



Royal Anglian News

August 2020

Regimental Matters

Virtual Regimental Day 2020

As a reminder it will be available online at 1100hrs on Sun 06 Sept 20 - Please tune into our website or Facebook page to watch. All comments are welcome, including those from our eagle eyed veterans who enjoy drill movements.

Regimental Remembrance Sunday Service at Regimental Memorial at Duxford on Sun 06 Nov

We are still planning to hold our customary Regimental service, which all members of the Regimental Family are welcome to attend. The service will be supported by our Regimental Band. Our usual service format will be adjusted to allow for social distancing. Those planning to attend should allow for Duxford traffic, to arrive at our memorial for 1030. We will publish any changes to plan in Regimental media.

Victory in Japan Commemorations

August saw commemorations across our counties to remember the historic efforts of our forebearer Regiments, although we couldn't all come together as we would have wished, a series of smaller events and online memorials were held and well supported by the local association members. The article below was written as part of the Lord lieutenant of Suffolk's commemoration of VJ Day which included a service, held in St Mary's Church Bury St Edmunds. The article appears with kind permission of its author, Maj Gen John Sutherell.

REFLECTIONS ON VICTORY OVER JAPAN (VJ) DAY



2nd Bn The Suffolk Regiment in the Arakan.

On 15 August 1945 Japan announced its surrender and this day was designated 'Victory over Japan' or VJ Day. For the United Kingdom this marked the official end of the Second World War.

Imperial Japan, which then included Korea and Taiwan, had a constitution and parliamentary system. It had been an effective British ally in the First World War. Becoming more authoritarian and militarized, Japan

occupied Manchuria in 1931, left the League of Nations in 1933, signed a pact with Nazi Germany in 1936 and invaded China in 1937, waging a brutal war there for the next 8 years. Britain was pre-occupied with the German threat, and through a combination of ignorance, cultural prejudice, complacency and delusional thinking, seriously underestimated Japan's ambitions and warlike capabilities. On 8 December 1941 Japan took control of French Indo-China and invaded Malaya, Thailand, Burma, and the Philippines. HMS Prince of Wales and HMS Repulse, sent to the Far East as a deterrent, against naval advice, were sunk by Japanese aircraft on 10 December. 'Fortress Singapore' fell on 15 February. By May Burma had been captured, India threatened, Australia bombed and Japanese troops were pushing through New Guinea towards Queensland. The British had been out-generaled and out-fought by smaller numbers but operationally experienced and fanatically brave Japanese.

It took nearly 4 years of intensely bitter fighting in gruelling physical conditions to achieve 'Victory over Japan': the Australians, with no assistance from Britain, recaptured New Guinea to secure their homeland; the Anglo-Indian 14th Army under General 'Bill' Slim, with Chinese help, re-captured Burma; the United States Navy, Army and Marines fought their way across the Pacific to the Japanese perimeter; the Soviet Union invaded Manchuria on 8 August 1945; and a devastating bombing campaign culminated with the dropping of the atomic bombs on Hiroshima (6 August) and Nagasaki (9 August). Only then did Japan surrender.

The human cost of this conflict was horrific. The Japanese regime was brutal, and its forces were responsible for terrible war crimes against civilian populations throughout China and South East Asia as well as Allied servicemen; prisoners of war taken in Singapore, the Philippines and elsewhere were used as slave labour in Japan and on the 'Burma Railway' in Thailand, as were tens of thousands of Asian civilians. The cost to the Japanese was also high. Their servicemen tended to fight, with suicidal bravery 'to the death'; Japanese civilians suffered severe privation from naval blockade and aerial bombing.

Many who fought were scarred by their experience. It was not just terrible physical conditions of jungle and mountain, harsh treatment, loss of friends and injuries, but how they were regarded at home. 14th Army in Burma called itself 'the Forgotten Army', as attention, resources and press coverage always focused on Europe. For many who had fought for years or had been captured in the Far East, their return home did not happen until late 1945, and 'life had moved on'. Those at home had little comprehension of what they had experienced; those returning were disinclined to share their stories. Many captured at Singapore felt the bitterness of defeat and rancour at having been let down and abandoned. And no one in a victorious but exhausted Britain wanted to think about 'Britain's Greatest Defeat'. The initial Japanese triumph over Europeans had not been lost on colonial countries and in 1945 Britain and others were already grappling with the consequences. For Australians, who had spilt much blood for Britain in the First World War, and in the Western Desert, Greece and Malaya/Singapore in the Second, it was the United States, not Britain, who had saved them from invasion.

VJ has a particular meaning for many in East Anglia. In October 1941 18th British Division, of which most units were Territorials from East Anglia, sailed from UK equipped to fight in the Middle East. On 11 December, whilst at sea, the Division was diverted, by order of the War Cabinet, to Singapore, landing on 13 January. 4th and 5th Battalions of the Suffolk Regiment were involved in the fighting on Singapore Island in the 10 days before the surrender. Like all the many other British, Australian and Indian soldiers involved, the Suffolks spent the next three and a half years in Japanese hands. After 9 months in Changi Jail on Singapore Island, they were moved to Thailand to build the Burma-Thailand Railway. When it was completed in August 1944 most survivors were taken to Japan to be employed as slave labour. The Casualty returns for 4th Battalion Suffolk Regiment are striking: 955 all ranks landed in Singapore. Of these 90 were killed in action or died of wounds; 375 died while Prisoners of War; 490 survived, but of these 90 died within one year. Figures for the 5th Battalion, and other units, are comparable.

Princess of Wales RAF Hospital Ely specialized for many years in the care of Far East Prisoners of War (FEPOWs). From 1982 to 1991 2000 FEPOWs attended checks for tropical diseases. 70% were suffering from conditions attributed to war service, suggesting only 120 men (12%) of the 4th Battalion survived without long term problems. The figures take no account of mental issues – this was before PTSD was diagnosed. As an example, a hospital medical account of survivor Pte Ernest Warwick, 4th Suffolks stated in 1987:

“ He is haunted still by his years in captivity and today walks slowly and with painful difficulty as a direct result of his brutal torture and ill-treatment at the hands of the Japanese. In no way does he glorify war, but feels that as a proud nation we should always remember and honour our dead, who gave so much that we might live”.

London Gazette

Colonel R F L Lyne 528264 is promoted to Brigadier with effect 30th June 2020 with seniority date 30th June 2020.

The Undermentioned Captains to be promoted to be Majors 31 July 2020 with seniority 31 July 2020

- T M Duncalffe 25196652
- C C Monk 30022878
- J G Ryan 25237685

The following have has awarded the 4th Clasp to the Volunteer Reserve Medal.

- Major G J Rushmere 24910264

1st Battalion (The Vikings)

Return from summer leave and look forward to their new home in Dhekelia, Cyprus.

This month has seen the majority of the Battalion stood down for three weeks of summer leave. Around this the Vikings have continued to train for their upcoming deployment on Operation TORAL II with members of the Battalion attending Foxhound vehicle driver and commander courses and other Mission Specific Training courses.

In the last week of the month the Commanding Officer, Regimental Sergeant Major, the Quarter Master, the Regimental Signals Officer and the Welfare Officer flying to Cyprus on the first recce in advance of the unit move next year where they were superbly hosted by the 1st Battalion The Princess of Wales's Royal Regiment. This recce was the first exposure to life in Cyprus for the Battalion and has set the scene for further visits and preparations for the move. We look forward to discovering the island, the opportunity for excellent family life and finding out if the Poachers were telling us the truth about it the weather always being beautiful!



Next month sees the Vikings deploying on the Mission Rehearsal Exercises, KABUL DAWN and KABUL HORIZON which will see the Battalion fully trained and at readiness to deploy on Operations in the coming months. their role on Op TORAL II.

Capt Ben Hopkins
Regimental Signals Officer

(Below the famous watersports beach at Dhekelia known as “Poachers Cove”)



2nd Battalion (The Poachers)

Poachers learn from our past to prepare for future deployments with the help of the Royal Anglian Regiment Museum at Duxford

The month of August saw most of the Battalion taking a well-earned three weeks of summer leave after a busy period post Ex WESSEX STORM. The exception was A (Lincolnshire) Company whose summer leave did not quite marry up with the rest of the Battalion.

This time was filled by a visit to the Regimental Museum at RAF Duxford where the company were briefed on the development of historical weapons and armoured vehicles. The younger members of the company also conducted a service of remembrance at the Regimental Memorial and Officers & SNCOs spoke about non battlefield casualties. We would like to thank all the Regimental Museum staff and volunteers for their help and assistance during the visit and take this chance to remind our wider Regimental family that the Museum is now back open and offers a really good day out whilst adhering to COVID 19 safety measures. Those who have not visited before are reminded it is part of the IWM at Duxford and offers interesting stands and stories suitable for all ages.



A (Lincolnshire) Company also spent some time on the small arms ranges at Beckingham, honing their skills with the General Service Pistol and Sharpshooter rifle.

The forthcoming period in the run up to Christmas is set to be very busy, with D (Bedfordshire & Hertfordshire) Company prepping for a deployment on Op CABRIT to Poland; B (Leicestershire) Company deploying with the Light Dragoons BG to Mali on UN Peacekeeping; and BHQ with A (Lincolnshire) Company preparing themselves for pre deployment training on the army's second rotation for the Mali deployment.



Capt Ben Humphreys
Intelligence Officer

3rd Battalion (The Steelbacks)

STEELBACKS CELEBRATE LONG SERVICE AND PREPARE FOR ADX IN WALES

As 4 (Lincolnshire) Company returns to normal after many of the Company's troops were deployed as part of Mobile Testing Units and the remainder were subject to the communication challenges of online training, the Company was pleased to host a visit of the Commanding Officer and Regimental Sergeant Major to Grimsby Army Reserve Centre.

The Commanding Officer was pleased to be able to present Private Steve Wall with his VRSM for 10 years Reserve Service. To explain the commitment required to receive this medal, an individual needs to be able to give up at around 10% of their spare time over the 10 year period.



The Commanding Officer also presented Private Chloe Wilkinson with a CO's Coin to recognise her public-spirited action in going to the assistance of a man who had collapsed in Grimsby last year.

Battalion

In these challenging times, Steelback Companies have continued with their Socially Distanced training programmes and are currently looking forward to their Annual Deployment Exercise (ADX) in Penally Camp and Sennybridge Training Area at the start of September.

With so many of the Battalion having already qualified towards ADX through attending WESSEX STORM and having mobilised for Covid-19 duties. This year's event will be much reduced and focused on Adventure Training, Field Firing and a Signal Cadre.

Despite Covid-19, the Reserve Combat Infantrypersons Cadre (CIC) has continued to be run at Catterick. The Battalion did well on the most recent course and congratulations go to:

Pte Thompson 3 Company Champion Recruit

Pte Warner 2 Company Best Shot

Ptes Chukwunyere, Knibb and Reilly all from 2 Company, for being part of the Champion Section.

I Company – Food Donations

Soldiers from I Company have come together to answer a call for help from a Thetford Food bank coordinator Paul Gordon, Ex 3 R ANGLIAN (Pompadours). Paul initially had asked for donations from the community after the government's scheme had ended and food parcels had dried up.



Soldier and recruits, from Norwich, were asked if they could make donations and they responded in true R ANGLIAN spirit. The donations were handed over to a surprised Paul by Cpl Wilkinson and Pte Quadling of I Company.

Paul Gordon served as a Pompadour in HQ Company's 3rd Battalion, and as part of the East of England Regiment, between 1989 and 1991. He has served a tour in Northern Ireland and also spent time in Gibraltar with 6 Volunteer Battalion of the Royal Anglian Regiment in 1988.

Paul noticed, that during the early days of lockdown, the elderly were not receiving food parcels due to their slots being removed or

cancelled by supermarkets. He volunteered to step in and make the deliveries himself and so he became a key member of the COVID support in the area. Paul started off with a few deliveries a week and is now up to over 200 a month. Along with his daughter, they now deliver food and help with odd jobs like gardening and running errands. They have been recognised as key community members by the Good Neighbourhood Scheme and are now affiliated with Community Action Norfolk.

Paul has shown great leadership and demonstrated the core values beyond his uniformed service, and he is a credit to the regiment and his community. He has displayed what it means to be a Royal Anglian and his legacy continues as his son has now joined HQ Company of the 3rd Battalion in Bury St Edmunds as a new recruit.

Maj Gavin Rushmere

Bn 2ic

Association News

VJ Day Commemorations with the Association

Commemorations were held in all our Counties. Some were services on VJ Day and some were pre-recorded services, published on VJ Say. Our County Associations kindly sent in the reports and links below.

The Essex Association

In Witham a poignant memorial was held with the Exhortation and the Kohima Epitaph read aloud. This also included a wreath laying by Col Thomas, the County Colonel of Essex, Branch President of Witham RBL and President of the Chelmsford branch of the Royal Anglian Association.



Above - Wreaths at the Witham War Memorial. Including the Essex Regiment wreath laid on behalf of the Regiment to commemorate the 1 ESSEX contribution to Imphal and Kohima.



Left - Col Thomas with the Chairman of the Witham Branch of the RBL, and the Town Mayor of Witham.

The Cambridgeshire Association

A memorial was held in Whittlesey headed by the Mayor Cllr David Mason and well supported by the local Association and the Town Council with Lt Col David Denson TD, County Colonel, laying the wreath on behalf of The Royal Anglian Regiment Association Association Cambridgeshire. His Honour Neil McKittrick Deputy Lieutenant also laid a wreath in memory of the Cambridgeshire Regiment.

(Photos courtesy Rui Chamberlain and Robert Windle)



The Lincolnshire Association

In Lincolnshire two separate memorials were held to parade the Association Standards including Mr M Reams 2nd Battalion Royal Anglian Regt, Mr P Cox (guest) Royal Observer Corps, Mr J Gordon 2nd Battalion Royal Anglian Regt, Mr S Palmer 7th Battalion Royal Anglian Regt .

Also in Stamford, Terry Browning organised a small gathering at the War Memorial in conjunction with the Royal British Legion. Lt Col Simon Bacon, President of the Association for Lincolnshire, laid a wreath on behalf of the Regiment.

The Leicestershire Association

In Leicestershire the council made significant efforts towards a virtual memorial of VJ day including an extensive PDF of the history of the Royal Leicestershire Regiments contributions which can be viewed below.

Three battalions of the Leicestershire Regiment were much involved in the Far East campaign, while one battalion was taken prisoner when Singapore fell, 2 further battalions continued fighting the Japanese as Chindits deep behind enemy lines.

Please click on the link <https://www.leicestershire.gov.uk/VJDay75>. or open the attached pdf to view historical accounts, stories, illustrations, and links to further online content, including a virtual Service of Commemoration from Leicester Cathedral in which our Colonel in Chief, HRH the Duke of Gloucester, reads the speech given by King George VI on VJ Day 1945.

Jim Posnett joined the Leicestershire Regiment in 1940 and served in India, Burma and Java during the Second World War. Now aged over 100 years old he gave this interview to the Melton Times: [Melton man recalls his Burma campaign 75 years on from VJ ...](#)

The Northamptonshire Association

Sub Lt Ted Barker now aged 97 served with the Fleet Air Arm as a pilot during the Pacific Campaign. His father, Stanley Barker, was huntsman to the famous Pytchley Hounds for 30 years. As part of Northampton's virtual VJ75 Commemorations Lt Col Robert Blomfield (County Colonel for Northamptonshire) conducted a fascinating interview with Ted for BBC Radio Northampton. Watch the video by clicking on the following link <https://youtu.be/PSfTAuC9qz8>

The Bedfordshire and Hertfordshire Association

1st & 5th Battalions Beds.Herts served in the far east as did the Herts & Beds Yeomanry. In Burma, our troops formed part of the Chindits fighting behind enemy lines. The Lord Lieutenant held a virtual service in Elstow Church which has been home to the FEPOW Association since the end of the war. Our assistant Regimental Padre, Steven Smith, was in attendance. The service can be found here: <https://www.youtube.com/watch?v=E3Ps4-WnnUA>

Cleaning the gravestone of Lt Gen Sir Reginald Denning, first Colonel of the Regiment

Two years ago Steve Davis, ex RGJ, a keen military historian and friend of the Regiment kindly organised the restoration of the grave of Sgt William McWheeney VC of the 44th of Foot. The rededication was supported by our Padre, by C (Essex) Company and by the County Colonel for Essex. Steve has been continuing his kind work and sent in the article and photograph below.

In my home village of Hawkhurst, Kent I spotted a grave by chance and when I did some research (my thanks to Jane Robinson) discovered a truly great man, I spoke to his son David today and he is so pleased at the finished stone. I also cleaned his mother's stone, which is next to his father's.

Lieutenant General Sir Reginald Francis Stewart Denning
KCVO KBE CB MC

Reginald Denning was born in Whitchurch, Hampshire, in 1894 to Charles and Clara Denning. His siblings included Alfred Thompson "Tom" Denning and Norman Denning. He joined the British Army at the beginning of World War I as a private with the Queen's Westminsters, and was sent to serve on the Western Front in 1914, where he was stationed at Ypres. He initially refused to apply for a commission until his elder brother forced him to, and in 1915 he was commissioned in the Bedfordshire Regiment. On 15 June 1915 he was severely injured. After running forward in an assault against the enemy flank he spotted some soldiers hiding in a trench. Running over to confront them he was hit with a 'pole-axe blow' to the head, which turned out to be a bullet passing through his shoulder and into the back of his head. He was left for dead and recovered consciousness about twelve hours later. A corporal from his company picked him up and carried him to a field ambulance, and after surgery was shipped back to England, where a metal plate was put in his head.



He recovered from his wound and returned to France in 1918 to join his regiment as a company commander, but the wound had taken its toll and he collapsed. After being sent back to base he was transferred to Brigade headquarters with the 3rd Army. For the rest of the war he served as a staff captain at 3rd Army Headquarters, but was transferred back to his regiment in 1919 to take part in the training of the regiment. He served for six years as an adjutant, three years for each regular Battalion, and in 1925 attended the Staff College, Camberley. After training he again returned to the Bedfordshire Regiment and served with them in both India and England.

He left the regiment in 1936, again to join the staff, and helped prepare the British Expeditionary Force. After the Dunkirk evacuations he was appointed to the XI Corps defending South East England. He was promoted to Major-General in 1943 to lead the planning for D-Day; he asked to be demoted to Brigadier so he would be allowed to take part in the landings themselves, but this request was denied. After the success of the operation he was posted to Far East Command and became Chief Administrative Officer for the south-east Asian campaign.

In 1947 he was made Chief of Staff Eastern Command and was made Colonel of the Bedfordshire and Hertfordshire Regiment. In 1949 he was promoted to Lieutenant-General and made General Officer Commanding Northern Ireland District.

He retired in 1952 and helped organise the merging of the county regiments into larger units, forming the Royal Anglian Regiment and serving as its first Colonel. After his retirement he became chairman of the Soldiers', Sailors' and Airmen's Families Association and worked with the organisation for over 20 years. He was made a Knight Commander of the Royal Victorian Order in thanks for his work. He was also a Deputy Lieutenant for Essex between 1959 and 1968.

Steve Davies

Royal Anglian Regiment Museum

There are also visits coming up as well as an air show showcase, which is essentially a mini air show that is put on at Duxford. We are keen to trial new 'Covid-friendly' activities we have in mind for the air show in September, so we are setting up a gazebo and doing a proper 'recce' for the later big day. For visits, we have a group from the 2nd Battalion coming in for a visit, for a look around and to do some research for an upcoming deployment.

We are also working on doing some more improvements in the galleries, as well as put in some grants. We have a Pompadours album that is in desperate need of conservation, so we can hopefully get a grant to do that work!

There is still plenty of work to be doing for the upcoming big air show in September, and some exciting visits in the future, but we are so happy to be open again!

The Curator,
Royal Anglian Regiment Museum



BULLETINS

RHQ circulated four Regimental Bulletins in August:

- Bulletin 59-20 Spec O of Day Blenheim
- Bulletin 60-20 Newsletter
- Bulletin 61-20 Job Opportunity
- Bulletin 62-20 Call in in Notice Officers Club

Diary Dates - Spring and Summer 2020

The Regiment regrets that our major Regimental events for this Spring were cancelled. During the Coronavirus crises our policy has been to cancel major events three months in advance of the event: before invitations are issued and before Regimental funds have been committed. Current plans are to have no major Regimental events this Summer, in August, September or October. As soon as we are able to resume our programme of events safely, we will do so. Updates of Regimental Events in November and beyond will be in August's *Royal Anglian News* and in Regimental Bulletins.

Bolt & Magill Lincoln House | 5 Pump Court | 9 Bedford Row

This is the third in a series of articles by Sarah Magill and Matthew Bolt, two barristers who specialise in defending members of the Armed Forces. They will explain how your approach to navigating the military and civilian legal systems can affect you and your families both during your careers and afterwards.

Bolt & Magill

SPEAKING TO THE RMP AND SIB

At some point in your career you may find that the RMP want to talk to you about more than the weather. In this article we tell you what to expect and what might happen. Every case is different, and you should take legal advice about the specific situation you find yourself in, but these are the basics you need to know.

Why do the Police want to talk to me?

This is the first question to ask, and it is an important one. The police might want to speak to you as a potential witness to a crime or a death, or they may want to interview you as a suspect. The way they approach you does not always make this clear. Hearing the phrase that they would like you to 'just pop in for a chat' can still mean that they would like to interview you as you are under suspicion of committing an offence. The best way to work out the reason for the meeting is to ask them directly – am I under suspicion? If you are not comfortable doing this and would prefer someone else to do the leg work, you can contact a Solicitor.

The Police have said that they want to speak to me as a witness or a victim. Do I have to speak to them?

No, but you may be happy to be a witness. If you are feeling unsure and would like advice on your options, speak to an independent Solicitor first.

Does instructing a Solicitor make it look like I have something to hide?

Not at all. The police are used to dealing with Solicitors, whether they are instructed on behalf of witnesses or suspects. The RMP will automatically offer you a Solicitor if you are a suspect, it is against the law for them not to. When civilian police officers are interviewed as suspects, they are always represented by specialist lawyers. This is a good example of why you should be, too.

How much does it cost?

If you are being interviewed as a suspect, whether attending voluntarily or under arrest, it is free under the Armed Forces Legal Aid scheme. It is not means assessed, so representation is free even if you are a millionaire. If you are being spoken to as a witness, then this is different and there may well be a charge. You should ask the Solicitor about this before you commit to using them. They should be clear and upfront about any cost to you.

What is the difference between a voluntary interview and an interview under arrest?

In both, you are a suspect. In terms of the content there is no difference. A voluntary interview takes place at a time and date suitable to you. You can leave a voluntary interview at any time and unless something goes terribly wrong, you will be leaving afterwards to await the results of further investigation, and a final prosecution decision. If you have been arrested, the police will ask you if you would like to be represented by a Solicitor. RMP have access to the 'Duty Solicitor Scheme'. Local criminal defence firms based near your barracks take turns on a rota to ensure your barracks are covered 24/7 by someone who can come and advise you at short notice.

If you are deployed on exercise or operationally, the RMP will delay interviewing you until a Solicitor has been provided to you. Solicitors have been flown out to Africa and Afghanistan for this purpose, so it does not matter where you are. Arrangements can be made. It does not matter whether the interview is voluntary or under arrest, you have an unassailable right to be represented by a Solicitor.

Should I use the duty solicitor scheme, or someone else? How do I know who to pick?

Duty Solicitors have taken extra exams, meaning they are experts at police interviews. Firms based near your barracks are likely to be familiar with the military environment and the impact of a conviction on your career. If you would prefer to choose your own, you can do so. There are firms who specialise in defending service personnel. If you have already had your interview, it is not too late to change your Solicitor, or to instruct one.

Should I just go in on my own to get it over with, and answer questions?

Going into an interview without a Solicitor is like going into battle without any ammo. You are putting yourself in a position where you are more likely to be prosecuted than if you had taken legal advice and dealt with the interview in a different way. The law says that the police must provide you, or if you are represented your Solicitor, with some information before any interview. We call this 'disclosure'. This disclosure includes the evidence they have against you. The police should give you information that undermines the case against you, too. In other words, evidence or facts that help you. In our experience, if you have no Solicitor you are likely to be given very little, if any of this information. Having a Solicitor will ensure this is obtained, and if the police do not provide enough disclosure, how this affects interview tactics.

What will the Solicitor do that I cannot do myself?

Besides obtaining disclosure, a Solicitor will advise you what the offences mean, any defences available and your options.

They will listen to you and write down your account of what happened. They may take notes of potential defence witnesses, and they may make notes of locations where evidence such as CCTV can be checked. They will explain what the caution means. Solicitors will ensure that you only go into an interview if you are fit to be interviewed. In some cases, people go directly to hospital and are not interviewed until they are better.

Interview Strategy

The caution, given by the police at the beginning of the interview, is important. It shapes the way the Solicitor advises how you deal with the interview. The caution says *'you do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later may rely on in Court. Anything you do say may be given in evidence'*.

The Solicitor will tell you what needs to be said in the interview and what does not. This is because the interview becomes evidence in the case against you.

There are four ways a Solicitor might advise you to approach an interview:

1. They may advise you to refuse to participate in the interview altogether.
2. They may listen to what you have to say and advise you that some of what you have to say is not helpful and should not be said to the police, but some of it does need to be said. The Solicitor is an expert in this sort of tactical analysis. In that sort of case, they may advise you to put forward a 'prepared statement', which they will write with you. During the interview they may then advise you not to answer any questions, and they will read out your account to the police on your behalf. Some prepared statements are very short, others might be ten pages long, and contain legal declarations and warnings to the police about their conduct so far.
3. They may advise you not to answer any questions at all, perhaps saying 'no comment' or remaining silent. This might be because there is no evidence you have done anything wrong at all, or there

may be insufficient evidence to prosecute you, but if you do say something, you might give them evidence they otherwise didn't have. It may also be because you do not have a defence.

4. They may advise you to answer questions. They will help you prepare for this and explain to you the style and shape a police interview takes, and they may practice with you before you go in so that you are less nervous.

The Solicitor is trained to intervene during the interview so that they can speak to you to discuss the case further with you in private. This means they can change your strategy dynamically as the interview progresses, and the police reveal more information about their investigation. They can also intervene to stop the police asking inappropriate and irrelevant questions, repeating themselves, taking too long or behaving in a hostile manner.

What happens afterwards?

One of the following will happen:

- Released under investigation: this means the police are not ready to finalise the case, you are not being prosecuted, and the case has not been dropped. There may be further interviews.
- Referred for charge and released: this means the police believe there is enough evidence to charge you, Either your CO or the Director Service Prosecutions will then decide if you are to be charged.
- Held in custody without charge: You can be held in custody for a maximum of 96 hours without charge
- Held in custody after charge: You will be held in service custody until you can be brought before a judge advocate (usually via a video link). This can take 24-48 hours.
- Released No Further Action: the case is over and you are not being prosecuted.

In an article to follow, we will explain how long convictions stay on your criminal record in civvy street, and how they can affect your employment after the military.

If you have a question or there is a topic you would like us to cover then let us know via email.

Sarah Magill practises from Lincoln House Chambers in Manchester and 9 Bedford Row in London.

Matthew Bolt practices across the UK from 5 Pump Court in London.

Bolt & Magill

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COVER PHOTO

A young Poacher learns about Regimental history whilst adhering to COVID measures with a facemask, whilst visiting the Royal Anglian Regimental Museum at Duxford.



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