

# **Royal Military Police**

Rape, serious sexual assault and  
domestic abuse investigations



Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services

# **Royal Military Police: Rape, serious sexual assault and domestic abuse investigations**

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# Contents

<b>Summary</b>	<b>1</b>
<b>Introduction</b>	<b>10</b>
<b>1. The offences, the service justice system, the service police, their responsibilities and environment</b>	<b>16</b>
Rape, serious sexual offences and domestic abuse	16
The service justice system	18
Service police	20
The RMP	20
The SPA and the Military Court Service	23
Jurisdiction	24
Other reviews	26
<b>2. Strategic leadership and governance</b>	<b>28</b>
The Ministry of Defence	28
British Army	32
RMP	38
<b>3. Prevention and encouraging reporting</b>	<b>47</b>
<b>4. Handling calls and first reports of crime</b>	<b>50</b>
First contact	50
Incident and crime recording	55

## **5. First response to domestic abuse and RASSO incidents** **57**

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Who conducts first response to domestic abuse and RASSO incidents?	58
Behaviour and attitude of first responders	60
Quality of the GPD personnel's golden hour enquiries	60
Training, experience, and support for GPD personnel responding to domestic abuse and RASSO incidents	63
Guidance for first responders to domestic abuse incidents	75
Guidance for first responders to RASSO incidents	77
First responders' use of body-worn video cameras	80
Safeguarding	81

## **6. Investigations after first response** **104**

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Are cases allocated appropriately and investigated thoroughly?	105
Interviews	113
Victim personal statement	118
Investigatory supervision and oversight	120
Forensic investigations	129
Intelligence support for investigations	137
Outcomes and quality of decision making about case progression	138
Timeliness of investigations	147

<b>7. Victim contact</b>	<b>152</b>
Victim contact during the course of the investigation	152
Victim contact after referral of case to prosecutor	154
Victim feedback	159
<b>Annex A – Recommendations</b>	<b>161</b>
<b>Annex B – Areas for improvement</b>	<b>168</b>
<b>Annex C – Glossary of abbreviations and acronyms</b>	<b>172</b>

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# Summary

This inspection focused on how well the Royal Military Police (RMP or ‘the force’) prevents domestic abuse<sup>1</sup> and rape and serious sexual offences (RASSO), and how well it investigates these incidents. Our terms of reference also asked us to examine how well the RMP supports and safeguards victims of these crimes and how well it provides governance for these activities.

We conducted this inspection at the same time as inspecting the Royal Navy Police and the Royal Air Force Police against the same terms of reference.

While the three service police forces have unique operating contexts, they all form part of the UK Armed Forces, fall under the remit of the Ministry of Defence

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<sup>1</sup> The [Domestic Abuse Act 2021](#) established a statutory definition of domestic abuse for the first time. Domestic abuse is behaviour between people aged 16 or over who are personally connected to each other that is either physical or sexual abuse; violent or threatening behaviour, controlling or coercive behaviour, economic abuse or psychological, emotional or other abuse. For the purposes of this Act, two people are personally connected to each other if any of the following applies:

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child or
- (g) they are relatives.

(MOD) and have some of the same important processes and capabilities. Therefore, some of our findings and recommendations relate to all three service police forces.

## **Strategic leadership and governance**

The MOD and the Army should strengthen the oversight and governance arrangements they have in place for the RMP, and the RMP should improve its own internal governance arrangements. This would hold the RMP more to account and promote improvements in its performance.

The MOD has produced a domestic abuse strategy for the military called [\*No Defence for Abuse\*](#) and an associated action plan. But it hasn't set the RMP, or the other service police forces, any actions relating to this.

As for RASSO, the MOD hasn't produced an equivalent to *No Defence for Abuse*. This means that the MOD has few means available to hold the RMP to account on matters such as prevention and victim care.

Similarly, the Army's domestic abuse and RASSO steering groups and working groups don't direct what the RMP should do, don't set any performance measures or objectives for the RMP, and we found little evidence of any form of robust governance. This means that the Army has few means to hold the RMP to account.

At a force level, the RMP's governance meetings aren't always structured around the force's priorities, meaning that they might not always be discussed, and that progress made against these isn't always monitored.

We were, however, pleased to find that the Provost Marshal (Army) has appointed senior officers to lead work on domestic abuse and RASSO.

The RMP produces an annual strategic threat assessment, which allows it to prioritise activity and to target education and intervention. However, several factors limit the force's understanding of the scale of offending:

- The ICT systems used by the RMP, and the other service police forces, have significant problems making it difficult for users to report data and statistics accurately and highlight cases of domestic abuse. A replacement programme is underway, but it won't be operational before Autumn 2023.
- Home Office police forces are instructed to inform the military of any incidents in which the suspect or victim is a member of the military. We aren't convinced that this is happening in all cases.

This results in the RMP setting its priorities with insufficient and poor-quality data, which will affect its ability to respond appropriately to incidents.

The RMP also hasn't produced problem profiles for domestic abuse or RASSO. Such profiles would help it to define the patterns and trends of priority crimes and help it prevent, disrupt, and deter crime, as opposed to merely react to it.

The capacity and capability of the RMP's force intelligence bureau (FIB) also limits the force's ability to analyse domestic abuse and RASSO intelligence and to produce strategic and tactical analyses.

## **Prevention and encouraging reporting**

The RMP has a role in preventing domestic abuse and RASSO and encouraging the reporting of these incidents. While it delivers a RASSO awareness campaign to the wider Army, neither this, nor domestic abuse awareness training is mandatory for all Army personnel. This means that prevention opportunities are being missed. We therefore recommend that the MOD should support the RMP by mandating domestic abuse and RASSO awareness training across the Army.

## **Handling calls and first reports of crime**

The procedures and systems that the RMP, and the other service police forces, use to record first contact about incidents need to improve. They don't use a centralised contact centre. As a result, calls can be missed, insufficient detail is often recorded, and police response can be delayed or ill-prepared. This adversely affects the level of service received by victims of domestic abuse and RASSO.

## **First response to domestic abuse and RASSO incidents**

It is essential that first responders and their supervisors have the skills they need to do their jobs properly. We found that RMP personnel who joined the force since 2020 received an adequate level of domestic abuse and RASSO first responder training as part of their initial training. However, those personnel who received their initial training before 2020 weren't trained to the same level on domestic abuse and RASSO, and therefore may lack the skills to respond as effectively to such incidents.

The RMP has produced guidance documents for first responders to RASSO incidents. But they don't reflect the force's current investigative doctrine, so could confuse first responders.

First responders aren't conducting [risk assessments](#) or needs assessments in all appropriate cases. The force should start monitoring risk and need-assessment completion rates as part of an improved governance process, once the replacement for its current ICT is in place. The force should also monitor how consistently these assessments are completed; this will ensure that the force responds appropriately to victims who are at greater risk.

We found that the RMP made early arrests in some, but not all, of the cases we reviewed where such action would have been proportionate and justified. This may put some victims at greater risk and means that some opportunities to secure evidence from the suspect, such as a forensic examination, are missed.

There is a network of independent sexual/domestic violence advisers ([ISVAs/IDVAs](#)) throughout the UK that supports service victims of sexual violence.

However, we are concerned that in some overseas locations, no ISVA, IDVA or other similar services are in place that the service police can refer victims to.

We would encourage the RMP to consider how it might address this problem.

## **Investigations after first response**

Most RMP domestic abuse cases are investigated by general police duties (GPD) personnel, and some are investigated by the special investigation branch (SIB). All RASSO cases are investigated by the SIB.

Occasionally, discussions between GPD personnel and the SIB about who should investigate a case leads to the start of the investigation being delayed. This leads to situations where victims are kept waiting at the scene, sometimes for many hours, while the first responders wait for this decision to be made.

During our case file review, we found that most domestic abuse investigations were conducted to an acceptable standard. Given the greater experience and training among SIB investigators compared to their colleagues in GPD, and their capacity for additional work, we recommend that all criminal domestic abuse cases retained by the RMP should be investigated by the SIB.

We were pleased to find that most SIB investigations were of a comparable or higher quality than in many Home Office or other civilian police forces (known as CIVPOL). This is partly a result of investigators having a lower caseload than their counterparts in CIVPOL.

RMP investigators compiled investigation strategies in all the investigations we reviewed. Most were produced at the outset of investigations and had regular updates, with appropriate lines of enquiry. But we found that some strategies in complex investigations could be improved. The absence of an overarching strategy and decision-making policy for important areas in such investigations means that lines of enquiry can be missed and evidence can be lost.

In all the force's domestic abuse case files we reviewed, the police decision to take no further action was appropriate. However, we couldn't find evidence that the RMP investigators routinely complied with a legal requirement to consult the Service Prosecuting Authority before making the decision to discontinue RASSO cases.

Forensic evidence collection should be done by specially trained crime scene investigators (CSIs). RMP CSIs' arrival at crime scenes can be delayed for several hours. We recommend that the provost marshals of all three armed services and the [National Police Chiefs' Council](#) (NPCC) lead for forensics should jointly agree on procedures for Home Office police force CSIs to support service police investigations. This will provide opportunities for service police CSIs to gain further operational forensic experience and to speed up the initial forensic evidence gathering.

In most overseas locations, the RMP doesn't have access to accredited forensic medical examiners. Relying on unaccredited medics to conduct the forensic examination could lead to vital corroborative evidence being missed.

We recommend that the provost marshals for all three service police forces should introduce 'cyber kiosks' to quickly gain access to and download material held on mobile digital devices. This will speed up investigations and allow the force to return such devices to victims and suspects sooner.

## Victim contact

As part of their responsibilities to the people under their command, COs are responsible for appointing a victim support officer (VSO) to victims of domestic abuse and RASSO. We found that this doesn't happen in all cases. Sometimes the victim can be left without the support they need in the days and weeks after the offence. It can also deny the victim protection from intimidation and further abuse.

Victims from the three services confirmed that in the cases where a VSO was appointed, most didn't support them as they should. Some victims felt ostracised by their units while others suffered abuse on social media. We recommend that the MOD reinforce compliance of COs responsibilities around VSOs, and monitor such compliance by reviewing data from COs and feedback from victims.

We were unable to assess the quality of [safeguarding](#) provided to victims after the initial safeguarding actions were carried out by the RMP. COs have responsibility for this 'ongoing safeguarding', which is largely outside the control of the service police. Many interviewees were concerned that nobody has oversight of the totality of safeguarding measures different parties conduct in a case. We also found this to be a cause for concern.

We made a total of 32 recommendations and identified 19 areas for improvement. They appear at annexes A and B respectively.

# Introduction

## About HMICFRS

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) independently assesses the effectiveness and efficiency of police forces and fire and rescue services in the public interest. We conduct statutory inspections of police forces and other law enforcement agencies in England and Wales. We also inspect the service police (Royal Navy Police, Royal Military Police and the Royal Air Force Police) on invitation from the Secretary of State for Defence.

In preparing our reports, we ask the questions that citizens would ask, and publish the answers in an accessible form, using our expertise to interpret the evidence and make recommendations for improvement.

## Our commission

In 2020, the Secretary of State for Defence invited us to inspect the service police forces. Our terms of reference were to examine how the three service police forces deal with rape and serious sexual offences (RASSO), and domestic abuse. Within this, we were asked to examine how the forces:

- prevent domestic abuse and RASSO;
- investigate domestic abuse and RASSO incidents;

- support and safeguard victims of domestic abuse and RASSO;
- pass on relevant information and intelligence to relevant agencies; and
- provide governance for these activities.

## Limits to this inspection

- All three service police forces have important roles in each of the areas highlighted in the terms of reference. But the forces operate as part of broader military structures and don't have the same wide-ranging responsibilities as civilian police forces in, for example, crime prevention and [safeguarding](#) victims. Responsibility for these activities lies primarily with the commanding officers (COs) of units across the wider military. As we don't have the statutory authority to inspect the broader military, this inspection focused on the service police's activity. Our inspection, therefore, examines only one important aspect of how the three armed services deal with domestic abuse and RASSO.
- Throughout this report, we highlight issues that we believe should be examined as part of broader reviews of the military's approach to domestic abuse and RASSO.
- A review of the actions carried out by the Ministry of Defence (MOD) and the broader military to prevent domestic abuse and RASSO is needed in order to properly assess their effectiveness. Similarly, there

needs to be a comprehensive review of how domestic abuse and RASSO victims are safeguarded. This would need to examine the roles of COs, discipline units and welfare units, among others. And to determine why many reports of domestic abuse and RASSO don't result in prosecution would require a review of COs, the service police and the Service Prosecution Authority (SPA). We don't have the remit to undertake these reviews.

## **Our methodology and approach to this inspection**

Our fieldwork for this inspection took place in late 2020 and early 2021. As a result of the pandemic, most of our fieldwork was conducted remotely. During our fieldwork, we:

- spoke to victims of domestic abuse and RASSO offences investigated by service police forces;
- conducted more than 80 interviews and focus groups of service police personnel at all levels of the three forces, based in the UK and abroad;
- interviewed more than 50 other interested parties, including personnel from other parts of the military, the MOD and civilian police forces;
- attended forces' governance and performance meetings; and

- reviewed the three service police forces' domestic abuse and RASSO investigation case files.<sup>2</sup>

We also reviewed more than 300 documents provided by the forces. These included self-assessments, policies, procedures, minutes of meetings and agreements with other organisations.

In reaching our judgments, we have, where appropriate, drawn on the College of Policing's guidance to police forces, known as authorised professional practice (APP). We also refer to findings from other inspection reports.

However, each of the three service police forces has a unique role, which is very different from that of civilian police forces. As such, we can't expect them to adhere to all elements of the APP, which was designed principally for civilian police forces working in different policing environments. We have, therefore, inspected the service police forces in their context. And we have been pragmatic when developing our recommendations and areas for improvement.

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<sup>2</sup> This included all investigations that began in 2019. The Royal Navy Police, Royal Military Police and Royal Air Force Police investigated only a few cases. We therefore also reviewed a random selection of cases that were investigated by those forces in 2020. We chose to review 2019 and 2020 cases because investigations into newer cases wouldn't have progressed as far and wouldn't have provided us with evidence of the full investigative process.

# The report

This is one of three reports we have produced for this inspection and focuses on the Royal Military Police. All three reports also include our findings relating to issues that affect all three service police forces and collaborative activities.

The report has six chapters. The first chapter provides a background to the Military Police, the service justice system, domestic abuse and RASSO.

The other chapters address the terms of reference, examining in turn:

- the relevant governance arrangements at the MOD, force and unit level;
- how the force tries to prevent domestic abuse and RASSO offences;
- how well the force responds to calls for service and records domestic abuse and RASSO offences, including passing on information and intelligence;
- how well the force conducts first response to domestic abuse and RASSO offences, including the quality of initial investigation and safeguarding; and
- how well the force conducts domestic abuse and RASSO investigations after first response.

We are grateful to those who gave their time freely and willingly to help us understand the full range of issues across the military.

# About the terminology we use in this report

We recognise that there are discussions over the use of the terms ‘complainant’, ‘victim’ and ‘survivor’, and of ‘suspect’, ‘accused’ and ‘defendant’.

Throughout this report, the term ‘victim(s)’ is used to refer to those affected by rape. It incorporates other terms such as ‘complainant(s)’, ‘client(s)’ and ‘survivor(s)’, as referred to by focus groups and interviewees.

We have used the term ‘suspect’ to refer to a person accused of rape. It incorporates ‘offender’, ‘perpetrator’ and ‘defendant’. Other terms may be used when referring to published data or in quotes to maintain consistency with the original source.

The service police forces operate alongside other territorial police forces in the UK: the 43 Home Office police forces in England and Wales, Police Scotland, the Police Service for Northern Ireland, as well as foreign police services. In this report we use the service police term ‘civilian police’ (CIVPOL) to refer to the UK territorial police forces.

# 1. The offences, the service justice system, the service police, their responsibilities and environment

In this chapter we provide a background to:

- rape and serious sexual offences, and domestic abuse;
- how the service justice system operates;
- the structure of the service police;
- the RMP and service justice system;
- the service police forces' jurisdiction; and
- other recent independent reports about the service police forces and the way they deal with domestic abuse and sexual offending.

## **Rape, serious sexual offences and domestic abuse**

Rape and serious sexual offending (RASSO) are among the most serious crimes. Rape is the offence contrary to [section 1 of the Sexual Offences Act 2003](#) and sexual assault (by penetration) is the offence contrary to [section 2 of the Sexual Offences Act 2003](#).

The [Domestic Abuse Act 2021](#) established a statutory definition of domestic abuse for the first time.

Domestic abuse is behaviour between people aged 16 or over who are personally connected to each other<sup>3</sup> that is either:

- physical or sexual abuse;
- violent or threatening behaviour;
- [controlling or coercive behaviour](#);
- economic abuse; or
- psychological, emotional or other abuse.

Except for controlling or coercive behaviour, domestic abuse isn't a specific criminal offence. Police forces record offences that relate to domestic abuse under the respective offence that has been committed (for example, assault with injury). But the police must also record that an offence is domestic-abuse related.

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<sup>3</sup> For the purposes of this Act, two people are personally connected to each other if any of the following applies:

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child or
- (g) they are relatives.

# The service justice system

The service justice system (SJS) establishes a legal framework that makes sure service personnel are subject to a single disciplinary code that applies wherever they serve. The disciplinary systems of the three services – the Royal Navy, the Army and the Royal Air Force – were drawn together under a common system by the [Armed Forces Act \(AFA\) 2006](#).

The SJS is responsible for investigating and prosecuting the full range of offences against military law. Such offences include:

- non-criminal conduct offences (NCC) (for example desertion, mutiny and assisting the enemy) that can only be committed by members of the armed forces, or civilians subject to service discipline;<sup>4</sup> and
- criminal conduct offences, which includes anything done anywhere in the world that, if done in England and Wales, would be against the civilian criminal law.

The SJS comprises commanding officers (COs), the service police, single service legal advisory branches, the Service Prosecuting Authority (SPA), and Military Court Service.

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<sup>4</sup> An accused person may also elect for a trial before the court martial rather than a summary hearing.

Army COs – usually of lieutenant-colonel rank – have wide-ranging responsibilities for the operational output, training, welfare and discipline of the personnel under their command (usually a regiment, battalion or similar-sized unit).

The AFA 2006 places COs at the centre of the SJS. The COs administer justice for most NCC offences and some criminal conduct offences through the summary hearing process, in which they investigate the allegation and determine whether the accused is guilty. A CO can also refer their cases directly to the SPA for court martial. COs can use their discretion about how most cases are handled. The exceptions are offences listed in Schedule 2 of the AFA 2006 or those that are committed in prescribed circumstances (such as death in custody). The CO must refer any such offences to the service police. Schedule 1 offences in the AFA 2006 are “criminal conduct offences that may be dealt with at a summary hearing”.

Almost all sexual offences under Part 1 of the Sexual Offences Act 2003 are Schedule 2 offences. COs must therefore always report them to the service police. We explore this issue in detail in the next chapter.

Schedule 1 offences can be dealt with by COs and include theft, damage and assault. This means that, while all RASSO offences should be dealt with by the service police, some domestic abuse-related offences

that aren't RASSO and involve, for example, theft, damage and/or assault, can be dealt with by COs.

## **Service police**

The service police comprise the Royal Navy Police (RNP), Royal Military Police (RMP) and Royal Air Force Police (RAFP). In their police duties, the service police are independent of COs and the chain of command by virtue of section 115A of the AFA 2006, which prohibits interference or attempts to direct investigations by persons outside the service police. The service police must investigate and record the results in an initial disclosure of the prosecution case to the CO or the SPA.

In the Royal Navy, all offences, criminal and disciplinary, are investigated by the RNP; this isn't the case with the RMP or the RAFP.

Each service police force includes general police duties (GPD) units, which provide, among other things, first response, and the special investigation branch (SIB), which investigates most serious offences.

## **The RMP**

The RMP (or 1 Military Police Brigade) is headed by an Army officer of Brigadier rank, who holds the title Provost Marshal (Army), appointed by Her Majesty the Queen. The Provost Marshal (Army) is responsible to the Defence Council for the conduct and direction of all RMP investigations.

The RMP has over 2,200 personnel located alongside other military units throughout the UK and abroad and is responsible for policing the British Army worldwide.

RMP personnel report to both senior officers in the RMP and, for non-investigative activity, to the local brigade commander or commanding officers of units to which they are deployed.

RMP personnel are commissioned officers and non-commissioned officers (NCOs), including corporal, sergeant and warrant officers (WO). RMP-commissioned officers are lieutenants, captains, majors and colonels.

In addition to a central headquarters function (Headquarters Provost Marshal (Army)) and a professional standards unit there are five regiments, each commanded by a lieutenant-colonel CO:

- Two GPD regiments. Personnel in these regiments provide general policing functions in support of the wider Army. Their activities include patrol, first response and investigating some criminal and NCC offences. They carry out other roles that their counterparts in CIVPOL don't, such as close protection.
- The Special Investigation Branch Regiment RMP (SIB). This regiment provides investigative capability for serious or complex cases, or others that need to be investigated by specialists.

- The Special Operations Regiment, which includes the Service Police Crime Bureau.
- The Military Provost Staff Regiment, which provides for Defence's custody and detention requirements.

Each of the regiments is made up of companies, headed by an officer commanding (OC) of major rank. Each SIB company then consists of sections, each led by a captain. In addition to a captain, each section is composed of junior non-commissioned officers (JNCOs), senior non-commissioned officers (SNCOs) and WOs. GPD companies are led by majors and split into platoons led by lieutenants.

The RMP also has a presence overseas. This includes policing units at British Army bases in Kenya, Brunei, Canada and Germany and, with the RAFP, jointly commanding and staffing the Cyprus Joint Policing Unit.

All RMP personnel are both Army personnel and police officers, and as such they retain dual responsibilities and duties. As an Army brigade, the RMP is bound by the operational structure of the wider Army and military doctrine, which makes its policing role complex.

Throughout this report, we highlight problems caused by the military concept of mission command: most decision making is delegated to the lowest level officer (in the RMP this is often to the local commander). This makes it difficult to guarantee that all sections approach training, assurance and other activity consistently.

The military personnel posting process also poses difficulties, which we highlight in detail later in this report. Under this process, personnel are posted into roles for a few years and then posted on to another role. This affects the experience and capability of specialist units and leads to ‘skill fade’, where operational knowledge is lost when people leave their post.

## **The SPA and the Military Court Service**

The Director of Service Prosecutions is the head of the SPA. He and the SPA are independent of COs and the chain of command and operate under the guidance of the Attorney General. The SPA receives cases either from the service police or from COs and can prosecute these cases before the court martial. The SPA also advises the service police on the conduct of investigations before they are formally referred to the SPA.

The system of service courts, comprising the court martial and service civilian court, has global jurisdiction over persons subject to service law and civilians subject to service discipline (for example, family members, civilian contractors, teachers, administrative staff when serving abroad). It hears all types of criminal cases, including murder and serious sexual offences. In many cases, a judge advocate calls the defendant before a court and conducts the trial, which is similar to a civilian

crown court trial, unless the case is disposed of by the CO through the summary hearing process which is equivalent to a magistrates court.

## Jurisdiction

The law and rules that set out the relative jurisdictional boundaries of service police, CIVPOL and law enforcement agencies in other jurisdictions are complex and at times confusing to some interviewees in the service police and CIVPOL.

In many cases, there is concurrent jurisdiction, meaning that cases could be investigated or prosecuted by the service police, CIVPOL or foreign authorities. Decisions about who has jurisdiction must take into account the principles contained in relevant protocols, in the Status of Forces Agreements (SOFA) and in memoranda of understanding. The jurisdictional issue must be addressed before an allegation or offence can be investigated by the service police.

The [Prosecutors Protocol of November 2016](#) (which deals with prosecutions rather than policing) at paragraph 2.2(b) establishes that:

“offences alleged only against persons subject to service law which don’t affect the person or property of civilians should normally be dealt with in service proceeding.”

Therefore, in the UK the service police have jurisdiction for investigating all RASSO or domestic abuse offences

in which the victim and accused are subject to service law. But in practice, this isn't as straightforward.

In England and Wales, [Home Office Circular \(28/2008\)](#) underlines the jurisdiction of Home Office police forces, but it states:

“A flexible approach, based on consultation and agreement at local level, is encouraged, where the respective police forces discuss who is best placed to take action based on availability of resources, jurisdiction and the public interest.”

So, in some places these offences are dealt with by CIVPOL and in others by the service police. It also means that for some offences such as domestic abuse, the service police can cede jurisdiction even if the case involves just service personnel.

Service police forces have broader jurisdiction outside the UK. In other countries, the service police's jurisdiction extends to include those offences conducted by persons subject to service law, where the victims are UK nationals who aren't subject to service law. For example, CIVPOL would normally have jurisdiction if a civilian reported domestic abuse conducted by a service person based in the UK. But if the same civilian reported abuse by the same service person in a military base overseas, the service police would have jurisdiction.

While this is a basic explanation, there are many more complexities.

## Other reviews

The service justice system has been subject to many reviews in the past few years. Similarly, the effectiveness of the service police forces' investigations of rape and serious sexual offending have also been subject to external scrutiny.

Between 2017 and 2019,<sup>5</sup> three independent reviews of the SJS took place. These made recommendations to improve processes and structures. In the *Service Justice System Policing Review*, potential areas of vulnerability were identified in how the service police investigated allegations of domestic abuse and RASSO. In this report, Sir Jon Murphy stressed that he was not criticising the forces for poorly investigating allegations, but that the forces' approaches and processes were inconsistent.

As a result of the Murphy review, there was a separate independent *Process audit of domestic abuse and serious sexual offences investigated by the service police*.

The audit found that the service police:

- conducted their investigations quickly and efficiently, showing professionalism and flexibility; and
- were focused.

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<sup>5</sup> [Service Justice System Review Part 1](#), HH Shaun Lyons, 29 March 2018; [Service Justice System Policing Review Part 1](#), Professor Sir Jon Murphy; and [Service Justice System Review Part 2](#), HH Shaun Lyons and Professor Sir Jon Murphy, 29 March 2019.

But it also established that some processes and procedures could be improved.

Our commission wasn't to review the MOD and service police progress against the SJS reviews, SJS policing review and process audit recommendations, but there is inevitably some overlap between some of those recommendations and the areas examined in this report. We were surprised and concerned that the MOD couldn't provide us with a document that outlines what actions it has taken in response to each recommendation. It only gave us updates about what has been done in response to some of the recommendations.

## 2. Strategic leadership and governance

This chapter evaluates:

- the governance arrangements in place for service police forces' domestic abuse and RASSO activity, at ministerial, individual armed service and service police levels; and
- how the RMP prioritises domestic abuse and RASSO activity.

### **The Ministry of Defence**

The MOD is responsible for the care and protection of the 29,010 people who serve in the Royal Navy/Royal Marines, approximately 77,861 in the Army and the 29,860 in the Royal Air Force. The MOD is the government department responsible for all the UK armed services and therefore has responsibility for domestic abuse and RASSO policy for the military. It sets the strategic vision for tackling domestic abuse and RASSO for all three services.

## **Domestic abuse and RASSO**

The MOD has policies in place for the military on domestic abuse and sexual offending. Its *JSP 913 Tri-Service Policy on Domestic Abuse and Sexual Violence* is the overarching policy. It contains instruction and guidance for the armed forces, the MOD and supporting welfare organisations that are responsible for dealing with violence and abuse within the military, both in the UK and overseas.

JSP 913 establishes the MOD's robust commitment to tackling domestic abuse and sexual offending, stating:

“Any form of domestic violence, domestic abuse or sexual violence committed by Service personnel isn't to be tolerated under any circumstances, nor should it be treated as a purely 'private matter' which is of little or no concern to the Service/MOD.”

The MOD is revising the policy to reflect recent legislation and to improve guidance. However, we found the MOD doesn't monitor the three armed services' compliance with it.

### **Domestic abuse**

There is scope for the MOD to provide stronger governance on domestic abuse to the service police forces.

The MOD has established a workplace domestic abuse strategy called [No Defence for Abuse](#). It outlines the MOD's commitment to reducing the scale of domestic abuse and to increasing the safety and wellbeing of all those affected through prevention, intervention and working with relevant agencies. The strategy establishes that:

“tackling domestic abuse requires a collaborative approach across Defence including the chain of command, welfare, medical services, service police, chaplains and policy makers.” (page 13)

It also establishes that the service police should be:

- supporting the criminal justice process, especially where the MOD or the service police have jurisdiction to investigate and prosecute; (page 5) and
- engaging the Service Justice Review to ensure high standards and improve consistency of approach across the service police (page 11).

But it doesn't define the service police's role in achieving the strategy, nor are the service police mentioned or given a clear indication as to how they should carry out the strategy. And as we explain later, a lack of relevant data has limited the strategy's effectiveness.

The MOD has established a domestic abuse working group (DAWG) to oversee the armed forces' progress against the strategy. This working group has created an action plan. Service police forces and representatives of policy and specialist welfare units sit on the working group. But since the service police don't feature in the action plan, their activity isn't scrutinised by the working group. And the MOD also doesn't set any performance targets or objectives for the service police in relation to domestic abuse.

This is an oversight, given the important role that the service police have in tackling domestic abuse through intervention, prevention and victim care.

### **Recommendation 1**

By 1 January 2023, the MOD should define the role of the service police in its *No Defence for Abuse* strategy and set clear actions for all three forces to achieve.

### **RASSO**

For sexual offending, the MOD hasn't produced an overarching strategy equivalent to *No Defence for Abuse*.

Sexual harassment and sexual offending were examined as part of a [2019 MOD review](#) of inappropriate behaviours in the military. The report made 36 recommendations, but none was given to the service police. This means that the service police lack direction from the MOD and are absent from and have

no defined role in bringing about change, particularly in how they can reduce offending or prioritise policing enforcement activity.

## **Recommendation 2**

By 1 January 2023, the MOD should develop an overarching strategy for sexual offending and within it, define the role of the service police and set clear actions for all three forces to achieve.

## **British Army**

The Army has a domestic abuse steering group (DASG) to co-ordinate prevention, intervention and partnering work across the Army, a domestic abuse working group (DAWG) and a sexual offences prevention working group (SOPWG) which is informed by the Army sexual harassment survey. These groups link into the MOD level groups.

We examined minutes and records of decisions from the three groups' meetings. These groups don't direct what the RMP needs to do, don't set performance measures or objectives for the RMP and don't hold it to account.

### **Recommendation 3**

By 1 June 2022, without interfering in the operational independence of the Provost Marshal (Army), the Army's relevant steering groups and working groups should set, in agreement with the RMP, performance expectations for the force and hold it to account against these expectations.

### **Data problems**

The service police and MOD lack the data that would give them a strong understanding of the scale of domestic abuse and RASSO in all three armed services. This means they can't effectively prioritise and focus prevention and enforcement work.

The service police forces, the MOD and the independent *Process audit of domestic abuse and serious sexual offences investigated by the service police* have all established that a lack of data has prevented them from developing wholly effective domestic abuse strategies, initiatives, governance and performance management at service police, single service and MOD level. We found the same.

Many factors make it difficult to quantify the scale of domestic abuse in the military.

## **Under-reporting**

As in civilian life, many domestic abuse victims in the armed forces suffer in silence and don't report abuse to the authorities. This serious issue is further discussed later in this report.

## **Incidents reported to chain of command**

Victims in the military who report domestic abuse often do so to someone in their chain of command. In the Army, COs are responsible for investigating many of these cases, so COs don't have to refer them to the RMP. Since the RMP isn't aware of these cases, it can't fully understand the scale of domestic abuse offending.

As COs don't have to report domestic abuse incidents to the RMP, it makes it difficult for the force to establish whether the domestic abuse incidents it responds to form part of a pattern of abuse. It is also possible that COs' investigations may miss aspects that the RMP, which has a better knowledge of domestic abuse, would identify. Most of the senior managers we interviewed in this inspection told us that the MOD policy should be changed to direct COs to refer all domestic abuse cases to the service police.

*The Process audit of domestic abuse and serious sexual offences investigated by the service police* recommended this change, as do we. The MOD plans to implement this change in the redraft of JSP 913.

As RASSO offences are Schedule 2 offences, COs are already required to refer all such incidents to the service police. But the Army doesn't have a mechanism in place to make sure that this happens.

When the new policy is introduced for domestic abuse cases, it is important that the MOD also introduces a checking or auditing process to make sure that COs refer all domestic abuse and RASSO incidents appropriately. Without this, it is possible that COs won't refer incidents if they don't classify them as such. In this respect, interviewees across the three service police forces raised concerns to us.

#### **Recommendation 4**

Once the new version of JSP 913 is operational, the MOD should introduce a checking process to make sure that COs refer all domestic abuse and RASSO incidents to the service police.

#### **Incidents reported to the service police**

For cases reported to the service police, the forces' databases don't facilitate accurate data reporting. The service police forces use a system called COPPERS to record notification of incidents. Unlike systems used by CIVPOL forces, COPPERS doesn't include a mechanism for users to highlight incidents as domestic abuse. And COPPERS wasn't designed to provide statistics. For a service police force to report how many domestic abuse incidents it

recorded, someone must trawl through all the recorded incidents and tally them by hand, looking for mention of domestic abuse or indications of a domestic element in the free text. The same applies to domestic abuse investigations, as the database that records service police investigations, REDCAP, draws information about incidents from COPPERS.

There is a clear difficulty when it comes to generating data from the databases, and we witnessed this when requesting data for this report. We requested lists of all domestic abuse and RASSO cases the three service police forces investigated between 2017 and 2020 for our crime file review and to inform reporting on case outcomes. When we compared the numbers of RASSO cases on these lists with the [figures published by the MOD](#), they were different.

Clearly, the inability of COPPERS and REDCAP to highlight domestic abuse and easily report statistics is a major problem. It prevents the service police and the MOD from generating accurate data to properly assess the scale of offending. It also makes it difficult for the service police forces to identify repeat victims of domestic abuse and as a result, they can't accurately assess the risk posed to victims.

At the time of our inspection, work was being done to procure a system to replace COPPERS and REDCAP. Whichever system is chosen, it needs to be able to highlight cases of domestic abuse and repeat victims, and produce accurate data quickly and easily.

## **Recommendation 5**

With immediate effect, the MOD, in conjunction with the Provost Marshal (Navy), Provost Marshal (Army) and Provost Marshal (RAF), should satisfy itself that its replacement ICT system will be able to highlight incidents of domestic abuse and repeat victims, and produce accurate data quickly and easily.

### **Incidents reported to CIVPOL**

On many occasions, victims report domestic abuse or RASSO incidents to the local CIVPOL force. We established that CIVPOL don't always inform the service police of such cases.

Home Office Circular 28/2008 requires CIVPOL to inform the military when the suspect or victim of an incident they deal with is a member of the military. Of the Home Office police forces we interviewed about this, most said they would inform the military, but some said they wouldn't. Some didn't know about Home Office Circular 28/2008.

This is another problem that prevents the MOD or service police from developing an accurate understanding of the scale of domestic abuse. More importantly, it also could present a significant risk to victims and to others.

## **Recommendation 6**

With immediate effect, the National Police Chiefs' Council (NPCC) should remind all Home Office police forces of the requirement in Home Office Circular 28/2008 to inform the RMP when the suspect or victim of an incident they deal with is a member of the Army.

We have also heard that some foreign police forces don't always inform the military quickly about incidents they respond to that involve members of the UK armed forces.

## **RMP**

### **Priority setting**

Every year, the RMP sets out its priorities in its strategic threat assessment.

We examined the most recent version and found that it contained tables showing the number of offences by year and type, however there was no analysis of times, locations, persons, or repeat events. This limits the force's ability to target its approach to education and intervention.

Given the data problems outlined above, the force sets its priorities against insufficient, poor-quality data. The force has determined that sexual offending is its highest priority. Domestic abuse is seventh on its priority list.

After priorities are set, the Provost Marshal (Army) requires COs of RMP units to produce policing plans that align their activity to the stated priorities. The point of this is to focus the RMP on the highest priorities and to hold units to account at regular intervals. We examined some of these plans and found the SIB one clearly defined activities, outcomes and success measures. The others were quite brief and less clear.

### **Control strategy and strategic intelligence**

Police forces should produce control strategies for their priorities that describe prevention, enforcement and intelligence actions to reduce the volume of offences.

The independent *Process audit of domestic abuse and serious sexual offences investigated by the service police* recommended that the RMP create a control strategy describing how it will tackle domestic abuse. While an RMP senior manager told us that they had aspired to do this, it still hasn't been done.

#### **Recommendation 7**

By 1 June 2022, the Provost Marshal (Army) should produce control strategies that outline how the force will tackle domestic abuse and RASSO.

The force also hasn't produced problem profiles for domestic abuse or RASSO. All CIVPOL forces are required to produce problem profiles, and we found that the RAFP also produced them for domestic abuse and RASSO. Such profiles would help the RMP to define the patterns and trends of priority crimes and help it to focus its efforts. This could help the force to prevent, disrupt and deter crime, as opposed to merely react to it.

While the data quality problems hamper the force's ability to produce a robust control strategy and problem profiles, problems with the force's intelligence capability are another hurdle.

The force intelligence bureau (FIB), specialist operations regiment RMP provides intelligence support for the RMP and the RNP. It has four teams that focus on force priorities, including sexual offending. But there isn't a domestic abuse team.

We were told that domestic abuse falls within the sexual offending team's remit. But we found that this team doesn't have capacity to focus on domestic abuse. Without a specialist team for domestic abuse, nobody is analysing patterns of repeat offences, serial offenders, concentrations of offences in locations or at set times. A member of FIB personnel told us that "this is an area that is sorely missing".

There is also a problem with the FIB's capacity. The FIB is small and, as extracting data from REDCAP and COPPERS is painstaking and time consuming, staff

don't have time to focus on strategic intelligence. There is also a capability problem. As with most military postings, FIB staff are on three to four-year postings. Often people leave sooner than this if they are promoted out or posted out. When they leave, their knowledge and experience goes with them and they are usually replaced by someone with no intelligence experience. This is a significant problem that limits the force's intelligence capability. We heard that it also leads to RMP personnel deciding not to commission intelligence products as they doubt that the FIB has the skills to produce quality analysis.

### **Recommendation 8**

By 1 January 2023, the Provost Marshal (Army) should address the capacity and capability issues in the force intelligence bureau (FIB).

To improve their understanding of problems, forces should identify gaps in their knowledge (intelligence requirements) and develop plans for filling them. We were told that an intelligence requirement, called Bannerman, had been set by the service police to improve knowledge and understanding of the scope and scale of domestic abuse and RASSO.

Few of the personnel we spoke to across the three service police forces knew about it and we were later told that it had fallen into disuse. Setting an intelligence requirement is an important element of the National

Intelligence Model (NIM)<sup>6</sup> because it encourages the collection of information about priority crimes. A lack of such intelligence hinders the police from preventing crime and enforcing the law.

## **Recommendation 9**

By 1 January 2023, the Provost Marshal (Army), should publish a new intelligence requirement for domestic abuse and RASSO.

## **Governance meetings**

We examined minutes of regular strategic tasking and co-ordination and crime executive group (CEG) meetings. The [NIM Code of Practice](#) states that these types of meetings should focus on how a police force's activity reflects its strategic priorities and crime reduction plans. Instead, the RMP meetings were about the progress of individual investigations of a broad range of crimes, together with discussions on items of intelligence and other incidents.<sup>7</sup>

Most of the minutes we examined didn't mention domestic abuse or RASSO (aside from updates on specific investigations). For example, there were no performance numbers or charts, or any information

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<sup>6</sup> The National Intelligence Model is a business process. The intention behind it is to provide focus to operational policing and to achieve a disproportionately greater impact from the resources applied to any problem. It is dependent on a clear framework of analysis of information and intelligence allowing a problem-solving approach to law enforcement and crime prevention techniques.

<sup>7</sup> NIM Code of Practice, section 4, p9.

about victim care, safeguarding or policy compliance. This is a missed opportunity. Examining data for trends and themes in policing helps forces to better manage risk, to improve and to perform well.

### **Area for improvement 1**

The Provost Marshal (Army) should define expectations of performance against priorities that better illustrate qualitative activity and outcomes for victims.

The CEG also doesn't examine progress against unit policing plans. We couldn't find any mechanism through which Headquarters Provost Marshal (Army) holds regiments to account for this.

### **Strategic leads**

The Provost Marshal (Army) has appointed two senior officers to act as strategic leads on domestic abuse and RASSO. The *Process audit* had identified that the force didn't have a domestic abuse strategic lead and we are pleased this has changed.

These strategic leads are the force's subject matter experts. They attend the relevant Army-level governance boards, are involved in policy development, and identify and develop in-house training. Their work helps provide the drive and direction for how the force tackles domestic abuse and RASSO. However, they have limited authority to mandate what regimental

commanding officers or personnel in their regiments do and local practices remain inconsistent.

## **Other assurance mechanisms**

We were told that all incidents of domestic abuse and RASSO are included on a daily crime briefing document distributed to the Provost Marshal (Army) and senior leaders. The COs of RMP regiments carry out a detailed review at 3 months or 100 days. These reviews look at the supervision and progress of the investigation and make interventions where necessary.

We are satisfied that there is sufficient governance and oversight of investigations to support the resourcing and assessment of those investigations. Oversight is also provided by:

- The RMP assurance and lessons team.  
This conducts policing performance inspections of each RMP unit at least every two years. The focus is on compliance with policy and procedures such as victim support, against objective criteria. We assessed this process and found it to be largely effective. The team can also identify issues at a quicker pace. For example, when it found that a unit wasn't conducting [victims needs assessments](#) or considering appropriate interviews, it informed the CEG which took remedial action to resolve the problem. This capability also reviews progress and follows up actions plans set in police inspections.

- The RMP review team. This team conducts formal and independent examinations of active or unsolved historical investigations to ensure that investigators comply with force policy and that they don't miss any investigative opportunities.

Any themes can be disseminated across the RMP through changes to policy and training, as well as update notes circulated to COs via the MOD intranet system.

We were told that there used to be a 'lessons learnt' meeting with the SPA, as outlined in the *Protocol between the Royal Navy Police (RNP), Royal Military Police (RMP) the RAF Police (RAFP) and the Service Prosecuting Authority (SPA) relating to the provision of legal advice during investigations*,<sup>8</sup> but that it hadn't met for three years. At that meeting, feedback would be given about rates of victim withdrawal and discontinuation, numbers of referrals and prosecutions and the rate of rape trials resulting in convictions. This information wasn't available to us. We were

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<sup>8</sup> See "Guidance on the investigation and prosecution of allegations of rape and other serious sexual offences (RASSO)", Annex C to *Protocol between the Royal Navy Police (RNP), Royal Military Police (RMP) the RAF Police (RAFP) and the Service Prosecuting Authority (SPA) relating to the provision of legal advice during investigations*, Provost Marshal (Navy), Provost Marshal (Army), Provost Marshal (RAF) and Director of Service Prosecutions, 2016, p7 and "Guidance on the investigation and prosecution of allegations of domestic abuse", Annex D to *Protocol between the Royal Navy Police (RNP), Royal Military Police (RMP) the RAF police (RAFP) and the Service Prosecuting Authority (SPA) relating to the provision of legal advice during investigations*, Provost Marshal (Navy), Provost Marshal (Army), Provost Marshal (RAF) and Director of Service Prosecutions, 2016, p7.

pleased to hear that the meeting has been resumed since we completed our fieldwork and now meets quarterly.

### 3. Prevention and encouraging reporting

Preventing domestic abuse and RASSO is, by far, better than having to investigate it once it has occurred. Both the [Wigston report](#) and *No Defence for Abuse* highlight the value of prevention and recommend actions to prevent domestic abuse and RASSO.

The DAWG and SOPWG instigate and co-ordinate prevention activity and the RMP implements it. For example, the SOPWG developed a RASSO awareness campaign focussed on the issue of consent, that the RMP has promulgated to personnel of all ranks across the Army.

But it isn't easy for the RMP to reach approximately 77,861 soldiers, especially when the training isn't mandated. Some COs don't invite the RMP to train their staff, including some at training establishments for young soldiers. The pandemic has also led to far fewer training opportunities in 2020 than in previous years.

*No Defence for Abuse* describes stressors associated with service life that affect family life and make victims more vulnerable to domestic abuse. The same factors may also create barriers to seeking support. These include frequent separation, high levels of family mobility, dependence on service housing and social isolation.

We found the RMP had supported wider national and Home Office domestic abuse initiatives such as the 16 Days of Action campaign and Safe Places. We have also heard about specific training provided by the RMP in overseas bases. This includes training to service families in Kenya and Brunei to encourage reporting and provide advice on what to do if family members are a victim of domestic abuse.

We also found that the RMP uses CIVPOL to supplement training on domestic abuse and RASSO to the Army with local forces training local regiments and units. Similarly, when local CIVPOL forces run domestic abuse and RASSO prevention campaigns, the RMP publicises them to local units using the same posters, booklets, and other material. This increases the reach of those campaigns and is an efficient use of resources.

This is all very positive. But the MOD should empower the RMP to reach a wider military audience, including within all training establishments.

### **Recommendation 10**

By 1 January 2023, the MOD should support the RMP by mandating domestic abuse and RASSO awareness training across the Army.

We found that a collaborative partnership between a charity based in Hampshire, [Aurora New Dawn](#), and the armed forces was in the final year of a three-year contract to develop an armed-force advocate project.

The main aim of the project is to give military personnel and their families access to specialist independent support about domestic abuse and RASSO. It also gives specialist training to armed forces personnel, especially those in policing and welfare related services, to raise awareness and improve their understanding of domestic abuse and RASSO.

Since 2018, the charity has given specialist training to over 500 military personnel across the armed forces and specialist support to over 130 victims and their children. A recent independent evaluation of this service noted its success and the need for it to continue. Representatives of Aurora New Dawn put us in contact with several victims. We echo the findings of the evaluation and commend the work done by the charity.

# 4. Handling calls and first reports of crime

## First contact

The RMP gets reports of domestic abuse and RASSO incidents from many sources, including victims' chain of command, SSAFA (the armed forces' charity), victims' friends or the victims themselves. Whoever reports the incident, it is crucial that the person receiving the report:

- is professional and polite and builds trust and confidence in the caller;
- gets as much information about the incident as possible from the caller;
- records the incident accurately both to support the police responding to the call and to any later investigation;
- searches force information systems to help them understand any previous victimisation and assess risk; and
- makes a first assessment of risk to the victim and other parties.

When a victim makes the report, the person receiving it must advise the victim how to stay safe while waiting for the police to arrive and what to do to preserve evidence.

In civilian policing, staff at each police force's contact centre are the first point of contact, either by a 999-emergency call, 101 call or other means.

Procedures differ from force to force, but usually:

- staff at these contact centres are trained in receiving such reports and in identifying criminal offences;
- calls to contact centres are recorded and there are supervisory and auditing processes in place to evaluate the quality of call-handlers' activity;
- call handlers enter details of incidents immediately onto a dedicated computerised call-handling system that prompts them with questions to ask the caller, depending on the type of incident they are recording;
- call handlers complete an initial risk assessment on the system and prioritise the response accordingly;
- call handlers provide support and advice to the caller; and
- call handlers research databases for details of repeat offences and suspect details.

The service police forces don't use a centralised contact centre and lack most of the important processes that would underpin it. There is an operations room at the SPCB, but it isn't used as a contact centre and doesn't have the resources to act as a centralised contact centre. Instead, incidents are reported, in person or over the phone, to the forces' personnel at their police stations or posts, or to the chain of command.

Personnel haven't had specific call-handling training. In inspections of CIVPOL, we have found that where untrained, inexperienced people engage first with victims of domestic abuse and RASSO this often leads to repeat traumatisation. It is therefore important that calls are answered by trained professionals.

Where calls are made, these aren't recorded. The absence of voice recording made it impossible for us to assess how well the first contact is handled. We couldn't evaluate how professional and polite call handlers were, how well they built trust and confidence in the caller, or how thoroughly they elicited information from the caller. The lack of audio recording also prevents the service police forces from auditing the effectiveness of first contact and can lead to the loss of evidence.

The service police forces don't have a dedicated computerised call handling system, or readily accessible lists of questions specifically for domestic abuse or RASSO incidents. In some instances, the person receiving the call enters details of incidents while they are on the call into COPPERS, while in others hand-written notes are then typed into COPPERS later.

In our case file review, we also found that personnel record little information about the first contact. While they record information about the incident on COPPERS, we found little detail about actions they took, or advice provided.

COPPERS and REDCAP don't have domestic abuse markers. It is therefore difficult for the person taking the call to identify quickly whether the victim is a repeat victim.

Personnel can search COPPERS and REDCAP to see if there are similar previous reports and can ask SPCB to conduct intelligence checks on the Police National Database. But we didn't find evidence that either is done consistently. We were told that they can't always get checks returned from SPCB quickly enough. Consequently, first responders are dispatched without all the information they need about the incident or enough to inform the safety of the first responders.

The procedures and systems that the service police forces use to record first contact about incidents need to improve. Developing a centralised service police call centre would address these problems. It could also serve as a single reporting hub for incident reports, which, when the replacement for COPPERS is introduced, could streamline data analysis. There are some essential characteristics for any such call centre:

- People reporting incidents should be referred to the call centre, rather than details being taken by personnel at local stations. This should apply to those people reporting incidents to the service police in person, as well as over the phone.
- Call centre staff should get the right training, like their CIVPOL counterparts do.

- The centre should use a dedicated call handling system like those used by CIVPOL. This should have the ability to:
  - link to incident recording systems and intelligence systems;
  - identify repeat domestic abuse victims and repeat suspects;
  - provide question prompts for different types of incident;
  - audio record calls; and
  - allow performance management data to be produced.

### **Recommendation 11**

By 1 January 2023, the Provost Marshal (Army), in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF) should carry out a feasibility study for the establishment of a joint contact centre that reflects, as far as is reasonably possible, the capabilities of Home Office police forces. If the outcome of the study isn't for the establishment of a joint contact centre, the Provost Marshal (Army) and the provost marshals of the other service police forces should implement another solution that resolves the call-handling problems explained in this report.

## Incident and crime recording

When CIVPOL forces are informed about incidents, they have to record details in accordance with the [National Standard for Incident Recording \(NSIR\)](#).

The principal aim of NSIR is to provide a common approach to be followed by police forces in England, Wales, and Northern Ireland in classifying calls.

The service police don't have to comply with NSIR, but doing so would make sure that incidents are categorised consistently.

Similarly, CIVPOL forces in England and Wales must comply with the National Crime Recording Standard (NCRS) and [Home Office Counting Rules \(HOCR\)](#).

This is designed to make sure that crimes are recorded consistently and accurately. But the service police don't have to comply with NCRS or HOCR. Under NCRS, a force is required to record all offences reported at the same time as separate offences with their own crime reference number. In the service police, if a victim reported three offences at the same time they would be recorded as one crime, with one crime reference number.

Consequently, if the same offences were reported to CIVPOL and to a service police force, CIVPOL would record more offences. As the service police don't comply with NCRS, it is difficult to compare their offence rates with those in CIVPOL. It also means data published by the MOD, such as [Sexual Offences in the Service Justice System](#) isn't comparable with similar

Home Office publications. Accurate recording also helps make sure that personnel don't downgrade cases or record them as 'no crime' arbitrarily.

The *Process audit of domestic abuse and serious sexual offences investigated by the service police* recommended that the service police forces review REDCAP and establish a system that complies with NCRS. Since that report, the three service police forces have agreed to fully comply with NCRS, HOCR and NSIR, once the replacement for COPPERS and REDCAP is introduced. The forces should make sure that this new system complies with all three, and once this is in place, introduce effective auditing procedures.

# 5. First response to domestic abuse and RASSO incidents

The police's first response to victims of domestic abuse and RASSO is critically important. The main objectives for the first responder at this stage are to:

- make sure that the victim is safe;
- secure and preserve evidence; and
- identify and arrest (or, if appropriate, voluntarily interview) the suspect.<sup>9</sup>

In this chapter, we outline the force's first response to domestic abuse and RASSO cases, examining:

- who conducts first response to domestic abuse and RASSO cases;
- the quality of first investigative response and [golden hour](#) investigative actions in domestic abuse and RASSO cases;
- what training, experience, and support first responders have to conduct their role;
- what guidance GPD personnel receive on how to conduct first response to domestic abuse and RASSO incidents;
- the use of body-worn cameras; and

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<sup>9</sup> See [A joint thematic inspection of the police and Crown Prosecution Service's response to rape – Phase one: From report to police or CPS decision to take no further action](#), HMICFRS and HMCPSI, 16 July 2021, p22.

- the quality of initial safeguarding of victims of domestic abuse and RASSO incidents.

## **Who conducts first response to domestic abuse and RASSO incidents?**

### **Schedule 1 domestic abuse incidents**

The RMP receives reports of domestic abuse incidents in many ways. Some take the form of phone calls from victims or are from victims attending police stations. Others come through other police forces or are referrals from COs. Some of these reports relate to crimes that are occurring at the time, while others relate to historical abuse. Incident reports can be made in the UK or at military bases throughout the world.

These factors influence the type of first policing response to these incidents. While RMP GPD personnel are often the first responders to reports of Schedule 1 domestic abuse incidents in the UK and overseas where the RMP has jurisdiction, this is not always the case. In some locations where the RMP has jurisdiction there are occasions when local civilian police provide the first response to ongoing or recent domestic abuse incidents. The RMP personnel then arrive at the scene to conduct the initial investigative actions, risk assessment and safeguarding. Some reports make it necessary for the RMP to deploy personnel to the scene, while others don't.

## **RASSO incidents**

Sometimes, a member of the SIB will be the first person to receive a report of a RASSO incident, for example, when a CO reports the incident directly to the SIB. In such cases, a member of the SIB is the first to arrive at the scene. Aside from these cases, GPD personnel are often first responders to RASSO incidents.

In most CIVPOL forces, several response officers are trained sexual offences liaison officers (SOLOs). They provide first response to RASSO incidents. But they aren't always available and other response officers have to take on this role.<sup>10</sup> Unlike CIVPOL forces, the service police forces don't have SOLO-trained first responders. Instead, they have a team of SOLO-trained investigators. In the RMP, most SOLOs are in the specialist response team (SRT) (part of SIB), with some other SIB personnel also SOLO trained.

So, typically, a member of GPD personnel will inform the SIB duty officer of a RASSO incident, then dispatch to the incident and deal with the initial actions until a SOLO or SIB personnel can arrive to take over. These arrangements differ from location to location, depending on how far the nearest SIB unit is from the incident. Before SIB personnel arrive at the scene, they usually direct the GPD first responders over the phone.

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<sup>10</sup> As before.

This section of the report will focus on how GPD personnel conduct first response actions in domestic abuse and RASSO incidents.

## **Behaviour and attitude of first responders**

The way police behave when they arrive at the scene of domestic abuse or RASSO is vital. It is crucial that they support the victim and are empathetic to gain their trust. We haven't been able to evaluate how well GPD personnel do this in our case file reviews or in interviews with practitioners. The RMP also doesn't currently have processes to monitor this. We therefore suggest that the force adds questions about first responders' attitude and empathy to its victim survey (see section 7 below, [Victim feedback](#)). Police forces that issue personnel with [body-worn video](#) (BWV) cameras can dip-sample footage to assess the behaviour and performance of first responders. As the RMP doesn't issue body-worn cameras to its personnel, it is unable to do this.

## **Quality of the GPD personnel's golden hour enquiries**

In our case file review, we found that personnel responding to incidents usually make appropriate golden hour enquiries. In general, they make arrests when appropriate and take timely initial witness statements.

However, SIB personnel and people involved in the quality assurance and oversight of investigations all told us that the quality of GPD personnel's initial investigative actions needs to improve. We heard that GPD personnel are, "not infrequently", failing to take statements from witnesses or victims immediately. We were told that "attention to detail is missing from the rank and file" conducting first response, and that "there is often little detail of decisions recorded, actions not articulated or reasons why actions not taken" in GPD personnel's records of their first response actions. We also heard that investigators occasionally have to take statements from complainants again because of mistakes made during initial enquiries. Summing this up, one interviewee told us "the things [GPD personnel] are getting wrong are the basic golden hour actions. That is what really concerns me, because there is no real excuse for getting it wrong: it's basics".

Specifically, in relation to RASSO first response, we were also told that first responders often don't think about the risk of cross-contamination, whereby forensic evidence may be accidentally transported and deposited between people and crime scenes. We heard an example of a GPD NCO interviewing a victim, then going to the scene, then interviewing the suspect and then going back to the victim.

There is a clear contradiction between the evidence from our case file review and from many of our interviews. One reason for this seems to be the accuracy of the data recorded on COPPERS. There is often a delay between GPD personnel's first response and these actions being recorded on COPPERS. If supervisors identify problems (for example, if first responders hadn't acted appropriately in the golden hour or if actions weren't thorough) they can be put right before case file details are recorded on COPPERS.

In the cases we reviewed, we didn't find any evidence to suggest that poor-quality first response actions resulted in failed investigations. This isn't to minimise the importance of getting first response right. If immediate actions aren't right, it can lead to investigative opportunities being missed and cause delays that affect investigations and victims.

## **Area for improvement 2**

The Provost Marshal (Army) should make sure that the quality of GPD personnel's initial golden hour enquiries in domestic abuse and RASSO cases is improved.

# **Training, experience, and support for GPD personnel responding to domestic abuse and RASSO incidents**

For domestic abuse and RASSO incidents, all police forces should dispatch personnel with the right training and experience. This will enable them to act appropriately in the first hour, secure and preserve evidence and provide victim care.

## **Training**

GPD personnel don't get consistent training on how to deploy to domestic abuse and RASSO incidents as first responders.

### **Mandatory training provided by Defence School of Policing and Guarding (DSPG)**

New service police recruits get adequate domestic abuse and RASSO first responder training as part of their Joint Police Initial Course (JPIC) training introduced by DSPG in 2020. This course covers a broad curriculum including legislation (including controlling or coercive behaviour), scene management, how to build rapport with victims, risk assessment processes, RASSO initial response proformas, safety planning and initial safeguarding. Students must also pass the domestic abuse and sexual offences environmental package. Students must show that they

are competent at dealing with the whole first response process in role-play scenarios, where actors take on the roles of victims and witnesses.

Before the DSPG introduced its JPIC, it gave bespoke initial training to the three service police forces. After the *Service Justice System Review* was published, the DSPG and service police forces reviewed this training and significantly changed and expanded the domestic abuse and RASSO elements of the new course. Among the changes was the inclusion of RASSO first responder training.

At the same time, the DSPG also rewrote and expanded on the domestic abuse and RASSO content in the training courses Volume Crime Investigation Course (VCIC) (which corporals receive after two to three years in rank) and in the Serious Crime Investigation Course (SCIC) course (taken by those wanting to join the SIB). This is a good development.

While a few young-in-service personnel have attended the new JPIC course, most personnel haven't. Those who had their initial training course before 2020 didn't get RASSO first responder training or training on several other parts of the new curriculum. This is a significant gap that can't simply be filled by refresher and awareness training.

The force and DSPG should make sure that personnel with first responder duties who haven't had structured domestic abuse and RASSO first responder training, including environmental training, get it.

## **Recommendation 12**

By 1 January 2023, the Provost Marshal (Army), in conjunction with the Provost Marshal (Navy), the Provost Marshal (RAF) and the Defence School of Policing and Guarding, should make sure that all first responders are trained to the new Joint Police Initial Course standard.

### **Refresher and awareness training – overview**

The RMP's refresher and [continuing professional development \(CPD\)](#) training are ad hoc, inconsistent and need to improve.

In CIVPOL forces, police officers usually get some degree of structured CPD training. But this doesn't always happen in the service police.

Across the service police forces, refresher training, aside from the VCIC and SCIC courses, is the responsibility of parent units and isn't centrally directed from force headquarters or training units.

## Refresher and CPD training – RASSO first responder training

Since not all RMP GPD personnel have RASSO first responder training as part of their initial training, the force instructs units to close the training gap. Force doctrine states “it is a unit responsibility to ensure yearly refresher training is carried out ... [about] ... initial dealing with [RASSO] victims.”<sup>11</sup>

This doctrine hasn't been complied with by all units. And where it has been complied with, it is inconsistent. As one RMP officer told us, “policies like that are open to interpretation. We ran a study day, but nobody said what needs to be in it and I came up with [a] curriculum myself”.

The RASSO lead has also developed training and circulated presentations to first responders. And some units have arranged for [independent sexual violence advisers \(ISVAs\)](#) to provide personnel with informal refresher training. But this is at the request of the local command team, not pushed from the centre.

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<sup>11</sup> *Military Police Investigative Doctrine Chapter 21: Investigation of serious sexual offences and management of those convicted of serious sexual offences*, RMP, August 2020. Unpublished.

## Refresher and awareness training – domestic abuse first responder training

In the absence of mandatory training, the force's strategic lead for domestic abuse has developed some training initiatives. They have run domestic abuse training days for personnel from the three service police forces in 2019, and plan to make this an annual event after the pandemic. Personnel applied to attend these training days, or were nominated by their chain of command and were expected to cascade the training to colleagues. However, the force doesn't monitor whether this happens.

Similarly, the SRT gave domestic abuse risk assessment training to GPD personnel, but only on an ad hoc basis to those local units that requested it.

A 2020 Defence Instruction and Notice (DIN) mandated that all Army Welfare Service (AWS) personnel attend a four-day MOD Domestic Violence Informed Practice (Safe and Together) course. It also stated that "attendance is highly recommended at the earliest opportunity for practitioners/responders who in the commencement of their duties are likely to encounter disclosures or receive reports of Domestic Violence". We see the benefit in RMP first responders receiving such training and heard from interviewees from RMP headquarters and the AWS who have recommended that all RMP personnel attend the training, or a tailored one-day version. While RMP headquarters has made all units aware of the DIN and the application process for

the course and are encouraging personnel to take it, it is again up to individual units and personnel to decide whether they attend.

## Training – conclusion

An RMP officer we interviewed summarised the situation as follows: “occasionally GPD personnel conduct good initial investigations, but this is rare. Those companies that focus on getting their people trained do it well, but this isn’t across all GPD [units].”

Domestic abuse and RASSO training are too important to be dependent on the whim of local commanders. There needs to be more consistency, resilience, and oversight of domestic abuse and RASSO training. Developing centralised, annual training for policing competencies including domestic abuse and RASSO first response, provided by qualified trainers, and with central assurance, would address some of these problems.

### **Area for improvement 3**

The Provost Marshal (Army) should develop centralised, annual training for policing competencies including domestic abuse and RASSO first response, provided by qualified trainers, and with central assurance.

In the longer term, the service police forces should work with the [College of Policing](#) to find a way to use the College's CPD training in way that meets the forces' operational context, role, and career pathways.

## **Inexperience of first responders**

A lack of experience among many GPD NCOs compounds the problems caused by inconsistent training. Many interviewees told us the inexperience of the first responders can be a problem.

The first posting of an RMP lance corporal after completing basic training is to GPD. Then, usually after four years, they are posted to their next role, or sooner if they are promoted. This churn of personnel leads to limited experience at front line ranks.

Section commanders usually dispatch the most experienced JNCOs on duty to a domestic abuse or RASSO scene. However, as there are few experienced JNCOs in many sections, inexperienced JNCOs often attend such scenes.

There is also the potential for skill fade during a JNCO's initial GPD assignment. There are lots of opportunities for GPD personnel, and operational and exercising requirements will take them away from their role for short periods. But there is no structured refresher training when they return. Consequently, a GPD NCO could go on a jungle warfare course for three months, and then be dispatched straightaway to take a victim statement when they arrive back at a GPD unit.

The problem of inexperienced JNCOs isn't limited to the UK. With the exception of the Cyprus Joint Policing Unit, the RMP's overseas isolated detachments are small, comprising of relatively few personnel. In most, the RMP has jurisdiction for responding to most domestic abuse and RASSO incidents. It is therefore important that suitably experienced personnel are deployed to these units. However, GPD personnel can be deployed to overseas units without having much experience of performing the role in the UK. An officer at one overseas RMP detachment told us there is very little experience among the current GPD cohort. Another told us that a JNCO was recently deployed to their unit less than six months after finishing basic training. This is an issue beyond the RMP's control as, even though there is some consultation, it is Army career managers, rather than the RMP, who decide who is deployed to which post.

### **Recommendation 13**

By 1 January 2023, the Army, in conjunction with the Provost Marshal (Army) should review the process of its postings policy to ensure that RMP personnel deployed to overseas units have sufficient experience to competently perform their role.

## **Support and supervision from the command chain**

As many first responders are inexperienced, they rely on direction and support from the command chain when attending domestic abuse and RASSO incidents.

JNCOs in some sections told us that they receive good support during day shifts from their section commanders. Before the JNCOs are deployed to the scene, section commanders brief them on what they need to do and ask. Commanders stay on the radio to talk them through their first response actions. At night, duty commanders conduct a similar role. We don't think this is sufficient, given the inexperience of many first responders.

### **Area for improvement 4**

The Provost Marshal (Army) should ensure that a duty commander or a VCIC-qualified NCO accompany junior officers when attending domestic abuse or RASSO incidents.

This system can help provide the guidance that first responders need. Clear direction and strong supervision aren't a substitute for training and experience. But they can reduce the effect of having an inexperienced first responder. Although, this depends on people in the command chain having the right experience themselves. If the first responders are inexperienced and there isn't an experienced command chain in place, then the system doesn't work because the direction needed isn't provided.

As one interviewee summed it up, “if you’ve not got an experienced shift commander, you leave the first responders quite exposed”.

It is difficult for the RMP to provide suitably experienced shift or duty commanders, supervisors and command chains across all GPD units. RMP personnel often have very varied postings during their careers, including policing roles, operational tours, and often postings in specialist roles (for example close protection, headquarters and training). RMP personnel can therefore spend many years in non-policing roles before being posted back to a GPD unit in a supervisory role. Consequently, there are section commanders with less recent policing experience than the lance corporals they are directing, and sergeants in supervisory roles after spending five or more years away from policing roles. The situation is similar at commissioned officer ranks where, after conducting policing roles at the beginning of their careers, commissioned officers can spend years in operational roles before returning as GPD company commanders.

Despite the regular churn of personnel, there is no mandatory refresher training for personnel returning to policing roles. Although we were told that this happened in one company, most interviewees told us that it didn’t happen in others.

One interviewee from a GPD unit summed up the situation thus: “in a lot of key positions we’ve personnel who either don’t have the experience or history in policing to fulfil their role properly.”

In CIVPOL, many response constables and sergeants stay in those roles for large parts of their career and thereby develop considerable experience. Replicating this in the service police isn’t possible without wholesale change. Military careers focus on promotion and the Army requires personnel who aspire to be promoted to have operational exposure and to manage troops in an operational environment.

Therefore, personnel are ‘rotated’ so they can build their portfolios and have the best possible chance to tick the boxes they need to step up to the next rank.

Many RMP personnel we interviewed highlighted the skill fade caused by the military career management process as a problem. It is a problem that we also found in investigation quality and forensics.

The service police forces and the MOD should examine whether there are ways to mitigate skill fade. At the very least, refresher training should be developed and mandated for personnel returning to policing roles.

## **Support for first responders from the SIB and the SRT**

As mentioned above, GPD personnel also receive support from the SIB and SRT, especially when being deployed to RASSO incidents. We heard that, usually, this works well and the SIB and the SRT provide good advice to first responders over the phone.

Given the problems with GPD first response, mandating SIB first attendance at all RASSO scenes would be beneficial, given their greater skills and experience. But this wouldn't be possible unless SIB's geographic footprint and personnel establishment were to be expanded and it operated as a 24/7 unit. The cost of doing so may be too substantial to make it a viable prospect.

Another option would be to cede first response and initial investigation and safeguarding to local police. But this wouldn't always be the best solution in the UK. And in most overseas locations it wouldn't be possible and would mean that personnel deployed to overseas bases would have even less experience of conducting these roles.

Instead, the SIB should attend when it can, with the onus being on the force to make sure that its GPD personnel are equipped and supported to conduct first response to a consistently high standard.

# Guidance for first responders to domestic abuse incidents

The RMP has developed guidance for first responders attending domestic abuse incidents. It outlines procedures to follow in the domestic abuse chapter of its investigative doctrine.<sup>12</sup> To aid first responders, it has also produced a domestic abuse aide-memoire. Such aide-memoires can prove useful for first responders.

The RMP has also developed a Domestic Incident Proforma (DIP) which forms the first part of the force's DIP-DASH form.<sup>13</sup> The force's investigative doctrine instructs first responders to complete the DIP-DASH in all domestic abuse cases.

The DIP includes checklists of the most important golden hour actions requiring personnel to confirm that they have conducted these. The development of the DIP was a good initiative and completing the proforma helps guide first responders through many of the actions they need to take.

However, it isn't as comprehensive as the College of Policing's *Domestic Abuse Initial Response Guide* that the Royal Navy Police (RNP) requires its first

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<sup>12</sup> *Military Police Investigative Doctrine Chapter 18: Domestic Abuse*, RMP, July 2020. Unpublished.

<sup>13</sup> The DASH risk assessment form is a tool that many police forces use to assess the level of risk to victims of domestic abuse, stalking and harassment. We evaluate the RMP's DASH element of the DIP-DASH form later in this report, in the section [Safeguarding](#).

responders to complete. This is a more comprehensive guide, including evidence and actions checklists, places for details about victims, suspects, and witnesses to be recorded and a body map where injuries can be marked.

Neither the College of Policing's guide nor the RMP proforma are ideal for service police forces. The College of Policing's guide includes elements that can't be applied in the service police context, and the RMP proforma doesn't include all the useful parts of the College's guide. Consequently, it may be beneficial for the three forces to work together to develop new aide-memoires and a tri-service domestic abuse initial response guide that better meet their needs. While the content of the College of Policing's guide could form the basis of this, it could also combine the best parts of the forces' current aide-memoires and proformas, while also including bespoke elements to reflect each force's different processes and operational contexts.

### **Recommendation 14**

By 1 January 2023, the Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should publish tri-service domestic abuse aide-memoires (which, to meet each service's needs, may include additional information to reflect local differences).

## Guidance for first responders to RASSO incidents

The RMP has developed a plethora of guidance for first responders attending RASSO incidents. In addition to the sexual offences chapter in its investigative doctrine, it has summarised this in a six-page aide-memoire and produced separate aide-memoire cards. However, we found that the force didn't update these aide-memoires regularly. Consequently, they didn't reflect the latest version of the investigative doctrine. They may therefore confuse personnel.

### Area for improvement 5

The Provost Marshal (Army) should ensure that the force's RASSO aide-memoires are regularly updated to reflect the latest version of the investigative doctrine.

In addition to the aide-memoires, and guidance on Provost Portal (the force's intranet), the force has developed a Sexual Offences First Responders Log. As the sexual offences investigative doctrine states, the log:

“is key to all responses to a RASSO by all RMP. The log provides the responding officer the ability to record accurately, information gained from the victim and provides continuity between the first responding

officer and the investigating officer. This log is to be utilised by all responding officers”.<sup>14</sup>

However, as the aide-memoires predates its introduction, neither mentions that personnel need to complete the log.

We consider the introduction of the log to be good practice. It is quite comprehensive and includes a checklist of the most important golden hour actions, guidance on forensic considerations and early evidence kits,<sup>15</sup> and also includes forms where first responders can record specific information about the victim, incident, suspect, witnesses, clothing, and actions taken. It also includes a sheet to be completed by the first responder when they hand the case over to the SIB. The questions included in the booklet should help guide the first responder through most of the actions they need to take and things they need to consider.

The RNP and the RAFP have also produced RASSO logs or booklets to be completed by their first responders. But the three documents are currently quite different. For example, the RMP’s Sexual Offences First Responders Log includes a checklist of the most important golden hour actions and a

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<sup>14</sup> *Military Police Investigative Doctrine Chapter 21: Investigation of serious sexual offences and management of those convicted of serious sexual offences*, RMP, August 2020. Unpublished.

<sup>15</sup> Early evidence kits enable personnel to collect and preserve certain types of forensic evidence from sexual assault complainants, in advance of the full medical forensic examination.

section on early evidence kits that don't feature in the RNP's booklet.

There is scope for the forces to work together to develop new aide-memoires and a tri-service RASSO initial response booklet or log. These should combine the best parts of the forces' aide-memoires and proformas and include bespoke elements to reflect each force's different processes and operational contexts.

### **Recommendation 15**

By 1 January 2023, the Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should standardise RASSO first responders' logs and booklets (which, to meet each service's needs, may include additional information to reflect local differences).

In our crime file review, we found that first responders had only completed a Sexual Offences First Responders Log in a few RASSO incidents. However, we conducted a dip-sample of more recent RASSO case files, which found that compliance had improved, with completed booklets appearing on all case files.

# First responders' use of body-worn video cameras

Body-worn video cameras (BWV) can be beneficial when used to capture images following reports of domestic abuse. As the College of Policing's [Body-Worn Video Guidance](#) states:

“The recording provides an immediate and exact record of the disturbance throughout the scene and the emotional effect on the victim and their family or other immediate witnesses. Where an offender is present, a BWV recording captures evidence of their demeanour and language, any continuing offending behaviour such as further abuse directed towards the victim, and evidence of any difficulty in restraining the offender if they are particularly hostile. Using BWV in such instances can significantly strengthen a prosecution case, drawing attention to the true extent of the offending. The recording can provide evidence that supports grounds for an arrest and, where a victim or witness is reluctant to provide a written complaint, it may also be useful in determining when to proceed with a case without the victim's support. Such images may strengthen a case even further by changing the mind of an initially reluctant or hostile victim, so that they agree to support a prosecution.” (page 20)

We support the use of BWV by first responders to domestic abuse incidents, describing it in one of our previous reports as “essential for evidence-gathering”,<sup>16</sup> while – in another of our reports – recognising that introducing BWV involves “substantial investment in both the equipment itself but also the download and storage facilities”.<sup>17</sup>

The RNP is the only service police force to use BWV. In the 2010s, the RMP made a policy decision not to use BWV.

### **Recommendation 16**

By 1 January 2023, the Provost Marshal (Army) should re-evaluate the benefit of BWV and consider its introduction.

## **Safeguarding**

Safeguarding involves protecting an individual’s health, wellbeing and human rights, enabling them to live free from harm, abuse and neglect.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place. Abuse can occur in any relationship and any setting and may result in harm or exploitation of that

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<sup>16</sup> [The police response to domestic abuse: An update report](#), HMICFRS, 26 February 2019, p27.

<sup>17</sup> [Increasingly everyone’s business: A progress report on the police response to domestic abuse](#), HMICFRS, 15 December 2015, p53.

individual and in many cases the abuse may be a criminal act.

The actions taken by police at first response to a domestic abuse or RASSO incident are crucial in providing initial safeguarding to victims. In this section, we assess how effectively the RMP does this and how it and other parties provide ongoing safeguarding.

## **Responsibility for safeguarding in the military**

The service police have an important role in providing safeguarding, but they don't hold overall responsibility for safeguarding in the military.

[JSP 834 Safeguarding](#) sets out the MOD's framework for safeguarding in the military. It defines safeguarding in accordance with the Care Act 2014 and stipulates that: "All commands / commanders / heads of establishment in the UK and abroad are responsible for the safeguarding of all personnel" (page 9).

As part of their responsibilities to the people under their command, COs are responsible for appointing a victim support officer and victim liaison officer (VSO/VLO) to all victims of serious offences, persistently targeted victims, and vulnerable and intimidated victims. This includes victims of domestic abuse and RASSO.

Unless the victim has decided that they don't want a VSO, COs should appoint one as soon as practicable after the complaint is made.

The VSO is an officer, WO or senior NCO appointed to look after the day-to-day support of a vulnerable victim. Their duties are to:

- keep in regular contact with the victim;
- give the victim moral support;
- make sure the victim isn't being intimidated or ostracised in the unit;
- help the victim access service and/or MOD guidance (on bullying and harassment, conduct and discipline, etc), and establish internal subject matter experts to help guard against victimisation; and
- make sure the victim has information about the internal and external organisations that can support them.

While COs and VSOs have important roles in safeguarding victims, we were told that they receive scant safeguarding training. We also found that COs don't appoint VSO in all cases. Sometimes, the victim can be left without the support they need in the days and weeks after the offence. It can also deny the victim protection from intimidation and further abuse. Victims from the three services confirmed that, in the cases where a VSO was appointed, most didn't support them as they should. Some victims felt ostracised by their units while others endured abuse on social media. This is worrying.

## **Recommendation 17**

With immediate effect, the MOD should reinforce CO compliance with JSP 834 as regards their responsibilities around VSOs and monitor such compliance by reviewing data from COs and feedback from victims.

### **The quality of initial safeguarding of victims of domestic abuse and RASSO incidents**

Many of the means available to CIVPOL forces to provide initial safeguarding to victims of domestic abuse and RASSO aren't available to service police forces. These include bail, Domestic Violence Protection Orders (DVPOs) and Domestic Violence Protection Notices (DVPNs). These tools can prevent unwanted contact between the suspect and victim and thereby reduce the risk of repeat victimisation. The service police don't have these powers, but they can instigate other actions, usually in conjunction with COs, that can be just as effective.

First responders are responsible for assessing and addressing initial safeguarding needs. An important element to this is assessing the risk to victims.

## Victim needs assessment

### Requirements

The Armed Forces Code of Practice for Victims of Crime entitles victims to have a timely needs assessment. The victim needs assessment (VNA) determines the kind of support that service police (or commanding officers) may need to give victims in order for them to provide the best possible evidence.

The assessment identifies whether the victim is either:

- a victim of the most serious crime;
- a vulnerable or intimidated victim; or
- a persistently targeted victim.

If the victim meets any of the above criteria, they can request that the service police or CO considers the use of any measures that the victim believes will assist them during the investigation or at court (special measures).

JSP 839 includes a list of actions and guidance that service police should adhere to when making VNAs. It stipulates that the VNA “must be timely” (paragraph 5.7a). This generally means that the VNA should be completed before taking the victim’s statement.

## RMP doctrine

The VNA guidance in the RMP's investigative doctrine is in line with JSP 839. It states that personnel must conduct a VNA at first response and prior to any evidence being recorded in a formal manner.<sup>18</sup>

## Compliance

The GPD personnel we spoke to were aware that they are responsible for conducting the VNAs.

Despite this, in our case file review we found that GPD personnel conducted VNAs in most, but not all, domestic abuse and RASSO cases.

### **Area for improvement 6**

The Provost Marshal (Army) should ensure that victim needs assessments (VNAs) are completed in all domestic abuse and RASSO cases and monitor their completion.

## **Risk identification and assessment in domestic abuse**

The RMP has procedures in place to identify and assess risk at first response to domestic abuse incidents. But it needs to improve adherence to these procedures and increase staff skills in this area.

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<sup>18</sup> *Military Police Investigative Doctrine Chapter 17: Victim and witness support*, RMP, October 2020, para 2.7. Unpublished.

Risk identification is a fundamental element of the first police response to domestic abuse. If done correctly and with immediate safety planning, it should safeguard the victim and facilitate a good handover to specialists. It also provides a wealth of important evidence about the behaviour of the suspect and what effect it has had on the victim. Responding officers have a crucial role in first identifying and assessing risk, whether the incident is later investigated by the service police or is taken on by CIVPOL.

The RMP, along with the other service police forces, uses a [domestic abuse, stalking and harassment \(DASH\) risk assessment form](#) to help personnel assess risk in domestic abuse incidents.<sup>19</sup> This is a nationally-accepted process that assesses several factors in identifying risks to a victim.

## Doctrine

The RMP's investigative doctrine stipulates that the DASH form:

- “MUST be used by all frontline professionals as a standardised framework.
- The questions MUST be asked at every domestic abuse incident.

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<sup>19</sup> [Risk-led policing of domestic abuse and the DASH risk model](#), Amanda Robinson, Andy Myhill, Julia Wire, Jo Roberts and Nick Tilley, September 2016.

- The assessment isn't to be completed by only ticking boxes, but instead should form part of a conversation in order to obtain as much information as possible from the victim, to fully assess the risk to them and inform the level of response provided by the Service Police and any safeguarding agency".<sup>20</sup>

Once the responding officer has completed the DASH form, they have to forward it to the SRT by 8.00am the following morning (paragraph 3.3.2(d)). Upon receipt of the assessment, the SRT is instructed to review it, advise GPD personnel and contact partner agencies (paragraph 3.3.2(f)). The SRT also makes a decision concerning referral of the victim to a [multi-agency risk assessment conference \(MARAC\)](#), based on a threshold being met or under professional judgement (paragraph 3.3.2(d)). The process described in the doctrine is good.

Under the RMP's DASH arrangements, SRT personnel provide specialist oversight of all risk assessments. This doesn't absolve first responders of their obligation to conduct a thorough risk assessment at the scene, which is vital if they are to protect the victim and keep them safe. To that end, the RMP's doctrine mandates that personnel who haven't received domestic abuse training shouldn't record DASH assessments.

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<sup>20</sup> *Military Police Investigative Doctrine Chapter 17: Victim and witness support*, RMP, October 2020, para 2.2. Unpublished.

## **DASH form**

The three service police forces' DASH proformas include the same 27 principal questions that feature in the DASH form published in the College of Policing's Domestic Abuse Initial Response Guide. But the three forces' forms differ in format, length, and some detail. A tri-service DASH form would help make the service police forces' approach to assessing risks to domestic abuse victims in the military more consistent.

### **Recommendation 18**

By 1 January 2023, the Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF) should publish a single DASH form to be used by all three services that allows for any requisite local differences to be retained.

A specific problem with the RMP DASH form is how it determines the overall level of risk to a victim. While the RMP doctrine states that the assessment must not be a tick box exercise it doesn't include any specific guidance on how to decide an appropriate DASH risk grading. Instead, the DASH form contradicts the doctrine and instructs users to count how many questions they've ticked as 'yes' and then to select a level of risk to the victim based on this number.

This is sub-optimal. As the College of Policing states, “forces should avoid grading the level of risk solely on the number of ‘yes’ responses” (see [Authorised Professional Practice: Understanding risk and vulnerability in the context of domestic abuse](#)).

Rather than simply counting the number of ‘yes’ responses, first responders should apply an element of professional judgment to make an effective risk assessment.

## Compliance

The RMP needs to improve compliance with its DASH processes and make sure that first responders routinely complete DASH forms when they attend domestic abuse incidents. Of the 23 cases we examined where a DASH form should have been completed, only 16 case files (70 percent) included evidence that it was.

The RMP recently conducted more DASH assessment training. The SRT provided a training package to some GPD personnel. And it monitors any units that have lower compliance, so that it can provide training to them. Some personnel have also received DASH assessment update training from [independent domestic violence advisers \(IDVAs\)](#). However, as with most update training in the service police forces, such DASH training isn’t centrally driven and isn’t provided to all first responders.

The additional training, and the requirement for all first responders to send DASH forms to the SRT have been introduced since some of the cases we audited arose.

Consequently, these initiatives may have improved compliance.

The force has recently started monitoring other useful DASH data, including the proportion of DASH forms conducted within 24 hours of the incident and the proportion of DASH assessments scored as standard, medium, and high risk. This is a good development.

We didn't review domestic abuse incidents that were initially attended by the RMP but investigated by CIVPOL, so couldn't determine how often the RMP made DASH assessments in such circumstances.

## Quality

Completing a DASH form isn't enough on its own. The quality of the assessment and personnel's ability to identify risk are both important.

Personnel making risk assessments should know about the possible risk factors for domestic abuse. They should use skill and professional judgment to apply these factors to individual cases. In all cases, personnel should consider the wider context of the relationship and any history of abuse. They should also consider the nature of the incident, which may form part of a pattern of controlling or coercive behaviour.

RMP personnel have received training on [risk factors](#) for domestic abuse and those who have received their JPIC since 2015 have also been trained on controlling or coercive behaviour. But given the problems already highlighted about churn, inexperience and the

infrequency of domestic abuse incidents reported to the RMP, knowledge is not as great as many of their CIVPOL counterparts. We have been told that the quality of initial DASH forms done by RMP first responders is inconsistent, with approximately 30 percent failing to meet the expected quality standards.

We were however, pleased that, in the cases we reviewed, RMP personnel took into account the risks to others, including children, when conducting their DASH risk assessments.

We are also aware of inconsistent local practices throughout the force. In some provost companies, SNCOs or WOs quality assure DASH forms before they are sent to the SRT, while in others this doesn't happen. We were also told that, in at least one provost company, officers don't like personnel taking the form to the incident and expect them to have memorised the questions and complete the answers in their notebook. This is poor practice as it could lessen the likelihood of personnel assessing risk accurately.

### **Area for improvement 7**

The Provost Marshal (Army) should ensure that personnel complete DASH risk assessment forms directly in all domestic abuse cases and monitor the quality of the completed assessments.

## Referral

SRT personnel are responsible for referring [high-risk domestic abuse](#) victims to multi-agency safeguarding meetings. In the UK, such victims are referred to MARACs, and to military safeguarding meetings in cases that occur overseas. This seems to happen where it should, but we have been made aware that the RMP isn't always informed about MARACs relating to Army personnel that are arranged by CIVPOL.

We also found that the RMP generally has a good working relationship with the Army Welfare Service (AWS). In all the cases we reviewed, RMP personnel refer domestic abuse and RASSO victims to AWS where appropriate.

## Positive action – arrest

Police first responders have a duty to take positive action<sup>21</sup> when they deal with incidents of domestic abuse and RASSO. This often means arresting the suspect, if there are grounds for doing so and it is a necessary and proportionate response.<sup>22</sup>

The RMP doctrine clearly sets out this duty, stating that:

“where an offence has been committed in a domestic abuse case, consider whether an arrest may be necessary and proportionate, within the

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<sup>21</sup> See [Authorised Professional Practice: Major investigation and public protection: Arrest and other positive approaches](#), College of Policing.

<sup>22</sup> See [The police response to domestic abuse: An update report](#), HMICFRS, 26 February 2019, p31.

terms of AFA 06 to protect a child or vulnerable person, prevent the suspect causing injury, and/or allow for the prompt and effective investigation of an offence”.

It continues:

“Failure to make an arrest when there are grounds to do so may leave a victim at risk from further offences. It may also mean that the Service Police are vulnerable to legal challenges under both the Human Rights Act 1998 and the law regarding negligence.”<sup>23</sup>

While we found that the RMP made early arrests in many cases we reviewed, we found grounds to make an arrest in several others, where an arrest was either delayed or didn’t happen. This not only puts the victim at greater risk, but also misses opportunities to secure evidence from the suspect, such as a forensic examination. There should be greater emphasis on a positive arrest strategy in domestic abuse and RASSO cases, not only to secure evidence but also to safeguard the victim.

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<sup>23</sup> *Military Police Investigative Doctrine Chapter 18: Domestic Abuse*, RMP, July 2020, p8. Unpublished.

## Recommendation 19

By 1 June 2022, the Provost Marshal (Army) should reinforce and monitor a positive arrest strategy in domestic abuse and RASSO cases, not only to secure evidence but also to safeguard victims.

## Referral to specialist agencies

### ISVA role

ISVAs have an important role in providing specialist tailored support to victims of sexual violence.

The nature of the support varies from case to case depending on the needs of the person and their circumstances. ISVAs give continuity, advocacy and impartial advice and information to a victim. They also give information on other services that victims may need, for instance to help improve their physical and mental health, overcome addiction, or help with questions about social care, housing, or benefits.

In the recent [joint thematic inspection of rape in the criminal justice system](#) we conducted with Her Majesty's Crown Prosecution Service Inspectorate, we found victims of rape are more likely to continue to engage with the police and support an investigation that involves an ISVA. Although we haven't analysed this specifically for cases investigated by service police forces, it would be reasonable to assume that the same would apply in such cases. It is therefore important that the service police refer all RASSO victims to ISVAs.

## IDVA role

IDVAs also have an important role in providing specialist tailored support to victims of domestic abuse. Serving as a victim's primary point of contact, IDVAs normally work with their clients from the point of crisis, to assess the level of risk, discuss the range of suitable options and develop safety plans.

## ISVA and IDVA provision

There is a network of ISVAs and IDVAs throughout the UK that supports service victims of sexual violence. Interviewees felt the level of provision was enough to meet demand.

In some overseas locations, the service police can refer victims to local services who can perform a similar role to UK ISVAs and IDVAs. However, in others there is no ISVA or IDVA or similar services that service police can refer victims to.

### **Area for improvement 8**

The Provost Marshal (Army), in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should ensure that all domestic abuse and RASSO victims are provided with contact details for UK-based IDVAs and ISVAs respectively.

## Guidance and doctrine

*The Guidance on the Investigation and Prosecution of Allegations of Rape and other Serious Sexual Offences (RASSO)*<sup>24</sup> and the *Guidance on the Investigation and Prosecution of Allegations of Domestic Abuse*<sup>25</sup> stipulate that the service police will make sure that victims are referred to local specialist support services, including, where available, ISVAs in RASSO and IDVAs in domestic abuse investigations respectively.

The RMP investigative doctrine doesn't reflect this guidance. Instead of mandating referrals to ISVAs, the domestic abuse chapter of the investigative doctrine includes ISVAs and IDVAs in a list of agencies that "could be considered" by first responders when deciding to which external agencies to refer victims.<sup>26</sup> And the RASSO doctrine implies that the force will work with ISVAs throughout the legal process and beyond, without instructing personnel to refer victims to them.<sup>27</sup>

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<sup>24</sup> Annex C to *Protocol between the Royal Navy Police (RNP), Royal Military Police (RMP) the RAF Police (RAFP) and the Service Prosecuting Authority (SPA) relating to the provision of legal advice during investigations*, 2016. Unpublished.

<sup>25</sup> Annex D to *Protocol between the Royal Navy Police (RNP), Royal Military Police (RMP) the RAF Police (RAFP) and the Service Prosecuting Authority (SPA) relating to the provision of legal advice during investigations*, 2016. Unpublished.

<sup>26</sup> *Military Police Investigative Doctrine Chapter 18: Domestic Abuse*, RMP, July 2020. Unpublished.

<sup>27</sup> *Military Police Investigative Doctrine Chapter 21: Investigation of serious sexual offences and management of those convicted of serious sexual offences*, RMP, August 2020. Unpublished.

There is also no mention of ISVAs or IDVAs in the force's *Sexual Offences First Responder's Log, Aide-Memoire to Chapter 21 – Investigation of Serious Sexual Offences and management of those convicted of sexual offences* or *Sexual Offences Aide-Memoire Quick Point Guide*.

## Compliance

In most but not all cases we reviewed, we found evidence that the RMP referred victims to ISVAs and IDVAs and communicated with advocates during the investigation.

### **Area for improvement 9**

The Provost Marshal (Army) should improve the force's guidance on the use of ISVAs and IDVAs, and monitor compliance with the guidance.

### **Victim support and victim of crime leaflets**

In over 90 percent of the cases we reviewed, the RMP provided victims with a victim of crime leaflet in a timely manner. And the RMP routinely asked victims whether they consented for their details to be passed on to victim support at first contact and forwarded victims' details where appropriate.

## **Separating parties**

The RMP doesn't have the power to instruct suspects to maintain a certain physical distance from victims. However, in practice, responsibility for this lies with COs, who can give suspects lawful orders to avoid contact with victims or move suspects or victims to other units to prevent further offending. In making such decisions, the CO will consider the risk to the victim and assess whether taking such action would reduce the unit's operational capability. The RMP's role in these matters is purely advisory.

For example, the RMP doctrine instructs first responders to incidents where the suspect is living in service family accommodation to consider consulting the suspect's CO about whether the suspect can be temporarily excluded from this accommodation.

We were pleased to find that RMP personnel did this in the relevant cases we reviewed.

However, there are clear limitations to this procedure. If the suspect is a civilian or if the accommodation is private or rented, then the CO can't use powers to exclude. We were told of examples where alternative accommodation was found for victims and suspects were temporarily posted to avert further offending. This is good practice, but we found such measures aren't routinely taken.

In this respect, the RNP differs from the RMP and the RAFP. Where they identify a safeguarding risk,

RNP policy<sup>28</sup> enables RNP personnel to issue a lawful order to the suspect, rather than relying on the CO to do this. The RNP can use these orders to separate parties during an investigation and when a victim doesn't want to make a complaint but wants harassment to stop.

### **Area for improvement 10**

The Provost Marshal (Army) should explore opportunities to equip the RMP with powers similar to those available to the Royal Navy Police, that is, to order suspects to do, or not to do, certain specified things, in furtherance of safeguarding victims, for example, not to approach or make contact with victims.

### **Evaluation**

We found that initial safeguarding by RMP personnel was generally quite good up to and including when they interview the victim.

However, we also heard from victims across the three services about cases where insufficient initial safeguarding was put in place by COs. This led to feelings of insecurity and vulnerability, as well as chance meetings with the suspect in the case.

In addition, intimidation from, and being ostracised by, colleagues was also reported to us.

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<sup>28</sup> *Technical Instruction 13*, RNP. Unpublished – Official Sensitive.

## **The quality of ongoing safeguarding of victims of domestic abuse and RASSO incidents**

We were unable to assess the quality of ongoing safeguarding provided to victims after the initial safeguarding actions were carried out. After the police make initial risk assessments, they should revisit this risk assessment throughout the investigation, including at the points of crime recording, arrest, charge and trial. While we were told that the SRT revises risk assessments frequently, we didn't find evidence of this in most of the cases we reviewed.

### **Recommendation 20**

With immediate effect, the Provost Marshal (Army) should ensure that SRT personnel regularly revise the risk assessments for the cases they are assigned, including at the points of crime recording, arrest, charge and trial.

Assessing the quality of ongoing safeguarding is difficult. Because COs have responsibility for safeguarding and responsibility for specific actions, risk assessments and oversight are largely outside the control of the service police. We are concerned that nobody has oversight of the totality of safeguarding measures different parties conduct in a case.

Many interviewees, including senior officers and managers from the RMP and the AWS, shared this concern and highlighted that nobody has oversight of

the totality of safeguarding measures different parties adopt in a case. As one interviewee explained:

“There is a huge gap in process to bring together those who are involved either around the survivor or the perpetrator. There isn’t anything concrete anywhere to do any of this ... There is no ownership and no co-ordination”.

Since not all safeguarding actions and decisions are recorded or open to review, this could cause problems for the military in any public inquiry or domestic homicide review.

We can’t evaluate how well the units and agencies are safeguarding domestic abuse and RASSO victims or recommend solutions. This is because we don’t have the remit to inspect the actions of commanding officers, VSOs, welfare services, and other relevant individuals and organisations. But there is a risk to victims posed by this lack of a co-ordinated approach to safeguarding and this needs to be addressed. This was brought out in the comments from victims and other interviewees.

The MOD needs to review ongoing safeguarding in the military by all parties, including how victims of domestic abuse and RASSO are safeguarded from the point the incident is reported. It also needs to develop processes to make sure that safeguarding is effective and that there are robust review and oversight procedures in place.

## **Recommendation 21**

By 1 January 2023, the MOD should conduct a review to improve safeguarding in the military by all parties, including how victims of domestic abuse and RASSO are safeguarded. Following such a review, the MOD should develop processes quickly to make sure that safeguarding becomes more effective, and that robust review and oversight procedures are in place.

## 6. Investigations after first response

In this chapter we evaluate the RMP's policies and practices in domestic abuse and RASSO cases when it comes to how well it:

- allocates and investigates cases;
- interviews victims;
- obtains victim personal statements;
- provides investigatory supervision and oversight;
- conducts forensic investigations; and
- provides intelligence support to investigators.

Finally, we assess the quality of decision making in domestic abuse and RASSO cases and the timeliness of such investigations.

# Are cases allocated appropriately and investigated thoroughly?

## Domestic abuse investigations

The following table shows the number of domestic abuse investigations the RMP commenced between 2018 and 2020:

Year	Number of domestic abuse investigations (including Schedule 2 offences)	Number of domestic abuse investigations that didn't include Schedule 2 offences
2018	51	46
2019	43	38
2020	50	46

**Note: Given the difficulties in extracting accurate data from COPPERS and REDCAP, these figures may not be accurate**

All criminal offences reported to the RMP that involve domestic abuse and aren't investigated by other forces should be investigated by the RMP. We aren't aware of any instances where this hasn't happened. But, because of the difficulties in extracting accurate data from COPPERS and REDCAP, we can't confirm this.

Domestic abuse incidents that involve Schedule 2 offences (including RASSO incidents) or were conducted in prescribed circumstances are allocated to the RMP's SIB. GPD personnel investigate most other domestic abuse cases.

There is a grey area though, of domestic abuse incidents that involve serious offences that are neither Schedule 2 nor conducted in prescribed circumstances. We were told that, in these circumstances, there is often a delay in commencing investigations while SIB and GPD NCOs or officers decide which unit will take on the investigation. This is more likely to occur in incidents where GPD personnel fail to record certain important information correctly at first response, because this can make it difficult to determine whether it is an investigation better placed with SIB or with a GPD unit.

We heard examples where victims are kept waiting at the scene, sometimes for many hours, while the first responders wait for this decision to be made. Or, on other occasions, it results in GPD personnel interviewing the victims and then SIB personnel having to repeat this when they arrive. This is unacceptable. The RMP should develop a quicker triage process that takes into account the severity of the incident, the capacity of SIB and GPD resources and the SIB's likely response time.

## Recommendation 22

By 1 June 2022, the Provost Marshal (Army) should develop a quicker triage process to prevent investigations being delayed.

### Investigative quality

Almost all the domestic abuse investigations we reviewed that were conducted by GPD personnel were conducted to an acceptable standard. However, in the previous chapter, we highlighted the variable quality of GPD first response and golden hour investigations (see section 5 above, [Quality of the GPD personnel's golden hour enquiries](#)). The problems that underpin these issues, including inconsistent training, and the inexperience of GPD personnel, equally apply to ongoing investigations. Simply, this is because it is often the same people doing both roles.

Structured and mandatory continuous professional development training would improve this situation. The service police forces should contact the College of Policing about this and should explore whether GPD personnel could receive the [Professionalising Investigation Programme](#) (PIP) level 1 CPD training. This would be useful to help give GPD personnel more training on conducting investigations of any type.

In the reports of our inspections of the RAFP's and the RNP's handling of domestic abuse and RASSO, we have recommended that their SIB units investigate all

domestic abuse cases investigated by those forces. Domestic abuse investigations can be high risk. As SIB investigators are better trained and, in general, more experienced than GPD personnel they have the capability to better fulfil this role. We therefore recommend that the RMP SIB investigates all RMP domestic abuse cases as well.

### **Recommendation 23**

With immediate effect, the Provost Marshal (Army) should instruct the SIB to investigate all criminal domestic abuse cases retained by the RMP.

### **Rape and serious sexual offence investigations**

The following table shows the number of RASSO investigations the RMP commenced between 2017 and 2020:

<b>Year</b>	<b>Number of RASSO investigations</b>
2017	48
2018	36
2019	33
2020	32

**Note: This includes domestic abuse RASSO cases and therefore some cases will appear both on this table and the one above, in the section [Domestic abuse investigations](#)**

This accounts for approximately three quarters of all RASSO investigations conducted by the three service police forces during this period.

All incidents of RASSO reported to the RMP that aren't investigated by other forces must be investigated by the RMP. We aren't aware of any instances of this not happening. But as with domestic abuse, as a result of the difficulties in extracting accurate data from COPPERS and REDCAP, we are unable to confirm this.

All RASSO cases are allocated to the correct investigative unit. The force's investigative doctrine states that RASSO offences are to be investigated by the SIB. We are pleased that the RMP complies with this for RASSO offences. SIB personnel have conducted all the RMP's RASSO investigations started since at least January 2017.

### Investigative quality

During our case file review, we concluded that most investigations were of a comparable or higher quality than in many CIVPOL forces. This is, in part, a result of investigators having a lower caseload than their counterparts in CIVPOL.

### Choice of who investigates cases

Some RASSO victims told us that they would have preferred their investigations to have been conducted by CIVPOL rather than by the RMP.

All service personnel have the right to report serious crimes alleged to have been committed in the UK, including rape and sexual assaults, to CIVPOL as well as the service police. COs are required to ensure this right is widely disseminated, particularly among service police, medical and welfare staff.<sup>29</sup>

We believe that when victims tell service police that they want the case to be investigated by CIVPOL, the service police should do its utmost to facilitate this. According to the victims we interviewed, this doesn't happen. They had all been told that, as military personnel, their cases must be investigated by service police.

We believe that all victims of domestic abuse and RASSO, which often involve serious crimes, should be allowed to choose whether they want the investigation to be conducted by people within the small military community, or from an outside CIVPOL force.

Victims wouldn't know whether they would get a better investigation from CIVPOL or the RMP, so their decision would be based on other factors. But they should still be given the choice.

The RMP has addressed this problem. Its sexual offences investigations log, introduced in August 2020, instructs personnel attending RASSO incidents in the UK, or speaking to victims, to tell them that they have

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<sup>29</sup> *Defence Instruction and Notices 2020DIN01-065*, Ministry of Defence. Unpublished – Official Sensitive.

the right to ask for CIVPOL to investigate their case. This is good practice.

There is no national guidance for CIVPOL forces to ask victims at first response whether they would prefer the service police to investigate when there is concurrent jurisdiction. Offering victims the choice of who investigates their case would give them the same rights as victims of incidents initially attended by service police.

### **Area for improvement 11**

The College of Policing should develop a policy that requires all Home Office police forces to ask all victims, in cases where concurrent jurisdiction exists, whether they want the service police or CIVPOL to investigate.

### **SIB training**

All RMP SIB investigators will have gained experience in GPD units, have had their VCIC course and must have taken the SCIC course to join SIB. The SCIC course has been designed by the military and draws on elements of College of Policing courses adapted to service policing.

All SIB investigators also receive regular online training and training in RASSO on local training days. However, as is often the case with informal training of this kind, it isn't recorded on central training records and local commanders decide what training is given

to whom. As we have highlighted previously, the concept of mission command, which delegates authority for training decisions to local commanders results in inconsistently trained and skilled personnel.

To improve and standardise continuous professional development for specialist investigators, the service police forces should, with the College of Policing, examine whether the SIB could receive the College of Policing's Professionalising Investigation Programme (PIP) level 2 CPD training.

### **Recommendation 24**

By 1 January 2023, service police forces and the College of Policing should establish whether service police personnel could receive College-accredited CPD training, including first responder and Professionalising Investigation Programme (PIP) 1 CPD for GPD personnel and PIP 2 for SIB personnel.

### **Secondments**

In order to become an effective specialist investigator, both experience and training are needed. The force arranges for SIB personnel and officers to take secondments in CIVPOL specialist sexual offences units. These placements give secondees valuable experience of busier specialist units.

## **Tenure**

In the other two service police forces, the service's career managers post personnel into their SIB units for a two to five-year tour. At the end of this tour, they are posted to another role elsewhere in the force, and someone else is rotated in. This limits the level of experience and expertise that personnel can develop, can limit the capability of the units and is inefficient.

In the RMP this doesn't happen. While personnel in the RMP SIB still perform three-year tours, once they are in the SIB regiment, they tend to stay for a sizeable proportion of their career. It is therefore not unusual for an RMP SIB SNCO to spend ten years in investigatory roles.

We recognise that there is an organisational benefit in regularly deploying people out of SIB into GPD units, as happens in the other service police forces. In this model, people leaving SIB can share their knowledge and skills with their GPD colleagues. However, the disadvantages may outweigh the advantages.

## **Interviews**

Interviews of victims are a crucial part of investigating domestic abuse and RASSO offences.

Victims of sexual offences and domestic abuse are entitled to special investigation measures.

These include:

- being interviewed by specially trained professionals;
- having their interviews carried out in specifically-designed or adapted premises;
- the opportunity to have a person of the same gender conduct the interview if they are a victim of sexual violence, gender-based violence, or domestic violence (any request should be met when possible unless doing so would prejudice the proper handling of the investigation); and
- having the same person, where possible, conduct all the interviews (unless doing so would prejudice the proper handling of the investigation).

## **Trained interviewers**

In the cases we reviewed, all RASSO victims were interviewed by appropriately trained personnel.

The RMP's investigative doctrine states that only those investigators who are trained to conduct visual recorded [Achieving Best Evidence](#) (ABE) interviews are qualified to interview victims of RASSO. SRT SOLOs have all received the requisite training and conduct most ABE interviews.

As well as the SRT SOLOs, there are also some SIB personnel who have received ABE training. Those who have received their training in 2020 are permitted to

conduct ABE interview of victims of penetrative RASSO offences.

Our case file review showed that all RASSO victims had been interviewed by trained SOLOs under ABE conditions.

While there is no requirement to have SOLOs at all overseas bases, occasionally SOLOs will be posted overseas as part of normal rotation of staff. In such circumstances, they are permitted to interview RASSO victims. In overseas locations where there aren't SOLOs, SRT personnel deploy to conduct the interview, although interviews can be delayed while awaiting their arrival.

### **Achieving Best Evidence (ABE) interviews**

There is no requirement for the service police forces, or CIVPOL, to conduct ABE interviews for all domestic abuse victims. In service police-led cases, ABE interviews are only mandated in cases where:

- the victim is vulnerable;
- the victim is intimidated;
- the offence warrants an ABE interview (for example, a RASSO offence); or
- the service police use the VNA process to determine whether the victim is either vulnerable or intimidated (the definitions for vulnerable and intimidated victims used in the VNA are in line with those outlined in the Youth Justice and Criminal Evidence Act 1999).

In the case file review, we found that ABE interviews were conducted in all appropriate cases.

In domestic abuse cases that don't need an ABE interview, GPD personnel can interview the victim once they have taken their basic interview training course.

### Appropriate premises

In all the cases we reviewed, RASSO victims were interviewed in locations that have the equipment needed for interviews in line with ABE.

In the UK, the RMP has its own ABE suites, specially designed for this purpose. RMP personnel can also access CIVPOL ABE suites, but this isn't often needed.

The RMP's doctrine states that interviews taken overseas should take place at specialist interview facilities, where available.<sup>30</sup> Procedure differs throughout the world. In some locations:

- the RMP has specialist ABE suites;
- the RMP can use local law enforcement agencies' facilities; or
- there are no specialist units. While finding suitable accommodation can be more challenging at these places, RMP personnel have mobile kits which include all the equipment they need to conduct video-recorded ABE interviews.

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<sup>30</sup> *Military Police Investigative Doctrine Chapter 21: Investigation of serious sexual offences and management of those convicted of serious sexual offences*, RMP, August 2020. Unpublished.

## Gender of the interviewer

The RMP doesn't always offer victims of RASSO offences the opportunity to be interviewed by someone of the same gender.

Most of the SRT's SOLOs are women. In RASSO cases with male victims SRT personnel don't ask male victims whether they want to speak to a male or female SOLO. SOLOs told us that, in such cases, they ask the victim if they are content to speak to them. This is to manage expectations, as the SRT can't promise the victim that they can speak to someone of the same gender. To mitigate the impact of this, a male RMP will accompany the female SOLOs in cases where a male SOLO isn't available. This might help, but isn't an ideal solution, as male RASSO victims may still be hesitant in being interviewed by a female.

## Conduct of interviews

Some of the RASSO victims we interviewed from other services told us that their ABE interviews were arduous experiences, with long days of interviews and limited breaks. Some of the victims also felt that investigators could be more caring in the way they conduct the interviews.

Interviews are traumatic experiences for victims, who have to relive their experiences. Investigators from all service police forces should look after victim wellbeing during interviews and try to keep the effect on the victim to a minimum.

## **All victims – victim’s entitlement to be accompanied at interview**

[JSP 839](#) includes other guidance for victim interviews including:

“You should allow the victim to be accompanied by a person of their choice unless you make a reasoned decision to the contrary. Any person that the victim wishes to accompany them must not have been involved in or a witness to the offence ... [this isn’t to] help them in providing the account.” (paragraph 5.8(f))

This isn’t reflected in the force’s investigative doctrine and there is evidence that victims were accompanied in only a small proportion of cases we reviewed. Having a friend accompany them in such a traumatic procedure can provide valuable emotional support.

### **Recommendation 25**

By 1 June 2022, the Provost Marshal (Army) should update the RMP investigative doctrine to reflect JSP 839’s guidance on allowing victims to be accompanied by a person of their choice.

## **Victim personal statement**

The RMP doesn’t give all domestic abuse and RASSO victims the opportunity to make a victim personal statement (VPS). It should always give such victims this opportunity.

[JSP 839](#) instructs the service police that they must “offer all victims the opportunity to make a VPS when they make their initial statement of complaint” (page 23). Making a VPS gives the victim an opportunity to describe the wider effects that the crime has had on them, express their concerns and say whether or not they need any support.

The RMP has produced guidance about the VPS scheme for its personnel. It reflects the guidance set out in JSP 839, which states that the victim will be given the chance to make a VPS when a witness or evidential statement is taken. It also establishes that the victim will have the opportunity to make a further statement at any time before the suspect appears at court.<sup>31</sup>

Despite this, the RMP’s compliance with its VPS obligations needs to improve. In almost half of the RASSO cases we examined, there was no record of the RMP offering victims the opportunity to make a VPS. This was also the case in a quarter of the non-RASSO domestic abuse cases we examined.

## **Area for improvement 12**

The Provost Marshal (Army) should ensure that investigators give victims the opportunity to make a victim personal statement in all appropriate cases.

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<sup>31</sup> *AP1722 Part 3, Chapter 4: Victims and Witnesses, section 1: Victims of Crime and Victim Personal Statement Scheme, para 24. Unpublished. Official – Sensitive.*

# Investigatory supervision and oversight

It is important that supervisors or managers give personnel conducting investigations the direction they need. In every case, this should be stated in an investigation strategy that outlines clear aims, objectives, and action. Personnel should be given direction throughout the course of investigations, through structured supervisory reviews and continuing oversight.

## Investigation strategies

A comprehensive investigation strategy that is developed at the start of enquiries, kept updated, and subject to supervisory review helps investigators follow all lines of enquiry. It also helps bring the investigation to a swift conclusion.

The force's investigative doctrine clearly states that investigators should generate an investigation strategy at the start of every investigation. The strategy should be updated, as necessary, until the point at which an investigation has been fully concluded. It should also be "reviewed by the chain of command once initially generated, and then periodically and following significant events throughout the investigation".<sup>32</sup>

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<sup>32</sup> *Military Police Investigative Doctrine Chapter 9: Recording and reporting of offences*, RMP, October 2020. Unpublished.

In our crime file review, we found that RMP GPD personnel and SIB investigators routinely produce investigation strategies at the outset of domestic abuse and RASSO investigations.

In all the SIB RASSO cases we examined, investigators had regularly updated the strategies, had outlined all appropriate lines of enquiry, and had detailed the rationale for them. We found the same in almost all the GPD personnel's domestic abuse cases we reviewed.

However, we found that strategies in complex investigations could be improved. CIVPOL use policy books to set out overarching strategies and decision-making policy in complex investigations. RMP investigators don't routinely use policy books and we found that overarching strategies and decision-making policies for important areas aren't in place in such investigations.

### **Area for improvement 13**

The Provost Marshal (Army) should make sure that senior investigating officers use policy books in linked series and complex cases.

### **Digital strategies**

In domestic abuse and RASSO investigations, following reasonable lines of enquiry often involves obtaining and analysing communication data from digital devices belonging to the suspect, the victim, and sometimes third parties.

Investigators should only seize digital devices if it is necessary and proportionate to do so. To facilitate this, they should create a digital investigation strategy in which they carefully consider the facts of a case to decide which devices they need to seize and what information they want to examine. A blanket approach, whereby investigators seize all digital devices from victims and suspects and seek to examine everything on them, isn't always efficient. As the Court of Appeal found in *Bater-James and Another [2020] EWCA Crim 790*, "the loss of such a device for any period of time may itself be an intrusion into [...] private life, even apart from considerations of privacy with respect to the contents".<sup>33</sup>

In our crime file review, we found that while some RMP cases included digital investigation strategies, in most instances these were just generic documents.

RMP investigators don't give enough consideration to how digital investigation would help the specific case they are working on. Consequently, in most cases they tend to go out and seize victims', witnesses' and suspects' mobile phones, because that is what they have been told to do. This happens whether or not the devices' seizure and examination is advisable.

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<sup>33</sup> Quoted in [Rape and Sexual Offences – Chapter 3: Case Building](#), Crown Prosecution Service.

## Area for improvement 14

The Provost Marshal (Army) should introduce formal digital investigation strategy training for investigators to help them better understand when they should seize and examine digital devices.

### Media and social media strategies

The development of media and social media strategies are important elements of the investigation process and can be crucial for public appeals, minimising community impact and maintaining public confidence. Not developing these strategies can also seriously hamper investigators' abilities when it comes to developing a full investigative strategy in the future.

In our case file review, we found no evidence of a media or a social media strategy being produced for any investigation.

While the RMP has a communications officer, who advises on press releases, the RMP is subordinate to Army media communications and Defence directorate of communications who approve release of press releases. Consequently, RMP investigators don't produce media strategies for their cases, as they are unable to engage with the media as they would like. They therefore don't produce media strategies for their cases. SIB personnel, including senior officers, told us of their frustration with this situation. They said they feel

hamstrung as there are “so many hoops to jump through to get media”.

They told us of cases where media appeals could potentially have found other victims or offences linked to their investigations. They also explained that when they have sought to use Crimestoppers for media appeal purposes, it took a year to get it agreed by the Army.

If the force had its own press officer, it could also promote the RMP’s successful investigations. This, in turn would likely improve the force’s reputation and could encourage increased reporting from victims. We heard from RMP officers that they felt that, as one described it: “Our successes are failures for the Army, so they don’t promote the successes.”

## **Recommendation 26**

By 1 June 2022, the MOD should agree procedures with the Provost Marshal (Army) for the RMP’s direct access to the media, so that they can use it to support an investigation (for example, via appeals for information) and to publicise prevention messages.

## **Supervision**

Most of the investigations we reviewed were subject to robust supervision and oversight. But practices vary between units and, in some units, supervisors' and managers' workloads limit their ability to conduct frequent structured reviews. And the skills and experience of those providing oversight are also variable.

The RMP's investigative doctrine doesn't stipulate how often supervisors should review investigations.

Unsurprisingly, we found inconsistencies in the frequency of formal supervisory reviews, with some being conducted seven days after case initiation and others after two weeks. Similarly, managerial reviews, conducted by SIB section OCs, or on their behalf by warrant officers, tend to occur at 14 or 28 days.

Some personnel at these ranks in busy sections, and in companies or units with significant personnel gaps, told us that they don't have time to conduct formal reviews of all cases. But they said they would maintain a working knowledge of all ongoing investigations.

This is reflected in what we saw in our case file review. In almost all the cases we reviewed, there was evidence that supervisors and managers regularly reviewed investigation strategies. But this didn't always happen. There was no apparent oversight of the investigation strategy for one RASSO case. And in one domestic abuse case and one RASSO case,

supervisors had reviewed the strategies, but managers hadn't.

For penetrative RASSO offences, the RMP's investigative doctrine stipulates that all such investigations must be submitted to the RMP review team between the 21st and 28th day from the point of the incident being reported to the RMP. This enables the RMP review team to check that the investigation has been reviewed and lines of enquiry have been identified and actioned.<sup>34</sup>

We found that this isn't happening. The RMP review team lacks the capacity to conduct this role. Instead, the team only conducts 28-day reviews for those RASSO cases where the offender isn't known, and for specific cases referred to them.

If supervisors and managers are conducting robust, timely, case reviews, then mandating the RMP review team to conduct a further review of all RASSO cases seems unnecessary. However, the force should make sure that all cases involve supervisory and managerial review.

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<sup>34</sup> *Military Police Investigative Doctrine Chapter 21: Investigation of serious sexual offences and management of those convicted of serious sexual offences*, RMP, August 2020. Unpublished.

## Area for improvement 15

The Provost Marshal (Army) should ensure that supervisors and managers conduct robust oversight of all investigation strategies at defined intervals.

All the supervisory and managerial reviews we examined were of a high standard and gave investigative advice or guidance for investigators where appropriate.

In addition to formal reviews, there are supervisory and assurance processes at various levels through the chain of command. In addition to first line supervision, there is also assurance at regimental, company and section level, and regular meetings are held to give commanders updates about all ongoing investigations. Local commanders are given delegated authority to set their local assurance processes, so they differ from unit to unit, but the ones we are aware of sound robust.<sup>35</sup>

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<sup>35</sup> Strategic assurance is also provided by the PPI process and the RMP review team and SIB and GPD processes (see section 2 above, [Strategic leadership and governance](#)).

## Training

### SIB supervisors and officers

All the RMP's commissioned officers receive management of investigation training as part of the officer training package. They also receive regular training in post, although this varies from section to section. All SIB officers also receive specialist training, which includes training on RASSO investigations.

However, gaining experience and preventing skill fade between postings can be difficult. At commissioned officer level, direct entry officers don't usually have investigatory experience. And officers who have been commissioned from the ranks have often been out of investigation or policing roles for a long time.

In one SIB company, two of the section commanders had been out of the regiment for three or more years and the third had never been posted to the SIB previously. In GPD units, it is possible for an officer to be posted to a policing unit having not been in a policing role for many years.

In one SIB company, officers returning to the unit are given a morning's refresher training by company command. This is a local initiative, however, and there is no structured refresher training for officers re-joining SIB or GPD policing roles.

## GPD supervisors and officers

As highlighted above, supervisors' and managers' experience and skills vary throughout GPD units and skill fade is a problem.

Each GPD company has a warrant officer class one (WO1) who is appointed as WO Policing, and as the senior soldier, has a central role in overseeing investigations. As with all WO roles, this is a two-year posting. If WOs were in post longer, this could help maintain stability and corporate memory and provide a better service if they were in one location for three to four years. As one WO explained: "It takes three to six months to get your feet under the table and by the time you are confident, you switch mental focus to the next role."

Given the importance of the WO1 role, we also believe that those posted into it should have suitable policing experience.

## Forensic investigations

Forensic evidence plays an important part in investigations of domestic abuse and RASSO.

Examining the victim, the scene of the crime and the suspect can prove or disprove who was involved and help determine what happened.

The MOD guidance to COs and victims<sup>36</sup> outlines how forensic evidence can be preserved, how a sexual assault referral clinic (SARC) can support a victim and how such arrangements work overseas.

The RMP policy reiterates the MOD guidance giving extra detail about scene preservation and crime scene investigators (CSIs), how and when SARCs can be used, as well as the use of early evidence kits.

We found that not all personnel that we spoke to had been trained in their use.

### **Area for improvement 16**

The Provost Marshal (Army) should ensure that all relevant personnel receive training to use early evidence kits.

### **Crime scene investigators**

The collection of forensic evidence should be done by specially trained CSIs.

The RMP Scientific Support Unit (SSU) consists of 15 CSIs deployed at four Scientific Support Hubs (SSH) across the UK. The SSU is overseen by the scientific support manager. At the time of our inspection, there were three qualified crime scene managers employed within the SSU. There are always 2 CSIs on call 24/7 at

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<sup>36</sup> 2014DIN01-209 *Guidance to commanding officers and victims when dealing with allegations of serious criminal offences including sexual offences*, Ministry of Defence. Available as Annex B to [JSP 839](#).

the SSU to support all criminal and coronial investigations overseas.

We were told of significant delays in CSIs attending some crime scenes owing to distance. This is exacerbated when additional scenes need to be examined in other parts of the UK. In some cases, evidence was lost or degraded because of these delays.

In an attempt to mitigate this, CSIs give telephone advice to units on how best to preserve evidence and we found that units have equipment to collect and store evidence. All RMP investigators have had some forensic evidence training and some have completed CSI training. Despite this, there were still occasional delays in trained CSIs attending scenes.

All SSHs have EEKs (early evidence kits) and forensic medical examination kits (FMEKs). CSIs are trained on how to use these kits as part of their CSI course.

All SSU and CSIs have received sufficient training. However, the low numbers of domestic abuse and RASSO crimes needing forensic examination meant that their experience was limited.

Using CIVPOL CSIs, especially in places furthest from the SSHs, would reduce response times of CSIs, and secondments of RMP CSIs into CIVPOL would improve skills and experience.

## **Area for improvement 17**

The Provost Marshal (Army), in conjunction with the Provost Marshal (Navy), the Provost Marshal (RAF) and the National Police Chiefs' Council (NPCC) lead for forensics should establish procedures for Home Office police force crime scene investigators (CSIs) to support RMP investigations and to provide opportunities for RMP CSIs to gain further operational forensic experience.

The RMP and the RNP have a joint contract with a private company that provides fingerprint analysis. This arrangement appears to be working well, with timely turnaround of analysis.

### **Forensic medical examiners and sexual assault referral centres**

Forensic medical examiners (FMEs) are specifically trained to examine victims of RASSO at SARCs. Unlike UK CIVPOL, the RMP doesn't have FMEs. In the UK, the RMP relies on agreements with CIVPOL to provide these specialist services. This seems to be an efficient and effective arrangement.

We were told that it is difficult and sometimes impossible for RMP personnel to gain access to FME and SARC facilities when they are deployed outside the UK. In Cyprus and Germany, the use of a SARC-type facility is more of a possibility. However, in other locations, including Africa and conflict zones, the

force relies on Army Medical Service (AMS) doctors to conduct forensic medical examinations. While AMS doctors receive some training on EEKs and FME kits on the postgraduate medical officers' course, they are not trained to the FME standard.

The *Process audit of domestic abuse and serious sexual offences investigated by the service police* highlighted this problem and stated:

“There are no trained Forensic Medical Examiners (FME) in any of the Services Medical Units.

Forensic examinations of a victim may be conducted by a Service Doctor/Medic, utilising a Medical Evidence Kit (MEK) or an Early Evidence Kit ... On some occasions, the service police Officer has directed the Medic, or taken non-intimate samples themselves.

This is not good practice. Allegations of Rape and Serious Sexual Assault can, on occasions, be contested on the basis of consent. Clearly, without a qualified doctor conducting a thorough forensic examination, vital corroborative evidence could be missed.” (page 103)

The RMP has engaged with the AMS to resolve this problem, but progress has not been made.

## **Recommendation 27**

By 1 January 2023, the Army Surgeon General, in conjunction with the Provost Marshal (Army) should ensure that accredited FMEs are available in all major overseas locations.

### **Digital forensics**

As we mentioned earlier (digital investigation strategies), in many investigations, digital devices such as mobile phones, tablets and computers can hold important evidence. This is particularly true for domestic abuse and RASSO. Communication in intimate relationships often takes place using digital devices, and they are often used in making threats, intimidation, control, and in making, sending and storing sexual images. The RMP investigative doctrine directs how such evidence should be collected.

The RMP uses the service police cyber-crime centre (SP3C), which is a department within specialist operations regiment RMP, to provide digital forensic investigation and recovery support. The centre has 1 digital forensic manager and 12 digital forensic investigators (DFIs).

SP3C prioritises devices for examination, with serious offences taking priority. DFIs advise SIB and GPD personnel which devices are likely to contain the best evidence and should be seized at a crime scene.

Once the seized devices have been processed by SP3C, the SIB or GPD lead investigator visits the unit to do an early case assessment. This involves them sifting through the data that has been downloaded from the device by the DFIs to identify evidence of the offence that needs further examination. SP3C later completes a report that can be added to the investigation case file. This is good practice.

Our case file review also found evidence of delays caused by waiting on digital forensic submissions. However, this had improved during 2020 and by the time of our fieldwork, SP3C was routinely starting work on cases within 41 days of submission.

All investigational delay over 100 days is briefed into force headquarters by CO Specialist operations regiment RMP via the bi-monthly crime executive group meeting, chaired by the Provost Marshal (Army).

In most, but not all, rape and domestic abuse cases, investigators need to examine the victim's mobile phone.<sup>37</sup> When it is needed "the investigators should consider whether the digital material can be reviewed without taking possession of the device. If a more

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<sup>37</sup> Exceptions may include RASSO offences conducted by strangers and some historical offences.

extensive enquiry is necessary, the contents of the device should be downloaded with the minimum inconvenience to the victim and, if possible, returned without any unnecessary delay”.<sup>38</sup> Victims from the three armed services told us that this doesn’t always happen. Examples included:

- investigators seizing a victim’s phone before they had the chance to write down the number phone numbers of friends or family they needed to contact; and
- delays in digital forensics resulting in victims often waiting many months, and sometimes over a year, for the return of their devices.

CIVPOL have introduced equipment and facilities in police stations, commonly known as ‘cyber kiosks’. These allow officers to access and download material held on mobile digital devices without having to refer to the high-tech crime unit, thus speeding up the process. We recommend that the service police implement similar technology.

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<sup>38</sup> [Rape and Sexual Offences – Chapter 3: Case Building](#), Crown Prosecution Service.

## **Recommendation 28**

By 1 January 2023, the Provost Marshal (Army), in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should introduce the capability (on a shared or individual basis) to quickly access and download material held on mobile digital devices.

## **Intelligence support for investigations**

Force intelligence bureau (FIB) personnel provide access to intelligence for investigators through the Police National Computer and Database (PNC/D) building suspect and victim profiles, including communications data and guidance from the National Crime Agency.

### **Passing on information from investigations to other forces**

Details of service police investigations held on REDCAP are uploaded to the PNC/D every day. This gives CIVPOL useful information in the event they encounter military personnel. However, REDCAP uses a separate operating system from the service police intelligence system. There is no interface between the two systems, which limits effectiveness. The new integrated ICT system (mentioned earlier) is likely to resolve this issue.

# Outcomes and quality of decision making about case progression

There are several possible outcomes for a service police investigation. It can:

- be discontinued by the police;
- be discontinued ('non-directed') by the prosecutor; or
- result in a charge for the offence referred, or an alternative offence.

Only a small proportion of domestic abuse and RASSO reports that CIVPOL or the service police receive results in a charge. And only a proportion of these end in conviction. This is a problem of significant public interest.

Of those domestic abuse-related crimes investigated by service police forces in 2018 and 2019 in England and Wales, at least 40 percent resulted in a suspect being charged.<sup>39</sup> This is considerably higher than the charge rate in the civilian criminal justice system. In the year to March 2020, 12 percent<sup>40</sup> of domestic abuse-related crimes recorded to CIVPOL in England and Wales resulted in a charge, or out-of-court action (such as cautions and community resolutions).

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<sup>39</sup> Some of these investigations are still ongoing and have not reached charging decision.

<sup>40</sup> [Domestic abuse and the criminal justice system, England and Wales: November 2020 - Appendix tables](#), Office for National Statistics, table 3.

Proportionally more RASSO cases investigated by service police result in charge than is the case for CIVPOL investigations. At least 35 percent of service police RASSO investigations conducted in 2018 and 2019 resulted in a charge,<sup>41</sup> while only about 4 percent of rapes reported to CIVPOL resulted in charge.<sup>42</sup> While a comparatively high proportion of domestic abuse and RASSO offences reported to service police forces result in a charge, a charge still doesn't happen in 33 percent of cases.

The only cases in which the police can take no further action (NFA) are those that don't meet the evidential standard for them to refer a suspect to the prosecutor for charge. The service justice system and the civilian criminal justice system apply different tests to determine whether a case meets this standard. In the service justice system, the police have to refer to the SPA all cases that meet the criteria established in its 'Evidential Sufficiency Test':

“(a) a service policeman considers that there is sufficient evidence to charge a person with a service offence that is not a CO offence,<sup>43</sup> or

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<sup>41</sup> Some of these investigations are still ongoing and have not reached charging decision.

<sup>42</sup> [\*A joint thematic inspection of the police and Crown Prosecution Service's response to rape – Phase one: From report to police or CPS decision to take no further action\*](#), HMICFRS and HMCPSI, 16 July 2021, p13.

<sup>43</sup> A schedule 1 offence that can be dealt with by a commanding officer.

(b) a service policeman considers that there is sufficient evidence to charge a person with a service offence that is a CO offence and is aware of circumstances of a description prescribed by regulations under section 128 for the purposes of this paragraph.” ([Armed Forces Act 2006 116 \(2\)](#))

This is a lower standard of proof than the Evidential Sufficiency Test used by civilian police forces.<sup>44</sup>

If identical cases were investigated by both the service police and civilian police, the civilian police would discontinue some cases in accordance with their test, while the service police would refer them to prosecutors. Consequently, no accurate comparison can be made between the proportion of domestic abuse and RASSO cases discontinued by the civilian police and the service police.

With RASSO cases, there is another difference between the service and civilian systems. Civilian police forces are expected to make the decision to take no further action on a RASSO case that clearly can't and won't be able to meet the appropriate evidential standard. However, the RMP has a legal duty to consult the SPA before discontinuing almost any case<sup>45</sup> where it is been suspected, at any stage, that a RASSO offence (or any Schedule 2 offence) has

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<sup>44</sup> See [The Code for Crown Prosecutors](#), Crown Prosecution Service, paras 4.1–5.11.

<sup>45</sup> The exception to this is historic investigations, where the reported offence occurred prior to the passing of the Armed Forces Act 2006.

been committed.<sup>46</sup> Our case file review didn't find evidence that the RMP routinely consulted the SPA in all RASSO cases it discontinued.

### **Area for improvement 18**

The Provost Marshal (Army) should:

- remind investigators of the legal requirement for consultation with the SPA in all RASSO cases before discontinuation; and
- monitor investigators' compliance with the legal requirement.

There is no legal requirement for service police investigators to consult the SPA before discontinuing domestic abuse cases that aren't otherwise classified as Schedule 2 offences, although this does happen in some cases.

In all the force's domestic abuse case files we reviewed, the police decision to take no further action was appropriate. The rationale for doing so was appropriately recorded in all the domestic abuse case files we reviewed. And in all cases where the RMP consulted the SPA before deciding to NFA the case, it did so in a timely manner.

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<sup>46</sup> [Armed Forces Act 2006 s116 \(4-4a\)](#).

## **Communicating the decision to take no further action to the victim and victims' right to review**

It is important that decisions to take no further action are explained sensitively to victims. The way a decision is communicated can greatly affect whether a victim understands and can come to terms with a decision.

The Victims' Right to Review Scheme enables victims to seek a review of a police or prosecutor's decision not to bring charges. The scheme was introduced in June 2013 for SPA decisions and extended to cover police decisions in November 2015. The MOD produced *Guidance on the Service Police Victim Right to Review Scheme*. The RMP, and the other service police forces have incorporated this into their doctrine and policy.

Under the guidance, service police must write to victims in qualifying cases to explain there hasn't been a referral to the SPA in their case and to tell them of their right to request a review of the decision.<sup>47</sup> In our case file review, we found that the RMP complied with this in most, but not all, cases.

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<sup>47</sup> *Guidance on the Service Police Victim Right to Review Scheme*, Ministry of Defence, para 3.1.

## Cases discontinued by the SPA

We don't have the remit to inspect the SPA and can't review whether they are discontinuing appropriately.

Our recent [joint thematic inspection of the police and Crown Prosecution Service's \(CPS\) response to rape](#) found that in most cases examined, the CPS decisions not to charge were in line with the [Code for Crown Prosecutors](#) Test. So, it is possible that this may also be the case in the service justice system. The SPA isn't subject to statutory inspection, although it can invite Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI) to inspect its processes. There are distinct benefits in investigating and prosecuting agencies being subject to independent inspection.

There are three specific questions we examined relating to cases that weren't directed by the SPA because they affect service police responsibilities. These are:

- whether the SPA consults the police before discontinuing cases;
- whether the police were given the chance to appeal the SPA decisions; and
- how the SPA and the police give victims the right to right to review the decision to discontinue cases.

## Consultation with police prior to discontinuing cases

In the civilian justice system, CPS prosecutors should consult the police if the prosecutor is planning to terminate all or part of a case.<sup>48</sup> This provides an opportunity for the police to give more information that may affect the prosecutor's decision, such as extra witness statements that resolve evidential problems, or background information not included in the file that may have a bearing on the public interest.

## Domestic abuse cases

There is a similar duty for SPA prosecutors in domestic abuse cases. *The Guidance on the Investigation and Prosecution of Allegations of Domestic Abuse* states:

“Where the prosecutor proposes to discontinue the case or substantially reduce the charge the prosecutor will consult with the Service Police to ensure that there is no further action that can be taken.”<sup>49</sup>

This isn't happening in all cases.

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<sup>48</sup> The exceptions to this are:

- (1) the acceptance of pleas where charges were preferred in the alternative;
- (2) minor adjustments which don't go to the substance of the case, and which are unlikely to affect disposal or penalty; and
- (3) where local agreements specify that consultation is unnecessary.

<sup>49</sup> *Guidance on the Investigation and Prosecution of Allegations of Domestic Abuse* (annex D to 2014DIN01-209).

## Non-domestic abuse cases

SPA prosecutors don't have to consult with the service police before discontinuing other cases and we were told by SIB personnel throughout all three forces that they aren't consulted in such cases.

## Appeals to SPA decisions

In the civilian justice system, the police can appeal any decision made by a CPS prosecutor after a case is referred.<sup>50</sup> In the service justice system, service police haven't been granted the right to do the same. Consequently, the SPA and service police are unlikely to discuss and revise a decision, which ultimately could affect whether a victim receives justice or not.

## Victims' Right to Review

The SPA's obligations under the scheme are set out in its [Victim's Right to Review Policy](#). The policy states that:

“Victims will be notified of any qualifying decision and, briefly, the reasons for that decision. The notification will indicate that the victim is eligible to seek a review under the VRR scheme and to whom they should direct their request.”  
(paragraph 8)

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<sup>50</sup> [Charging \(The Director's Guidance\) – sixth edition](#), Crown Prosecution Service, para 4.31.

But it is unclear whether the SPA or someone else should notify the victim. Joint SPA and service police guidance on investigating and prosecuting domestic abuse cases says that the SPA should “personally deliver an explanatory letter to the victim which also informs the victim of their right to a review of the decision”.<sup>51</sup> But there isn’t corresponding guidance for other types of cases.

We have been told that, in some RASSO cases, the SPA instructs service police SOLOs to send the letter to the victim, as they are assumed to have a rapport with the victim and are better placed to give the news. In other RASSO cases, the SPA issues the letter. We have also heard that in some non-RASSO cases, the CO, or a victim liaison officer (VLO) is given the task.

Without clear responsibilities for this role, there is the potential that decisions aren’t communicated to some victims and their rights are consequently not explained to them or are overlooked. We believe that the SPA is best placed to inform victims if they are discontinuing their case and to inform them of their right to seek a review of the decision.

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<sup>51</sup> SP/SPA Protocol: Annex – *Guidance on the Investigation and Prosecution of Allegations of Domestic Abuse*, para 34.

## Recommendation 29

With immediate effect, the Director of Service Prosecutions should ensure that the SPA:

- informs victims if it decides to discontinue their case; and
- informs victims of their right to seek a review of its decision to discontinue.

## Timeliness of investigations

Criminal investigations should be thorough, but they should also be conducted as quickly as reasonably possible, without unnecessary delays. When a case takes an unnecessarily long time to reach a conclusion, it is unfair to the victim and may add to their distress. This can also undermine trust in the system. Delays in service investigations and prosecutions can also “reduce the quality of evidence, undermine the morale of individuals and units, distract service personnel from their duties and impact on operational effectiveness”.<sup>52</sup>

Investigations can be delayed for many reasons. Many more serious cases often need forensic testing and analysis of physical evidence, for medical evidence and third-party data to be examined and for digital data to be recorded and reviewed. As stated in the [Service Justice System Review \(Part 2\)](#): “These actions,

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<sup>52</sup> [Practice in the Service Courts Collected Memoranda: Memorandum 13. Better Case Management in the Court Martial – BCM\(CM\)](#), Office of the Judge Advocate General, 2016, para 13.1.

dependant as they are on other authorities, necessarily delay the process of referral and aren't under the control of the SP.”

We were told that there are occasionally delays in getting witness statements. This has happened in situations where COs haven't encouraged their personnel to report to service police and provide statements, and where personnel have been posted to other countries.

There is also the potential for avoidable delays as a result of poor investigatory practice, unnecessary requirements being posed by prosecutors and investigators making unnecessary enquiries.

### **Better case management**

To reduce delays in bringing cases to a conclusion, the Office of the Judge Advocate General introduced Better Case Management in the Court Martial (BCM(CM)), as set out in [Memorandum 13 Better Case Management in the Court Martial – BCM\(CM\) 2016](#). This was later amended by [Memorandum 3 Better Case Management in the Court Martial – BCM\(CM\) 2020](#).

To achieve better case management, the service police have to “ensure that investigations are concluded more expeditiously, that time isn't wasted on unnecessary work, and that case files are built according to the needs of the case”.<sup>53</sup>

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<sup>53</sup> As before, para 13.5.

To this end, rather than sending a comprehensive case file to prosecutors for every case, BCM(CM) instructs the service police to send a report to the SPA containing the initial details of the prosecution case<sup>54</sup> once the evidential standard test has been met, with a target in straightforward cases of 21 days after the offence being detected or reported.<sup>55</sup> The [2020 memorandum](#) is clear that BCM(CM) applies to all straightforward cases and that “a serious case such as a rape where consent is the sole issue will often be straightforward” (paragraph 1.2). Complex cases and those needing forensic or expert evidence in the initial investigation aren’t bound by BCM(CM) and are likely to need a bespoke approach.

The [2020 memorandum](#) also stipulates that submitting the initial detail of the prosecution case to the CO or the SPA shouldn’t be delayed for:

- full transcripts of ABE interviews to be prepared; handwritten summaries written by the monitoring officer during the interview will suffice at this stage;

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<sup>54</sup> The IDPC must include:

- the Service Police Case Referral (SPCR) which will include a summary of the circumstances of the offence and any account given by the defendant in interview, whether contained in that summary or in another document;
- any available supporting statements;
- previous convictions and disciplinary record;
- CCTV if available; and
- any other documents which are then available upon which the prosecution intend to rely.

<sup>55</sup> [Memorandum 3 Better Case Management in the Court Martial – BCM\(CM\)](#), Office of the Judge Advocate General, 2020, para 1.5.

- full transcripts of interviews under caution to be prepared; a summary reflecting the suspect's account will suffice at this stage; legible handwritten witness statements are acceptable;
- continuity statements or statements producing interviews, exhibits or dealing with arrest, photographs etc; and
- medical evidence (unless crucial to deciding the level of charge); an indication of likely medical evidence will be contained in the referral; it also outlines what the SPA has to do to expedite cases (paragraph 2.4).

All three service police forces have adopted BCM(CM) and it forms part of the RMP's investigative doctrine.<sup>56</sup> This chapter of the doctrine was last revised in 2016 and the force should update it to reflect the changes made by the 2020 memorandum.

### **Recommendation 30**

By 1 June 2022, the Provost Marshal (Army) should update the RMP's investigative doctrine to reflect the changes made to Better Case Management (BCM).

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<sup>56</sup> *Military Police Investigative Doctrine Chapter 2: Better case management*, RMP, December 2016. Unpublished.

## Complying with BCM

Our case file review showed that BCM isn't being followed in many domestic abuse and RASSO investigations. Many service police investigators told us that they don't follow BCM because SPA prosecutors request full files in all cases so they can assess all the evidence before deciding on a charge. While a few investigators told us that prosecutors accepted BCM compliant files in some straightforward cases, this seems to only happen in a few cases.

As we don't have the remit to inspect the SPA, we suggest that any future inspection of the SPA's prosecution of domestic abuse and RASSO cases examine this issue.

## Timeliness post-referral

During the inspection, many interviewees from all three service police forces told us that frequent delays occur once cases have been referred to the SPA. We can't mandate the SPA to give us data on the timeliness of cases, so we can't substantiate or refute these claims. To provide swift justice, all elements of the service justice system must operate in a timely manner. Therefore, this should form part of the multi-agency review of how the service justice system investigates and prosecutes sexual offending and domestic abuse.

# 7. Victim contact

## Victim contact during the course of the investigation

### Statutory instruction and guidance

The Armed Forces Code of Practice for Victims of Crime (the Code) entitles “all victims to be informed of events as the investigation and any subsequent judicial proceedings into their case progresses”.<sup>57</sup>

The accompanying guidance to the Code – JSP 839 Victim Services – instructs the service police to update victims on the investigation at intervals agreed with them, and to tell victims about specific events during the course of the investigation. Such events include:

- the arrest of a suspect;
- the release of the suspect from pre-charge custody;<sup>58</sup>
- any decision to cease the investigation;
- any decision to refer or not to refer the case to the commanding officer or Director of Service Prosecutions; and
- the referral of the suspect for charge.

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<sup>57</sup> JSP 839 Victims' Services, para 5.10.

<sup>58</sup> In the Service Justice System, this is known as custody without charge.

## **RMP instruction and doctrine**

These entitlements are broadly reflected in the RMP's investigative doctrine. Chapter 17 (victim and witness care) refers readers to the Code's requirement for the service police to agree the means and frequency of contact with the victim. It also goes further, recommending that after initial contact with a victim, RMP personnel arrange a follow-up call during which the victim's wishes and requirements are finalised.<sup>59</sup>

In non-RASSO domestic abuse cases, investigators are responsible for updating victims about the investigation. However, in RASSO cases, it is the SOLO, not the investigator, who is responsible for conducting victim updates.

## **Complying with doctrine**

In our crime file review, we found that the RMP made an initial agreement with victims about contact frequency in most, but not all, appropriate cases (75 percent). This is disappointing. The force should make sure that personnel make such agreements in all cases and record them on REDCAP.

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<sup>59</sup> *Military Police Investigative Doctrine Chapter 17: Victim and witness support*, RMP, August 2020, para 6.4. Unpublished.

## **Recommendation 31**

With immediate effect, the Provost Marshal (Army) should ensure that personnel make an initial agreement with victims about contact regularity in all cases.

We were pleased to see that, in all the cases where an initial agreement was made, the RMP updated victims in line with the provisions established in the agreement and in accordance with the other requirements set out in JSP 839.

## **Victim contact after referral of case to prosecutor**

Civilian police forces must maintain contact with victims beyond the point at which cases are referred to the CPS. Investigators retain responsibility for victim contact until the CPS makes a charging decision and at this point responsibility is transferred to forces' witness care units.<sup>60</sup>

There is no such obligation on the service police. Instead, JSP 839 states that the CO of the suspect for the crime that has been committed is responsible for allocating a VLO to the victim. It is then the VLO who is responsible for updating victims once cases have been referred to the SPA. This includes updating victims at

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<sup>60</sup> [Authorised Professional Practice: Prosecution and Case Management - Victim and Witness Care](#), College of Policing.

specific points in proceedings, as well as providing “regular updates on the investigation or criminal proceedings at intervals agreed with the victim by the commanding officer” ([JSP 839](#), paragraph 4.3).

Informing the victim of these post-referral events must be agreed with the victim and CO so that there is no confusion. The victim should always know who their point of contact is.

JSP 839 sets out the rationale for this arrangement, telling the service police that:

“It is recommended that an agreement is reached with the commanding officer of the suspect to pass the responsibility to the VLO for the passage of information to the victim regarding case events post-referral. This is because the commanding officer will always be informed of the progress of the case through the Service Justice System when it is being considered by the SPA or being scheduled for pre-trial hearings or trial by the Military Courts Service, whereas you won’t. Passing the responsibility to the VLO on behalf of the commanding officer at this stage will therefore ensure that the victim remains fully informed and compliance with the Code is maintained.”

This arrangement is problematic. First, despite outlining the importance of the victim knowing who their point of contact is at all times, JSP 839 also instructs the SPA to inform the victim directly about some matters, as well as routing other information via the VLO. This alone can lead to two channels of reporting information to the victim.

Second, the VLO isn't always best placed to perform this role. We couldn't interview VLOs to get their perspective, but we have heard from people throughout the service police that not all VLOs get training for their role. VLOs are occasionally posted to other units and aren't replaced, and they can be located far from the victim, even in another country. We don't have the remit to examine VLO files to assess whether they comply with their responsibilities to contact victims.

Finally, in small units, the VLO would inevitably know the suspect and, understandably, victims don't always feel this is appropriate.

While the SPA has a role in this process, we don't have the remit to examine SPA files to determine compliance.

## **RMP instruction, doctrine, and compliance**

The RMP is the only service police force that sets out in policy that its personnel have a role in maintaining victim contact after the case is referred to the SPA. The force's investigative doctrine stipulates that in serious sexual offences "the SOIT/SOLO is the conduit of information from the victim to the investigation team and the reverse. This includes being responsible for all victim care referrals and investigative updates throughout the entirety of the investigation and post any referral for charges and including any subsequent Courts Martial."<sup>61</sup>

The force's policy is less clear about who is responsible for maintaining post-referral contact in other investigations. The victim and witness care chapter of the investigative doctrine just states that "in appropriate circumstances, and on engagement between the relevant CO and RMP, VLO responsibilities or partial responsibilities can fall into RMP jurisdiction".<sup>62</sup> And there is no specific guidance on the issue in the investigative doctrine's chapter on domestic abuse.

During our interviews, most personnel appeared to understand their responsibilities as set out in the investigative doctrine. SRT personnel told us they

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<sup>61</sup> *Military Police Investigative Doctrine Chapter 21: Investigation of serious sexual offences and management of those convicted of serious sexual offences*, RMP, August 2020. Unpublished.

<sup>62</sup> *Military Police Investigative Doctrine Chapter 17: Victim and witness support*, RMP, August 2020, para 6.4. Unpublished.

would update RASSO victims and any domestic abuse victims who were referred to them and VLOs would be responsible for updating most other victims.

However, although we saw some examples in our case file review of SRT personnel maintaining contact with RASSO victims after referral to the SPA, there was no evidence that this happened in all cases.

As outlined above, we are unable to assess whether VLOs or the SPA regularly update victims after the case is referred.

For most domestic abuse cases, RMP personnel told us that their victim contact responsibility ends when the case is referred for charge. Although we haven't spoken to non-RASSO domestic abuse victims, given the lack of contact some RASSO victims have had from VLOs or the SPA, it is likely to be a problem for victims of other crime types.

This is clearly not a problem that rests primarily with the service police.

### **Recommendation 32**

By 1 June 2022, as part of its review of policy document JSP 839, the MOD should decide whether VLOs and the SPA are best placed to conduct victim contact post-referral or whether this responsibility should pass to service police.

## The [Service Justice System Review Part 2](#)

recommended that:

- the role of VLO should solely be undertaken by the service police in investigations carried out by service police GPD personnel or the SIB;
- formal training and continuous professional development should be established for the role of VLO; and
- the role of a tri-service VLO Co-ordinator should be created.

We support these recommendations and believe that the VLO best sits with the service police. If the service police take on this role, processes need to be developed to make sure that COs, the SPA and other partner agencies give them all the information they need to keep victims informed.

## **Victim feedback**

The service police forces should look to standardise the way they monitor victims' satisfaction with the services they provide.

All three service police forces have produced feedback surveys that they issue to victims of crime, including domestic abuse and RASSO victims. All three use a different set of questions, and none includes questions that cover the whole victim experience from first contact. For example, the Royal Navy Police's survey is the only one with questions about victim

needs assessments (VNAs), while ISVAs and IDVAs are only mentioned in the RMP survey. None of the surveys asks whether first responders were empathetic and professional.

The service police, the SPA, MOD and other important partner agencies should also consider whether questions are viable about the victims' services received from all military service providers after their incidents. This could provide valuable feedback on how well the military safeguard and communicate with victims.

### **Area for improvement 19**

The Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF) should increase the scope of their victim feedback surveys, to include the whole victim experience from first contact to case conclusion.

# Annex A – Recommendations

## Strategic leadership and governance

1. By 1 January 2023, the MOD should define the role of the service police in its *No Defence for Abuse* strategy and set clear actions for all three forces to achieve.
2. By 1 January 2023, the MOD should develop an overarching strategy for sexual offending and within it, define the role of the service police and set clear actions for all three forces to achieve.
3. By 1 June 2022, without interfering in the operational independence of the Provost Marshal (Army), the Army's relevant steering groups and working groups should set, in agreement with the RMP, performance expectations for the force and hold it to account against these expectations.
4. Once the new version of JSP 913 is operational, the MOD should introduce a checking process to make sure that COs refer all domestic abuse and RASSO incidents to the service police.
5. With immediate effect, the MOD, in conjunction with the Provost Marshal (Navy), Provost Marshal (Army) and Provost Marshal (RAF), should satisfy itself that its replacement ICT system will be able to highlight incidents of domestic abuse and repeat victims, and produce accurate data quickly and easily.

6. With immediate effect, the National Police Chiefs' Council (NPCC) should remind all Home Office police forces of the requirement in Home Office Circular 28/2008 to inform the RMP when the suspect or victim of an incident they deal with is a member of the Army.
7. By 1 June 2022, the Provost Marshal (Army) should produce control strategies that outline how the force will tackle domestic abuse and RASSO.
8. By 1 January 2023, the Provost Marshal (Army) should address the capacity and capability issues in the force intelligence bureau (FIB).
9. By 1 January 2023, the Provost Marshal (Army), should publish a new intelligence requirement for domestic abuse and RASSO.

## **Prevention and encouraging reporting**

10. By 1 January 2023, the MOD should support the RMP by mandating domestic abuse and RASSO awareness training across the Army.

## **Handing calls and first reports of crime**

11. By 1 January 2023, the Provost Marshal (Army), in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF) should carry out a feasibility study for the establishment of a joint contact centre that reflects, as far as is reasonably possible, the capabilities of Home Office police forces. If the outcome of the study isn't for the establishment of a joint contact centre, the Provost Marshal (Army) and the provost marshals of the other service police forces should implement another solution that resolves the call-handling problems explained in this report.

## **First response to domestic abuse and RASSO incidents**

12. By 1 January 2023, the Provost Marshal (Army), in conjunction with the Provost Marshal (Navy), the Provost Marshal (RAF) and the Defence School of Policing and Guarding, should make sure that all first responders are trained to the new Joint Police Initial Course standard.

13. By 1 January 2023, the Army, in conjunction with the Provost Marshal (Army) should review the process of its postings policy to ensure that RMP personnel deployed to overseas units have sufficient experience to competently perform their role.

14. By 1 January 2023, the Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should publish tri-service domestic abuse aide-memoires (which, to meet each service's needs, may include additional information to reflect local differences).
15. By 1 January 2023, the Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should standardise RASSO first responders' logs and booklets (which, to meet each service's needs, may include additional information to reflect local differences).
16. By 1 January 2023, the Provost Marshal (Army) should re-evaluate the benefit of BWV and consider its introduction.
17. With immediate effect, the MOD should reinforce CO compliance with JSP 834 as regards their responsibilities around VSOs, and monitor such compliance by reviewing data from COs and feedback from victims.
18. By 1 January 2023, the Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF) should publish a single DASH form to be used by all three services that allows for any requisite local differences to be retained.

19. By 1 June 2022, the Provost Marshal (Army) should reinforce and monitor a positive arrest strategy in domestic abuse and RASSO cases, not only to secure evidence but also to safeguard victims.
20. With immediate effect, the Provost Marshal (Army) should ensure that SRT personnel regularly revise the risk assessments for the cases they are assigned, including at the points of crime recording, arrest, charge and trial.
21. By 1 January 2023, the MOD should conduct a review to improve safeguarding in the military by all parties, including how victims of domestic abuse and RASSO are safeguarded. Following such a review, the MOD should develop processes quickly to make sure that safeguarding becomes more effective, and that robust review and oversight procedures are in place.

## **Investigations after first response**

22. By 1 June 2022, the Provost Marshal (Army) should develop a quicker triage process to prevent investigations being delayed.
23. With immediate effect, the Provost Marshal (Army) should instruct the SIB to investigate all criminal domestic abuse cases retained by the RMP.

24. By 1 January 2023, service police forces and the College of Policing should establish whether service police personnel could receive College-accredited CPD training, including first responder and Professionalising Investigation Programme (PIP) 1 CPD for GPD personnel and PIP 2 for SIB personnel.
25. By 1 June 2022, the Provost Marshal (Army) should update the RMP investigative doctrine to reflect JSP 839's guidance on allowing victims to be accompanied by a person of their choice.
26. By 1 June 2022, the MOD should agree procedures with the Provost Marshal (Army) for the RMP's direct access to the media, so that they can use it to support an investigation (for example, via appeals for information) and to publicise prevention messages.
27. By 1 January 2023, the Army Surgeon General, in conjunction with the Provost Marshal (Army) should ensure that accredited FMEs are available in all major overseas locations.
28. By 1 January 2023, the Provost Marshal (Army), in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should introduce the capability (on a shared or individual basis) to quickly access and download material held on mobile digital devices.

29. With immediate effect, the Director of Service Prosecutions should ensure that the SPA:
- informs victims if it decides to discontinue their case; and
  - informs victims of their right to seek a review of its decision to discontinue.
30. By 1 June 2022, the Provost Marshal (Army) should update the RMP's investigative doctrine to reflect the changes made to Better Case Management (BCM).

## **Victim contact**

31. With immediate effect, the Provost Marshal (Army) should ensure that personnel make an initial agreement with victims about contact regularity in all cases.
32. By 1 June 2022, as part of its review of policy document JSP 839, the MOD should decide whether VLOs and the SPA are best placed to conduct victim contact post-referral or whether this responsibility should pass to service police.

# Annex B – Areas for improvement

## **Strategic leadership and governance**

1. The Provost Marshal (Army) should define expectations of performance against priorities that better illustrate qualitative activity and outcomes for victims.

## **First response to domestic abuse and RASSO incidents**

2. The Provost Marshal (Army) should make sure that the quality of GPD personnel's initial golden hour enquiries in domestic abuse and RASSO cases is improved.
3. The Provost Marshal (Army) should develop centralised, annual training for policing competencies including domestic abuse and RASSO first response, provided by qualified trainers, and with central assurance.
4. The Provost Marshal (Army) should ensure that a duty commander or a VCIC-qualified NCO accompany junior officers when attending domestic abuse or RASSO incidents.

5. The Provost Marshal (Army) should ensure that the force's RASSO aide-memoires are regularly updated to reflect the latest version of the investigative doctrine.
6. The Provost Marshal (Army) should ensure that victim needs assessments are completed in all domestic abuse and RASSO cases and monitor their completion.
7. The Provost Marshal (Army) should ensure that personnel complete DASH risk assessment forms directly in all domestic abuse cases and monitor the quality of the completed assessments.
8. The Provost Marshal (Army), in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF), should ensure that all domestic abuse and RASSO victims are provided with contact details for UK-based IDVAs and ISVAs respectively.
9. The Provost Marshal (Army) should improve the force's guidance on the use of ISVAs and IDVAs, and monitor compliance with the guidance.
10. The Provost Marshal (Army) should explore opportunities to equip the RMP with powers similar to those available to the Royal Navy Police, that is, to order suspects to do, or not to do, certain specified things, in furtherance of safeguarding victims, for example, not to approach or make contact with victims.

## **Investigations after first response**

11. The College of Policing should develop a policy that requires all Home Office police forces to ask all victims, in cases where concurrent jurisdiction exists, whether they want the service police or CIVPOL to investigate.
12. The Provost Marshal (Army) should ensure that investigators give victims the opportunity to make a victim personal statement in all appropriate cases.
13. The Provost Marshal (Army) should make sure that senior investigating officers use policy books in linked series and complex cases.
14. The Provost Marshal (Army) should introduce formal digital investigation strategy training for investigators to help them better understand when they should seize and examine digital devices.
15. The Provost Marshal (Army) should ensure that supervisors and managers conduct robust oversight of all investigation strategies at defined intervals.
16. The Provost Marshal (Army) should ensure that all relevant personnel receive training to use early evidence kits.

17. The Provost Marshal (Army), in conjunction with the Provost Marshal (Navy), the Provost Marshal (RAF) and the National Police Chiefs' Council (NPCC) lead for forensics should establish procedures for Home Office police force crime scene investigators (CSIs) to support RMP investigations and to provide opportunities for RMP CSIs to gain further operational forensic experience.
18. The Provost Marshal (Army) should:
- remind investigators of the legal requirement for consultation with the SPA in all RASSO cases before discontinuation; and
  - monitor investigators' compliance with the legal requirement.

## **Victim contact**

19. The Provost Marshal (Army) in conjunction with the Provost Marshal (Navy) and the Provost Marshal (RAF) should increase the scope of their victim feedback surveys, to include the whole victim experience from first contact to case conclusion.

# Annex C – Glossary of abbreviations and acronyms

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<b>Abbreviation</b>	<b>Term</b>
ABE	Achieving Best Evidence
AFA	Armed Forces Act 2006
AMS	army medical service
APP	authorised professional practice
AWS	army welfare service
BCM	better case management
BCM(CM)	better case management (court martial)
BWV	body-worn video
CEG	crime executive group
CIVPOL	civilian or Home Office police forces
CJS	criminal justice system
CO	commanding officer
COPPERS	service police's incident reporting ICT system
CPD	continuous professional development
CPS	Crown Prosecution Service

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<b>Abbreviation</b>	<b>Term</b>
CSI	crime scene investigators
DASH	domestic abuse, stalking and harassment
DAWG	Army's domestic abuse working group
DFI	digital forensic investigator
DIP	domestic incident proforma
DSPG	Defence School of Policing and Guarding
EEK	early evidence kits
FIB	force intelligence bureau
FME	forensic medical examiner
GPD	general police duties
HMCPSI	Her Majesty's Crown Prosecution Service Inspectorate
HMICFRS	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service
HOCR	Home Office counting rules
ICT	information communications technology
IDVA	independent domestic violence advisor

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<b>Abbreviation</b>	<b>Term</b>
ISVA	independent sexual violence advisor
JPIC	joint police initial course
JSP	joint services policy
MARAC	multi-agency risk assessment conference
MASH	multi-agency safeguarding hub
MOD	Ministry of Defence
NCO (JNCO & SNCO)	non-commissioned officers (junior and senior)
NCC	Non-criminal conduct offences
NCRS	National Crime Recording Standard
NFA	no further action
NPCC	National Police Chiefs' Council
NSIR	National Standard for Incident Recording
OC	officer commanding
PIP	Professionalising Investigation Programme
PNC/PND	Police National Computer/Database
RAFP	Royal Air Force Police
RASSO	rape and serious sexual offences
REDCAP	crime investigation ICT system

<b>Abbreviation</b>	<b>Term</b>
RMP	Royal Military Police
RNP	Royal Navy Police
SARC	sexual assault referral centre
SCIC	serious crime investigation course
SIB	special investigation branch
SJS	service justice system
SOIT	sexual offence investigation trained officer
SOLO	sexual offence liaison officer
SOPWG	Army's sexual offences prevention working group
SP3C	service police cyber-crime centre
SPA	Service Prosecuting Authority
SPCB	service police crime bureau
SRT	specialist response team
SSAFA	armed forces charity
SSH	scientific support hub
SSU	scientific support unit
VCIC	Volume Crime Investigation Course
VLO	victim liaison officer
VNA	victim needs assessment
VPS	victim personal statement

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<b>Abbreviation</b>	<b>Term</b>
VSO	victim support officer
WO	warrant officer
WO1	warrant officer first class

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