

JAYSLEY LOUISE BECK (“Jaysley”)

SUMMING UP

In giving my summary of the evidence and recording my findings of fact, I begin by setting out a brief chronology of Jaysley’s career in the army. There then follow my findings in respect of matters that received especial scrutiny during the course of the inquest and which in my judgment are of relevance in relation to the circumstances in which Jaysley came by her death. These matters are as follows:

- (i) The conduct of the Bombardier who was her line manager and who is hereafter referred to as “the Bombardier”.
- (ii) The events which occurred on Thorny Island on 13th July 2021 involving a Battery Sergeant Major hereafter referred to as the “BSM”.
- (iii) Disciplinary proceedings that followed that event.
- (iv) Reporting of misconduct by Jaysley.
- (v) The events which occurred at Chequers Hotel, Newbury on 7th December 2021.
- (vi) Intimate relationships.
- (vii) The Christmas Party
- (viii) The death by suicide of Jaysley’s Uncle.
- (ix) Alcohol.

Chronology

This inquest has had the benefit of evidence from Mrs McCready, Jaysley’s Mother. Jaysley had a joyful childhood up until the time that she left home at the age of 16 to join the army, having attended a careers day at school. Hers was a close family the members of whom supported one another. In the army she became a proud soldier and enjoyed her time training at Harrogate Foundation College, albeit that she described life in the army as disorganised. Apart from the first 6 weeks in training, she was in daily

contact with her family. She reported some level of bullying during the course but received support from one of her instructors Bombardier George Higgins of whom she spoke highly. A relationship developed between the couple which continued for a sustained period of time until terminated in November 2021 by Jaysley on the grounds of infidelity. A close friend of Jaysley's, Kirsty Davis, started the course at Harrogate at the same time. There had been rumours of a romance between Jaysley and George Higgins whilst he was her instructor. Ms Davis said that these were untrue and that it was only after the completion of the course that they became a couple. For the purpose of this inquest, it is unnecessary for me to determine whether or not the rumours were true. Mr Higgins declined to answer questions on the point as was his legal right.

Kirsty Davis talked of a panic attack that Jaysley had suffered on the course for which she underwent medical attention. Medical records were referred to during the inquest which corroborated this evidence.

Jaysley's aim had been to deploy abroad but Covid put an end to that and instead she joined the Corp Engagement Team (CET) which specialised in personnel recruitment. Jaysley joined the CET in February 2021. The CET sat with 14 Regiment whereas at this time Jaysley was a member of 47 regiment. She had a room located in a residential block as part of 47 regiment accommodation. Bombardier Haigh explained that at this time the country was coming out of lockdown but there were still restrictions preventing free association. The residents in each block were regarded as families within the Covid regulations. This led to a very close community so far as Jaysley and the other residents in the block were concerned. Each room provided a fairly basic bedroom and ensuite. It was the practice of those in the block to congregate in one another's room. Bombardier Daniel Morgan a resident in the accommodation block described the occupants as "our little family" with Jaysley describing him as her work dad.

Already in the CET unit was George Young. He became her work colleague and close friend. As did everyone else that knew her, he described Jaysley as a lively happy person who was confident and good at her job. She loved the work and according to the head of the unit, Sergeant (now Staff Sergeant) Baptiste, she was good at her job. Witnesses admired the fact

that a 19-year-old had such confidence and poise before an audience She had an engaging personality and was described as a bubbly and happy individual who came across well with her audiences.

Jaysley's immediate line manager throughout her service in the CET was the Bombardier. He was an individual who she identified to her family as someone who was really struggling with his mental health.

Once Covid restrictions had ended the CET made presentations across the country, staying in hotels and similar accommodation when working away from home. Heading the unit of approximately 10 members was Sergeant Baptiste. Sergeant Baptiste's office was separate from where the CET were based and so his interactions with members of the unit were intermittent. Under him was the Bombardier who was Jaysley's immediate line manager. The Bombardier was responsible for determining the makeup of the teams which ran the various events organised by the CET and their deployment.

Sergeant Baptiste said that every 6 months he had conducted an appraisal with Jaysley. So far as he was concerned, she was performing well and she raised no issues with him. In fact, during his last contact with Jaysley on 14th December, Jaysley was talking to him of sourcing corduroy for the Unit during the Christmas break. Until she was 18 Jaysley had a mentor but this came to an end after her 18th birthday.

In or around the Spring of 2021 Jaysley separated from George Higgins due to him having been unfaithful. The relationship resumed thereafter.

On Monday 12th July 2021 Jaysley attended an activity event which took place on Thorny Island. She was due to attend the event for the whole week. After the first day's activities there was an informal social gathering in the evening involving a barbeque. Those that attended, which included a number of high-ranking officers and NCOs, were permitted to bring alcohol. Jaysley as a gunner was the lowest ranking attendee and at 19 one of the youngest if not the youngest. In the early hours of the morning of 13th July there was only Jaysley and the BSM who were left in the room where the social event had taken place. The BSM made a sexual advance towards Jaysley who fled the building and slept the night in her car. A formal complaint was made against the BSM which was dealt with by means of minor administrative action.

Jaysley continued to take comfort from the close friendships that she had developed with individuals on her accommodation block. When on 24th July 2021 Jaysley was ordered to move blocks from 47 Regiment to 14 Regiment which held the CET she disobeyed. Kirsty Davis said that Jaysley was unhappy about a move as all her friends were housed in and around her present quarters. In the event Jaysley moved some belongings into the 14 Regiment accommodation to give the illusion of a move whilst staying put in her original room. The ruse was successful as the head of the CET thought that she had moved.

In November 2021 Jaysley ended her relationship with George Higgins. She had a brief intimate relationship with George Young, a friend and colleague in the CET. She also began an intimate relationship with Sergeant Cory Budd, a recently married man.

On 7th December 2021 Jaysley together with a colleague and the Bombardier was staying at the Chequers Hotel in Newbury as a base from which they were conducting events in Swindon. Due to the conduct of the Bombardier Jaysley fled the hotel and returned to Larkhill.

On 14th December 2021 Jaysley attended an informal Christmas party in her accommodation block. Although initially reported as being happy her demeanour changed and she left the party in the early hours of 15th December 2021 in an intoxicated state. After brief interactions with friends, she retired to her room where she exchanged messages and calls. There was concern in the afternoon of 15th December 2021 that there had been no contact from Jaysley. Neither her family nor Cory Budd had received replies to texts. Mr Budd was so concerned he contacted Bombardier Morgan and asked him to knock on Jaysley's door. At this point Cory Budd requested that access be gained to Jaysley's room by means of a master key. On Jaysley's room being entered at about 4 pm, Jaysley was found hanging by means of a ligature attached to a coat hook on the door. Jaysley's death was investigated by the police and the Senior Investigating Officer, Detective Inspector Martin gave evidence. Jaysley's room had been locked with the only key (apart from the master key) inside the room. The lock was not a self-locking mechanism. The window in the room was locked and the room itself was very neat. There were no signs

that Jaysley had been attacked and the police were satisfied that there were no suspicious circumstances in relation to the death.

The conduct of the Bombardier

A close and at the beginning benign friendship developed between Jaysley and the Bombardier. Witnesses confirmed at the beginning the Bombardier was both friendly and professional towards Jaysley. However, the line that separated leader and subordinate became blurred with the emphasis on the part of the Bombardier moving towards friend rather than superior. Not everyone in the CET noticed a shift in the relationship. Lance Corporal Tudor for instance had seen nothing improper in the Bombardier's dealings with Jaysley and judged his behaviour to have been purely professional.

Written material however told another story. The course of the latter part of the relationship between the Bombardier and Jaysley could be traced through a series of WhatsApp exchanges between the two. After Jaysley's death these messages were downloaded from Jaysley's mobile 'phone by her family. The record started in September and continued through October, November and into December 2021, shortly before her death.

The nature of the WhatsApp messages could be characterised as starting as professional business exchanges, moving to exchanges between friends and then gravitating towards the inappropriate when considering the propriety of communications between a manager and a subordinate. Sergeant Baptiste had noticed a change. On a car journey he had been concerned with what appeared to be overfamiliarity between the Bombardier her line manager and Jaysley. He had taken this up with the Bombardier who purported to be offended at the suggestion.

By October and into November the messages from the Bombardier clearly breached Army codes of conduct in terms of sexual impropriety and harassment. Disturbingly towards the end there were declarations of unrequited love, despite the fact that Jaysley had made it clear that the feelings were not shared. There was a further thread which ran through the messages and that was the depression that the Bombardier said that he was suffering and the unspoken threat of suicide by mention of past

alleged attempts and current feelings. Apart from the messages there were telephone calls and face-to-face encounters when the Bombardier openly referred to the possibility of suicide. Witnesses referred to the calls for Jaysley's support and sympathy as manipulative in commanding the attention of someone who by dint of her caring nature would always respond. It is difficult to believe that this was not the Bombardier's intention; the effect on Jaysley was that she felt compelled to support the Bombardier despite the harm that the constant pressure was inflicting on her own peace of mind. From September there was hardly a day that went by without countless messages. It could be seen that if there was not an instant answer, message after message followed until at last Jaysley responded. There were over 1,000 messages in October and over 3,600 in November. It is difficult to imagine the extent of the adverse effect that this must have had on Jaysley, a very young woman with problems of her own. Jaysley described the Bombardier's conduct as creepy and ultimately frightening; rightly or wrongly she suspected that he was tracking her through her 'phone. The Bombardier denied this and I think it unlikely. However, his relentless pursuit of Jaysley made the possibility very real for her.

Evidence of the Bombardier's declarations of love was not restricted to the WhatsApp messages. At the end of September / beginning of October Jaysley told George Young that the Bombardier said that he had feelings for her and that he was head over heels in love with her. He had asked Jaysley to go to bed with him. He had called her crying and persuaded her to come to his room. George Young had advised Jaysley that she should tell him that she did not feel the same way and that they must remain as just friends. However, he did not back off. Instead, he pursued her with texts, telephone calls and threats of self-harm.

It became apparent from text messages that the Bombardier was jealous of George Young. When Lance Bombardier Nainima joined the CET, it became noticeable that the Bombardier was manipulating the rota so that on engagements it was the Bombardier, Mr Nainima (or Max as he was universally referred to as) and Jaysley who attended recruitment events together, with George Young excluded. George Higgins remembered Jaysley telling him about an occasion when Jaysley was watching a film

with George Young and the Bombardier was annoyed that she was with someone else.

Mr Nainima had found the Bombardier to be a good line manager – someone who you could go to for advice and support. However, he had experienced exhibitions of strange behaviour on behalf of the Bombardier in relation to Jaysley on three occasions. First there had been events planned for Cumbria near to Jaysley’s home. Although the events had been cancelled after the first day, the team stayed on until the Thursday. Whenever Mr Nainima asked to go out to dinner with Jaysley and the Bombardier, the Bombardier always refused. On one occasion Mr Nainima was with Jaysley in her room. The Bombardier had gone round the accommodation shouting for Jaysley and when he found her in Mr Nainima’s room he was furious.

Jaysley told George Higgins of a further incident that had occurred in Cumbria. She, Max and the Bombardier had been in the same room. Max was intoxicated and had been put to bed whereupon the Bombardier had tried to touch her leg.

Subsequently there were events in Cardiff. The Bombardier would be in Jaysley’s room. Jaysley would insist that Mr Nainima should come to her room with his guitar so that she could sing. It was clear to Mr Nainima that Jaysley did not want to be alone with the Bombardier. The Bombardier appeared to be furious showing anger towards Mr Nainima. During the time in Cardiff Mr Nainima said that Jaysley seemed to be upset. The third occasion of strange behaviour on behalf of the Bombardier occurred in Newbury Mr Nainima recalled.

Jaysley told George Young that as a result of the Bombardier’s conduct she was stressed and that she dreaded going into work.

Jaysley’s friend Kirsty Davis recalled an incident which she believed occurred in November 2020 but must in fact have been November 2021. Ms Davis had been in Jaysley’s room when the Bombardier messaged her to say that he was going to kill himself. Jaysley immediately left the room to be with him.

Cory Budd too traced a progression of difficulties that Jaysley was encountering with the Bombardier. Mr Budd would often be present when

messages came through from the Bombardier demanding Jaysley's attention. He appeared to be possessive.

Jaysley's chronologically oldest friend on the accommodation block was Brandon Jones. He had met her on the first day that she had arrived at Larkhill and had marched her and two other recruits over to the accommodation block. He described an onslaught on behalf of the Bombardier from November 2021. He said that the Bombardier was out of control, assailing Jaysley with messages running to paragraphs and essays.

A number of witnesses deposed to Jaysley becoming scared of the Bombardier witnessed by an incident which probably happened in late November or early December 2021. Bombardier Daniel Morgan decided to play a joke on Jaysley. A group of Jaysley's friends including Mr Morgan, Mr Jones and Mr Budd were in Jaysley's room socialising. Daniel Morgan left the room and spoke to another resident named Gustav and asked him to knock on Jaysley's door and say that the Bombardier was outside asking to see her. This duly happened and Jaysley's extreme reaction surprised them all. She was clearly disturbed, shocked and scared. What particularly struck Mr Jones was the fact that here was Jaysley in a room with four large men and yet she was still scared on learning that the Bombardier was apparently nearby.

Witnesses spoke of further disturbing behaviour by the Bombardier including what appeared to be a love story featuring Jaysley albeit that no record of this particular story emerged during the course of the inquest. However, the Bombardier had created a word document on his laptop. Jaysley described this to Cory Budd as being a story about his feelings and his life which at first the Bombardier had agreed to show her and then refused. Mr Budd said that Jaysley had become worked up and confused. There were in fact two Word documents that the Bombardier had created. These were described by the Bombardier as his journals. I determine that the first journal was 14 pages long as opposed to the second version which was 13 pages long. Both documents could be described as somewhat rambling musings. However, the first journal as opposed to the second revealed the Bombardier's dissatisfaction with his relationship with Jaysley and complained of her alleged failings as a friend. It appeared that

he was jealous of a character that he named Jason Bourne and who was clearly George Young. The second journal excluded references to Jaysley. This was the version that the Bombardier produced for the Service Inquiry raising the suspicion of duplicity.

Bombardier Morgan was worried about the effect that the Bombardier's conduct was having on Jaysley. She complained to Daniel Morgan that the Bombardier was ringing her up all the time threatening suicide and he urged her to step back from him. By December she looked tired all the time and was snappy which was unlike her. She complained that the Bombardier would 'phone her up late at night and engage her in lengthy conversations. On one occasion he was on the telephone until 4 in the morning when Jaysley had to be up by 6 or 7. She was being deprived of sleep. It was all getting too much for her and yet she refused to speak to anyone. Others noticed a change in Jaysley from the beginning of December. She did not appear to be her happy self and she was drinking more, albeit that this was the runup to Christmas.

Reference to various policy documents including the Armed Forces Code of Social Conduct revealed that the Bombardier's behaviour amounted to unwelcome sexual attention and that his conduct satisfied the Army's definition of harassment. There was an obligation on behalf of those of higher rank than Jaysley who had knowledge of these matters to report the same to the chain of command.

Thorny Island

On Monday 12 July 2021 Jaysley attended Thorny Island on the first day of what had been planned as a week-long water-based activity event. This was post Covid restrictions and one of the purposes of the event was team building. Attendance at the event was compulsory so far as Jaysley was concerned.

Drew Tudor told the inquest that after the first day's events there had been a barbeque with mixed ranks in attendance ranging from Colonels down to Gunner Beck. There was no bar and individuals had gone out to purchase alcohol. By about 3 am there was only Mr Tudor, the BSM and Jaysley present. All were drunk but not incapable. Jaysley and the BSM

had played a last man standing game to see who could drink the most alcohol. Mr Tudor left around 3 or 3.30 to go to bed in the accommodation which was adjoining. The BSM and Jaysley remained. They seemed to Mr Tudor be alright. Jaysley had not been flirting with the BSM. What happened when Mr Tudor left was witnessed by no one other than Jaysley and the BSM. However, Jaysley gave accounts of what had happened to a number of witnesses. Due to the passage of time the recollection of some witnesses was better than others.

It was the evidence of Jaysley's Mother that Jaysley had subsequently telephoned her to say that the BSM had made a pass at her and placed his hand between her legs.

Jaysley's close friend Jonathan Wheeler said that he received a telephone call from Jaysley immediately after the incident had happened. She had told him that she had had to repeatedly push the BSM away and that she was terrified of him. She was convinced that he was trying to find her and hid in the lavatories, standing on the toilet seat so that he could not see her legs under the door. Ultimately, at Mr Wheeler's suggestion she had taken refuge in her car.

At this point Jaysley telephoned her friend Kirsty Davis who happened to be on guard duty that night. Jaysley telephoned her from her car. She was crying. Ms Davis' memory of events was somewhat vague but she remembered Jaysley telling her that the BSM had tried to kiss her and that she was so worried that she made Ms Davis stay on the 'phone for the rest of the night because she was afraid that the BSM might come to the car. When giving evidence at the service inquiry Ms Davis recalled that Jaysley had said that she was trying to push the BSM away but he was pinning her down. Despite being an essential witness to Jaysley's actions after the event, at no stage was she asked to give her account of what had happened.

In the early morning of 13th July George Higgins was woken by a call from Jaysley. He noted that there were a number of missed calls from her. She spoke of a sergeant having tried it on with her, that she did not feel safe in her accommodation and had gone to sleep in her car. She reported that she was found by a captain who she said had basically accused her of lying.

In November Jaysley told George Young about events at Thorny Island. His recollection of what she said was that during a social event a warrant officer had waited until everyone else had left the room. He had made a pass at her trying to kiss her. She had said “no” and then he had put his hand on her leg and tried to kiss her again. She had slept in her car and reported it to Sergeant Baptiste who was at Larkhill and to the Bombardier who was in Cornwall.

Jaysley’s accounts of what happened consistently complained of physical touching as part of a sexual encounter. She was sufficiently terrified to flee the scene, hide in the toilets, take refuge in her car with the doors locked and insist that her friend Kirsty Davis remain on the ‘phone as a matter of increased security. These were not reactions to a simple attempt at a stolen kiss. On the balance of probabilities I find that Jaysley was sexually assaulted.

Later on, in morning following the incident, Mr Tudor had gone to look for members of the team but could not find Jaysley. She was not in the female dormitory and one of the women there said that she had come in in the middle of the night crying and collected her stuff. Mr Tudor had gone looking for Jaysley and on an impulse had checked her car. The rear windows of the car were darkened but on looking closely he could make out Jaysley asleep across the back seat. The doors were locked and he knocked on the window. Jaysley awoke and opened the door. She burst out crying. Jaysley said that the BSM had done something and that she had gone to her car because she did not feel safe. She did not go into detail but Mr Tudor realised that it was serious and after some persuasion Jaysley agreed for Mr Tudor to report the matter to Captain (now Major) Hook, which he did. Captain Hook was the person in charge of the activities at Thorny Island. He came to the car park and got into the car with Mr Tudor. Mr Tudor’s memory was imperfect but he recalled Jaysley saying something about the BSM trying to touch her and Captain Hook saying that this was serious and had to be dealt with.

Major Hook’s evidence to the inquest was that he had been the organiser of the activity event on Thorny Island which had involved around 20 people. He had been present at the barbeque and the social event thereafter. Colonel Shepherd had been the senior officer present and

according to her evidence had given a specific order that festivities should end at midnight, a directive of which Major Hook claimed not to be aware. He said that he left between 1 and 2 am at which time he said only a handful of people remained including Jaysley, the BSM and Mr Tudor. He had witnessed high spirits but no poor behaviour he said. Major Hook said that he had been aware that the following morning Jaysley could not be found and when she had been found, at Mr Tudor's request, he had gone to her car. He recalled that Jaysley said that the BSM had made a pass at her the previous night. Major Hook took an opportunity to have a private word with Jaysley walking with her along the main drag of the establishment and back. He said that during the walk with Jaysley she said that the BSM on being alone with her had made a pass at her having said that he had been waiting for the moment when it was just the two of them together and that he could tell that she felt the same way. In his evidence Major Hook claimed that he could not remember whether Jaysley had alleged any physical contact. He asked Jaysley what outcome she wanted and she said that she did not want anything bad to happen to the BSM. She did not want anything to harm his career.

In his evidence to the inquest Major Hook said that he could not reconcile the complaint that Jaysley was making with her wish that no action should be taken against the BSM. He was of the view that Jaysley did not want to be on the course. In support of this view, he cited the fact that on the previous day she had volunteered to take a participant back to camp for welfare reasons and the fact that she was now seeking to leave the exercise. A passage in his evidence before the Service Inquiry is particularly telling in this regard. He said that Jaysley was whingeing about the fact that she was on these kite-surfing expeditions, she didn't like the sea, she didn't like the sand, she didn't like the weather, and throughout the first day she'd been saying she didn't want to be there and she wanted to go home. He made Jaysley aware of the career ramifications to the BSM if she made a complaint. He pointed out to her the fact that there were no witnesses to the incident. He suspected, he said, that the allegation of an assault was an excuse to enable Jaysley to avoid completing the course. When asked to come off the course, Jaysley in a contemporaneous WhatsApp message recorded that Major Hook had pointed out that the

course cost money, she was in the British Army and she was paid to do the course. It is hardly surprising that subsequently Jaysley told friends that Major Hook had accused her of lying.

In his evidence to the Service Inquiry Major Hook said “I was conscious of the fact initially that was this something that she was generating for an excuse to get away from Thorney Island and away from the training which she’d already made perfectly clear to me that she wasn’t enjoying and didn’t really want to be a part of.” At the very least Major Hook at the time of the Service Inquiry knew of the fact that the BSM had admitted improper conduct towards Jaysley making it strange that even then he was implying deception on Jaysley’s behalf.

Instead of investigating Jaysley’s complaint further Major Hook having emphasised the effect that the complaint would have on the BSM’s career and having stressed the fact that there were no witnesses, told Jaysley to mull the matter over before deciding what action to take. It was not long afterwards that Major Hook learned that the matter had been reported to Jaysley’s line management and was being taken up by Sergeant Baptiste the head of the CET. At that point Major Hook said that he informed Major Lupton.

In his evidence to the Service Inquiry Major Hook said that later on the Tuesday he learned that the Bombardier, Staff Sergeant Baptiste and Major Lupton already knew about the incident and as a result at that point decided to inform the colonel. Major Lupton said that Captain Hook had reported the allegation to him that morning. I am satisfied that it is much more likely that his knowledge came via the CET rather than Major Hook and that Major Lupton was mistaken. Major Hook had left it with Jaysley to make a decision as to how to proceed and had then gone out to continue the activities. In further support of Major Hook’s version of events, the Bombardier was confident that when Jaysley telephoned him on the morning of 13th July he was the first to report the complaint to Major Lupton. On the balance of probabilities I determine that Major Hook informed no one of Jaysley’s allegations until the cat was out of the bag as it were.

According to Mr Tudor, Jaysley felt that there was complete injustice as regards what happened following the incident on Thorney Island.

In that the way that Jaysley's complaint was handled combined with other factors, in my judgment played more than a minimal contributory part in her death, I make the following findings of fact:

- (1) Major Hook did not initiate any investigations into Jaysley's allegations
- (2) Made assumptions as to Jaysley's veracity without any factual basis for doing so
- (3) Put pressure on her to drop her allegations
- (4) Only reported the matter to higher command when it became apparent that Jaysley's line management had been involved in the pursuit of a complaint

Colonel Samantha Shepherd had a very different view as to what happened on Thorny Island. She was adamant in her evidence that she had called a halt to festivities on the Monday night at midnight. I judge Colonel Shepherd to have been a truthful witness and I find as a fact that she did. Neither Major Hook nor Lance Corporal Tudor could recall this but alcohol might have played a part in the memory lapse.

It was not until 6.15 pm on Tuesday 14th July that Colonel Shepherd became aware of Jaysley's allegations. She went for a walk with Jaysley and Jaysley said that the BSM had tried to kiss her and had touched her leg. At the time she had not appreciated that the allegations constituted the crime of sexual assault although she did now. She did not doubt Jaysley's word as to what had happened for one moment. She regarded the matter as a serious breach of discipline.

Disciplinary proceedings that followed that event

Colonel Shepherd said that she had asked Jaysley what she wanted to do. She said that she did this in order to empower Jaysley. However, she did concede that allowing a matter of disciplinary outcome to be victim led meant that there was a risk of a backlash with odium descending on the victim rather than the accused. She denied being deliberately a party to a cover up in downplaying the accusation. She had taken legal advice on the matter and had followed that advice. However, she was of the view that dealing with the matter by way of minor administrative action was entirely inappropriate. Were a situation such as this to arise now she would have

caused the Military Police to be informed for the matter to be properly investigated. As it was there had been no investigation and no one had been interviewed.

It was Colonel Shepherd's direction that action against the BSM should be by way of minor administrative action, somewhat at odds with her previous declaration that this was not appropriate. That was she said to have been on the basis of legal advice. However, it appears that categorising the complaint as suitable for minor administrative action relied on the assumption that there had been no actual touching during the BSM's advances on Jaysley. It was not clear how this important component was left out of the mix. It was Colonel's Shepherd's sworn testimony that in the original draft of the details of the offence the fact that the BSM had touched Jaysley's leg was included but that in the final draft this was excluded. Brigadier Emmet when she gave her evidence confirmed that this was the case. I cannot understand how Colonel Shepherd who was the Origination Officer in relation to the Minor Administrative Action allowed this to happen especially since she was also to some degree the deciding officer albeit that Major Ronz officially had this designation. The effect of the omission was that what should at the very least have been a major administrative action (subject to the ultimate evidential findings), with all the ramifications that that would have had so far as the BSM was concerned ended up as a minor sanction categorised as "Inappropriate behaviour unbecoming of a Warrant Officer" with not a hint that the inappropriate behaviour was an uninvited sexual advance by a very senior non-commissioned officer towards a teenage female private. Had there been a finding that there was a physical element to the actions of the BSM the conduct would have moved from the realms of breach of army discipline into the criminal law. Such a result would have run contrary to the perceived wishes of Jaysley but massaging the evidence was inappropriate. It was the evidence of Brigadier Emmett that on the basis of the facts as understood by Brigadier Emmett the matter should have been reported to the police.

Major Ronz was the deciding officer in relation to the minor administrative action. He interviewed Jaysley. He found her to be subdued. He gave her his understanding of what happened namely that the BSM leant in for a

kiss and that she had rejected that advance, and then that was the end of the incident and at that stage both Jaysley and the BSM left the room. Jaysley was asked if this was correct and she confirmed that it was. Having reflected on the part that he played in the investigation, Major Ronz conceded that he should have let Jaysley give her account of what had happened.

There were no independent witnesses to the encounter between the BSM and Jaysley. Jaysley was never formally interviewed and the BSM when questioned when giving evidence at the inquest declined to give evidence on the subject on the grounds of possible self-incrimination which was his legal right.

The BSM's letter of apology was handed to Jaysley by Major Lupton. Jaysley read the letter and declared herself to be satisfied.

The letter dated 19th July 2021 and addressed to Gunner Beck from the BSM read,

I am writing this letter in order to offer my sincere apologies for the incident that took place on Mon 12th July whilst we were in Thorny Island. My behaviour was absolutely unacceptable, and I am truly sorry that I put you in the position I did. It was no only unbecoming of my rank, but also all normal social behaviour. There is no excuse for behaving the way I did, and I will not insult you further by trying to make one.

I do want to make clear that this is not the way I operate or behave normally, I can assure you that I am extremely disappointed in myself and I will certainly take a long time personally reflecting on the way I acted.

I would like to opportunity to personally apologise to you if you are willing to allow me, but I understand if you would rather I didn't.

I hope that you can accept this apology and if there is ever anything that I can do for you my door will always be open.

I find on the balance of probabilities that the complaint should have been reported to the police and that a failure to do so breached army policy. I find on the balance of probabilities that the complaint should not have been dealt with by way of minor administrative action and that adopting this route breached army policy. As it was a sexual assault carried out on

a 19-year-old gunner by a middle-aged man of senior rank was recorded merely as:

“Inappropriate behaviour unbecoming of a Warrant Officer whilst on RHQ RA AT expedition in Thorney Island on 13 Jul 21.”

Willingness of Jaysley to report misconduct

According to Jaysley’s friend Braddon Haigh she regarded the apology as pathetic and easy to write and Mr Tudor gave evidence that Jaysley felt that there was complete injustice following the incident on Thorny Island. George Higgins said that Jaysley was not happy with the apology but accepted it. However, he said that it meant that she lost faith in the chain of command. It was not only the fact that nothing gets done but that she would get a reputation as a complaining female. She had not been believed on Thorny Island and did not want to be seen as the problem were she to make any further complaint.

This view was substantiated by Brigadier Emmett who reported on an attitude survey undertaken in 2024, 87% of respondents stated that they would not make a complaint, some by reason of the belief that a complaint would get them nowhere and others that making a complaint would affect their career.

As it was the BSM received a minor sanction with no record of the fact that there had been a sexual offence.

Although Jaysley told her friend Jonathan Wheeler that she was satisfied with that outcome she told her mother that she was furious with the last sentence of the letter which read “I hope you can accept this apology and if there is ever anything that I can do for you my door will always be open”. The BSM, she said was head of her line management and it appeared to Jaysley as ridiculous that she might consider going to him for help, albeit that in actual fact the BSM had nothing to do with her line management. With increasing urgency as time went on Jaysley was encouraged by her friends and family to make a formal complaint about the Bombardier’s conduct. Jaysley refused to do so for two reasons. First, she was concerned

as to his state of mind and the possibility of harming himself. She told a number of her friends that she was worried of doing anything that might push him over the edge. In this regard she told Jonathan Wheeler that she was worried about the Bombardier's mental state and could not forgive herself if something happened as a result of action taken by her. Jonathan Wheeler had noticed a change in Jaysley's demeanour in December. When Jaysley refused to make a complaint against the Bombardier he contemplated doing so on her behalf but decided not to because he feared that Jaysley might regard this as a breach of trust and that this would adversely affect their friendship.

However, there was another reason and that related to events on Thorny Island and the lack of any satisfactory outcome from her complaint.

She told her friend Jonathan Wheeler that she was also worried about getting a reputation as a trouble maker, reporting misconduct about a more senior soldier.

In George Young's words the complaint was squashed whereas he was of the view that the individual should have been removed from post. George Young thought that this matter was preying on Jaysley's mind which is why she had mentioned it to him two months after the event.

George Young urged Jaysley to report the Bombardier's conduct. He felt that there were a number of reasons why she did not. She feared getting a reputation, of being taken off the team and also did not want to get the Bombardier into trouble and perhaps based on her previous experience of making a complaint, nothing would be done.

Kirsty Davis could well understand Jaysley's reluctance to take the matter of the BSM's assault further. Were the BSM to have suffered adverse career consequences as a result of disciplinary action there was likely to be a backlash with Jaysley being blamed and vilified. That was her experience of what happened when a female soldier made a complaint against a male soldier.

Jaysley's friends were urging her to make a complaint right up to the end. On 13th December 2021 by which time the Bombardier had announced that he was leaving Larkhill, Jaysley in a message to George Young had again refused to make a complaint due to the fact that The Bombardier was leaving to which George Young replied, "No the issue is a grown man

in a position of responsibility has been sexually harassing a subordinate for the better part of 2 months and he's getting away with it." According to Braddon Haigh Jaysley was unwilling to report harassment by the Bombardier because she would just get another letter again and nothing would happen.

Brandon Jones said that Jaysley did not want to report the Bombardier first because of his threats to kill himself and she did not want to do anything which ran the risk of provoking this and secondly, she did not want to be regarded as a female serial accuser. However, he agreed that Jaysley was only 19 and was getting an amount of pressure that did not sit right. There was only so much that she could handle at that age.

This was a theme taken up by Jaysley's friend Tamsin Hort. She had experience of continued and sustained sexual harassment, with unpleasant name calling such as "slag" if sexual advances were rejected and referred to her experiences of being improperly propositioned, including an instance when an army sergeant came uninvited to her room bearing a condom. A female complainer she said would be vilified as a grass. She left the army despite loving her job as a result of how male soldiers treated her. This was behaviour she said which was not confined to enlisted men but included officers. It was thus in her view useless to make a complaint up the chain of command, quite apart from which there was likely to be a connection between the perpetrator and the person investigating the complaint She bonded with Jaysley because they both had experience of a cheating boyfriend and both of them had been upset as a result.

Events at Newbury 7th December 2021

Things came to a head with the Bombardier on 7th December 2021 during an event taking place in Swindon. Jaysley informed her mother and Jonathan Wheeler that the Bombardier had engineered it so that they had adjoining rooms at the Chequers Hotel in Newbury where the CET team of Jaysley, Mr Nainima and the Bombardier were staying. At the outset it had seemed strange that an event so close to the Larkhill camp should raise the need for overnight accommodation when they could have easily

commuted. Jaysley complained to Mr Wheeler that the Bombardier had come into her room and touched her leg and that he had paid for her room. She was said to be trembling and that she had said that she needed to get out of there. The Bombardier denied that he had put his hand on her leg. I am unable to determine whether or not this happened.

Mr Nainima while present at the event had found the whole affair extremely awkward. Jaysley and the Bombardier seemed to be at odds with each other and avoiding each other and ultimately on the Wednesday left the presentations to him. Back at the hotel after the event Mr Nainima asked Jaysley to come out for a meal but she declined saying she was not hungry. He approached the Bombardier about a meal and he replied that he would wait for Jaysley. When Mr Nainima said that Jaysley was not hungry he said that he was not hungry either. The next day Mr Nainima found out that Jaysley had left and the Bombardier was upset and cranky.

In fact, Jaysley had made her escape the night before. She had telephoned her friend George Young who came to pick her up. She was crying.

It took George Young about an hour to reach the hotel where Jaysley was staying. When he arrived, he found Jaysley to be trembling, shocked and she felt unsafe. She complained that the Bombardier's behaviour had ramped up. He had been banging on her hotel door.

Again, George Young urged her to report his behaviour but Jaysley would not do so. Among other things she did not want to get a reputation as a female making complaints against men.

Jaysley sent a WhatsApp message to the Bombardier:

'Bombardier, I want off this event tonight. I've spoken with my family about it. I've told them everything and they are genuinely worried for me. I honestly feel trapped in this whole situation. I have tried to act as normal as possible because we are working together but nothing is normal about this situation. I've tried to be there for you as a friend but it completely crossed the line of that a long time ago. You're doing all of this because of me, as much as you deny it you've already told me the truth. Even the thoughts you're having about me and George. It's possessive and psychotic. You have to understand this is not normal behaviour. I feel so uncomfortable on

this event; I've literally cried about it and been up worrying about it. The truth is I'm struggling to deal with all this, it's taking a huge toll on my own mental health for many personal reasons, I need time out. I don't want to Max to think anything of this so we can say I've had to leave for a family emergency.'

Absenting herself from the event was an offence which could have been the subject of disciplinary action. Notably the Bombardier did not report this.

Cory Budd said that ultimately Jaysley had confronted the Bombardier saying that she was going to leave the CET. Jaysley reported that the Bombardier's response was that he would leave instead. He told Mr Nainima also that he was leaving quoting mental problems.

Both Jaysley's father and George Young were worried that the Bombardier might physically harm Jaysley.

For his part the Bombardier when he gave evidence said that he left Larkhill on 8th December and went to stay with his grandparents in West Yorkshire. It was seen that on 8th December 2021 he had sent a WhatsApp message to Jaysley saying that he was taking himself away. He also spoke in terms of hoping to be her friend in the future and in the context of both George Higgins and her Father being fearful at the prospect that in his obsessive behaviour the Bombardier might harm her it is unlikely that by apparently absenting himself Jaysley will have felt an immediate release from the stress that she had been under.

Intimate relationships

Jaysley's relationship with George Higgins flourished during lockdown and continued after Jaysley had moved to Larkhill. There were however complications in the relationship in that Jaysley was stationed in Wiltshire and Mr Higgins remained at Harrogate. Mr Higgins while admitting being unfaithful purported not to remember the details and made light of any stress that this would cause Jaysley. He did recall a separation at some point between himself and Jaysley but did not think that it lasted long. Other evidence suggested that it was in the spring of 2021 when there

was a temporary separation but that Jaysley and George Higgins were reconciled.

At the beginning of November 2021 Jaysley finally split up from George Higgins. A girl in Harrogate revealed to Jaysley that she had had an affair with Mr Higgins and this was the last straw. The impression when George Higgins gave evidence was that this was not the only transgression. It had been the impression that Jaysley had been agonising over the situation and according to Daniel Morgan she was relieved once she had made the break.

George Young was a close friend of Jaysley's. They had had a brief relationship but decided not to take it further and instead remained good friends.

In November 2021 Jaysley met Staff Sergeant Cory Budd. Sergeant Budd was also posted at the Larkhill Garrison. They had met briefly in May but it was after a second encounter in November that a friendship developed. Within a short time, the friendship developed into an intimate relationship of some intensity. The couple decided to keep their relationship secret. Cory Budd was but recently married and the rumour mill would go into overdrive if their affair were to be discovered. Nevertheless, the frequency that Cory Budd was seen with Jaysley soon engendered suspicions.

Mr Wheeler, already concerned that Jaysley appeared down in December listed what he regarded as matters that were adversely affecting Jaysley. These included the relationship with George Higgins, the problems with the Bombardier and the affair with Sergeant Budd. Jaysley was a woman of strong moral principles who had talked with disdain about home wreckers who had affairs with married men. She would have been very conflicted about her relationship with Mr Budd Jonathan Wheeler said. Mr Haigh too had heard Jaysley speaking disdainfully about women who slept with married men. She had said "if I did that I would kill myself". According to Brandon Jones too Jaysley had been very critical of a friend who had been with a married man and declared that she would never do that.

George Higgins was posted back to Larkhill. Despite the ending of their relationship, he and Jaysley remained friends. On or about 8th December

2021 they had met at a local Costa for coffee and Jaysley told him about what had happened in Newbury.

On or about 9th December 2021 Jaysley had telephoned George Higgins at 2.30 in the morning. She wanted him to come to her room. He dressed and went to her room. She was upset. Her leg was constantly shaking. He comforted her for about two hours before she eventually fell asleep. She did not say what was wrong with her but she was clearly distressed. George Higgins did not consider that this was a panic attack. However, what is clear is that Jaysley was stressed to a degree that led her in the early hours of the morning to call her former boyfriend to her room for comfort whilst exhibiting a physical sign of distress manifesting itself in the form of leg shaking.

The Christmas Party

On 14th December there was an informal Christmas party held in Jaysley's accommodation block.

Kirsty Davis was not present at the Christmas party as she had been deployed to Norway. However, that afternoon she had spoken to Jaysley and she seemed to be happy. Mr Wheeler had been present at the party which had taken place in the service personnel's common room. Sergeant Budd had been present and there were rumours circulating that he and Jaysley were having an affair which was something that Jaysley refuted; Ms Davis knew that they were close friends but nothing more.

Brandon Jones strongly suspected that there was something going on between Jaysley and Cory Budd. He called her out on the subject and she went as red as a tomato.

Mr Jones said in evidence that after she had ended the relationship with George Higgins "she felt like crap". He was of the view that the relationship with Cory Budd had developed because someone was showing her attention. In other words, the relationship had been formed on the rebound. Jaysley was in good spirits. However, around 11 or 12 Mr Wheeler had seen Jaysley and Mr Budd outside carrying on an earnest conversation. The conversation lasted a long time and after it was over Mr Budd left and there was a noticeable change in Jaysley who said "Fuck it,

let's get drunk". During the evening Jaysley had been drinking a random mixture of drinks and vomited.

Cory Budd had himself attended a Mess function on 14th December 2021. He received a message from Jaysley at 22.48 inviting him to her block party. When he arrived, he found Jaysley to be in a happy mood playing drinking games and obviously drunk. Jaysley encountered spilt vodka on a table and started to sniff it. Mr Budd said that he was annoyed at this and said that he was leaving. He had an early start in the morning. He said that Jaysley had asked him to come upstairs for a talk and he had gone to her room. The door to Jaysley's room was open and Mr Budd thought that this was probably when Jonathan Wheeler had seen them. Brandon Jones too had seen them together through the open door of Jaysley's room.

Cory Budd was still a little annoyed with her. They spoke about how they would feel about each other after Christmas. Mr Budd thought that Jaysley might have felt that he was expressing doubts about the relationship. Clearly the conversation had upset Jaysley because she had returned to the party apparently upset saying "fuck it, let's get drunk".

At 00.23 on 15th December Mr Budd had sent a text saying "sorry" to which Jaysley had replied at 00.30 "don't be sorry I knew what I was getting into". Mr Budd agreed that this could be confirmation that she was having doubts as to his commitment to the relationship. He replied "can we please talk about this tomorrow" to which she replied at 02.13 "yeah". That was the last communication from Jaysley. There had been a number of calls between them but Mr Budd said that he could not recall what was said.

At around 2 am Mr Wheeler had gone to Jaysley's room to check on her. She appeared upset and when asked the reason she said "Family Stuff" which Mr Wheeler thought was a deflection hiding the real reason. Jaysley frequently referred to family problems when she wanted to avoid giving a reason for being down. He was convinced that her being upset was related to the conversation with Sergeant Budd. They parted with Jaysley promising to see Mr Wheeler tomorrow and Mr Wheeler making it clear that his door would be open if she wanted any support.

Both Braddon Haigh and Brandon Jones were at the party. Their estimates of numbers were wildly different with Mr Haigh estimating 15 to 20

present while Mr Jones thought that up to 50 attended. The disparity may be due to the fact that according to Mr Jones the party was not confined to the common room but spread through the accommodation block. Braddon Haigh said that at the end of the evening it was just him, John Wheeler and Jaysley left. They were together in the kitchen. Jaysley was asked what was wrong and she replied “family problems” which was her stock reply when she did not want to give an answer. Before going to bed she gave Mr Haigh a hug which so far as he was concerned was a unique experience. Jaysley also hugged Brandon Jones, something that she had done before but only rarely. Mr Jones said that by 2.45 everyone had gone to bed and all doors were closed.

The death by suicide of Jaysley’s Uncle

On 18th August 2020 Jaysley’s uncle had died by suicide. Jaysley had been close to her uncle when she was younger and carried a photograph of him in her ‘phone, as did the rest of the family. She also had the order of her uncle’s funeral service posted on her wall. Witnesses spoke of her suffering night terrors with her uncle appearing in her dreams. She discussed what had happened with her friend Kirsty Davis and they had spoken about suicide but Kirsty Davis said that she had no fears so far as Jaysley was concerned because she had a strong family. It was said that Jaysley felt regretful of the fact that she had had a falling out with her uncle in the January of the year that he died and there had not been a reconciliation.

Alcohol

Jonathan Wheeler spoke of Jaysley occasionally drinking to excess and vomiting. Kirsty Davis on the other hand was of the view that drinking was part of the army culture and that she and Jaysley were not strangers to drunkenness.

It was apparent that alcohol featured as an aspect of Jaysley’s life as it did with many of her friends. With nothing much to do in the evenings Jaysley and her friends would go to the pub of a drink and it was mainly at

weekends that there were any excesses. One might suspect that drunkenness was not considered something to be ashamed of witness the fact that following heavy drinking Jaysley had sent Mr Morgan a video of her vomiting. In his words most weekends there would be a blow out.

A toxicological examination was carried out post mortem which showed in Jaysley a level three times over the permitted limit for driving.

Jaysley was not addicted to alcohol. Her drinking was very much in line with that of her friends and was part of a culture which saw social drinking during the week and occasional binge drinking at weekends. However, alcohol is a depressant rather than a stimulant and whilst in the early stages of intoxication there may be euphoric effects combined with a relaxation of inhibitions the after effects of intoxication can be symptoms of physical illness such as Jaysley experienced on occasions together with feelings of depression. Witnesses and in particular her close friend Jonathan Wheeler reported Jaysley as being out of sorts in December; hardly surprising with an endless barrage from the Bombardier, leading to loss of sleep when the Bombardier chose to engage Jaysley in long conversations in the early hours of the morning. She had clearly been very upset at the Christmas party in some way related to her relationship with Cory Budd and there may have been an element of self-medication in her use of alcohol, the effect of which would inevitably exacerbate feelings of depression.

My conclusion in relation to Jaysley's death is that she died by suicide. I am satisfied that Jaysley undertook the physical actions that resulted in her death by hanging. Since the inevitable consequences of allowing herself to be suspended must have been known to Jaysley despite the level of alcohol that she had consumed, I am satisfied that she intended to die.

I find that the following factors more than minimally contributed to her decision to take her own life. Whilst it is impossible to exactly quantify the extent to which individual factors played a part in Jaysley's decision to end her own life, I list these factors in what I judge to be the order of importance so far as Jaysley's decision was concerned:

There were two influences of equal significance which probably bore on Jaysley's decision to end her life. On the one hand there was the turmoil

that she experienced in relation to her relationships. For an extended period of time Jaysley had stood by her relationship with George Higgins despite his infidelity. It is likely that the ending of the relationship in early November 2021 left Jaysley vulnerable to such an extent that she took up with a married man despite her very strongly held moral views that this was reprehensible. If it was indeed the fact that she had begun to fear the soundness of the foundation of that relationship, that would have only added to her despair.

On the other hand, and equally important was the stress caused by the unwanted attention from the Bombardier. Jaysley could not escape the daily barrage of messages, calls and face to face encounters that she experienced at his hands. Jaysley was selfless in the desire to help others. The inquest heard that in the accommodation block she would go out of her way to join the lonely and isolated into the companionship that was available. When badly wronged by the BSM, to such an extent that she feared for her own safety, her first thoughts were that she should not take steps that would damage his career. The Bombardier by threatening suicide played on Jaysley's caring personality in an attempt to draw her into a romantic relationship that she did not seek. There was an unnerving escalation of the Bombardier's advances over the three months prior to Jaysley's death leaving her sleep deprived and increasingly scared of what might be the outcome of his unrequited feelings. Although the Bombardier had left Larkhill shortly before Jaysley's death she could not be certain that that was the end of the matter added to which the stress that had built up during the last three months inevitably remained.

I find that the failure of the army to deal with her complaint arising from the actions of the BSM in a lawfully proper way more than minimally contributed to Jaysley's death. Jaysley was left with a feeling of injustice but more importantly lost faith in her ability to complain effectively to the extent that she did not complain of the harassment that she was receiving from the Bombardier. Jaysley's superiors were aware of the fact that a serious wrong had been done to Jaysley by a senior officer. Trivial disciplinary action was taken under the guise that this is what the injured person wanted and that this course was victim led. A serious offence had been revealed and demanded proper action. Inappropriate paternalism

should play no part in an institution that demands high standards and a strict adherence to rules. Taking the decision to proceed against the BSM out of the hands of the victim would have helped to mitigate the fears of a backlash so frequently referred to, together with fears that Jaysley would be seen as a serial complainer.

The consumption of alcohol on the night of her death played a more than minimal part.

It is possible that the death by suicide of her uncle played a part in Jaysley's decision. Thoughts of the suicide clearly troubled Jaysley from time to time although to a lesser extent more recently. Suicide was also a subject which Jaysley broached at least with her friend Kirsty Davis. However, at the time of her death Jaysley had other things on her mind and I think that it is unlikely that her uncle's death was a factor in her death. What I can be confident of is that family troubles were not a factor. That possibility had been raised in the Bombardier's statement to the Service Inquiry. I am satisfied that what he said was knowingly false and an attempt to deflect responsibility for Jaysley's death from himself.

It is not possible with forensic exactitude to analyse the precise contribution of the causes behind Jaysley's tragic decision. It is inevitably the case that it was a matter of a whole number of factors conspiring together in an unquantifiable way so as to lead to that decision.

The Army through Brigadier Emmett's evidence frankly admitted that the Army had let Jaysley down throughout her military service. This was the conclusion of the Army following the Service Inquiry.

I find that there is an arguable case for saying that in relation to Jaysley the State breached her Article 2 right to life by reason of the State's failure to put in place "a framework of laws, precautions, procedures and means of enforcement which will, to the greatest extent reasonably practicable, protect life" (*Middleton v HM Coroner for Western District of Somerset* (2004) UKHL 10 – para 2). More accurately systems were in place but failed to operate effectively.

The failures were principally in two regards. First, Jaysley was subjected to intolerable harassment over a sustained period of time by the Bombardier, her line manager. This had a deleterious effect on her well-being causing stress, anxiety, sleeplessness and fear for her own safety. The behaviour

and the resultant harm to Jaysley was recognised by a number of fellow soldiers of superior rank to her. Although these individuals in misplaced loyalty towards Jaysley did not make a report to the chain of command they nevertheless had a duty to do so. The failure to report was a systemic failure. Further or in the alternative the system for making complaint was insufficiently robust so as to facilitate engagement.

Secondly the evidence revealed that there was a failure on behalf of the State to deal appropriately or effectively with a complaint by Jaysley following a sexual assault. The failure was systemic in that every senior officer involved in the decision-making process, in seeking to secure the least possible punitive outcome on behalf of the accused, failed to follow correct procedures and in so doing breached established policies and procedures.