference: ATRA/20/551

See Distribution

Date: 25 May 99

ATRA POLICY ON WORKING TIME REGULATIONS

References:

- A. D/AG/1700/2 dated 4 Jan 99 (AG's Guidance to Commanders).
- B. DCI JS 16/99 (Guidance on WTR).
- C. ATRA/20/551 dated 19 Feb 99 (WTR Impact Analysis).

BACKGROUND

1. Working Time Regulations (WTR) incorporating Young Workers Regulations (YWR) became British Law on 1 Oct 98. They set a work limit of 48 hours per week averaged over 17 weeks, and specified minimum rest periods. References A and B provide the basis for ATRA Policy and served to inform the ATRA assessment at Reference C, which identified a number of grey areas between the guidance and ATRA working practice. MOD has accepted that it may take case law to resolve some aspects.

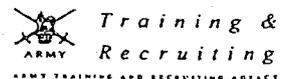
AIM

- 2. The aim of this document is to set out ATRA Policy on WTR to provide:
 - a. Clear guidance for Op Div Commanders.
 - b. The legal basis for defence against any challenge.

ATRA POLICY

3. The operational effectiveness of ATRA output must be maintained, and I will make a robust defence against any challenge that might jeopardise this. Training is to be exempt WTR if this inevitably conflicts with WTR where OE would be endangered. Exemptions are to be formally documented, with justifications that would support a defence against any challenge by the Health and Safety Executive or an individual claiming their rights had been breached. Most other areas of ATRA training already comply with the Regulations and those that do not, are to do so as soon as possible.

4. The policy applies to Tri- Service Regular, Reserve, Territorial and Auxiliary Volunteer personnel undergoing training with ATRA, and to ATRA permanent staff. It supplements, and should be read in conjunction with, DCI JS 16/99 in particular:



- a. The Armed Forces Exemption (paragraph 6).
- b. 'Inevitably Conflicts' (paragraph 13).
- c. Training (paragraph 14).

OPERATIONAL EFFECTIVENESS IN ATRA

5. OE Standard. ATRA's role is to produce officers and soldiers who are trained to a mental and physical standard where they can be posted directly to, and are capable of fulfilling their individual role in, a unit of the Field Army that is deployed on any type of operation. Trainees must have attained an OE standard before leaving ATRA for the Field Army. In this respect I deem that ATRA is performing a crucial operational function in direct support for operations.

6. Parameters of OE Training. The regulations do not give blanket exemption for training and the areas of 'inevitable conflict' must be established. The military training required to achieve the OE standard must therefore fit the criterion set by MOD guidance for exemption, which is 'that all training and exercises aimed at causing fatigue and stress to simulate an operational situation' are exempt WTR. This must include those aspects of training peculiar to the Armed Forces where OE would be fundamentally undermined. In ATRA's case the following Phase 1, 2 and 3 military skills are classified as fundamental to OE and are exempt from WTR:

- a. CMS(R) weapon training including live firing, fieldcraft, tactics and physical training.
- b. The Combat Infantryman's Course.
- c. Officers and soldiers leadership qualifications including weapons, tactical and navigational skills, and physical training.
- d. Any training involving demanding tasks set within tight time constraints designed to assess an individual's potential, including training by day and night over unbroken, prolonged periods without rest.
- e. Specialist weapons training, controlling and firing of Artillery, Armour and Infantry weapons, and supporting equipment.
- f. Helicopter and ground crews on tactical training, and weapons firing or simulation.
- g. Training with explosives, mines, demolitions and EOD.

7. Operational Training Designation. The following Op Divs conduct operational training that fundamentally underpins OE and therefore conflicts with WTR. I have designated them as Operational Training Establishments. This provides for blanket exemption from the Regulations with effect from 1 Oct 98 for Combat Training Courses conducted by:

- a. Individual Training Group for Army Training Regiments.



- b. Infantry Training Centres at Catterick, Wales and Warminster.
- c. Royal Military Academy Sandhurst.
- d. Royal School of Artillery.
- e. Royal Armoured Corps Centre.
- f. School of Army Aviation.

8. Special to Arm Operational Training. For Royal School of Military Engineering and Royal Logistics Corps Training Group where there is a smaller, but still crucial element of operational training, blanket exemption cannot be justified. In this situation, Op Divs are to identify those parts of their training courses that may be classified as operational training by the parameters in paragraph 6, and therefore exempt WTR. The remaining parts of those courses are to meet the Regulations. Where this results in additional cost/resources and/or reduced output, or there is doubt, clarification should be sought from HQ ATRA.

9. No Exemption. The exemption does not apply to:

- a. Non-combat courses such as basic driver training, vehicle maintenance, staff training and administrative courses (This list is not exclusive).
- b. Technical training that can in broad terms be equated to a civilian equivalent
- c. Where training time is condensed to shorten the course.

INSTRUCTORS

10. Exemption. The Army ethos of leadership is to be upheld in all ATRA training. Military Instructors are expected to set the highest standards of leadership at all times. They are to demonstrate by example, the same standard of leadership expected in a unit deployed on operations. It is an operational requirement for instructors to work the same hours as their students and they are therefore exempt WTR where the course programme is classified as operational training by the parameters of paragraph 6.

11. Compensatory Rest. Where instructors have worked in exemption of WTR, compensatory rest between courses is, as fully as possible, to be programmed to comply with the Regulations.

RECORDING/MONITORING OF EXEMPTIONS

12. Monitoring WTR. It must be assumed that ATRA will eventually be challenged on breaches to WTR and Op Divs will be asked to produce well supported documentary evidence to enable a robust defence to be made. A clear audit trail is to be established for every course or period of training where an exemption to WTR has been applied.

13. Recording Hours. The military is not required to record individuals' working hours, but Commanders are to survey overall working patterns to minimise the risk of inadvertent contravention.



14. Notifying the Field Army. Op Divs are to notify receiving Field Army units where trainees arriving from ATRA have completed training which, in block terms, has meant an unavoidable carry forward of a WTR time penalty.

CONCLUSION

15. I take a robust view on safeguarding the operational quality of ATRA output, but this does not give carte blanche to claim exemption from WTR. Op Divs are to take all steps to meet the spirit of the law and to minimise the risk of inadvertent contravention.

16. Duty of Care for trainees and staff remains paramount in the retention battle. Compensatory rest is to be programmed where appropriate, and pressure on instructional staff is to be reduced by all reasonable practical measures.



A M D PALMER
Major General
DGATR

Distribution:

External:

MA/AG
Op Div Commanders

Internal:

Hds Branches
ATRA Handbook
ATRA Net (Pers Website)



INVESTOR IN PEOPLE



Training &
Recruiting

ARMY TRAINING AND RECRUITING AGENCY

ANNEX A TO
ATRA/20/551
DATED 05 OCT 99

MILITARY INSTRUCTORS' COMPENSATORY REST (CR)

1. The method for calculating CR for instructors given in Reference B does not easily relate to ATRA's situation, and because we do not record individual working hours the calculation is not a precise science either. The principles to be applied include:
 - a. Annual Leave Allowance must be programmed completely separately and must not be considered as any part of WTR CR.
 - b. CR should be allocated during or as closely as possible to the 17 week related period. The intention is to demonstrate that where work has necessarily been carried out in excess of the Regulations, this is balanced by a period of 'non-work' to restore lost family or personal quality time.
 - c. CR need not be a day's rest for every 24 hours worked in excess. The final decision on what is an appropriate period of compensatory rest is therefore delegated to Op Div Commanders, who should take into consideration the number of weekend days 'lost' or nights away from barracks ie lost quality family or personal time.
2. Guidance on Calculating Appropriate CR. There are three 17 week averaging periods in a year, leaving a week spare. $17 \times 48 \text{ hrs} = 816 \text{ hrs}$ is the norm. The start date for the first period can be either start of the financial or calendar year, or a 'school' year eg 1 Sep – whichever is most convenient for the Op Div to work from. Based on the weekly course programmes, a figure for the total number of instructor hours worked during each 17 weeks should be calculated by establishing (illustrative example):
 - a. The number of average instructor hours for each week eg 70. Add in preparation time, other duties (reasonable average), and administration time that fall under the definition of working time (Reference B), say 5hrs/wk = 75hrs/wk total. (This figure is obviously likely to vary from one week to the next, but for simplicity a standard 75hrs/wk is used in this illustration).
 - b. Total the number of hours worked in 17 weeks: $75 \times 17 = 1275 \text{ hrs}$.
 - c. Subtract 816 from 1275 = 459 hrs, divided by 24 = 19.125 days in excess.
 - d. Say this 17 week period included intensive daily supervision of recruits, 6 weekend days worked and a 9 days/8 nights exercise, then a decision of 8 days compensatory rest may be deemed appropriate judged on a tariff of 4 days for lost weekends, 2 days for nights away and 2 days for long hours of supervision in barracks (this is purely illustrative).
 - e. Where possible these 8 days should be allocated within the 17 week period or immediately after, either making long weekends or as a block of days.
3. POC for any queries is D/Hd Pers Mil: Upv 8752



ANNEX J

Risk Aversion And The Zero Defect Culture: Checklist For The British Armed Forces

Lieutenant Colonel D C Eccles RTR

SOME TIME AGO I WROTE AN ARTICLE FOR THE BRITISH Army Review¹ in which I commented on my experience of working with American officers in HQ IFOR in Sarajevo. I identified a number of aspects of their military culture, in particular an intolerance of mistakes, which I saw as breeding an unwillingness to take calculated risks in pursuit of military objectives. I concluded that this was extremely unhealthy and cautioned that we in the British Armed Forces must not go down the same path. My views received little attention in this country but aroused some interest in the US and were paraphrased in a recent article in the Herald Tribune.² This prompted me to examine whether our complacency on the matter is justified or whether we ought to be concerned about our own military culture.

Protection – on Operations, on Training and in Barracks

The first aspect of the American approach which I identified as contributing significantly towards a culture of risk avoidance was their paranoia about Force Protection based on experiences stretching from Vietnam through the Lebanon to Somalia. I think that in the British Armed Forces we have kept this issue in perspective. We understand that operations

involve casualties and are still prepared to risk lives in pursuit of our military goals. As an example, whilst not wearing helmets and body armour routinely in Bosnia may be marginally less safe than doing so, it does suggest to the local people that the situation is returning to normal. This pragmatic attitude, whilst anything but cavalier or irresponsible, is reflected in our training. Live firing at BATUS can be absolutely hair-raising but the training is incredibly realistic and the envy of the officers of every nation who visit the exercise. By definition our Adventure Training needs to contain an element of risk to life and limb and this was echoed recently by CinC LAND during a visit to Germany.³ Of course, as commanders we take our responsibilities to minimise the dangers to our soldiers extremely seriously, whether on operations or training but we know that so long as every reasonable precaution has been taken then both our superiors and the public will support us if something goes wrong. Having said that, our practices in barracks do give our young officers and NCOs a somewhat distorted perspective.

The mass of Health and Safety at Work (HSAW) legislation⁴ does force us to concentrate properly on such things as roping off inspection pits but I would say that the requirement to conduct a full scale HSAW risk assessment for a regimental exercise on

Political Correctness and the Rights of the Individual

The civilian obsession with political correctness and the primacy of the rights of the individual over the good of the wider group, was the second area which I identified as having a corrosive influence within the American military. In this regard we can be far less sanguine about our own position. Whereas the mass of MOD directives⁵ about the issue of Equal Opportunities, or 'managing diversity' as it is now more properly called, do not actually encourage positive discrimination along lines of race or gender, they certainly tempt one in that direction. Once again, whilst there is absolutely no excuse for some of the appalling behaviour that has occurred in recent years we must be careful to maintain the correct balance. This was acknowledged recently by CGS:

*"The rights of the individual cannot always take the precedence that is expected in society if it is to the detriment of the team work which is crucial to our operational capability."*⁶

This point is supported by ACM Sir John Allison

*"By definition they [the Armed Services] require duty, loyalty and team effort to come before self."*⁷

To take a topical, if rather contentious, example one of the key reasons why women should not be in mixed tank crews is that their presence will almost certainly undermine the close knit cohesiveness which is essential in such circumstances. It may well be a problem created by men: they will be over concerned with protecting the female members, but it is nonetheless a fact of life. The individual woman's 'right' to serve on tanks has been subsumed by the operational requirement not to destabilise the equilibrium of the group. It is hoped that the pendulum of political correctness is now swinging back slowly to a more sensible point, but I am not entirely confident about this. The other day in a first aid lecture the instructor spent more time warning us of the dangers of touching a female casualty without her invitation than he spent teaching us how to stop her bleeding to death from a shattered leg by pressing on the femoral pressure point in the groin.

Financial Propriety and Privileges

Thirdly, the American fascination with exposing every misdemeanour in the lives of their politicians has to some extent been transferred to their military. US officers are almost paranoid about administrative or financial impropriety. However, although unwanted profligacy is, of course, both wrong and publicly damaging, there is no doubt that officers and soldiers take vicarious pride in the status of their commanders and the privileges to which they are entitled. I well remember in Sarajevo being distinctly embarrassed that Commander ARRC had a clapped out old Range Rover whereas many lower ranked officers from other Headquarters had brand new, air conditioned Pajeros. I firmly believe that claiming one pfennig more than I should for part of my Entertainment Allowance is quite wrong but that getting my driver to take me to the airport enables me to do two hours work in the car and is thus entirely legitimate. By and large I think that we have got this about right: so long as our privileges have a direct military relevance then we are quite correct in insisting that we retain them. Furthermore, we know that so long as we do not insist upon excessively expensive refurbishments to the residences of senior officers, then once again the public will support us.

Constructive Discussion or Gross Insubordination?

The last area of American military culture I looked at was what I perceived as a reluctance by US officers to disagree with their superiors which resulted in a rather intellectually sterile consensus. I think that this is one area in which we have actually improved over the last few years. I was particularly struck on

reading Norman Dixon's famous book *On the Psychology of Military Incompetence*⁸ recently by how far we have come on from the self deluding stereotype of general that he implied was as typical in the 1970s as we had been in the 1870s. If General Rawlinson had proposed today the plan that he set out for the Somme Offensive in 1916 he would certainly not have been able to write in his diary: *The Corps commanders took it very well and there were no questions*.⁹ Although our understanding and application of the concepts of mission command is far from perfect, particularly in the peacetime environment, it does prompt us to analyse question and clarify our commanders' intent and so encourage a healthy dialogue up to the final point of decision. This is particularly important in the modern flatter staff structures which require Grade 2 officers to brief 2-star officers directly. However we have still some way to go.

Although I do not know the full facts of the case, I cannot help feeling that had our response to Major Eric Joyce's article been a mild statement expressing polite interest then his views would have excited little attention.

Our Military Culture – Rotten or Sound?

So, do all these factors combine to create a culture of zero defects and risk avoidance in the British Armed Forces? There is anecdotal evidence of such an attitude being very much in existence. I know of two COs who were told by their commander that there were to be no more breaches of discipline whatsoever within their battalions otherwise they would be sacked. This approach puts an incredible strain on the chain of command, it encourages people to attempt to hide incidents rather than report them and completely destroys the loyalty and trust which should permeate the chain of command. Furthermore, the business management climate within which we now conduct our affairs, the mass of legislation which affects us and the constant and very real fear of litigation, all force us to operate only within the bounds of our specific authority. Thus the routine peacetime environment strongly discourages the use of initiative and the inclination to do anything which does not follow normal procedures or the outcome of which we cannot predict. This would indicate that we are indeed being conditioned to avoid risk. Conversely, one of our ten formal principles of training¹⁰ is that *Training must be permissive of error* and in the main this tenet is honoured. Mistakes, so long as they are honest ones and are not repeated, are usually tolerated within our military culture and so the moral courage which enables us to take calculated risks may actually not be diminished too severely. To conclude it is difficult to assess the extent of the corrosion to our own

military culture accurately. On a scale which ranges from perfect to dysfunctional, I would award us perhaps 6½ out of 10. Clearly it is a concern but, like most dangers, an awareness of the threat is probably more than half the battle.

NOTES

- 1 *British Army Review*, Number 114 December 1996 p 114
- 2 *International Herald Tribune* Saturday-Sunday March 13-14 1999 pl.
- 3 Julia de Bretton Gordon, 'Adventurous Training is Sexy, Risky and Good Fun', *Sixth Sense* Apr 15 1999, p 7).
- 4 Including: The Health and Safety at Work Act 1974, *HSAW Handbook* Edn 3, JSP 375 Vols 1-3 dated Jul 95 and BA(G) *HSAW Directive* dated Jun 95.
- 5 See, for example, *Selection of Unit Equal Opportunities Advisors*, Director of Manning (Army), March 1999, and ITD10 – *Equal Opportunities*.
- 6 Chief of the General Staff's Address to RUSI, Wednesday 17 February 1999.
- 7 ACM Sir John Allison, 'The RAF in an Era of Change', *RUSI Journal* Feb/Mar 1999, p 45.
- 8 Norman F Dixon, *On the Psychology of Military Incompetence*, Jonathan Cape, 1976.
- 9 Major General Sir Fredrick Maurice, *The Life of General Lord Rawlinson of Trent* GCB, Cassell, 1928.
- 10 Army Code No 71621 ADP Volume 4, *Training*, p ii.

ANNEX KREME TRG GP – GMB 13 DEC 99COMMITMENTS – AN OVERVIEW

What is included:

Corps Committees
 Corps Sports
 Corps Offrs' Mess
 Corps Sgts' Mess

Reserves/Cadets

Local Uniformed Organisations

Local Government

Local Schools

Local Charities

External Commitments – RAAT, Assizes, PAAB, STTT, UN/Emergency and Misc

What is not included:

Army Committees
 Army Sports
 Professional Institutions
 Local Offrs' Messes
 Local Sgts' Messes
 Garrison Organisations
 Garrison Committees
 Boards of Inquiry
 Boards of Officers
 Audits
 Local School PTAs
 Individual Charity Work

Garrison Events

Arborfield: AGFA Fun Day (May)
 Cocktail Party (Jun)
 Bonfire Night (Nov)
 Remembrance Sunday (Nov)
 St Eligius Day (Dec)
 Band Christmas Concert (Dec)
 Carol Service (Dec)

Bordon: ####

ISSUES FOR RESOLUTION

RAAT Allocation – Gp (4a4 dated 23 Nov 99)
 PAAB DS Allocation – Gp (4a8/3 dated 6 Dec 99)
 Depot REME – SEAE (3a1/3 dated 3 Dec 99)
 PAAB – SEME
 Corps RSM – SEAE
 REME Sports Association – SES(A) (telecon Williams/Edwards of 2 Dec 99)
 CORPSAAM - SEME

ORPS SGTS' MESS * = ex-officio

RSM SEAE Regt Presiding Member*
 CSM A Coy SEAE Regt PMC

RESERVES/CADETS

SEME REME UOTC weekend (Feb)
 SEAE Berkshire Cup (ACF weekend) (Oct)
 SEME ACF Detachment sponsors x 3
 SEAE ACF Liaison Officer, AFC Detachment Liaison Officers x 15

LOCAL UNIFORMED ORGANISATIONS

Guide Association 1st Arborfield Guides/2nd Arborfield Brownies/1st Arborfield Rainbows
 Scout Association 1st Barkham (Scouts and Cubs)

LOCAL GOVERNMENT

Wokingham District Council Emergency Planning Committee – Co-opted members (SO2 Gar and GSA)
 Wokingham Town Council Civic Award Panel – Co-opted member (Comd)
 Mayor Making (Jun)
 Remembrance Sunday (Nov – Marching Party – SEAE)
 Arborfield and Newland Parish Council Co-opted member (SO2 Gar)
 Arborfield Charity Walk and Fun Weekend (Jul)
 Andover and Basingstoke Junior Citizen Child Safety Training (Jul – BTA)

LOCAL SCHOOLS

Arborfield Newland and Barkham CE Junior School Co-opted Governor (SEAE)
 Fete (Jun) – joint with Coombes
 Sports Day (Jul)
 The Coombes County Infant and Nursery School Co-opted Governor (SEAE)
 Fete (Jun) – joint with Arborfield
 Farley Hill County Primary School Co-opted Governor (ex-RHQ, now RMCS)
 Fete (Jun)
 Bonfire Night (Nov)
 Christmas Bazaar (Dec)
 Weekly swimming session in Gar pool
 Bordon School Liaison Committee Chairman (COS SEME)
 Bordon schools x 3### Co-opted Governors
 Le Court School, Alton Annual Fete (summer)

LOCAL CHARITIES

St George's House, Windsor Annual Lecture (Jun - Waiters)
 Reading Branch MS Society Harvest Festival (Oct - Lunch)
 Arborfield Branch, Royal British Legion Remembrance Sunday (Nov – Marching Party – AA Coll)
 Wokingham Winter Carnival Committee Winter Carnival (Nov - Marshals)

EXTERNAL COMMITMENTS• *Regular Army Assistance Table (RAAT)*

Allocated by HQ LAND (G3 O&D) to HQ ATRA (Ops & Plans) to support exercises, trials and similar activities. Commitment is for varying numbers of personnel with or without specific skills.

RAAT 99/00¹

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Alloc
17	401/5	Army Inter-Corps Hockey Tournament/ASCB	Aldershot	15-16 May 99	Arena Party x 7	SEME
18	401/6	Army Hockey Cup Final/ACSB	Aldershot	8-9 Apr 00	Arena Party x 7	SEAE

RAAT 99/00 Addition²

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Alloc
-	-	JSIO	Lydd	12-13 Jun 99	CIVPOP x 20	SEAE

RAAT 00/01³

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Alloc
61	121.6	Ex WOODEN PRIDE	London	7-9 Apr 00	Hostages x 20	SEAE
58	121.3	Ex LAME DUCK	RAF Brize Norton	3 May 00	Hostages x 50	SEME
64	201.2	Army Decathlon and Heptathlon Champs/ASCB	Aldershot	21-22 Jun 00	Arena Party x 7	SEME
16	110.4	Ex FAR FLUNG/RMAS	STANTA or SENTA	26-30 Jun 00	CIVPOP x 30	SEME
69	201.7	Inter-Services Decathlon and Heptathlon Champs/ASCB	Aldershot	24-25 Jul 00	Arena Party x 7	SEME
61	121.6	Ex WOODEN PRIDE	London	6-8 Oct 00	Hostages x 20	SEAE
16	110.4	Ex FAR FLUNG/RMAS	STANTA or SENTA	30 Oct-2 Nov 00	CIVPOP x 30	SEAE
58	121.3	Ex LAME DUCK	RAF Brize Norton	8 Nov 00	Hostages x 50	SEME
71	201.9	Army Cross Country Finals	Longmoor	7 Feb 01	x 11	SEME
16	110.4	Ex FAR FLUNG/RMAS	STANTA or SENTA	26 Feb-1 Mar 01	CIVPOP x 30	SEME

RAAT 00/01 Addition⁴

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Alloc
-	119.1	Ex FIRST TRIAL/DMS Trg	TBC	5 days in Apr 00	CASSIM x 30	SEME
-	119.1	Ex FIRST TRIAL/DMS Trg	Cancelled	5 days in Nov 00	CASSIM x 30	-

RAAT 00/01 Addition⁵

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Alloc
-	309.3	BOWMAN Trg Pilot Scheme	Blandford	3 Apr-12 May 00	Art Tels x 1 Tech Tels x 4	SEAE

RAAT 00/01 Addition⁶

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Alloc
-	209.1	Army Exhibition for Schools	Bassingbourn	19 Jun-3 Jul 00	x 10	SEME

ATRA 15/46/3 (Ops & Plans) dated 14 Aug 98 and 4a4 dated 25 Aug 98.

ATRA 15/46/4 dated 11 May 99 and 4a4 dated 18 May 99.

ATRA 15/46/5 dated 5 Oct 98 and 4a4 dated 30 Oct 98.

ATRA 15/46/5 dated 11 Feb 99 and 4a4 dated 22 Feb 99.

ATRA/15/5/2 dated 21 Apr 99, 4a4 dated 26 Apr 99 and SEAE 21103 dated 5 May 99.

ATRA TAFMIS e-mail of 29 Oct 99 and 4a4 dated 1 Nov 99.

RAAT 00/01 Addition⁷

ATRA Ser No	LAND Ser No	Event/Sponsor	Location	Date(s)	Requirement	Allocation
	131	Op MIXIMISE/JSIO	Lydd	14-15 Oct 00	20 x CIVPOP	SEMI

• *Courts-Martial/Assizes*

Allocated by HQ 145 (HC) Bde to Gars/Stns to support Catterick Court Martial Centre (CMC), Aldershot CMC, General/District Courts Martial (GCMs/DCMs) and ad hoc trials. Commitment is for members at Catterick CMC, standby members for GCMs/ad hoc trials and admin support (x 6) for Aldershot CMC.

1999

Dates	Catterick CMC	GCM/DCM	Ad Hoc Trial	Aldershot CMC	Remarks
Apr 99		SEAE			
Apr 99		RHQ			
Jul 99		TDT			Cancelled
Aug 99		HQ			
Aug 99				SEAE	
Sep 99		SEAE 1 x Lt Col			
Sep 99			SES(A) 1 x Maj		
Sep 99			AA Coll 1 x Maj (F)		
Oct 99		AA Coll			
Dec 99				SEME	

2000⁸

Dates	Catterick CMC	GCM	Ad Hoc Trial	Aldershot CMC	Remarks
7-11 Feb 00	DEME(A) 1 x Maj				
14-18 Feb 00		HQ 1 x Lt Col			

Potential Artificer Assessment Board (PAAB)

Allocated by HQ DEME(A) to HQ LAND (including NI), HQ DGES(L) [including HQ DEME(A) itself] and REME Trg to support the PAAB. Commitment is for Deputy Presidents (DPs – Lt Cols), Vice Presidents (VPs – Maj) and Group Leaders (GLs – Capt).

AAB 99/00⁹

PAAB No	Dates	DP	VP	GL	Remarks
9901	26-29 Apr 99	HQ	SEAE		
9902	7-10 Jun 99	SEME	AA Coll		
9903	12-15 Jul 99	SEAE	HQ SES(A)	SEME	Cancelled
9904	6-9 Sep 99		SEME	SEAE	
9905	11-14 Oct 99	SEAE	HQ SES(A)	SEME	HQ VP found by SEME
9906	15-18 Nov 99		SEME	SEAE	
9907	14-17 Feb 00		RHQ SES(A)	SEME	
9908	27-30 Mar 00	SES(A)	SEME	SEAE	SEME VP to be found by HQ

AAB 00/01¹⁰

PAAB No	Dates	DP	VP	GL	Remarks
0001	8-11 May 00	X	X		
0002	12-15 Jun 00	X	X		

Telecons [redacted] and [redacted] of 9 Dec 99 and 4a4 of 9 Dec 99.
 45/16201/1/G1 dated 29 Oct 99 and 2c8/5 dated 8 Nov 99.
 2/DGES(A)/171/2/3/ES11b dated 3 Aug 98 and 4a8/3 dated 10 Aug 98.
 DEME(A)/171/2/3/(Trg & Rec) dated 28 Oct 99.

0003	10-13 Jul 00	X	X X	X	
0004	4-7 Sep 00		X	X	
0005	9-12 Oct 00	X	X X	X	
0006	20-23 Nov 00		X	X	
0007	12-15 Feb 01		X X	X	
0008	19-22 Mar 01	X	X	X	

- **Short Term Training Teams (STTTs)**

Trawl by HQ ATRA on behalf on HQ AG to identify suitably qualified personnel for short term training assistance to overseas military authorities eg:

STTTs Sierra Leone Jul-Sep 99 and Jul-Oct 99
 AG Trawl 93 – STTT Sierra Leone (Maj x 6) Oct-Nov 99
 AG Trawl 99 – STTT Zambia (Capt/Maj x 4) Jan-Mar 00
 AG Trawl 100 – STTT Botswana (Capt/Maj x 4) Mar-May 00

- **UN/Emergency Tours**

Trawl by HQ ATRA on behalf of HQ AG to identify suitably qualified personnel for UN/emergency tours eg:

AG Trawl 67 – UNAMET (Op HALYARD/East Timor) – UNMLO (Maj/Lt Col x 1) Jun-Aug 99 – ██████████ (SEME)
 UNMM Democratic Republic of Congo – UNMLO (French-speaking Lt Col x 1) Aug-Oct 99 – ██████████ (HQ)
 AG Trawl 84 – HQ MNB(C) (Op AGRICOLA/Bosnia) – SO2 G4 Plans HQ NSE Sep 99-Mar 00 – ██████████ (SEAE)
 AG Trawl 94/2 – HQ KFOR 2 – Plans Offr J1 (Maj) Mar 00 for 6 mths and SO Ops Rear Det (Capt) Feb 00 for 6 mths¹¹
 AG Trawl 97 – Serbo-Croat Colloquial Cse at DSL Jan-Apr 00 then Op AGRICOLA/PALATINE May 00 for 6 mths¹²
 AG Trawl 102 – UNTAET (East Timor) – MILOB (Maj x 1) Jan-Jul 00¹³
 AG Trawl 103 – HQ SFOR (Op PALATINE) – Admin Sp PIO (Sgt/SSgt AGC(SPS) x 1) Feb 00 for 6 mths

- **Miscellaneous:**

- **APC Glasgow Promotion Boards**

Trawl by APC for suitable board members eg

Jan-Dec 00 – MS5: Grade 2, Grade 3 and EOSB¹⁴

- **Integrated Promotion and Staff Examination (IPSE) Markers**

Allocated by HQ ATRA on behalf of DEC(A) to Op Divs on an equitable basis eg

Aug-Oct 99

Dec 99-Feb 00 – Lt Col x 3 (SCHINF and REME Trg Gp if no volunteers)¹⁵ – ██████████

Apr-Jun 00 – Lt Col x 3 (SCHINF and RLC Trg Gp if no volunteers)¹⁶

- **VIP Visits – Female Escort Offrs eg**

Oct-Nov 99 COAS India

- **Recruiting:**

- Army Presentation Team

- 4 Div annual conference for School/College Careers Advisors

¹¹ D/AG/2504/99(F94/2) dated 22 Nov 99 and 4a8/4 dated 25 Nov 99.

¹² D/AG/2504(F97) dated 2 Nov 99 and 4a8/4 dated 4 Nov 99.

¹³ D/AG/2504/99(F102) dated 23 Nov 99 and 4a8/4 dated 29 Nov 99.

¹⁴ D/MCM/231/20/03 MS(B) dated 11 Nov 99 and 2a4/3 dated 16 Nov 99.

¹⁵ HQ ATRA/20/621(G1/MS) dated 1 Jul 99 and 4a8/4 dated 12 Jul 99.

¹⁶ HQ ATRA TAFMIS e-mail of 8 Nov 99 and 4a8/4 dated 8 Nov 99.



D/AG/1500/00

19 Oct 00

DG SP Pol

Copy to:

COS/2SL
COS/AMP
DGATR

Comd Sec
DPS(A)
Brig Adv

MA/AG

INCOME GENERATION

1. You will recall that at SPEG last week we briefly discussed the legal and policy issues associated with income generation activity, and I agreed to follow up our discussion with a note. Since then I have done a little more research, and have also had the opportunity to take initial soundings from senior Service lawyers. These confirm my view that there is a need for the MOD to review its position and issue unambiguous guidance on an activity that is becoming both increasingly widespread and diverse. I hasten to add here that my start point is not that of an opponent to income generation activity, the benefits of which are considerable. It is just to ensure that those who take part in this activity are properly protected from unforeseen consequences, and that they remain within the law at all times.

2. First, there is the question of whether or not income generation activities are core business. Government policy, set out in Treasury guidelines¹, clearly states that

“The policy applies to the commercial exploitation of physical assets, including equipment, land and premises and non-physical assets: intellectual property, data and skills”,

and the USof S is on record as saying that

“The Defence budget is under considerable pressure and, in line with the Government's wider markets initiative, it is essential that we are seen to be maximising all potential sources of income available to us I would welcome assurances that we are obtaining as much revenue as possible from the use of the estate for non-operational purposes. This includes commercial lettings of inalienable buildings, use of sites or facilities for one-off events and sporting rights”.

¹ “Selling Government Services into Wider Markets”: HM Treasury Policy and Guidance Note issued by the Enterprise and Growth Unit, Jul 98.

That is self-evidently a mandate for marketing spare capacity vigorously and, by implication, an affirmation that Ministers regard it as core activity. However, the most recent (draft) guidance note by DFinPol² declares in equally unambiguous terms that

“Not all income-generation activities are classed as Wider Markets activities”

and provides some examples (para 10) that fall outside of this policy and therefore by default are core. However, the guidance provided on insurance clearly states that income generated through Wider Markets is not core. The italics insert is mine:

"Insurance. MOD's liability to pay compensation for injury or damages arising from its activities applies only to those activities which form part of its core business as funded by Parliament. *Income generation activity is not covered by this liability*, and commercial insurance must be considered as a means of reducing or transferring the risks involved whenever commercial activity is undertaken."

3. In my view, these somewhat contradictory statements seem to represent the opposite ends of a spectrum. When this was looked into by APRC earlier this year, it was acknowledged that there is such a spectrum, at one end of which none of us were in any doubt that activities could entirely reasonably be described as core business: I think here, for example, of training troops from other nations using spare capacity in the training agencies which fully supports our core missions, in particular Defence Diplomacy. At the other end there was far less certainty: in some cases activities could perhaps be swept up into a rather looser definition of 'core' business but nevertheless could be seen to support image, 'keeping the services in the public eye' (and so linked to recruiting), education and so on. In other cases it may be difficult to attribute such labels. Again, this does not mean that such activities are necessarily inappropriate: it is just that we need to be clear as to their status, so that appropriate mechanisms are in place for their governance. In some cases, for example, the use of MOD facilities may be entirely appropriate, but the use of serving military personnel less so. Neither of the statements I have quoted above seems to provide adequate guidance, for it seems to me that approved income generation activities could and should be categorised as core. And from where I sit I need to know which is which, so that soldiers do not find themselves facing legal proceedings when something goes wrong. I would also argue that where activities are described as core, MOD should acknowledge that it has a liability.

4. My second concern flows from the first. As our military law is currently drafted, income generation can only sit comfortably within it if the activity has what can be described as a proper military purpose. If not, I am advised, it is not legal to employ Service personnel in such an activity. Thus any order to take part in an activity the sole purpose of which is to generate income, would not be a lawful command. Under such circumstances soldiers would be justified in questioning the command, and even disobeying it. They might also be exposed to a wider risk of being personally subject to legal proceedings, both civil and criminal. Clearly that is something we cannot contemplate. With increased private sector involvement in our day to day activities and the ability for commercial partners (eg Flagship) to generate income as part of these long term contracts it seems to me that uniformed involvement is

² Draft Guidance Note D/FinPol/4/1/1/6 (196-00) dated 13 Sep 00.

almost unavoidable at some stage of the activity and therefore we must consider legal liability.

5. I reiterate that in raising this matter I do not wish to see an end put to income generation, which is a multi-million pound business with many obvious benefits for Defence; nor do I see consider that there is a requirement to suspend it until this question is resolved. But I hope to have explained why, in our view, there is a pressing need to close with this issue and establish clear guidelines which are sustainable in law and compatible with the military covenant.

(Original Signed)

COS AG



ARMY

Headquarters Bovington Garrison
Allenby Barracks, Bovington, WAREHAM, Dorset BH20 6JA

Telephone 01929 40 3357 Military (9)4374 3357
Fax 01929 40 3638 Fax (9)4374 3638



Headquarters
43 (Wessex) Brigade

Reference: 60/10

13 March 2000

**MEDICAL SUPPORT FOR PERMANENT STAFF
AND PHASE 2 TRAINEES - AFV TRAINING GROUP**

BACKGROUND

1. Concern has arisen over the provision of 2nd line medical support for both permanent staff and phase 2 trainees employed in the Armoured Fighting Vehicle Training Group (AFV Trg Gp). The Group consists of three Schools and the RAC Training Regiment. This Garrison has the benefit of a local Medical Reception Station (MRS) that is able to provide a good 1st line medical support facility for all military personnel employed and trained at the AFV Trg Gp. However, when the medical treatment required is beyond local capability and referral to a hospital becomes necessary, the AFV Trg Gp experiences significant delays in obtaining first appointments that are precursors to any further medical treatment deemed to be necessary.
2. The Royal Hospital at Haslar is designated as the support hospital for units of this Garrison. It is understood that moves are afoot for that establishment to be subsumed into the National Health Service (NHS) in the near future and there is already recent evidence that this hospital is providing a significant level of medical service to civilian persons of NHS status.
3. A survey has been undertaken by this Garrison covering the period 1 April - 31 December 1999. The figures make for disturbing reading in terms of the time soldiers are having to wait to receive their first medical appointment. A sample of the worst of these figures is at Annex A for the Permanent Staff and at Annex B for Phase 2 Trainees together with average waiting times for appointments over the period under review.

CONSEQUENCES FOR TRAINING PROGRAMME

4. The AFV Trg Gp has a permanent staff strength of some 254 military personnel who are mainly employed as instructional staff with the remainder in the support role. It will be noted from Annex A that many of these staff had occasion to report medical conditions that have necessitated treatment beyond the capability of a MRS. A large number had to wait for unacceptable periods of time in order to obtain the first appointment. In

cases that have been referred to hospitals other than RH Haslar, similar waiting periods have been experienced so no improvement has been achieved by that course of action. Other hospitals used are located at Bournemouth, Dorchester, Poole and Frimley.

5. The effect on the AFV Trg Gp by this very tardy procedure is to reduce its effectiveness in the delivery of training. Instructors not fit to undertake the more demanding and rigorous of their duties cause remaining staff to undertake more training periods than normal. Over an extensive period of time this leads to dissatisfaction with working conditions and a feeling that management are either unwilling or unable to address the problem.

EFFECT ON PHASE TWO TRAINEES

6. Many Phase 1 recruits arrive at Bovington to undertake their Phase 2 Training in an uncertain frame of mind. Young men are less committed today to a long career in the Army and do not require much in the way of bad news to persuade them that they have made a mistake. Waiting around for medical treatment is frustrating and demoralising leading to boredom and sometimes to foolish acts of indiscipline. This is especially so in a remote location such as Bovington devoid of any real form of off-duty entertainment. Staff are hard pressed to look after Phase 2 Trainees with their different requirements. Retention is a matter that receives a lot of attention in the AFV Trg Gp with such a large young trainee population. Bad news travels fast and weakens the efforts made in retaining these young men.

7. For those who are suffering from a medical condition, discharge at short notice is simply not possible. There is a need to ensure that they have been correctly medically boarded so that any subsequent injury claim action can be properly addressed. The amount of time taken to medically board such soldiers provides cause for further dissatisfaction.

8. Delay in any of its forms is an enemy of retention. If nothing is done to rectify this matter then the situation will worsen. It is imperative, that the impression gained by young soldiers during both Phase 1 and 2 training, is of the highest order and that they are not allowed to become bored and subsequently demoralised for the want of a medical appointment.

FURTHER CONSIDERATIONS

9. The fall-out from this lack of medical support is not confined to the training environment. Soldiers who are able to prove that they sustained their injuries in the Army, and who are then in a position to indicate a degree of neglect in their receipt of appropriate treatment, will have good grounds for an injury claim against the department. Such claims are invariably expensive and time consuming to process not to mention the bad press and subsequent poor image for an organisation that needs to recruit young people.

CONCLUSION

10. It is a fact that since Options for Change, the Defence Medical Services have almost disappeared from the military order of battle. The situation has reached such adverse proportions that something must be done and be seen to be done. Complaints about the performance of the NHS appear in the media on an almost daily basis. It is unacceptable that young men and women are required to train and then to represent their Country in the most difficult and dangerous of situations and yet be treated like ordinary citizens in a queue because the medical system is unable to tend to their health needs. Soldiers are exceptional and should be treated as such.

RECOMMENDATION

11. The Chain of Command should be alerted to this situation and urged to undertake positive action. If the matter is not addressed in a way where soldiers are able to discern real improvement, then they will vote with their feet and this will not be restricted to Phase 2 trainees. All the work of the past two to three years in improving recruitment will be undone and much damage to the image of the Army will result.


RO 2
For Commander

Copy to:

External:

HQ ATRA (attn  - SO 1 Occ Medicine)
(attn  - Dep Hd Pers Mil)

HQ Blandford Garrison (SO 2 G1/G4)

Internal:

CO RAC Trg Regt

ANNEX M

Annex A to
Bov Grn 60/10
Dated 13 Mar 00

WAITING TIMES FOR MEDICAL APPOINTMENTS
PERMANENT STAFF

SAMPLE OF WORST CASES

Orthopaedic

16 referrals from 15.3 weeks to 39.3 weeks

Urology

1 referral awaiting 23.9 weeks

Surgical

3 referrals from 16.3 to 18.4 weeks

ENT

1 referral awaiting 16.4 weeks

Dermatology

4 referrals from 18.1 to 31.0 weeks

AVERAGE WAITING TIME

Orthopaedic

34 referrals averaging 12.5 weeks

Urology

8 referrals averaging 9.0 weeks

Surgical

30 referrals averaging 8.0 weeks

ENT

23 referrals averaging 4 weeks

Annex B to
Bov Grn 60/10
Dated 13 Mar 00

WAITING TIMES FOR MEDICAL APPOINTMENTS
PHASE TWO TRAINEES

SAMPLE OF WORST CASES

Orthopaedic

5 referrals from 12.8 weeks to 20.5 weeks

Neurology

2 referrals from 10 weeks to 11 weeks

Surgical

2 referrals from 11.4 to 11.8 weeks

ENT

2 referrals from 11.4 weeks to 14.2 weeks

Dermatology

1 referral awaiting 19.8 weeks

Psychiatric

1 referral awaiting 10.4 weeks

AVERAGE WAITING TIME

Orthopaedic

10 referrals averaging 12.2 weeks

Neurology

4 referrals averaging 8.6 weeks

Surgical

7 referrals averaging 10.7 weeks

ENT

5 referrals averaging 10.2 weeks

Dermatology

4 referrals averaging 8.6 weeks

Psychiatric

9 referrals averaging 4.9 weeks

ANNEX NENCLOSURE 2 TO 2.cRAC CenDUTY OF CARE TASKS NOT FULFILLED

Task	% of Tasks Not Fulfilled	Man-Hours per Month to Fulfill Task				Authority	Comments
		Offr	WO/ SNCO	JNCO	Civilian		
Attend Court	50	12				QR's	
Act in 'loco parentis'	95	60				QR's	118 Soldiers Under 18
Investigate and Process Discipline Cases Within 10 Working Days	35	10	60		30	PS2	
Investigate RTA's	95		12			JSP 341	
Attend to Fire Safety	95				50	H&SAW Act	
Attend to H&SAW	95				50	H&SAW Act	
Manage Electrical Safety	95				50	H&SAW Act	In Accn Blocks
Monitor Sickness	50	10		40		Duty of Care	
Deliver Trainees to the Dentist	20			20		Duty of Care	
Manage SLA incl March In & Out, Damages etc	90		100	100	200	Mat Regs	
Deliver Spiritual, Moral Guidance	90	100				QR's	Padre
Counsel Soldiers Before Marriage	60	20				Duty of Care	Families Offr

Counsel Families Before Marriage	50	10				Duty of Care	Families Offr
Chase up AWOL Soldiers	50		20			ASDR 2000	
Provide a Welfare Service to Soldiers	30	100	50	50		QR's	
Provide a Welfare Service to Families	30	100	50	50	100	QR's	
Initial Interview Soldiers	80	200				Duty of Care	
Provide Recreation, Clubs or Hobbies	80				100	Duty of Care	
Deliver Student ITD's	100	1000	1000	1000		ITD (A)	
Administer & Account for Students	60			160		QR's	
Supervise SLA at Night	100					Duty of Care	This would be a duty function of extra staf
Conduct Constructive Training for SATT	50			1500		Duty of Care	
Provide Financial Counselling	60				30	Duty of Care	
Inspect Soldiers Eqpt	80		20	20		Mat Regs	
Supervise Soldiers in NAAFI	100					Duty of Care	This would be a duty function of extra staf
Supervise Soldiers Carrying out Self-help in SLA	70				240	Duty of Care	
Shortfall to meet unfulfilled tasks		1622	1312	2940	850		
PS required		9.0	7.3	16.3	4.7		

Appendix 14



D/ATRA/20/578 Pers

6 Sep 01

See Distr

DUTY OF CARE WITHIN ATRA UNITS

Ref:

A. The ATRA Duty of Care and Supervision Report 98-01 (NOTAL).

1. I am conscious that a significant amount of work has been done by Op Divs over past months in attempting to determine what resources are necessary to undertake their duty of care and supervisory responsibilities to both trainees and permanent staff. You will be aware of the ATRA sponsored Study at Ref A suggesting a possible requirement for some 360 military posts across the ATRA. In the current climate of undermanning and operational overstretch it is self-evident that there is no possibility of achieving enhancements to the manning liability without compensating reductions and gapping of posts elsewhere. In short, the Study has usefully highlighted a number of areas for concern but has not provided a practical solution.
2. How then should we proceed? It is my belief that our energies should first be focused on the cause of the problem rather than treating its effects and, in this respect, the Study has proved useful in confirming where that effort should be targeted. The purpose of this letter is to provide you with guidance. First and foremost, we must remember that responsibility for providing adequate duty of care and supervision remains firmly with the commanding officer. He discharges these responsibilities through his chain of command utilising both the primary and secondary levels of welfare support as appropriate. In turn, units are established to allow them to fulfil their legal requirements and military obligations. In those cases where this has proved to be inadequate, change proposals have been included in the STP 02 bid to redress the situation (eg the addition of additional clerks to assist with disciplinary paperwork as a result of the new procedures for summary dealing).
3. It may well be that some activities can be regarded as valuable but non-essential, and hard decisions may have to be taken in these cases. There are, however, a number of additional activities that are undertaken in training establishments that fall

016821

beyond the scope of duty of care in its strictly legal sense but which nonetheless are considered to be of importance to training effective and productive soldiers. These activities range from the provision of sports activities after hours to the execution of additional military training for Soldiers Awaiting Trade Training (SATT). Many of these have always been conducted as part of a sensible regime, unaffected by Working Time Regulations (WTR), that takes account of the covenant between the Army and its soldiers. In other words we, as professional soldiers and trainers, 'go the extra mile' to provide training and activities that will contribute to better trained soldiers. It indicates that, almost exclusively, the problem lies within Phase 2 training establishments and particularly those reliant on a significant proportion of civilian instructors or contracted out instructional support. Furthermore, it is clear that those units with a high preponderance of Soldiers Awaiting Trade Training (SATT) (largely confined to the technical Corps) represent a particular problem. Perhaps unsurprisingly, these two categories tend to coincide. It is incumbent upon all of us to continue to search for means by which we can drive down the numbers of SATT. (In doing so we need to take account of the fact that a significant proportion of the overall figure includes soldiers awaiting discharge, long term medical and disciplinary problems and so forth.) This is not a new issue but I would ask that you renew your efforts in this area.

4. Secondly, I would ask that commanders at all levels continue to seek innovative and imaginative ways of providing the resources to occupy and assist trainees during their off-duty hours. In some cases this may call for a re-distribution of duties in order to make best use of the available military resources. Where alternative resources are feasible, this needs to be explored. I have seen some excellent entrepreneurial projects during my visits that have utilised varying combinations of military manpower, ex-military personnel and private companies operating under license.

5. In summary, I am conscious that some of you may be disappointed that the work you contributed to the Study has not borne immediate fruit in the form of additional military manpower other than the measures already included in the STP 02 bid. Nonetheless, this work has confirmed where our effort must be directed and a reduction in SATT coupled with judicious and imaginative management plans should do much to ameliorate the problem. Finally, it is worth noting for the longer term that DTR will have a significant impact in those areas most affected.

[Signed on TAFMIS]

AMD PALMER
DGATR

016822

Dist:

External:

Op Div Comds

Internal:

COS

DCE

Hd Pers

Hd Strat

Hd Ops & Plans

Agency Sec

DHd Pers (Mil)

016823

Appendix 15



DECLASSIFIED 31/3/04

D/AG/1700

3 Dec 02

AGDEEPCUT INVESTIGATION – DAG's FINAL REPORT

References:

- A. D/AG/1700 dated 1 Oct 02.
- B. D/AG/1700 dated 11 Oct 02.
- C. D/AG/1700 dated 25 Oct 02.
- D. D/AG/1700 dated 23 Oct 02.
- E. D/AG/1700 dated 31 Oct 02.
- F. D/AG/1700 dated 14 Nov 02.

INTRODUCTION

1. Between 1995 and 2002, Ptes Benton, James, Gray and Collinson died at Princess Royal Barracks Deepcut as a result of gunshot wounds. The investigation of the death of Pte Collinson by Surrey Police was expanded to include a re-investigation of the circumstances of the other 3 deaths. On 13 Sep 02 AG tasked DAG to assist the Surrey Police by conducting a supporting military investigation in order to identify the lessons to be learned from all 4 cases, and to make recommendations.
2. The purpose of this report is to record the investigation, its findings, the lessons learned and its recommendations. In the interests of brevity it does not rehearse all of the details of the 3 interim reports submitted under References A-C.
3. The Surrey Police investigation continues, and is unlikely to be concluded within the next 3-4 months. In the absence of any current evidence of third party involvement in the 4 deaths, this report necessarily rests on the resultant probability that the first 3 soldiers took their own lives¹, and the possibility that Pte Collinson did likewise. The examination of the specific factors that may have led each individual to do so, such as bullying, harassment, personal problems or psychiatric disorder, remains part of the continuing Police inquiries, and so was outside the scope of this military investigation. Accordingly this report is primarily concerned with the environmental factors that may have influenced the soldiers' behaviour, and with any systemic failures of prevention and protection.

INVESTIGATION

1. The coroner recorded a verdict of suicide on Benton, and open verdicts on James and Gray. Proceedings in the case of Collinson remain outstanding.

- [REDACTED]
4. Actions. The investigation comprised a series of parallel activities:
- a. Visits. In the preliminary phase DAG conducted a series of visits within a common format. The programme covered the 3 major sites within the Defence Logistic Support Training Group (DLSTG), and the Infantry Training Centre (ITC), which served as a benchmark owing to its similarities of size and recruit typology to Deepcut. This foundation was also expanded by knowledge gained from earlier visits to the ATRs at Pirbright and Lichfield. The visit format involved a meeting with the command group; an inspection of accommodation and facilities; and discussions with training and supervisory NCOs, welfare staffs, and groups of trainees. All discussions took place without superiors present. In total the discussions covered approximately 50 JNCOs and 150 trainees. DAG submitted detailed reports after each site visit, and these are recorded in References D-F.
 - b. Surveys. A total of 820 soldiers completed anonymous survey questionnaires designed by MOD Human Sciences staff, covering 2 groups:
 - (1) A sample of 600 soldiers who had successfully passed through Phase 1 training at various ATRs and Phase 2 training at DLSTG, ITC and the Royal School of Artillery (RSA) between 1998 and 2001, and are now serving in field Army units. In order to preserve independence and impartiality, QinetiQ administered the survey and conducted the subsequent analysis under contract.
 - (2) A running sample of 220 soldiers who had just completed a phase of training in the ATRA, prior to their postings to units.
 - c. Research. The investigation was supported by Defence Analytical Services Agency (DASA) (the body that produces the MOD's official statistics on health and mortality), who dedicated a consultant epidemiologist to the task, and by the scientific staff of the Directorate of Army Personnel Strategy (DAPS). After a preliminary phase of document and data capture, and database construction, the following areas were subjected to detailed analysis:
 - (1) All Army deaths from non-natural causes between 1982 and 2001.
 - (2) All deaths from suicide or undetermined causes between 1982 and 2001. Within this category, the following areas were subject to particular attention:
 - (a) An epidemiological study of the deaths that occurred in the years 1984-2001, including a comparison with the UK as a whole, in order to establish comparative population occurrence rates.
 - (b) An environmental study of all deaths caused by firearms throughout the period, in order to establish specific risk factors.
 - (3) Guarding levels, frequencies and arrangements at all ATRA establishments, in order to identify comparative levels of opportunity for suicide.
 - (4) The proceedings of the Boards of Inquiry (BoI) conducted after the deaths of Ptes Benton and James, and associated directives produced by the chain of command

thereafter.

- (5) All relevant Army policy documents.
 - (6) Published research material commissioned both by MOD and other agencies. This includes the substantial body of research undertaken for the Army Suicide Management Working Group (ASMWG).
 - (7) Possible behavioural indicator statistics, including records of absence without leave (AWOL), disciplinary charges, complaints, discharges and training wastage.
 - (8) The record of calls made to the Army Confidential Support Line operated by SSAFA Forces Help.
- d. Consultation. The investigation has involved continuous consultation with:
- (1) DGATR and his staff, DRLC, Comd DLSTG and a wide variety of staff branches. The focus of this activity has been the Deepcut Strategy Group, which has co-ordinated cross-boundary issues through a campaign plan.
 - (2) The Assistant Chief Constable (Specialist Operations) of Surrey Police, and his investigative and analytical branches. This activity has included the development of a Joint Learning Account, which is largely based on the conclusions drawn from this investigation.

METHODOLOGY

5. Risk Model. The analysis underpinning this report is founded on a risk-based methodology. It starts from the precept that the risk of any individual taking his own life is subject to the concatenation of the following 5 interrelated influences, 4 of which form the framework of the subsequent analysis:
- a. Predisposition. Research² suggests that psychiatric conditions are evident in a significant proportion of such cases. Academic estimates vary between 30% and 70% depending upon the confidence level applied. As this area forms an integral part of the current ("victimology") phase of the Surrey Police inquiry into the individual cases, it was not pursued in detail in this investigation. However, DAG has commissioned longer-term research into the feasibility of screening for relevant conditions in the selection of recruits, which may in due course add to the findings of this investigation.
 - b. Stimulation. Events, circumstances, environment (exogenous) and personal factors, both internal and external (endogenous), may combine to take an individual over the threshold of self-restraint to inclination. Such factors may be transient or cumulative. The endogenous factors in these cases fall within the police inquiry. Accordingly this investigation has concentrated on the exogenous factors, some of which extend beyond the military sphere.

2. Sources: "Suicide in the British Army" Parts 1-5, Dr SN Walton 1996-98; Samaritans Website, reporting continuing research work, 1998-2002.

- [REDACTED]
- c. Means. Ease of access to means is an important consideration, especially in relation to transient stimulation. All of these cases involved the use of service firearms, which therefore formed an important aspect of the investigation.
 - d. Opportunity. Suicide in the company of others is rare. In most cases the individual seeks isolation in order to act without constraint. In some cases the environmental effects of isolation may also contribute to stimulation.
 - e. Restraints. Any or all of the preceding influences may be diminished by a variety of restraints. As a result, if the restraints fail when those influences are present, then a risk of suicide will exist. The understanding, development and application of those restraints therefore forms a major part of risk reduction, and hence of this investigation.

SUICIDE IN THE ARMY

6. Exclusions. The statistics used to support this investigation and quoted in this report exclude the following groups:
 - a. Gurkhas, on the grounds of cultural differences.
 - b. The UDR and its successor regiment, the Home Service component of the Royal Irish Regiment, owing to the special factors that apply to them³.
 - c. The Territorial Army and individual members of the Regular Reserve when not deployed on active operations.
7. Overall Situation. Published research⁴ indicates that the rate of suicide and deaths subject to open verdicts are broadly similar between Army personnel and the population at large. This conclusion would not be evident from a casual inspection of the raw data, which does not correct the relative imbalance of the male and female components within the civilian (49:51) and military (currently 92:8) populations. This adjustment is necessary owing to the markedly lower propensity of females to take their own lives than males. The comparison of data is further complicated by the distribution of age groupings in the national statistics, which requires further adjustment⁵. The research commissioned for this investigation⁶ examined 329 such deaths in the Army over the 18 year period 1984-2001, and compared the results with the adjusted national figures. Its findings were consistent with previous studies. It showed that in the older age groups (24-39) the Army figures are significantly lower than the civilian; slightly but not significantly higher in the 20-24 group; and substantially higher in the youngest (15-19) group. Apart from the youngest group, the body of research indicates that, viewed overall, the Army does not have a generalised problem with suicide that sets it apart from the population at large.
8. The Teenage Group. The 15-19 Army group stands out, as its rate over the 11 years 1991-2001 was approximately 1.8 times higher than the equivalent civilian group with the 15-year-olds excluded. The rate across the group did, however, conceal highly unusual variations between each year of age. The rates per 100,000 population were 16 years – 12; 17 years – 3; 18 years – 21; and

3. Including environmental factors and extensive ownership of personal protection pistols.

4. Including Kelly & Bunting 1998; Coggon et al 1995; Inskip et al 1995; ONS Mortality Statistics 2002; DASA Aug 99.

5. The bottom age group in the national statistics is 15-19 years. There are no 15 year olds serving in the Army, and so this sub-group has to be excluded from the comparison; and comparatively few 16 and 17 year olds.

6. "Army Suicides and Open Verdicts", Dr N Fear, DASA, 20 Nov 02.

19 years – 28. Within those figures:

a. There is no obvious reason to explain the apparent sharp downward shift between 16 and 17 years in this period. This anomaly is highlighted by the fact that the 9 previous years (1982-90) did not show the same pattern, but rather a lower rate at 16 years, and a higher one at 17 years. Nor can the high 16 year old figure be easily attributed to easy access to firearms, since they have markedly lower exposure than 17 year olds; fewer opportunities owing to an absence of armed guard duties; and more restraints through closer supervision. The only immediate difference lies in the sample sizes and the sensitivity that they introduce. In the last 11 years the average population of 16-year-olds in the Army was 760, but in the middle 5 years it was only 420. At this level the single death recorded introduced extreme perturbation in the overall rate. Accordingly, the 16-year-old figure should be treated with extreme caution, if not discounted altogether. In contrast the average 17-year-old population was approximately 3,000, and proportionately less sensitive to isolated events. But even at that sample size there is considerable scope for random outcomes, a feature discussed in more detail in paragraph 9 below. This is exemplified by the near total absence of suicides and open verdicts for 17-year-olds throughout the 1990s, which was then followed by a disconnected cluster in 2000-2001. Again, the 17-year-old figures should be treated with extreme caution.

b. At 18 years young soldiers appear to display an adult rather than an adolescent rate. The sample size is some 50% larger than the 17-year-olds, and so the sensitivity is lower. Nevertheless, clusters in specific years do distort the overall figure. For example, the 3 deaths of 18-year-olds in each of 1987, 1992 and 2001, which show no identifiable connecting pattern of circumstances⁷, account for about 40% of the 20-year total. Two features are, however, common in this group:

(1) About 50% of the deaths involved the use of firearms. All but one of them occurred in service units of the field Army. In that environment soldiers of this age are employed across the full range of armed duties, including on guards and operational tours. They therefore have both access to the means and the opportunity to take their own lives. Taken together these factors probably account for much of the elevation of the rate above the civilian figure at this age.

(2) The incidence is disproportionately grouped in the arms and corps that employ soldiers in the lower 50% of the ability range. Analysis conducted in this investigation suggests that this category of soldier suffers the highest rates of welfare⁸, behavioural and disciplinary⁹ problems, and has the lowest capacity to resolve their difficulties¹⁰.

c. The 19-year-olds share common features with the previous group, but display the highest rate of incidence. A larger proportion of them is in the field Army, with consequently more access and opportunity. Contrary to expectations, this factor does not appear to account for the difference from the 18-year-olds, because:

(1) Firearms feature in a lower proportion of cases – 40% rather than 50%.

7. Within each cluster there was no commonality of geographic theatre, regiment/corps, previous training establishment or nature of environment.

8. For example, a 2002 survey of Infantry recruits showed a 20+% incidence of significant family dysfunction.

9. OSCA 2001 record of summary disciplinary dealings.

10. The observed incidence of basic skills deficiency in Infantry and RLC recruits is about 15%.

(2) Similarly, the proportion that is accounted for by Infantry soldiers, who have the greatest access and opportunity to use firearms, also declines from 50% to 40%.

(3) The proportion attributable to firearms is reduced by the greater diversity of means employed. This group has a significant number of cases involving carbon monoxide poisoning. It is exemplified by an unusual group of 3 such deaths in the RAC, spread over as many years, which have no other identifiable commonality.

(4) A higher proportion of the cases occurred outside barracks – 45% as compared to 20%.

Despite lengthy analysis, no clear explanation has been found for these paradoxes. Accordingly it became necessary to explore the possible impact of a wider range of factors.

9. Distribution. Within the smaller Army sub-population the number of cases that occur annually varies more widely than in the general population. During this investigation a detailed analysis was conducted in an attempt to identify any Army-specific factors that might explain this variation, such as the level of operational commitments, morale and dissatisfaction¹¹; or the pattern of postings and locations. No such correlation was found that might explain it. Similarly an examination of wider factors such as economic conditions and optimism, and national and world events produced the same negative outcome. This led to 3 observations. First, that the complexity of the influences and their interrelationships described above were consistent with “chaotic” patterns within the sample of 100-150,000 that the Army represents, rather than the smoother patterns evident in the many times larger national population. Second, those patterns might also be compounded by wider but little-understood transitory societal and cultural factors¹² that were beyond the Army’s control. Third, the Army’s socio-economic structure differs markedly from the national. In the context of the investigation, this analysis led DAG to conclude that:

- a. Seeking to attribute individual incidents to specific singular exogenous causes could be unsound and misleading, irrespective of any circumstantial evidence that might exist.
- b. Extension of particular cases to the general would be similarly unsound.

10. Means. The primary differentiation between the general population and the Army is the means employed. Amongst the public the predominant means over the same period were hanging, strangulation and suffocation (HSS), which account for over 50% of suicides, and 25% of open verdicts¹³. Firearms account for only 2%, owing to their limited availability. In contrast in the Army firearms accounted for 31% of suicides and 25% of open verdicts, and HSS 31% and 39% respectively. For those under 25 years of age HSS accounted for the majority of civilian deaths, whereas firearms were the most common means in the Army. This observation is unsurprising, as in the Army this age group has the most frequent access to firearms as a result of its proportionately greater commitment to operational and security duties. The risks involved are both self-evident and often unavoidable owing to the requirement for and the nature of the armed duties undertaken. The extent to which those risks can be managed is determined in most part by the prevailing operational circumstances. It also has to be informed by the balance of risks between those posed by the

11. As indicated by the output of Continuous Attitude Surveys; the pattern of calls to the Army Confidential Help Line; activity levels in the Army’s welfare services; levels and location of the incidence of absence without leave (AWOL) and other disciplinary infractions; the rate of discharges and premature voluntary release; and complaints of bullying and harassment.

12. Including, possibly, the portrayal or publicity of suicide in popular music and the media.

13. “Army Suicides and Open Verdicts”, Dr N Fear, DASA, 20 Nov 02.

[REDACTED]

individual to himself, and those posed by the external threat to the many.

11. The Individual Training Organisation (ITO). Over the 21 years 1982-2002, a total of 14 soldiers undergoing initial training have died within the categories of suicide and open verdict. One further case (Pte Collinson) awaits a coroner's hearing. However, owing to its relevance to this investigation, it has been grouped with the others within an overall total of 15. That figure should be viewed in the context of the approximately 250,000 soldiers who have passed through basic training in the ITO during that time. The net occurrence rate based on the average resident figure appears to be about 10 per 100,000, which is close to the adjusted male whole population rate in the relevant age groups (16-19 for the majority of trainees). This suggests that viewed within the significance limits of the very small sample size, the ITO has not been a markedly dangerous environment. The deaths can be subdivided as follows:

- a. Firearms. 8 cases, of which 6 were on guard duty (including 4 at Deepcut); one was off duty in barracks; and one was on range training. Only one of these cases (in the second category) may have occurred during the earliest stages of training equating to the current Phase 1.
- b. Other causes within barracks. 5 cases, with hanging as the predominant means.
- c. Outside barracks. 2 cases, both drug overdoses.

12. Identified Risk Factors in Firearms Cases. The prevalence of cases involving firearms within the overall Army total caused this sample to be examined especially closely. This identified the following risk categories:

- a. Activity. Guard and sentry duties are the highest risk activity, accounting for some 60% of cases. Within that figure, 60% occurred on operational tours in Northern Ireland or the Former Republic of Yugoslavia. Those on singleton or detached duty are most at risk, and especially at night. The figures are explicable through the access to means, opportunity and the enhanced stimulation created by those activities. In those respects the outcome accords with the risk model described earlier, and underlines the requirement for effective risk management within these activities.
- b. Age Group. For the reasons described in paragraphs 8-10 above, the under 25 age-group accounts for the highest proportion of firearms cases, at about 75%. This group provides most of the Army's sentries and guards: their less numerous elders are mostly NCOs, and therefore supervise and command. Within the group, the highest risk component comprises young soldiers in their first 2-3 years of service in the field Army. In parallel with this observation, the analysis that was conducted in paragraphs 8 and 11 above argues that the proposal to exclude soldiers below the age of 18 from armed training would probably have no more than a marginal impact on outcomes. Furthermore, the paradoxes that are evident between age groups in this range suggest that any effect might be unpredictable. In view of the potential impact of such a measure on the Army's recruiting and strength, and hence its operational capabilities, there appears to be no concrete case for a change in the current policy and practice. It is nonetheless essential that commanders at all levels are aware of the age component of risk.
- c. Arm and Corps. The highest risk group is the Infantry (26% of Army strength), who account for approximately 50% of all firearms cases, and 75% of those in the under 25 age

[REDACTED]

group. To a large extent this is owed to their substantially greater exposure to the risk factors of means and opportunity by virtue of the Infantry's predominance in operational tour commitments. As a result all other arms and corps have rates of incidence of firearms cases that are significantly below their proportion of the Army's strength. The Director of Infantry is aware of this situation, and is currently developing and implementing risk mitigation policies.

d. Soldier Typology. The small sample sizes preclude drawing firm conclusions on correlation between incidence and soldier typology. Nevertheless, as noted earlier, inspection of individual cases suggests that the more mature and intelligent soldiers found in the large corps that require higher intellectual capacity (R Signals and REME) have a lower general propensity for suicide; and their incidence is more evenly spread across the age range. Conversely, the corps with a higher proportion of lower ability soldiers (Infantry, RLC, and parts of the RAC and RA) display a somewhat higher propensity, and a tighter grouping towards the lower age ranges. Whilst not tested for statistical significance, these observations should inform risk assessment in both training establishments and service units.

13. Suicide in the RLC. The investigation concerns RLC soldiers. It is therefore necessary to examine suicides and undetermined deaths in the RLC, and by definition its precursor corps (RCT, RAOC, RPC, ACC and RE Postal and Courier) in order to establish whether any exceptional features are evident. The RLC accounts for some 16% of the Army's strength. Within the overall total of such deaths by all methods in the past 20 years, the logistic corps accounted for almost exactly the same proportion of cases. This is similar to the RAC, somewhat higher than RA and RE, and substantially lower than the Infantry. The overall rate within the RLC is consistent with the national figures at about 22 per 100,000. There is therefore no clear evidence that the RLC is exceptional, or differs markedly from the other arms and corps with similar soldier typology at the aggregate level, or from the population at large. In firearms cases the RLC accounted for 15 incidents, or 12% of the total, of which 47% occurred on operations. However, these figures are skewed by the 4 Deepcut cases, which within the small sample size preclude drawing conclusions. In that respect, the Deepcut cases are exceptional.

DEEPCUT – STIMULATION

14. The investigation found several sources of adverse stimulation at Deepcut. They are all related, and thus tend to be mutually reinforcing. Most of them are inadvertent, in that they are owed to externally generated factors, processes and policies that are beyond the control of local commanders. This situation creates additional requirements for restraints. Only limited evidence was found of current internal processes and policies that were likely to produce adverse stimulation. This was not, however, the case in 1995-6, as described below. Nevertheless it is essential to be aware of the dangers of trying to attribute incidents to specific singular stimuli¹⁴. Cause and effect are not directly and logically connected: different people react in different ways to common experiences.

15. Scale and Complexity of the Training Process. The RLC is a large and internally complex Corps, which has a wide variety of career employment groups (CEG) that span the full range of ability. The DLSTG handles approximately 1,800 RLC Phase 2 trainees annually. The duration of training courses ranges from a few weeks to over a year. Many require trainees to move between different sites. Almost all the CEG involve driving qualifications, and many of them require the most demanding LGV C+E course at DST Leconfield. All driving courses are characterised by "fixed mastery – variable time" (FMVT), as each individual progresses at a different rate. Process

14. See paragraph 9 above.

delays and flow fluctuations are inevitable and endemic, which lead to soldiers awaiting trade training (SATT) for long periods. Meanwhile the input of trainees from Phase 1 – primarily from ATR Pirbright – continues unabated. The scale and complexity of the management tasks that DLSTG faces are currently at or beyond the limits of feasibility. Although the review of RLC trade structures may lead to some improvement, its effects will be limited and unlikely to produce significant change within the next 3 years. It is these features that underlie most of the adverse stimulants present at Deepcut. For that reason, the creation of an even larger logistic training facility that DTR proposes, possibly on a single site, is a matter of serious concern, unless the full implications of a large training organisation (SATT, supervisory levels, training process complexity, etc) are taken in to account.

16. SATT. The adverse consequences of the high levels of SATT experienced by RLC Phase 2 trainees are manifold and mutually reinforcing. In the absence of coherent and credible training activities, soldiers become bored, de-motivated and increasingly prone to indiscipline as time passes. Such a psychological environment increases the stress on the weaker individuals, who had previously been well supported during their tightly structured basic training. In the absence of close supervisory restraint, peer group bullying and harassment can exacerbate this stress. These conditions were evident at the time Ptes Benton and James died¹⁵. Although the regime has improved considerably since that time, levels of SATT remain high, and the risks remain significantly greater than is desirable. The reduction of SATT in RLC Phase 2 training is therefore the highest priority.

17. Turbulence. The turbulence caused by the combination of training at multiple sites and FMVT courses creates additional stress and diminishes social restraints. It is impossible to bond soldiers into stable cohorts led by familiar superiors, and administer coherent military continuation training. Soldiers' individual problems cannot receive effective management. Environmental turbulence is marked in contrast to other arms and corps. During Phase 2 training an RLC soldier will occupy at least 3, and often 4 different bed-spaces amidst unfamiliar companions. He is thereby denied any stability of private space. The adverse psychological impact of these conditions is self-evident. Although turbulence and unpredictability are features of combat, they are unnecessary and undesirable features in the administration of a basic training regime that should otherwise strive to ease the inevitable stress of transition from civilian to soldier. The rectification of these problems requires the needs and interests of the soldier and the training system to be re-balanced and reflected in management performance indicators.

18. Population and Soldier Typology. The training population at Deepcut is very large and heterogeneous. Over 30% of trainees are from Commonwealth countries (F&C), but are highly differentiated by national groupings that rapidly coalesce after arrival. About 8% of trainees are female, which induces adolescent stresses amongst the less mature. The features of lower percentile British soldiers were examined earlier in this report. A majority of the British soldiers, both male and female, that train at Deepcut are in this category, and display the associated problems. The disparate nature of the population and the turbulence noted above combine to diminish the effectiveness of the Army's traditional "buddy-buddy" system, which would otherwise both reduce stress and enhance restraints.

19. Civilianization. For most RLC trainees their primary training interface is with civilian rather than military instructors. This is especially the case during driving courses, which occupy most of the training time. Both their small numbers and limited exposure diminish the influence of the military staff. As a result, the military ethos inculcated in Phase 1 declines in proportion with the

15. Analysis of Benton and James Bol proceedings.

[REDACTED]

time spent on training and SATT. This can leave trainees ill-prepared for their arrival in the entirely military environment of a service unit.

20. Balancing Factors. The built estate at Deepcut is no worse than most in the ATRA, and better than many others. The physical environment is generally benign, although the camp is more physically isolated than might otherwise be expected in suburban Surrey. The training, supervisory and welfare staff are well led and motivated, despite the magnitude of the challenges that are beyond their power to resolve. They make every possible effort to counter the adverse factors described above, but an established military staff : trainee ratio of 1:60 is a pervasive handicap on their effectiveness.

21. Summary. The range and combination of mutually reinforcing stimulants at Deepcut is especially adverse. They exist at a level well above that found anywhere else in the ATRA during this investigation. Although the majority of the trainees are content and well motivated, the risks are concentrated amongst the weakest and least competent, and especially those with underlying problems, which such a psychological environment would exacerbate. The earlier analysis underlined that this group may include those most likely to take their own lives. Taken together these adverse stimulation factors may have played a part in all 4 deaths.

DEEPCUT – MEANS

22. Case Analysis. Although all 4 deaths involved the use of service weapons, access varied between the cases. It is therefore appropriate to examine each in detail:

- a. Benton. Although mustered for guard, Pte Benton was not armed on duty as a result of a correct risk judgement made by the guard commander. Later that night Pte Benton obtained a weapon under pretence from an isolated sentry. The subsequent BoI identified the procedural deficiencies that allowed this to occur, and recommended changes that were implemented forthwith.
- b. James. Pte James was armed on duty in daylight as a singleton sentry at one of the pedestrian entrances to the barracks. She therefore had unfettered access to the means, but was not subject to any direct supervision.
- c. Gray. Pte Gray was armed on duty at night with a detached guard in the Officers' Mess compound. He therefore had unfettered access to the means, but was not subject to direct supervision by an NCO.
- d. Collinson. Pte Collinson was on duty at night with an unsupervised detached guard in the Officers' Mess compound, but was not armed. He obtained a weapon from another member of the detachment in breach of the procedures that had been adopted after the death of Pte Benton.

The evidence suggests that all four soldiers either had direct access to a weapon, or were able to obtain it with relative ease.

DEEPCUT – OPPORTUNITY

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23. Opportunity is generally characterised by isolation in cases involving firearms. With one identified exception¹⁶, the majority of gunshot victims were either isolated or created isolation for a comparatively short period. Protracted isolation may also contribute to stimulation, which may have been the case in many of the instances involving singleton sentries on guard or operational tours. At Deepcut one soldier had unfettered opportunity. Three were in situations where they were able to create opportunity through isolation with relative ease. When viewed in the context of other cases during the past 20 years these situations were not abnormal. The issue for this investigation is the degree to which the procedures at Deepcut contributed to the circumstances in these 4 cases.

24. Guard Frequency, Size and Supervision. It is axiomatic that generally the risks increase with the frequency with which someone who is inclined to take their own life by predisposition and stimulation is presented with both the means and the scope for opportunity. In this respect the investigation found that the frequency, size and limited supervision of guards at Deepcut created those circumstances. Research into those factors¹⁷ showed that the number of soldiers employed on guard at Deepcut at night and weekends, the greatest risk periods, was until recently as high as 26. This alone set it apart from all other training establishments, where the equivalent average is only 8. Furthermore, the size and shape of the barracks involved significantly more detached guards than anywhere else, and hence produced a lower level of direct supervision. The compounding of these factors suggests a level of opportunity risk at least 6 times greater than the norm. Two additional exacerbating factors were identified. First, trainees were able to exchange duties with others with minimal restriction. Second, soldiers subject to SATT, who were previously identified as a potential risk category, inevitably carried out more guards than others, owing to the length of their stay in the barracks and their ready availability. This led to the conclusion that the guarding regime at Deepcut inadvertently created an extraordinarily high level of opportunity risk. Moreover, the simplicity, objectivity and extremity of this factor led to the ultimate conclusion that it may have been the most significant in these 4 deaths.

DEEPCUT – RESTRAINT

25. Policy and Practice. The investigation included a comprehensive study of the Army's policies and practice in suicide prevention. It found that these had undergone a radical transformation since 1998, when the Army Suicide Management Working Group (ASMWG) was formed as a response to growing concerns over the issue. This group brings together academics and experienced practitioners from the civil sector, including the Prison Service. Comparison with best practice nation-wide, and especially in the sectors that share similar age groups, indicate that the Army's top-level policy and practice matched all reasonable benchmarks of quality. In addition, the Army funds a confidential support line operated under contract by SSAFA, and a comprehensive suite of training and support materials such as posters, pamphlets and cards issued to every soldier. An active research programme supports these activities. The only area of concern identified was the quality of induction training given to instructional and supervisory staff in ATRA Phase 2 training establishments, which is now being addressed.

26. Supervision and Care. Preceding analysis highlighted the impacts of turbulence and population diversity on social constraints, which as a result are significantly lower than those found in most other ATRA Phase 2 establishments, and especially those with a similar trainee typology. The same divergence is evident in the supervisory ratios. The figure at Deepcut is 1:60, whereas at Catterick and Larkhill, both of which have bonded cohorts, the figures are 1:12 and 1:40 respectively. This

16. Osnabruck, 5 Apr 1990.

17. DAG survey of ATRA guarding levels, Oct 02.

suggests that a figure within this range would be appropriate at Deepcut. Furthermore, the 1:60 ratio only applies in working hours and when the establishment is fully manned. Gaps caused by undermanning and absence on courses are commonplace. The out of hours figure approaches 1:200 or more. Troop officers bear responsibility for as many as 300 partially trained young soldiers, with few NCOs to support them. In a field unit the norm is 30-50 trained, cohorted and experienced soldiers, and a supervisory ratio of 1:6. It is therefore apparent the level of supervision is wholly inadequate, and thus greatly magnifies the level of restraint risk. This deficiency is attributable to a manning establishment that was matched to the low levels of throughput prevailing when the RLC Training Centre was created in the early 1990s (about half today's figure); and subsequent reductions driven by the serious level of undermanning in the Army and cost savings. As a result of this a review has determined that an increment of 12 officers and 50 NCOs is required to achieve an appropriate level of supervision at a ratio of 1:40 at current levels of SATT. If SATT is reduced so the increment diminishes accordingly, but in any event it will remain substantial. Despite the expense and difficulty involved, the rectification of this situation is now a matter of urgency.

DEEPCUT – LESSONS LEARNED

27. The lessons learned in this investigation have been accumulated during its course, and shared with Surrey Police through the Joint Learning Account. A summary of the Army input generated by this investigation is at Annex A. Several of the entries reflect details that this report does not cover, but were derived from earlier interim reports. The BoI that will convene to examine the cases of Ptes Gray and Collinson after the completion of the inquest into the latter's death will cover much of the same area in more detail, and will therefore contribute to the overall lessons learned process.

RECOMMENDATIONS

28. On the basis of this investigation it is recommended that:

- a. The establishment at Deepcut should be revised in order to provide a supervisory ratio of approximately 1:38, and the resultant requirement for an increment of up to 12 officers and 50 NCOs be funded in STP03 (£2.2M).
- b. The supervisory ratios across the entire ATRA should be reviewed and brought to appropriate levels in line with a clearly defined and endorsed policy for all training establishments and which can be carried forward into DTR.
- c. Performance Indicators and Targets placed upon the ATRA should be reviewed and reordered to prevent inconsistency with the best interests of the trainees and the reduction of SATT.
- d. The routine security and guarding of the Deepcut site should be taken over by MPGS as soon as practicable at a cost of £1.7M.
- e. A common induction training package for ATRA Phase 2 instructors and supervisors should be implemented in order to raise standards towards those prevailing in Phase 1.
- f. The detailed observations and taskings in Annex A should be implemented forthwith.



[REDACTED]

DAG

Annex:

A. Learning Account - Army Input 1.

Appendix 16



The Investigation of Deaths on Land or Premises Owned, Occupied or Under the Control of the Ministry of Defence¹

PROTOCOL

1. Parties

- 1.1. This Protocol records an Agreement between the Secretary of State for Defence and the Association of Chief Police Officers (England, Wales & Northern Ireland).

2. Definitions

- 2.1. For the purposes of this Protocol a Ministry of Defence Establishment is defined as any land, premises or vessel, owned, occupied or under the control of the Secretary of State for Defence.
- 2.2. For the purposes of this Protocol, a death is defined as any death, or serious injury that is likely to prove fatal, of any person, occurring on or in a Ministry of Defence Establishment.²

3. Aims

- 3.1. The aim of this Protocol is to provide an overarching framework, in accordance with which all future deaths will be investigated.
- 3.2. Each of the participants will develop their own Standard Operating Procedures to ensure that practitioners have a clear understanding of the overarching framework and of the practices to be followed within their own working environment.

¹ This Protocol relates to deaths which occur within MOD Establishments in England, Wales, Northern Ireland and their respective Territorial waters. Due to different legislative provisions, a separate protocol will have to be negotiated for Scotland and their Territorial waters.

² Deaths that occur in a Military Hospital, for which the requirements Her Majesty's Coroner are met, fall outside the terms of this Protocol.

4. Primacy for the Investigation

- 4.1. Primacy for conducting the investigation of all deaths rests with the Chief Officer of the Home Department Police Force³ under whose jurisdiction the death occurs.
- 4.2. The Home Department Police Force will retain primacy throughout, including responsibility for the preparation and presentation of case papers to Her Majesty's Coroner, Crown Prosecution Service and, if the circumstances so warrant, any civil or criminal courts.
- 4.3. The Home Department Police Force conducting the investigation, in appropriate circumstances, will liaise with the Health & Safety Executive, under the terms of the existing National Protocol.

5. Exchange of Information

- 5.1. The Head of the Ministry of Defence Establishment concerned, in consultation with the Chief Constable of the Ministry of Defence Police, or the single Service Provost Marshal as appropriate, will appoint a Liaison Officer to act as a point of contact for the appointed Senior Investigating Officer (SIO) to facilitate the needs of the investigation.
- 5.2. The SIO appointed by the Home Department Police Force to investigate the death, will have unfettered access to all information/material held by the Service concerned which is relevant to the inquiry. Where that information is considered to undermine security or prejudice National Interests the appointed Liaison Officer and the SIO are to seek legal advice prior to formally releasing/securing that material into evidence.
- 5.3. Where appropriate, the appointed SIO will update the Head of the Ministry of Defence Establishment regarding the progress of the investigation and, equally, refer any item which requires assistance in resolution.

6. Practice to be Followed by the Investigating Force

6.1. Senior Investigating Officer

- 6.2. The Home Department Police Force will appoint a suitably qualified SIO to take personal responsibility for the conduct of the investigation.
- 6.3. The SIO should consider and, if deemed appropriate, utilise available Ministry of Defence expertise to assist the investigation. This may include the Ministry of Defence Police and/or Service Police, who may be able to provide specialist knowledge, advice or technical support. Similarly, the SIO may utilise additional sources of expertise such as that which can be provided by the Health & Safety Executive.

³ Home Department Police Force refers to the 43 Constabularies of England and Wales and includes the Police Service of Northern Ireland.

6.4. Family Liaison

- 6.5. This Protocol acknowledges the distinction to be drawn between the 'pastoral' role of the Ministry of Defence (Casualty Visiting Officers/Civil Service Welfare Officers) and the 'investigative' role of the Home Department Police Force Family Liaison Officers.
- 6.6. The Ministry of Defence Casualty Notification Officer (CNO) will normally undertake initial notification to the next of kin of a death under the direction of the Ministry of Defence Joint Casualty and Compassionate Centre (JCCC). However, where this responsibility rests with the Home Department Police Force they must ensure the MOD (JCCC) is notified as soon as possible of the action taken.
- 6.7. The SIO will always consider the joint deployment of a military 'Visiting Officer' (or the Ministry of Defence Civil Service equivalent) and a police 'Family Liaison Officer'.

6.8. Coroner

- 6.9. Her Majesty's Coroner has primacy for establishing the cause of death in all cases.

6.10 Pathology

- 6.11. Decisions regarding all aspects of forensic pathology rest with Her Majesty's Coroner, in consultation with the SIO.

6.12. Communication/Media Briefings

- 6.13. An integral part of the investigation of any death is the provision of a comprehensive media strategy. The Home Department Police Force concerned will have primacy for all media liaison under the direction of the appointed SIO. The appointed Media Officer will consult the Ministry of Defence Press Office prior to the release of any information.

7. Practice to be Followed by the Ministry of Defence

7.1. Notification of Death to the Home Department Police

- 7.2. When a death occurs, the Head of the Ministry of Defence Establishment will immediately notify the Home Department Police Force with jurisdiction for the area.

7.3. Scene Preservation

- 7.4. The Head of the Ministry of Defence Establishment will ensure that the scene of any death is secured and preserved. Beyond taking steps to ensure the safety of other personnel, the scene will remain undisturbed.
- 7.5. Similarly, the Head of the Ministry of Defence Establishment will take steps to ensure that any equipment, artefacts, records or documents that may be relevant to the investigation are preserved in situ.

7.6. Ministry of Defence Pastoral Care

- 7.7. Notification of the death to next of kin should be undertaken as soon as possible. This task will normally fall to trained Ministry of Defence personnel (Casualty Notification Officer). Although in accordance with current instructions, a short factual explanation

may be offered of the known circumstances at that time, extreme care must be taken not to offer any information beyond confirmed facts.

- 7.8. The next of kin should be informed that a police investigation has begun.
- 7.9. Advice should be sought from the appointed SIO as to whether it is appropriate to deploy a 'Casualty Visiting Officer/Civil Service Welfare Officer' simultaneously with the police 'Family Liaison Officer'.

7.10. Liaison Officer to the SIO

- 7.11. In accordance with paragraphs 5.1 and 5.2 above, the Liaison Officer is to ensure that all information sought by the appointed SIO is provided in a timely manner.
- 7.12. Where appropriate, the Liaison Officer will accompany the SIO to all briefings regarding the progress of the investigation, with the Head of the Ministry of Defence Establishment.

7.13. Communication/Media Briefings

- 7.14. The Ministry of Defence will appoint a senior media/communications representative to act as the designated point of contact for the Home Department Police Force.

7.15 Boards of Inquiry

- 7.16. A Board of Inquiry (BOI)⁴ will be convened within 48 hrs of the incident. Concurrently an initial Learning Account (LA) will report within 24 hours.⁵
- 7.17. The Home Department Police Force will have primacy in deciding whether or not a BOI can continue. However, prior to taking the decision the SIO will liaise with the Convening Authority and the relevant single Service legal advisors. Where it is decided that a BOI would be likely to impede the Police investigation and/or taint any potential evidence, then the BOI's Terms of Reference must be amended to remove the difficulty. Where this is not possible the BOI **must be adjourned**.
- 7.18. In the event of a prolonged investigation – particularly where there is Ministerial involvement – the single Senior Service BOI Co-ordinator is encouraged to liaise with the SIO to ensure the reasons for adjournment remain extant.

8. Review Mechanism

- 8.1. The content and application of this Protocol is to be reviewed 12 months post implementation.

Director General Security and Safety
Ministry of Defence
Date: September '05

Deputy Chief Constable
Chair of ACPO Homicide Working Group
Date: September '05

⁴The purpose of a Service BOI is to establish the facts about an event, to make recommendations on actions to **prevent a recurrence** and to inform any decision about whether other action, such as administrative or disciplinary action, should be initiated in respect of any individual. BOI reports are also used internally as part of the consideration of claims against the MOD for compensation.

⁵The purpose of the LA is to identify **immediate lessons** to prevent a reoccurrence (this requirement is embodied in Health and Safety legislation) and inform the drafting of Terms of Reference (TORs) for the BOI.



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