

**REPORT OF THE ROYAL NAVY NON-STATUTORY
INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT AND
INAPPROPRIATE BEHAVIOUR WITHIN THE SUBMARINE
SERVICE**

FOREWORD AND EXECUTIVE SUMMARY



4 October 2024

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Glossary of terms

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| Administrative action | Action taken to correct professional or personal shortcomings – roughly equivalent to misconduct proceedings a company might take. This is distinct from disciplinary or criminal proceedings, which imply an offence against Service or civilian law. |
| Non-Statutory Investigation (NSI) | An investigation which is not required by law. Within the Royal Navy, this is referred to as an Immediate Ships Investigation (ISI). |
| SUBFLOT | Submarine Flotilla – the organisation charged with operating submarines. |
| COMSUBFLOT | Commander of the Submarine Flotilla – the most senior officer in SUBFLOT. |
| Defence Serious Crimes Unit (DSCU) | DSCU is an independent, professional, and global Service Police force, with jurisdiction to investigate serious crime alleged to have been committed by persons subject to Service law, in the UK and overseas. |
| Director of the Naval Staff | Navy Command's Chief of Staff, held by a Rear Admiral (RN) or Major General (RM). |

Statement from The First Sea Lord, Admiral Sir Ben Key KCB CBE AC

The conclusion of the investigation into misconduct in the Submarine Service marks an inflection point for the Royal Navy.

The investigation has confirmed misogyny, bullying and other unacceptable behaviours did occur during the investigation period, and this is intolerable. During the investigation process, Ms Brook made several requests for redress. Those that are within my gift to offer – I have. When I met with Ms Brook this morning, I apologised to her personally and unreservedly, praising her courage in coming forward. As the Head of the Royal Navy, today I also offer a public apology, both to Ms Brook and to any personnel - past or present - that have been subject to any form of unacceptable behaviour during their time in service. I am truly sorry.

While much has been done to improve the experiences of personnel in the Royal Navy in recent years, such as establishing zero tolerance for unacceptable behaviours and improving avenues to raise concerns, there is more to be done. Poor practices and behaviours in the past that may have been normalised in some quarters should never have been considered acceptable, and they have no place today. We must institute a culture that does not allow space for this behaviour to exist, and we must deal with perpetrators swiftly, without fear or favour, which I can confirm we have now done. Internal action has been taken against a number of individuals, up to and including discharge from the Service.

Going forward, we must be steadfast in consolidating this progress and defending all those who serve anywhere in the Royal Navy - whether sailor, marine, merchant seafarer or civil servant. Our people must be able to perform their duties with dignity, pride, and respect.

While the investigation has now concluded and been assured by an independent member of King's Counsel, this is not the end. I have accepted the recommendations from the investigation in full, and they will be included with work I directed in the aftermath of Ms Brook coming forward. These include the establishment of a new Head of Culture team. Led by a Commodore and reporting directly to the Navy Board, this team is instituting and assuring better command cultures and organisational behaviours across the Royal Navy. We have also reviewed submariner leadership training and created a dedicated and revised training package, which increases focus on putting people at the heart of decision making and ethics in Command. We have not waited to act. The leadership of the Submarine Service has my full support in instituting these recommendations and will be held accountable for doing so.

I have commended the courage of Ms Brook coming forward, and the outcome of this investigation may prompt others to share their stories of unacceptable behaviour. I

acknowledge the bravery that this takes and reassure anyone reading this that the Royal Navy will do whatever it can within the bounds of the law, and the evidence available, to investigate wrong-doing properly and without hesitation. Today, a redacted version of the full report and executive summary will be published online.

We must be better than this and do better than we have.

A handwritten signature in green ink that reads "Gen Key". The signature is written in a cursive style with a long horizontal stroke at the end.

First Sea Lord and Chief of the Naval Staff

Executive Summary

Introduction

1. On 13 October 2022, the Ministry of Defence received notification of allegations of misconduct and inappropriate behaviour within the Royal Navy's Submarine Service. The allegations were made by a former member of the Royal Navy (RN) and spanned a period from 2014 to 2020.
2. The RN promptly directed a Non-Statutory Inquiry (NSI) into Unacceptable Behaviour in the Submarine Service. The NSI was directed to allow formal examination of the allegations made in order to establish the facts and circumstances of unacceptable behaviour as reported.
3. Once the investigation into these allegations concluded, administrative action was taken against several individuals, which concluded in September 2024.

Investigation overview

4. **Scope.** The investigation specifically focussed on the allegations made in the notification of 13 October 2022. All matters which may have referred to a criminal offence were referred to the Defence Serious Crimes Unit (DSCU) to allow these allegations to be formally investigated through standard Police processes.
5. **Structure.** The NSI was commissioned by the Commander of the Submarine Flotilla (COMSUBFLOT) and approved by the Director of the Naval Staff. It was conducted by a team with recourse to legal and personnel advice. The team relied on in-depth interviews with relevant witnesses – 43 in total – in addition to a range of other sources, to corroborate evidence and make recommendations.
6. **Assurance.** Given the complexity and sensitivity of the allegations and the importance of the subject matter, the First Sea Lord directed that, once complete, the NSI was to be reviewed by an independent King's Counsel (KC), to ensure that the investigation had been conducted in the most robust and fair manner possible. The KC has completed this review, and determined that it was a thorough, balanced investigation which has reached reasonable conclusions and aligns to the Wednesbury principles (the legal principles of reasonableness).¹
7. **Duration.** The number and complexity of the allegations has driven the duration of the NSI, as well as the referral of some allegations to the police for investigation. The

¹ In *Associated Provincial Picture Houses Limited v Wednesbury Corporation* [1948] 1 KB 223, the Court of Appeal (Lord Greene MR, Somervell LJ and Singleton J) defined principles that remain a central and effective method for the review of delegated decision making.

time taken to complete administrative action was driven by due process, which is required to ensure fairness and justice.

Findings

8. The NSI was a significant undertaking, comprising investigations into 71 specific allegations spanning a period from 2014 to 2020. Whilst many of the allegations were multifaceted and complex, some were less detailed. Given the passage of time and necessity of relying on witness statements, in some cases it was difficult to prove some details definitively as witnesses' recollections varied.

9. The NSI found evidence to prove misogyny, bullying or unacceptable behaviour had occurred amongst a range of ranks and rates during the time period that the investigation covered.

10. Following the NSI, the RN has taken major administrative action against several individuals up to and including discharge from the Service.

Recommendations

11. The investigation made a total of 37 recommendations in relation to the allegations made, which have been accepted in full and are already being implemented by the RN as quickly and as thoroughly as possible. The recommendations are set out in the table at the end of the executive summary.

Progress and next steps

12. The First Sea Lord has offered his personal and unreserved apologies to the victim for her experiences, as well as to any personnel – past or present – that have been subject to any form of unacceptable behaviour during their time in service.

13. While progress has been, and continues to be made, there is more to be done. Poor practices and procedures that were normalised in the past should never have been considered acceptable. The changes that have already been introduced include; proactive welfare checks for submarine crews pre and post deployment, to understand the experiences of the crew and assure the health of the working culture on board; changes to training and the Submarine Command Course syllabus, so that leaders and personnel at all levels are able to contribute to strong and supportive operational environments; and increased outreach from the Royal Navy Police so that personnel are aware of the routes available to them should they wish to raise a complaint.

14. In addition to implementing the recommendations from this report, the Ministry of Defence has instituted wider reform to tackle unacceptable behaviour across Defence. These policies, for example the introduction of Zero Tolerance of Unacceptable Sexual Behaviour, have been implemented and are already in effect in the RN.

Recommendations from NSI into misconduct in the Submarine Service

| # | Recommendation | Progress |
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| 1 | Appropriate application of the new RN Zero Tolerance policy regarding unacceptable sexual behaviour. | COMSUBFLOT has issued formal direction to SUBFLOT, reinforcing the importance of tackling unacceptable sexual behaviour. Allegations of unacceptable sexual behaviour are being treated in line with the zero-tolerance policy. Annual administrative checks are ensuring compliance with the zero tolerance policy across SUBFLOT. |
| 2 | Administrative action as a result of the findings of this NSI. | Complete. Action, up to and including discharge from the Royal Navy, has been taken against several individuals. |
| 3 | Every SUBFLOT Commanding Officer to produce a Command Directive that aligns to Royal Navy and SUBFLOT values, including mentoring to deliver. | COMSUBFLOT has directed all Commanding Officers to produce Command Directives that spell out how they expect their units to comply with organisational values. This is reinforced by discussions with COMSUBFLOT and validated through annual checks. |
| 4 | Monitor and assure local Command Climates to actively mitigate inappropriate decisions. | This has been fully implemented and will be validated through checks at least annually. Before and after each deployment, a team visits the crew to understand the operational culture / command climate. This generates feedback to sustain healthy working cultures and early warning of unhealthy behaviours that require correction. This activity is supplemented by post patrol debriefs between heads of departments and the crew, where issues can be raised. Confidential reporting, outside of the chain of command, is also available. |
| 5 | All personnel to be informed, reminded, and mentored as to their obligation to refer incidents of unacceptable behaviour. | COMSUBFLOT wrote to all Commanding Officers and Executive Officers to underline this. Staff are reminded of their duty to refer incidents of unacceptable behaviour during all routine briefings. The Royal Navy's Culture Blueprint has served to reinforce this also. |
| 6 | Examine how the RN Police and Defence Serious Crimes Unit can support Faslane better. | Royal Navy Police (Clyde) have completely restructured their approach to support to the SUBFLOT. New procedures have been implemented to ensure that all unacceptable behaviour is investigated thoroughly, and |

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| | | <p>focused support is being provided to SUBFLOT leaders to advise them on the suitable course of action to take should unacceptable behaviour be reported to them. Additionally Royal Navy Police (Clyde) have instituted regular outreach briefings to all ranks and rates to explain their role and encourage reporting of unacceptable behaviour.</p> |
| 7 | <p>Assure that policy is followed on all submissions of Voluntary Outflow.</p> | <p>All submissions for early termination are reviewed monthly to ensure that they are compliant with policy. A further annual check of this documentation is undertaken annually as part of an external Logistics Departmental Inspection.</p> |
| 8 | <p>Review the current exit procedure.</p> | <p>SUBFLOT has placed checks and controls in place to ensure adherence to the exit procedure.</p> <p>The Royal Navy will introduce substantial changes to the exit procedure, including the refresh of interviews conducted with those who are leaving, to better support service leavers. Once introduced, these will be available to the entire Royal Navy including SUBFLOT.</p> |
| 9 | <p>Ensure all exit interviews are conducted and data captured is tracked and acted/reported on as appropriate</p> | <p>SUBFLOT conducted a review of current Service leavers, which confirms that exit interviews are taking place and data is being captured. Verification of these procedures will be checked annually.</p> |
| 10 | <p>Provide data to enable analysis of reasons for leaving that can be filtered by gender, length of service and Fighting Arm.</p> | <p>The Royal Navy's People and Training Directorate has assessed the process for Service Leavers. As a result, this will be reformed to enable better identification and tracking where unacceptable sexual behaviour is reported as a factor – both within and outside the Chain of Command.</p> |
| 11 | <p>Review current care provision to all alleged victims of inappropriate behaviour, particularly specialist support for all alleged victims of rape and sexual assault.</p> | <p>Existing provisions have been fully reviewed. Extant policy is outlined in regulation and guidance – the Navy Books of Reference (BRs) and in Joint Service Publication (JSP) 763.</p> <p>Where an offence meets the bar for a criminal offence and is placed under investigation by the Royal Navy Police (RNP), a Victim Liaison Officer (VLO) will be</p> |

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| | | <p>appointed by the RNP as required. Victim care will remain the responsibility of the RNP thereafter.</p> <p>Where a Serious Criminal offence is placed under investigation by the Defence Serious Crime Unit (DSCU), victim support (including liaison, support and signposting to partner agencies including Independent Sexual Violence Advisors) will be provided by the Witness Victim Care Unit (WVCU). In these cases, care will remain the responsibility of the WVCU, with needs being met in accordance with JSP 839. Additionally, the WVCU are able to provide support to victims in cases where the Serious Crime bar has been met, however a formal investigation has not been/is not being supported by the victim.</p> <p>Where unacceptable sexual behaviour does not meet the criminal threshold, care is retained by the individuals' Chain of Command (unless inappropriate), with non-Service Police Liaison Officers appointed directly by the Chain of Command if required.</p> |
| 12 | <p>Adopt a people-centred approach to leadership in all submarine training including SM Command Course (SMCC) and within Fleet Operational Standards and Training (FOST).</p> | <p>The Royal Navy has reviewed its leadership training. A revised training package, which increases focus on putting people at the heart of decision making, will be introduced in 2024.</p> <p>For SMCC specifically, a dedicated module has been added to the syllabus that covers ethics in Command.</p> <p>Cultural insights derived from visits to submarine crews, pre and post deployment (see recommendation 4), will be used as input to key training courses.</p> |
| 13 | <p>FOST (Submarine) to establish formal coaching and mentoring of Commanding Officers with a view to discussing Command Culture during early days of operational sea training.</p> | <p>Pre and post deployment culture insight visits (see recommendation 4) and revised training packages now inform Commanding Officers of the mandated creation of Command Directives on appointment.</p> <p>FOST (Submarine) training supplements this with further discussion and development. FOST trainers will now continue to provide support to submarine crews during the operational readiness assessment period.</p> |

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| 14 | Ensure selection for SMCC is carried out against both tactical skill and ability to lead through a people-centred approach. | <p>Selection for all command positions which has previously been focused on delivery of outputs/outcomes will now include assessment of leadership behaviours.</p> <p>Selection for all command positions will now include further focus on leadership, in addition to operational delivery.</p> |
| 15 | Making it mandatory for all personnel to complete Active Bystander fundamentals course. | This course has been mandatory since August 2021 and is delivered during initial training. Personnel are required to refresh their knowledge regularly. |
| 16 | Resources to be made available for Service Personnel to choose to wash their own underwear onboard where feasible. | For submarines, options can be limited given the paucity of space and washing and drying equipment. However, arrangements have been put in place enabling personnel to have limited use of the equipment to self-wash their clothing where they wish to do so. Checks and controls have been put in place during each generation cycle to verify that this option is available on all platforms. |
| 17 | Promote a culture onboard where women need not feel concerned that their laundry may go missing. | In addition to reinforcing, publicising and verifying healthy working cultures through the measures outlined in other recommendations, laundry facilities will now be staffed by both male and female personnel wherever possible. These processes will be reviewed at least annually. |
| 18 | Ensure all relevant support is communicated, signposted and available to personnel who wish to raise a complaint. | The complaints process and relevant processes are advertised via the termly Divisional Meetings, Personnel Support Briefings and the Ship's Company noticeboard. Overarching direction and guidance have also been provided to Line Managers with the update of Joint Service Publication 763 Part 1. Also, a complaints feature has been added to the My Navy app. |
| 19 | Review of submarine specific medical policies, procedures and processes, to review the policy for communicating medical-in confidence information. | Management of Medical-in-Confidence onboard Submarines is managed in accordance with BRd 1991, the "Caldicot Principles" and JSP950 Leaflet 1-2-15. Any person that may be required to see or handle Medical-in-Confidence information in the course of their duties must sign that they have read and understood the Caldicot principles and complete level 1 awareness training. All |

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| | | <p>medical personnel are also required to complete safeguarding for children and vulnerable adults.</p> |
| 20 | <p>Prepare a briefing note to female submariners and for the Personnel Support team articulating the policy regarding the requirement for pregnancy testing.</p> | <p>A comprehensive briefing has been included within the Submarine General Orders. The accompanying chapter provides the full detail and circumstances for the test.</p> <p>Policy has been rewritten to consider the latest advice from the Institute for Naval Medicine, with next review anticipated to be Q1/Q2 2025.</p> |
| 21 | <p>Review and agree the policy and guidance for communicating medical in confidence information on patrol.</p> | <p>Overarching policy has been reviewed and onboard Operating Procedures modified to ensure full compliance with information handling procedures. Checks and controls put in place to monitor.</p> |
| 22 | <p>Request a 6-monthly report from Navy Health Care that indicates any significant trends of mental fitness within SUBFLOT.</p> | <p>Ongoing tracking and monitoring will be via the SM Mental Health Working Group. The Working Group is a project to conduct research to improve understanding of the specific Mental Fitness challenges in the RN Submarine Service, examine existing provisions and conduct a prioritisation assessment. It is being supported by Dr Jutta Tobias-Mortlock and colleagues from London City University.</p> |
| 23 | <p>Support and prioritise activity to both reduce sleep deprivation and increase submariners' ability to perform when sleep deprived.</p> | <p>This has been implemented as part of the Human Performance programme, which is investigating multiple ways to reduce sleep deprivation, including both modifications to Submarine routines and domestic modifications. The latter have included procurement of specialist mattresses to seek to improve quality of sleep and modifications to mess decks to reduce noise and light pollution. These will be trialed on the next SSBN Patrol.</p> <p>All submarine personnel have fully funded access provided to SLEEPIO, a digital sleep-improvement programme.</p> <p>DSTL (with academic partners) is also conducting a review of watchkeeping patterns to ascertain whether different patterns would decrease sleep deprivation.</p> |

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| 24 | Ensure all Command Teams continue to update their personnel on RN policy of reporting unacceptable behaviours. | Multiple all staff communications have been sent to raise awareness about unacceptable behaviour policy and the Royal Navy's approach to addressing it. Further communications will be sent in future. |
| 25 | Ensure regular engagement with diversity and inclusion teams to brief service personnel on current issues and mandate service personnel to attend. | Engagement is now included in the force generation cycle to ensure that the entire crew have access to the briefing. |
| 26 | Remind Command teams of their responsibilities with respect to social appropriateness. | Direction has been provided to all Commanding Officers in a formal letter along with discussion at routine calls with COMSUBFLOT. |
| 27 | Ensure communication across SUBFLOT of the importance and the context of unacceptable sexual behaviour (USB) training, and of the intent to deal robustly with anyone whose behaviour is found to be unacceptable. | <p>At the Command level, formal direction has been provided to all Commanding Officers in a directed letter (which will be repeated annually) and is an agenda item for routine calls by Commanding Officers and Executive Officers with COMSUBFLOT.</p> <p>More broadly, divisional meetings, onboarding diversity and inclusion briefings and routine onboard communications have been used to communicate the importance of values and standards as well as illuminate the potential consequences.</p> |
| 28 | Ensure correct reporting of USB related events via Dir P&T in accordance with published policy. | This continues to be communicated via information notices and by Navy Discipline. The Naval Secretary remains the sole competent authority to decide upon application for discharge following breaches of unacceptable sexual behaviour policy. |
| 29 | Ensure that the previous investigations and recommendations are reviewed and reinforced. | Formal direction has been provided to all Commanding Officers in a directed letter (to be repeated annually) and is an agenda item for routine calls by Commanding Officers and Executive Officers with COMSUBFLOT. Divisional meetings, onboarding diversity and inclusion briefings and routine onboard communications will continue to be used to communicate the importance of values and standards as well as illuminate the potential consequences. |

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| 30 | Review of complaints of service provision RN Head of Healthcare to identify issues and barriers including a review of external audit of Department of Community Mental Health (DCMH) Faslane, to assure a patient-centred approach that enables continuous development. | <p>Medical complaints are already disseminated to RN Head of Healthcare in accordance with Single and Defence-wide policy. The Joint Med Complaints policy and RN Med Complaints policy have been updated and are now fully aligned, with clarity on UKStratCom or RN responsibility.</p> <p>Common themes arising from RN Medical complaints/lessons and Identified/Significant Events are discussed at the quarterly Healthcare Safety and Quality Assurance Board and resolution/actions are tracked through. Similarly, those arising that have a direct RN impact are passed through the Intelligent Customer for action/awareness. Medical complaints signposting is clearly displayed in all Med Centres for patient awareness, as is the correct route to raise a complaint.</p> |
| 31 | Uplift in Diversity and Inclusion Advisors (D&I(A)) onboard submarines and increase D&I(A) training availability. | <p>At least two trained D&I(A)s are now required per SUBFLOT unit.</p> <p>SUBFLOT attendance on D&I(A) training courses are prioritised to meet this.</p> |
| 32 | Champion, promote and increase awareness of the activity of the Naval Service Woman's Network (NSN). | There are NSN Outreach teams in HMS DRAKE and Faslane that cover, and include, all ships and submarines in those areas. The Faslane team also reach over to HMS CALEDONIA where there is a Geo Representative to co-ordinate all NSN activity. |
| 33 | Allocate time for and take steps to reinforce mental health pre/during/post deployment. | Submarine Mental Health Working Group now established. Monthly mental health briefings and material is now regularly circulated by the SUBFLOT mental health specialist. Focused briefings are provided as deployment preparations and there is targeted post-deployment engagement. |
| 34 | Consider the implementation of an 18-month Command Climate survey on submarines. | <p>1* Culture & Leadership Board now operational, which reports directly to the 4* Board. This provides a forum for discussing issues raised by unit level reviews.</p> <p>Each Submarine has a Culture Insights visit in the mission generation period and post return from deployment to reinforce professional behaviours and conduct a health check of the Command climate.</p> |

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| 35 | Consider resourcing specialist support to all alleged victims of sexual assault and rape. | Victims of sexual offending who opt for investigation through the Service Justice System are assigned a Victim Liaison Officer (VLO) from the Victim Witness Care Unit. Victims who choose to proceed via civilian police investigation should have a VLO assigned via the relevant investigating civilian police force. |
| <i>2 x recommendations have been withheld from publication for security reasons.</i> | | |