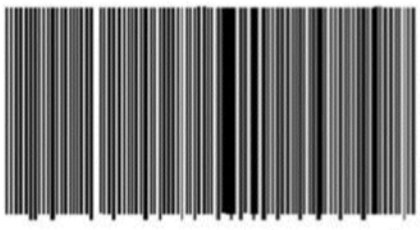
Prepared for OPEN publication in relation to the Independent Inquiry Relating to Afghanistan



RMP-221-0000736-A

From: NORTHMOOR TEAM-HQ-GoldComd (Harvey, John Maj)
Sent: 10 November 2016 16:57
To: Army PM-AH-TECH (Morris, Rob Col)
Subject: 20161110-Op NORTHMOOR - NCA PIP 4 report v.9 (draft)-GOLD-OSP
Attachments: Op Northmoor Report v9.doc

Follow Up Flag: Follow up
Flag Status: Completed

Col,
The latest NCA report FYSA.

Regards
Lt Col John Harvey

Op NORTHMOOR | Special Investigation Branch Regiment, Royal Military Police, Bldg 33 , Ward Bks, Bulford Camp, Wiltshire, SP4 9NA.

Contact Details [redacted]

Prepared for OPEN publication in relation to the Independent Inquiry Relating to Afghanistan

NCA
National Crime Agency

Specialist Investigations Command

PIP 4 Report

Operation NORTHMOOR
Royal Military Police – Special Investigation Branch

Detective Superintendent Paul WILLIAMSON

Date 10/10/2016

Version number 9

Disclosure Statement

This report, together with any supporting material, has been provided under S.7 of the Crime and Courts Act 2013.

The NCA Support Service is provided in good faith, based upon the information you have supplied to us. Whilst we take reasonable steps to ensure that the material provided is accurate and up to date, the nature of the material means that we cannot guarantee its accuracy or completeness. Responsibility for acting upon the material rests solely with the recipient, who may wish to seek independent verification. We will not accept liability for any loss arising from the provision of this report. This report is not intended to constitute national policy, legal advice or other professional advice.

All enquiries to NCA Crime Operational Support are recorded on a central database and are subject to the disclosure provisions of the Criminal Procedure and Investigations Act 1996. The NCA PIP 4 in the case has access to all unused material. All of this material is available to the Disclosure Officer upon request. It is the policy of Crime Operational Support not to photocopy any of our material for disclosure purposes. Any unused material will be delivered to the Disclosure Officer or Crown Prosecution Office for examination upon request to comply with the continuing duty set out in the CPIA.

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Administration

Investigation	Operation NORTHMOOR – Investigation into allegations of unlawful killing and ill treatment by UK Military Forces in Afghanistan
Force	Royal Military Police (RMP)
GOLD	Lt Colonel John HARVEY
SILVER	SILVER Captain Tina STITSON, Special Investigation Branch Regiment, Royal Military Police
SIO	Team 1 Captain J.L. WRIGHT; Team 2 WO2 Zoe DUCE; Team 3 Captain Joshua STRIBLING;
NCA Reference No.	[REF]
PIP 4	Detective Superintendent Paul WILLIAMSON
Crime Investigation Support Officer	Detective Sergeant Bob COOPER
Behavioural Investigative Adviser	N/A
Geographic Profiler	N/A
Peer Review	PIP 4 George BARR

Terms of Reference

Following recent developments amended terms of reference for National Crime Agency (NCA) support of Operation NORTHMOOR are as follows:

The NCA Specialist Investigations Command will provide a level of PIP 4 support under the leadership of Deputy Director Roy McCOMB, supported by Paul WILLIAMSON and George BARR. Support will consist of:

1. Where appropriate provide advice and support to the GOLD Commander, particularly in relation to development of a professional and proportionate strategic response to the Operation NORTHMOOR;
2. To provide investigative support and advice to the SILVER Commander in the development of tactical plans to achieve Gold strategy;
3. Through appropriate discussion, to provide investigative support and advice to the SIO(s) in the operational implementation of strategic and tactical decisions;

In performing this support, nothing will be done in isolation of GOLD, SILVER or SIOs. Final decisions in all areas remain with the RMP – SIB who have command and control responsibility.

Introduction

The focus of this report will be on the progress of strategic and overall intention of Operation NORTHMOOR investigations. The report will highlight key issues arising following a visit to the Major Incident Room (MIR) at St Mawgan by NCA Specialist Investigations Officers Paul WILLIAMSON and George BARR between 26-28 September 2016. Many of these issues remain unresolved from previous reports 1-8 submitted to the Royal Military Police – Special Investigation Branch.

A number of points and observations were made during the visit and time spent with incoming GOLD Lt Colonel John HARVEY, SIO Captain WRIGHT; Captain Joshua STRIBLING and other team supervisors. Current situation briefings were provided on all team activities. The following points summarise some of those that are considered worthy of inclusion in this report.

From January 2016, the new premises at St Mawgan have been gradually remodelled to accommodate the investigation. There is recognition that during early 2016 the focus of the leadership team and Operation NORTHMOOR was on staffing and infrastructure issues associated with the move to new Major Incident Room (MIR) facilities at RAF St Mawgan.

Strategic Management Issues

Command Structure and Leadership

Operation NORTHMOOR has a senior command team that is led by Gold Commander who sets the strategic direction towards managing and resolving the operation. Following the unscheduled and premature departure of Lt Colonel John McALLISTER, Gold Command was in the process of being handed over to Lt Colonel John HARVEY at the time of PIP 4 visit.

There is not a recognised investigative model for an investigation of this scale and complexity. A modified Officer in Overall Command (OIOC) structure was established with the primary aim of co-ordinating investigations and engagement across multiple Senior Investigating Officers (SIO).

This has now morphed into a Silver Commander role which since June 2016 has been held by Major Tina STITSON. The Silver role is essential for determining the overall investigative strategy, supporting each Team SIO and the GOLD Commander in achieving the objectives set by GOLD.

Due to the importance of Operation NORTHMOOR to the RMP, the critical stage of investigations and strategic issues requiring progress, the NCA PIP 4s have no hesitation in recommending that the newly appointed GOLD Commander is assigned to dedicated full time duties.

Requirement: Review of priorities for investigation and terms of reference for each senior command role.
Timing: Immediate.
Background: Please refer to recommendation recorded in NCA Report v. 7[1]. Both the NCA PIP 4s and the GMP MCRT recognise that the operation has moved on with key investigative developments and the addition of further aspects of investigation around interrogation. Internally within the RMP SIB it has been mooted that other Afghanistan related investigations come into the remit of Operation NORTHMOOR. There is also an identified need to avoid GOLD collapsing into a SILVER and SIO decision making role.
Recommendation: Investigation priorities and terms of reference for senior roles reviewed in consultation with PM (A) and CO SIB.
Impact if not addressed: lack of effective tasking and coordination of RMP resources; inconsistent leadership, focus and service delivery.

The investigation would benefit from a revised set of priorities to support focus and momentum.

Issue: Both the PIP 4 and Greater Manchester Police Major Crime Review Team have highlighted the risks of (i) lack of continuity and sense of investigation command responsibility at SILVER Command level and (ii) lack of suitably skilled, knowledgeable and experienced SIOs to lead teams. Major STITSON has attended the SIO course but is not an experienced accredited investigator at PIP Levels 3 or 4.
Requirement: (i) Appointment of suitably skilled, knowledgeable and experienced Silver (Investigations) to complement Major STITSON as SILVER (G1-9). It is the opinion of the NCA PIP 4 that the role of Silver Commander (Investigations) is commensurate with Major.
Timing: Immediate.
Background: The appointment of a new GOLD commander represents an opportunity to ensure that these issues are addressed with Provost Marshal (Army) (PM(A)). The purpose of appointing a SILVER commander was to ensure development and implementation of the tactical investigation plan recognising that they would be leading a team of SIOs requiring the need to de conflict and prioritise the allocation of investigations and resources. College of Policing guidance on Command and Control generally advises the appointment of one SILVER Commander, but it is acceptable to have two. With the exception of Captain WRIGHT, none of the team leaders is a trained and accredited SIO. WO2 DUCE is doing an admirable job in difficult circumstances. However, the leadership of Team 2 has been depleted, especially when taking into account that interrogation work commenced by Major PENMAN under Team 4[2] (now collapsed) has been brigaded under Team 2 and has essentially stalled. Given the high priority and vulnerability attached by PM(A) to Operation NORTHMOOR it is vital that command and leadership issues are addressed in a robust and positive manner to avoid further debilitating effects on the strategic management and coordination of the enquiry which will be damaging if allowed to go unresolved.
Recommendation: (i) Appointment of suitably skilled, knowledgeable and experienced Silver Commander. Captain WRIGHT has been deployed on

[1] NCA Report Operation NORTHMOOR, v.7, 18/07/2015, p.6.
[2] NCA Report Operation NORTHMOOR, v.7, 18/02/2015, pp.6-7

Operation NORTHMOOR from inception. He has demonstrated resolve, dedication and ability to perform this role. Captain WRIGHT would offer continuity that is vital to the success of the operation; (ii) appointment of quality trained and experienced SIOs to lead Teams 1-3.
Impact if not addressed: Ineffective command and leadership of Op NORTHMOOR. Lack of direction and focus for staff. Reputational damage to RMP.

Issue: GOLD Meetings.
Requirement: The PIP 4 acknowledges the different military operating procedures, however suggests that the GOLD Commander should again review the structure, frequency and attendees at GOLD meetings in accordance with previous advice .
Timing: Immediate.
Background: Please refer to previous NCA reports.
Recommendation: Please refer to previous NCA reports including recommendations.
Impact if not addressed: Lack of focus and direction in operational implementation of strategic and tactical decisions.

Issue: There clearly remain key strategic blockages at present. Incoming GOLD should invest time and effort in attempting to resolve these, which include:

- The interim solution at HMS Collingwood and the standing up of Appropriatley Cleared compliant facilities has been delayed;
- There is a clear need to progress search and retrieval of information held on SFHQ(A). Timely access to this data remains critical to inform SIO key decision making. The PIP 4 considers it absolutely essential that there is no further delay to enable search and retrieval of key information from DSF servers;
- Progression of witness interviews involving attendance of Leigh Day Solicitors. Please refer to previous PIP 4 advice[3]. Engagement of ISAF and clarification regarding legality of actions in Afghanistan. As detailed by PIP 4 in previous GOLD meetings and reports, GOLD will need to fully document the working strategy for interviewing of witnesses in Afghanistan. This must include risk assessment to witnesses and RMP personnel; legal powers; identified options and why some (e.g. use of a third party country) are not considered feasible as well as contingencies e.g. remote video interviewing as put forward by PIP 4 in early stages of the operation;

Requirement: Key strategic blockages to an effective and expeditious investigation are addressed and removed.
Timing: Routine.
Recommendation: GOLD to continue focusing effort in removing these key strategic blockages.
Impact if not addressed: Inefficiency and ineffectiveness in investigation.

Resource Management

Issue: Silo working.

[3] NCA Operation NORTHMOOR PIP 4 report V.5, DSU Paul Williamson, 26/09/2014, pp. 6-7

Requirement: A key role for SILVER (Investigations) is to develop a 'One Team' approach with the ability to surge resources across different teams according to need.
Timing: Immediate.
Background: From briefings provided to PIP 4 and GOLD by Team Leaders there was the clear need to minimise the 'silo effect' that appears to proliferate within the team. The bridges connecting the teams and communications need to be improved to avoid dysfunctional working. Frequently scheduled weekly SILVER meetings with key team leaders are a key requirement as previously reported upon.
Recommendation: Tackle internal team culture and communication to develop a 'one team' approach focused on operational delivery and where leadership is critical at all levels.
Impact if not addressed: Silo working and distrust of other teams within the umbrella of Operation NORTHMOOR. Lack of effective communication and team work in delivery of successful investigations.

Issue: Identified need to create a robust process for reviewing progress, prioritising action and allocation of resources and plan owners.
Requirement: Consideration of establishing an Operation NORTHMOOR Tactical Tasking and Coordination Group (TTCG).
Timing: Group to meet on 4 week cycle.
Background: The unique characteristics of this investigation make it a real challenge to identify the on-going and future level of resource required to deliver an efficient and effective investigation. Operation NORTHMOOR is still developing analysis of vast data to understand the 'resourcing ground truth', and despite this, positive progress is being made on a number of fronts.
Recommendations: Intelligence Unit to produce a monthly documented Tactical Assessment to inform the Operation NORTHMOOR Tactical Tasking and Coordination Group of the current overall picture along with current and emerging issues of exception i.e. High Risk that fall outside the current allocated investigations. The purpose of the Tactical Assessment is to enable the TTCG to make well informed resource allocation decisions balanced against priorities. The document should be aligned against the '3R Model' detailing Risk, Response and Result. This document is should be classified as "[redacted]". Considerations for what the TTCG should comprise of are attached at Appendix B along with an example document.
Impact if not addressed: Lack of prioritisation and focus.

<u>Intelligence and Information Management</u>

Issue: Information Management.
Requirement: Review of HOLMES and Disclosure.
Timing: Routine.
Background: The investigation is running on Version 16 Home Office Large Major Enquiry System (HOLMES) within a secure environment at St Mawgan. This is to ensure that that Operation NORTHMOOR can securely hold protectively marked material and will provide the permanent location for a fully staffed Major Incident Room capable of operating at [redacted] Infrastructure and IT funding has been approved. The success of any major investigation requires an organised and methodical approach and the MIR is central to this. It is where all the information is gathered, documented and managed, using a well-tested set

of administrative procedures into a system used to direct and control the course of the enquiry. The HOLMES team under the leadership of Staff Sergeant RIDLEY are currently operating on an interim 3 shift system due to limited capacity of terminals. No material at a certain classification has yet been read, received or indexed onto HOLMES. There are plans for added capacity and capability. The MIR and HOLMES require a significant uplift in staff to reach the establishment levels sought in order to manage existing workloads and reduce risks associated with current low resourcing levels. Factors at play when drawing this conclusion include; the indicative number of victim / complainants, the need to support a large-scale non-recent element, the sheer volumes of material available across agencies, the huge backlog of data to be transferred onto HOLMES, the running of separate but simultaneous live investigations, the need to de-conflict with on-going linked investigations and the prospect of RMP non-recent reviews identifying a requirement for re-investigation. All of these elements have fallen into place and the MIR is currently challenged by volume and multiple layers of competing priorities.

In addition to this, Team 1 are still utilising the WATSON system for Classified material. REDCAP is also being used by Team 2 for case management. This presents potential problem of confusion and clutter in information management.

It is the case that Operation NORTHMOOR has some unique challenges and is highly complex in nature. Practises are continually developing to support the challenge of multiple concurrent work-streams. There is limited comparison with a straightforward investigation.

As advised in NCA Report V. 5 of 26/09/2014, '…Op NORTHMOOR will need to recruit a highly experienced and trained disclosure officer(s) to professionally manage disclosure on behalf of all interested parties…'[4] This has not been addressed and needs to be as a matter of urgency. Lessons learned from other investigations acknowledge the need to get an experienced team in place from the outset, as it produces the highest level of risk to any criminal prosecution.

Recommendation: (i) GOLD to consider requesting GMP MCRT to conduct targeted review of HOLMES and information management; (ii) GOLD to appoint suitably trained and experienced disclosure officers.

Impact if not addressed:

- No accurate record of all relevant information relating to Operation NORTHMOOR and constituent investigations. Together with enquiries made and results obtained;
- No accurate reflection of how much work remains to be done;
- Inability to establish whether a person has previously come to notice;
- Inability to provide a ready means of acquiring all knowledge the system contains about enquiry subjects;
- Inability to highlight people, places or other factors to pinpoint further investigation requirements;
- Inability to record and link all information in accordance with MIRSAP;
- Adverse impact on ability to conduct internal and external reviews;
- Reduced capability to comply with legislative requirements of Criminal Procedures and Investigations Act.

Issue: Timely investigation and submission of complaints that fail to meet the 'evidential sufficiency test' to the Case Review Panel (CRP) enabling the investigation to focus on serious and 'credible' claims of criminal or conduct

[4] Operation NORTHMOOR Regional Adviser Report v.5, 26/09/2014, p. 15.

behaviour as opposed to what have been termed 'vexatious allegations on an industrial scale'.

Requirement: Further to the last NCA report, there is still a need to provide clarity and focus in accordance with nature of allegation and risk. There are still groupings of 'offences' that could be submitted to the CRP for referral as suspected systemic issues where there is no criminal or military discipline in accordance with the investigations terms of reference e.g. complaints related to searching which is a legitimate requirement where no aggravating factors such as sexual assault are alleged; storage of the Qur'an; other methods in detention facility where no assault alleged etc. This would identify 'quick wins' and reduce the volume of 'lower' level complaints under active investigation and enable greater focus on serious complaints requiring further investigation[5]. In NCA PIP 4 report v.7 it was suggested that consideration be given to engaging [redacted] N2271 of Role and Post Given [redacted] interrogation sessions put before the Hussein enquiry . N2271 completed his report which made 6 recommendations which included identification of 'systemic issues'. A further 'quick win' could be for N2271 to provide an input to Military Interrogation Training Courses to ensure any learning is addressed?

Timing: Next CRP.

Background: The purpose of the CRP was to filter, quality assure and make recommendations as to no further action or further investigation in respect of complaints that may not meet the threshold for criminal and / or disciplinary investigation or where enquiries revealed no British Forces involvement.

Recommendation: (i)Preparation and presentation of volume cases at next CRP; (ii) Consideration be given by GOLD, DSP and CRP to applying the test of whether there is a realistic prospect of obtaining sufficient evidence to charge an identifiable individual at the outset and prior to commencement of investigations by Operation NORTHMOOR. If it is clear that the answer to this question is "no", it has been proposed that there can be no obligation to make any further enquiries. In some cases where the answer is not immediately clear, it may well be possible to identify one or more limited investigative steps which, depending on their outcome, may lead to the conclusion that there is no realistic prospect of meeting the evidential sufficiency test. It will be a matter for the judgment of GOLD in any particular case how the test formulated by the DSP is applied.

Impact if not addressed: Lack of prioritisation. Lack of progress in achieving TOR. Lack of confidence in the ability of Operation NORTHMOOR to tackle vexatious complaints and provide focus on matters requiring thorough and diligent enquiries in order to prove or disprove serious crime.

Risk Management

Risk is considered on an on-going basis, at both operational and strategic levels. The maintenance of risk registers is advised. Key risk areas currently are:

- Resourcing - Specifically the SIO Team Leaders, MIR and indexers, and intelligence development.
- Complexity - In the main the complexities are created by the parameters,

[5] Operation NORTHMOOR NCA Reports v3 pp. 5-6, report v6 p.12 and 15-16, report v7 p.14, v.8, p.16.

extent, and nature of the hostile operating environment in Afghanistan; as well as the interplay of a multiplicity of reviews, inquiries, public interest and investigations all requiring deconfliction.

- Reputational - In the short-term the RMP have demonstrated its commitment to resourcing Operation NORTHMOOR. In the medium term RMP will have to manage potentially unrealistic expectations in respect of achievable outcomes and associated risk to national security, communities, reputation of the British Army and HM Government. The PIP 4 is fully supportive of PM(A) decision to provide 'upstream' briefing to DSP Andrew CALEY, DJEP Head Peter RYAN and HMG Cabinet Secretary detailing the evidence, intelligence and importantly 'gaps' in key investigations at this time.

Issue: Previous meetings with NCA and GMP MCRT have reinforced the need to address risk factors inherent in Team 1 SIO investigations into information and allegations of Unlawful Killing by British Forces and broader risks associated with ECHR Right to Life and National Security.
Requirement: Consideration is given to a review of the risk identification, assessment and management processes, particularly where the SIO designates suspect status but delays executive action to enable further investigation.
Background: The decision to declare suspect status on any named individual is a critical time for any investigation. It amounts to formal declaration that the enquiry team is focusing on a particular individual(s) and needs careful consideration. Generally, suspect status should only be declared when tangible evidence exists to directly link a person to involvement in the offence; circumstantial evidence exists of sufficient strength to provide grounds for reasonable suspicion or there is a strong intelligence case. Decision making with rationale is recorded in the policy file and GOLD has been made aware of these key developments. There may be justifiable reasons for delaying arrest if such a course of action may frustrate other enquiries or to place the investigation team in a better position to conduct a meaningful interview or to maximise evidence recovery opportunities where for example, a conspiracy is suspected. Adequate control measures should be put in place within the MOD. This is particularly important should a suspect still be deployed operationally which must be subject of rigorous assessment by RMP.
Recommendation: GMP MCRT be tasked with reviewing suspect strategy and associated risk identification, assessment and management.
Impact if not endorsed: Inadequate identification, assessment and management of risk.

<u>Identification and Engagement of partners</u>

Issue: Appointment of 'Independent Assurance Advisers' Sir Jon Murphy; David Shaw and Mark Ellison QC.
Requirement: Clarification on role and remit.
Timing: Routine.
Background: In NCA Report v.6 it was recommended that the RMP-SIB establish an 'Independent Oversight Panel'. This was considered necessary for the operation to be subject to appropriate levels of independent oversight and inspection. The advice at that time provided by the Service Police Assurance Adviser (SPAA) was that the principles of an Independent Advisory Group could

be applicable to a certain extent. Both the NCA and GMP were tasked in 2014 to provide some independent advice and support to the investigation.
Recommendation: Clarity of role and terms of reference for 'Independent Assurance Advisers' and de confliction of any duplication in task to NCA and GMP.
Impact if not addressed: Lack of clarity and joined up approach in provision of independent scrutiny and advice to RMP.

Public Confidence and Reputation Management

The ongoing debate around 'Lawfare' is very relevant to Op NORTHMOOR and is becoming increasingly political. The MOD have highlighted what they perceive to be the gradual intrusion of ECHR on overseas operations and the need to address the trend of litigation from Peters & Peters, Leigh Day & Co, and PIL. Following 'BREXIT' and as recently as the October 2016 HM Government have unveiled legal measures to protect UK troops from 'spurious claims of misconduct' in future conflicts[6].

Previous NCA PIP 4 advice has been provided on the Communications and Engagement Strategy as well as Community Impact Assessment strategy and these will need to be constantly monitored. Given increased media attention, consideration could be given to a proactive media strategy reflecting the balance being struck on the investigation between investigating serious allegations of wrongdoing and the successes achieved in disproving allegations.

General Investigative Suggestions

The NCA visit focused on key strategic issues. A further visit will be planned in to get in to the tactical details of current investigations. The following general observations are made:

Team 1

There is no doubt that incidents under investigation by team 1 are linked by geography, time and service units involved. The PIP 4 views this as an 'Investigative Methodology' issue at its heart. The question is more what the trigger for investigation is. Is it one of two things Unit/Individual or Event? If there is a Unit whose tactical deployments are seriously questionable then we must track them throughout the totality of their deployments matching them to events, done through a Timeline or Sequence of Events. Alternatively if there is a questionable Event such as the N50 complaint, then likewise we must track those involved in such an Event throughout their deployment history, the linkage issue then potentially becomes a superfluous one. In determining the above we must always revert back to the clarity of Investigative Objectives as the basis for intervention.

When all factors are considered, there are 3 decisions that can be made:

i. To link cases;

[6] BBC News website 4 October.

ii. Not to link cases;
iii. Defer the decision.

Natural instinct at this stage would be to investigate the additional 10 cases under review by Team 1. To acknowledge basic links but to defer any decision to formally link pending more detailed comparative case analysis, access to data held on relevant SFHQ(UK) servers and evidence gathering. The ability to conduct witness enquiries would add more clarity to key considerations and decisions moving forward.

The NCA PIP 4s agree with the current SIO strategy of running parallel overt and covert investigation tactics, particularly given the seriousness of allegations, potential for conspiracy and current blockages to conducting witness interviews in Afghanistan. This will offer maximum opportunities to prove or disprove the involvement of key military personnel in allegations of unlawful killing.

Operations PAVO – IRN: 83224/10; Op SHIVERWOOD – IRN: 83189/12; Op CESTRO – IRN: 83235/12 and an allegation by IIA828 are also being investigated by Team 1.

The SIO Team 1 has been advised to produce a TIE strategy. The NCA PIP 4 has forwarded the most recent advice contained within the Journal of Homicide and Major Incident Investigation 'TIE Practice: Terminology, Tactics and Training'[7].

The SIO has continued to develop witness and suspect contact strategies, in particular focusing on initial contact and aftercare. On-going advice and support is being provided by NCA Crime Investigation Support Officer and Tier 5 Co-ordinator Bob COOPER.

Team 2

There is a continued need to prioritise Team 2 workload to provide clarity and focus in accordance with the nature of allegation and risk. There are identified 'quick wins' in groupings of allegations that are suitable for limited, reasonable and proportionate investigations that could very quickly be submitted to the CRP for referral as suspected systemic issues. Examples of where this is felt applicable include complaints related to water provision where enquiries have revealed no substantive basis for complaint; searching which is a legitimate requirement where no aggravating factors are alleged; other methods in detention facility where no assault alleged etc. This would reduce the volume of complaints under active investigation and enable the operation to have greater focus on the lesser numbers of serious complaints warranting thorough investigation. Please see NCA PIP 4 report v3 pp. 5-6, report v6 p.12 and 15-16, report v7 p.14, report v8 p. 14.

Operation NORTHMOOR can draw from advice provided by Captain Reed following the Al Saadon judgement and considerations on 'the evidential sufficiency test' to be applied to investigations. There is significant read across from the IHAT and the legal advice provides guidance that as a general rule it is reasonable to adopt the stance that allegations received via third party legal

[7] Journal of Homicide and Major Incident Investigation. Volume 10, Issue 2, November 2015: 'TIE Practice: Terminology, Tactics and Training', pp. 21-44.

firms should only be investigated when supported by sufficient information along with an explanation of what, if any, steps have been taken or attempts made since the incident occurred to bring it to the attention of the British authorities. In order for Operation NORTHMOOR to manage work and resources in a proportionate way, it could be considered reasonable to only investigative allegations which meet defined minimum standards of evidential support.

However, there will be cases, such as N50, where Operation NORTHMOOR considers it both reasonable and necessary to investigate in the absence of detailed evidential witness accounts due to other information supporting the need for further investigations.

Conclusion

Operation NORTHMOOR continues to face unique demands and challenges, reflected in recent media attention. The demand for success is extremely high. The difference between maximising outcomes and optimising resource deployment across investigations will have profound effects for the operation. This is due to the scale and complexity of the task and the high cost to getting it wrong.

The continuity, knowledge, skills and experience of senior command, especially SIOs will be central to the success of Operation NORTHMOOR. Other resources are important, as are the effectiveness of information management systems and processes that are designed support the investigation. It is in the interests of the RMP that these personnel and system issues are established and maintained to the highest level possible and that military procedures should seek to accommodate investigative requirements and not further hamper what is already a difficult job. Any belief that criminal investigation of this magnitude is broadly similar to other RMP functions is fraught with danger, and Chief Officers within RMP need to regularly quality assure, influence direction and take remedial action to remove key blockages within the wider defence structures where required.

Investigations must be conducted to a professional standard. The speed of an investigation is based on the level of resources, skills and experience available at any given time. The standards to which we work, in the interests of victims, suspects and the criminal justice system, are non-negotiable. The investigation is expected to take a number of years. There remain substantial gaps in understanding of how this investigation will develop, such as the level of future victim complainant engagement.

Due to the twin pressures of scale and complexity the operation must be progressed in 'bite size chunks' and an effective tasking and co-ordination process will assist. The time is ripe for increased focus and there must be an acceptance that resources will have to operate as '1 Team' and that momentum must be achieved in operational delivery to address military, political and public expectations. Continuity and effectiveness of leadership at all levels will be critical in achieving this.

Paul Williamson

Detective Superintendent
Senior Investigating Officer - Operation STOVEWOOD
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NCA mission: leading the UK's fight to cut serious and organised crime.

Annex A

- 17/11/2015 Campion Lines, Bulford. Gold meeting.
- 24/11/2015 Army HQ, Andover. Briefing of PM(A).
- 08/12/2015 Campion Lines, Bulford. Weekly OC Meeting.
- 05/01/2016 Campion Lines, Bulford. Weekly OC Meeting.
- 29/01/2016 Campion Lines, Bulford. Meeting Captain's WRIGHT and ROBINS.
- 31/03/2016 RAF St Mawgan. GOLD meeting.
- 06/06/2016 Army HQ, Andover. GOLD meeting.
- 26-28 September 2016 RAF St Mawgan. Meeting with GOLD and SIOs / Team Leaders.

Annex B

The TTCG should address the following:

What is known: review of intelligence picture in light of SIR and progress of investigations?
What should be done first: Decide the priority given to each problem and investigation outlined in the tactical assessment using the priorities of investigation to do this. There are likely to be issues within the tactical assessment that fit priorities but insufficient resources are available to allocate to them all. In these circumstances a prioritisation process would be developed in the tactical assessment whereby all the issues can be objectively rated against a range of impact factors to determine which should take priority. This will provide additional justification for decision making on adoption and resource allocation.

Several models are available to assist prioritisation. In terms of application to Operation NORTHMOOR, the THRIVE model may be best suited and guides managers and staff to structure an assessment and determine what the most appropriate response should be. The THRIVE model should be used in conjunction with the National Decision Making Model (NDM.)

T: Threat - What is the overall threat, not only to the victim but to the immediate family, children, community and location? In determining this, consideration will be given to likelihood, opportunity, capacity and intent.
H: Harm - As a result of the threat being posed, what is the impact of the threat if not addressed with sufficient priority or with the most appropriate resources?

R: Risk - What risks are obvious or yet to be determined? What resources and specialist assets are needed to safeguard the victim or community? What assets are required to ensure officer and staff safety and effectiveness? What does our intelligence tell us?
I: Investigation - What is the legality, necessity, proportionality in relation to the offence being reported? What needs securing and preserving as a priority and how will this best be achieved?
V: Vulnerability - What are individual or community vulnerabilities? (
E: Engagement - What is the safest means of engagement for the victim and what is the most effective means? What specialist resources are needed to make engagement meaningful, accessible and appropriate? (E.g. intermediaries? Appropriate Adults, legal, partners).

What additional information is required? At this point of the meeting you should know the issues and decided on priorities for action. You would then consider what other information is required to make decisions e.g. Intel research or analysis which may cause amendments to the Intel Collection Plans.

What should be done? Recommendations will be made in line with the 4P strategy of Pursue – Prevent – Protect – Prepare. Focus will be on the Protect and Pursue element through investigation and / or disruption. However, recommendations may need to be made to refer to other department or agency e.g. referral of systemic prevention of risk issues.

It is sensed that Operation NORTHMOOR is at a stage where there is an identified need to consider 'pause, stop, surge or transfer' activity on a number of existing investigations.

Who is going to do what? At this juncture, seek to allocate plan owners and resources. This could be through the adoption of a 'DEFCON' tactical response, for example:

Level 1 – Full planned response to Executive Action. Dedicated investigation plan owner. Committed resources from investigation and co-opted surge support. Dedicated Intel support. Constant review.
Level 2 – Medium scale response. Dedicated investigation plan owner. Respond within existing resources. Constant review.
Level 3 – Small scale response. Owned by Intel for monitoring, development, analysis and briefing. Reviewed at TTCG until discharged or upgraded.
Level 4 – Problem outside Op NORTHMOOR Terms of Reference. Referred for consideration of 4 P responses by other department or agency.
Level 5 – further action pended with rationale to be recorded.